

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

May 19, 2006

Minutes of the regular City Council meeting held Monday, May 15, 2006 at 7:00 p.m., Council Chambers, City Center.

All members of the Council were present; Mayor Dowling presided.

Public Hearing - Appropriation Resolve FY 06-07 (Order #077)

Public comments were held on items listed on the agenda

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND PASSED, FINAL READING, AS AMENDED

077 BE IT RESOLVED, That there is hereby appropriated for the support of the departments of the City of Augusta, for payment of County Taxes, for the bonded indebtedness of the City, and for all the other debts incurred by the City for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the sum of \$47,354,933 \$47,245,784 of which a summary appears below.

BE IT FURTHER RESOLVED, That the amount to be raised from current real and personal taxes considering estimated departmental revenues, fund balance, and other sources of \$24,390,434 \$24,531,285 to be set at \$22,964,499. \$22,714,499.

BE IT FURTHER RESOLVED, That the City of Augusta appropriate \$19,751,968 for the total cost of funding public education from pre-kindergarten to grade twelve as described in Essential Programs and Services Funding Act and that the City of Augusta raise \$8,088,300 as the City's contribution to the total cost of funding public education from pre-kindergarten to grade twelve as described in Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688.

Explanation: The City's contribution to the total cost of funding public education from pre-kindergarten to grade twelve as described in Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that the municipality must raise in order to receive the full amount of state dollars.

BE IT FURTHER RESOLVED, That the City of Augusta raise and

OLD BUSINESS AND TABLED MATTERS (Con't)HAS BEEN READ AND PASSED, FINAL READING, AS AMENDED (Con't)

077 Continued

appropriate \$608,487 for the annual payments on debt service previously approved by the legislative body for non-state-funded school construction projects, non-state-funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the school administrative unit's contribution to the total cost of funding public education from pre-kindergarten to grade twelve.

Explanation: Non-state-funded debt service is the amount of money needed for the annual payments on the City's long-term debt for major capital school construction and minor capital renovations that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters of the City as follows:

Lincoln & Farrington Elementary Schools - approved by the voters on November 4, 1986.

New Cony High School - Preliminary bond - approved by the voters on November 7, 2000.

New Cony High School - Future bond (estimated May 2006) approved by the voters on December 2, 2003.

BE IT FURTHER RESOLVED, That the City of Augusta raise and appropriate \$1,726,412 \$1,476,412 in additional local funds, which is less than the State's Essential Programs and Services funding model by \$112,506. which exceeds the Essential Programs and Services funding model by \$137,494. The Augusta Board of Education recommends \$137,494 for the following reasons:

The State does not provide sufficient funding in the areas of:

Extra & Co-Curricular Activities \$432,000

Pension Obligation Bond 115,000

Salary, Wages and Benefits 99,000

Contingency account 90,000

Limited English Proficiency (ESL) 65,000

System Administration & Support 59,000

Technical Education 59,000

Gifted & Talented program 58,000

Transportation 29,000

Explanation: The additional local funds are those locally

OLD BUSINESS AND TABLED MATTERS (Con't)

HAS BEEN READ AND PASSED, FINAL READING, AS AMENDED (Con't)

077 Continued

raised funds over and above the City's local contribution to the total cost of funding public education from Pre-K through grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual debt service payment on previously approved non-state-funded school construction projects and the non-state-funded portion of minor capital school construction projects that will help achieve the City's budget for educational programs.

BE IT FURTHER RESOLVED, That the City of Augusta appropriate \$518,635 and raise \$306,452 for Adult Education.

BE IT FURTHER RESOLVED, That the City of Augusta authorize the Augusta Board of Education to expend \$26,079,975 \$25,929,975 for the fiscal year beginning July 1, 2006 and ending June 30, 2007 from the City's contribution to the total cost of funding public education from pre-kindergarten to grade twelve as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy, and other receipts for the support of schools.

	PRELIMINARY BUDGET	FINAL BUDGET
<u>LEGISLATIVE AND EXECUTIVE</u>		
Mayor and Council	\$ 40,846	\$ 40,846
City Manager	246,773	246,973
Corporation Counsel	96,600	96,600
Central Services	9,625	9,625
Unclassified	254,367	177,917
Council Contingency	20,000	20,000
Manager Contingency	10,000	10,000
 TOTAL LEGISLATIVE AND EXECUTIVE	 \$ 678,211	 \$ 601,961
<u>FINANCE AND ADMINISTRATION</u>		
City Clerk	\$ 185,658	\$ 185,658
Registration and Elections	31,755	31,755
City Auditor	138,722	138,722
Information Systems	272,440	364,615

OLD BUSINESS AND TABLED MATTERS (Con't)HAS BEEN READ AND PASSED, FINAL READING, AS AMENDED (Con't)

077	Continued		
	Treasurer and Tax Collector	286,535	265,334
	Assessor	212,711	212,711
	Finance and Administration	101,405	101,405
	Human Resources	213,603	213,603
	TOTAL FINANCE AND ADMINISTRATION	\$ 1,442,829	\$ 1,513,803
	<u>CITY SERVICES</u>		
	Economic Development	\$ 229,215	\$ 229,215
	Planning	88,410	88,410
	Historical Preservation	5,825	5,825
	Code Enforcement	270,882	270,882
	City Service Administration	50,702	50,702
	Engineer	172,932	173,082
	City Building	464,447	477,009
	Buker School	87,368	92,228
	TOTAL CITY SERVICES	\$ 1,369,781	\$ 1,387,353
	<u>COMMUNITY SERVICES</u>		
	Conservation Commission	\$ 2,762	\$ 2,762
	Community Services Administration	195,810	195,810
	Public Library	562,929	562,929
	Recreation	172,713	173,046
	Parks and Cemetery	771,507	775,888
	Fort Western	111,698	111,698
	Bicentennial Nature Park	58,268	58,310
	Health and Welfare	171,528	171,528
	General Assistance	77,350	77,350
	TOTAL COMMUNITY SERVICES	\$ 2,124,565	\$ 2,129,321
	<u>PUBLIC SAFETY</u>		
	Police	\$ 3,599,933	\$ 3,629,390
	Fire	2,029,739	2,033,599
	Civil Emergency Preparedness	5,800	5,800
	TOTAL PUBLIC SAFETY	\$ 5,635,472	\$ 5,668,789
	<u>PUBLIC WORKS</u>		
	Public Works Administration	\$ 107,531	\$ 107,881
	Highway Maintenance	638,327	1,415,775
	Street Cleaning	93,914	0
	Snow Removal	848,789	862,690

OLD BUSINESS AND TABLED MATTERS (Con't)HAS BEEN READ AND PASSED, FINAL READING, AS AMENDED (Con't)

077	Continued		
	Waste Removal	735,395	739,083
	Walks	81,128	0
	Street & Road Maintenance	212,571	0
	Resurfacing of Streets	277,322	0
	Signs	102,555	0
	TOTAL PUBLIC WORKS	\$ 3,097,532	\$ 3,125,429
	TOTAL UTILITIES	\$ 2,133,588	\$ 2,046,173
	TOTAL RETIREMENT AND INSURANCE	\$ 1,627,009	\$ 1,627,009
	TOTAL SERIAL BONDS AND NOTES	\$ 1,302,281	\$ 1,302,281
	TOTAL RESERVE AND CASH C.I.P	\$ 524,000	\$ 574,000
	TOTAL COUNTY TAX	\$ 1,339,690	\$ 1,339,690
	<u>EDUCATION</u>		
	Board of Education	\$ 123,511	\$ 123,511
	Office of Superintendent	711,139	711,139
	Hodgkins School	1,939,581	1,939,581
	Farrington School	1,827,286	1,827,286
	Gilbert School	1,392,713	1,392,713
	Hussey School	943,794	943,794
	Lincoln School	1,100,819	1,100,819
	Cony High School	5,295,817	5,295,817
	Vo Tech Center	2,616,751	2,616,751
	System Wide Services	5,881,331	5,731,331
	District Wide Special Education	3,675,940	3,675,940
	Adult Education	518,635	518,635
	Secular Services	6,050	6,050
	Crossing Guides	46,608	46,608
	TOTAL EDUCATION	\$26,079,975	\$25,929,975
	TOTAL APPROPRIATIONS	\$47,354,933	\$47,245,784

Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Lerman, Coffin, Koski, Lund

Nays: 0

OLD BUSINESS AND TABLED MATTERS (Con't)HAS BEEN READ AND PASSED, AS AMENDED

075 ORDERED, That the City Council does hereby establish a seven member committee, Chair and 6 members, to be appointed by the Mayor to study the future and revitalization of Bond Street and its buildings and make recommendations to the City Council accordingly.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Lerman, Coffin, Koski, Lund

Nays: 0

NEW BUSINESSHAS BEEN READ AND PASSED, AS AMENDED

080 ORDERED, That minutes of the City Council meetings held May 1, 2006 and May 8, 2006 submitted by the City Clerk be approved.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Lerman, Coffin, Koski, Lund

Nays: 0

090 ORDERED, That the City Council hereby approves a settlement agreement in the case of City of Augusta vs. Steven Rowe, in his capacity as Attorney General for the State of Maine, as follows:

1. The \$1.5 million proceeds of the sale of the existing Cony High School property will be allocated as follows:
 - A. \$600,000 to defray the costs of extra items not approved by the State for the new Cony High School.
 - B. \$200,000 towards the preservation of the historic flatiron building.
 - C. \$500,000 in an independent trust to be created to provide college scholarships for Cony High School students.
 - D. \$200,000 in an independent trust to be created for athletic and co-curricular needs for the new high school.
2. The settlement is conditioned upon an opinion of value confirming that the property is worth \$1.5 million or less.
3. All restrictions as set forth in the existing Daniel Cony Trust pertaining to the property to be sold to Cony LLC will be terminated.
4. The settlement is subject to approval by the Superior Court.

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED, AS AMENDED (Con't)

090 Continued

Further, the City Manager is authorized to execute all necessary documents to effectuate the settlement subject to approval by Corporation Counsel.

BE IT FURTHER ORDERED, That any substantive changes in the terms of settlement will be subject to further approval of City Council.

Yeas: 5; Byron, Doore, O'Brien, Coffin,
Lund

Nays: 3; Gomeau, Lerman, Koski

HAS BEEN READ, FIRST READING

091 BE IT ORDAINED, By the City Council of Augusta, that Lots 117 and 119 on Tax Assessor's Map 38, and Lot 35 on Tax Assessor's Map 42 are Conditionally Rezoned to Kennebec Business District 2 (KBD2), for the purposes of building a new supermarket on a portion of the existing Cony High School site, and for redeveloping the existing Cony Flat Iron Building on the remaining land of the site, and;

BE IT FURTHER ORDAINED, By the City Council of Augusta, that the following conditions of rezoning shall apply upon Cony LLC & Hannaford Brothers Corporation: (1) That no certificate of occupancy shall be issued for the use of the supermarket until the approved improvements to the East Side Rotary are done; and (2) that the supermarket store hours shall not exceed 5 a.m. to 11 p.m. (7 days/week).

(FIRST READING, NO VOTE REQUIRED)

HAS BEEN READ AND PASSED

081 ORDERED, That the City Council accept a donation of \$2,696.50 from Red Robin International, Inc. of Greenwood Village CO for fire prevention materials.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Lerman, Coffin, Koski, Lund

Nays: 0

NEW BUSINESS (Con't)HAS BEEN READ AND PASSED (Con't)

- 082 ORDERED, That the City Council accepts various donations for The Spring Running festival in an amount totaling Five Thousand, Six Hundred and Fifty Dollars (\$5,650.00).
- Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Lerman, Coffin, Koski, Lund
- Nays: 0
- 083 ORDERED, That Roll of Accounts for the month of April 2006 in the amount of \$5,141,661.04 be approved.
- Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Lerman, Coffin, Koski, Lund
- Nays: 0
- 084 ORDERED, That Suzanne Finn be appointed to the Lithgow Library Board of Trustees; said term to expire May 15, 2009.
- Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Lerman, Coffin, Koski, Lund
- Nays: 0
- 085 ORDERED, That Beverly Daggett be appointed to the Capital Riverfront Improvement District as the Augusta resident for the East Side; said term to expire May 15, 2009, and
- BE IT FURTHER ORDERED, That F. Allen Wiley be reappointed to same board as the Augusta resident for the West Side (said term to expire October 7, 2008) and Marc Lacasse as the Heart of Augusta Team representative (said term to expire December 13, 2008).
- Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Lerman, Coffin, Koski, Lund
- Nays: 0
- 086 ORDERED, That the Director of Solid Waste is hereby authorized to accept special waste from the Augusta Sanitary District and Gardiner Sanitary District to the Hatch Hill landfill.
- Yeas: 5; Byron, Lerman, Coffin, Koski,
Lund
- Nays: 3; Doore, Gomeau, O'Brien

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

087 ORDERED, That the City Council hereby declares as surplus property 33 fire alarm boxes and hereby authorizes the City Manager of disposing of said boxes through a public process.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Lerman, Coffin, Koski, Lund

Nays: 0

088 ORDERED, That one (1) petition dated May 9, 2006 submitted to the City Clerk be submitted to Corporation Counsel for opinion to be issued at the City Council's next regular business meeting.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Lerman, Coffin, Koski, Lund

Nays: 0

089 ORDERED, That consistent with City personnel policy, the Augusta City Council hereby creates two permanent part-time maintenance positions at the Augusta State Airport. Funding for said positions to be contained within the existing approved airport budget.

Yeas: 8; Byron, Doore, Gomeau, O'Brien,
Lerman, Coffin, Koski, Lund

Nays: 0

Legal Opinion was provided by Corporation Counsel regarding the Citizens Initiative Questions submitted on May 1, 2006.

Respectfully submitted,

Barbara E. Wardwell
City Clerk