

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

May 1, 2008

Agenda for the regular City Council meeting to be held Monday, May 5, 2008 at 7:00 p.m., Council Chambers, City Center.

There will be a pre-meeting of the City Council at 6:30 p.m. in Conference Room A. No Council actions are taken at pre-meetings. Pre-meetings are open to the public.

PROCLAMATION - Arbor Month

PROCLAMATION - Foster Care Awareness Month

PUBLIC COMMENTS ON ITEMS LISTED ON THE AGENDA.

CONSENT AGENDA - All matters listed under this item will be considered routine and will be enacted by one motion. If a Councilor wishes to discuss one (or more) item(s), Councilor may ask to have the item(s) removed from the Consent Agenda and considered individually.

066 Manager (Bureau of City Clerk)
ORDERED, That minutes of the City Council meeting held April 22, 2008 submitted by the City Clerk be approved.

067 Manager (Bureau of Audit Accounts)
ORDERED, That Roll of Accounts for the month of April 2008 in the amount of \$6,005,349.66 be approved.

068 Manager (Bureau of City Clerk)
ORDERED, That Thomas F. Doore, Louise Lerley and Linda Hadley-Rood be reappointed to the Registration Appeals Board; said term to expire May 3, 2011.

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND TABLED

131 Mayor Katz and Councilor Gomeau
WHEREAS, commercial blasting and use of explosives for purposes of quarrying mineral extraction and the production of construction materials have been occurring frequently in the City of Augusta, and whereas numerous reports of property damage resulting from such blasting have been communicated to the City, and

WHEREAS, current City of Augusta Ordinances are inadequate to

OLD BUSINESS AND TABLED MATTERS (Con't)

HAS BEEN READ AND TABLED (Con't)

131 Continued
effectively regulate and prevent serious public harm and property damage which may occur as a result of blasting in the City, and

WHEREAS, City Staff is aware of planned blasting in the vicinity of residential homes in the City, and

WHEREAS, the City Council has appointed a Committee to draft a new Ordinance regulating blasting, which has not completed its work, and

WHEREAS, the City Council needs additional time to complete the process of enacting a new Ordinance regulating blasting.

NOW THEREFORE, The Council hereby ORDERS that a moratorium be enacted effective as of the date of passage by Council which prohibits all commercial blasting and use of explosives for the purpose of mineral extraction, quarrying or the production of construction materials within 2000 feet of a residence.

This moratorium will expire in one hundred eighty (180) days from the date of passage or upon the effective date of enactment of a new Ordinance regulating blasting, whichever occurs first.

039 Councilor Rollins

WHEREAS, the 2007 Augusta Comprehensive Plan speaks generally to allowing appropriately designed commercial development on parcels adjacent to Western Avenue.

WHEREAS, the Council finds that the contract rezoning will permit the developer to present the project to the Planning Board for full review under the Major Development criteria of the Land Use Ordinance, including neighborhood compatibility;

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Augusta that the following contract rezoning be approved:

A portion of the lot known as Assessor's Map 84, Lot 2, as shown on the attached map entitled "Proposed Rezoning 11-13-2007" shall be Contract Zoned in accordance with Section 1.6.1(A)(iv)(b) of the Augusta Land Use Ordinance. The new contract zone shall be the Regional Business district (CC) with the following restriction: 1) Use of the lot shall be for a Hotel and Accessory Uses for the Hotel only.

NEW BUSINESSPART 1 - ORDERS

069 Manager (Department of Community Services)
ORDERED, That the City Council accept a donation for up to 100 flats of annual flowers valued at \$3,200.00 to be used in the City's gardens from Longfellow's Greenhouses.

070 Manager (Bureau of City Clerk)
ORDERED, That the Voter Registration hourly schedule for open session for the June 10, 2008 Primary and Referendum Election and School Budget Validation Election be as follows:

Thursday, June 5, 2008 from 1:00 p.m. to 6:00 p.m.

The intent of this order is to change the evening session time in accordance with M.R.S.A., Title 21-A, Section 122(8), as amended.

071 Manager (Department of City Services)
ORDERED, That the City Council approve the acceptance of Maine Department of Transportation Safe Routes to School Program grant funds in the amount of \$149,500 for the creation of safe biking and walking routes to and from Gilbert and Farrington Schools.

PART 2 - ORDER AND ORDINANCE BEING READ FOR THE FIRST TIME
NO VOTE REQUIRED

072 Manager
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, 2008, and ending June 30, 2009, the sum of \$51,341,008 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 \$27,112,385 to be set at \$24,228,623.

BE IT FURTHER RESOLVED, That the City of Augusta appropriate \$26,467,270 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 \$9,030,432 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

NEW BUSINESS (Con't)

- 072 Continued
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 appropriate \$349,637 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 - approved by the voters on December 2, 2003.

BE IT FURTHER RESOLVED, That the City of Augusta raise and appropriate \$752,505 in additional local funds, which exceeds the State's Essential Programs and Services allocation model by \$280,784 as required to fund the budget recommended by School Board.

Explanation: The additional local funds are those locally raised funds over and above the City's local contribution to the total cost of funding public education from pre-kindergarten through grade twelve 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

NEW BUSINESS (Con't)

072 Continued

capital school construction projects that will help achieve the City's budget for educational programs. The appropriate exceeds the Essential Program and services model in the following areas: special education, extra and co-curricular activities, transportation, pension obligations debt, central administration, and contingency.

BE IT FURTHER RESOLVED, That the City of Augusta appropriate \$575,272 and raise \$348,165 for Adult Education.

BE IT FURTHER RESOLVED, That the City of Augusta authorize the Augusta Board of Education to expend \$28,144,684 for the fiscal year beginning July 1, 2008 and ending June 30, 2009 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	\$ 41,801	
City Manager	264,731	
Corporation Counsel	117,180	
Central Services	6,060	
Unclassified	295,649	
Council Contingency	20,000	
Manager Contingency	10,000	
TOTAL LEGISLATIVE AND EXECUTIVE	\$ 755,421	_____
 <u>FINANCE AND ADMINISTRATION</u>		
City Clerk	\$ 197,944	
Registration and Elections	31,277	
City Auditor	146,736	
Information Systems	407,955	
Treasurer and Tax Collector	274,034	
Assessor	203,418	
Finance and Administration	112,587	
Human Resources	226,609	
TOTAL FINANCE AND ADMINISTRATION	\$ 1,600,560	_____

NEW BUSINESS (Con't)

072	Continued		
	<u>CITY SERVICES</u>		
	Economic Development	\$	257,712
	Planning		156,278
	Historical Preservation		5,825
	Code Enforcement		266,245
	City Service Administration		61,773
	Engineer		178,170
	City Buildings		534,797
	Buker School		158,986
	Cony/Flatiron		61,959
	TOTAL CITY SERVICES	\$	<u>1,681,745</u>
	<u>COMMUNITY SERVICES</u>		
	Conservation Commission	\$	2,686
	Community Services Administration		204,586
	Public Library		610,668
	Recreation		184,964
	Parks and Cemeteries		787,239
	Fort Western		121,372
	Bicentennial Nature Park		64,789
	Health and Welfare		185,947
	General Assistance		85,650
	TOTAL COMMUNITY SERVICES	\$	<u>2,247,901</u>
	<u>PUBLIC SAFETY</u>		
	Police	\$	3,889,591
	Fire		2,183,192
	Civil Emergency Preparedness		10,005
	TOTAL PUBLIC SAFETY	\$	<u>6,082,788</u>
	<u>PUBLIC WORKS</u>		
	Public Works Administration	\$	116,378
	Highway		1,502,076
	Snow Removal		976,935
	Waste Removal		766,060
	TOTAL PUBLIC WORKS	\$	<u>3,361,449</u>
	TOTAL UTILITIES	\$	2,125,432
	TOTAL RETIREMENT AND INSURANCE	\$	2,137,908
	TOTAL SERIAL BONDS AND NOTES	\$	1,186,885
	TOTAL RESERVE AND CASH C.I.P	\$	590,000

NEW BUSINESS (Con't)

072	Continued	
	TOTAL COUNTY TAX	\$ 1,426,235
	<u>EDUCATION</u>	
	REGULAR INSTRUCTION	\$ 9,379,960
	SPECIAL EDUCATION	\$ 3,850,473
	CAREER AND TECHNICAL EDUCATION	\$ 2,772,660
	OTHER INSTRUCTION	\$ 686,531
	STUDENT AND STAFF SUPPORT	\$ 2,290,430
	SYSTEM ADMINISTRATION	\$ 633,108
	SCHOOL ADMINISTRATION	\$ 1,383,547
	TRANSPORTATION	\$ 954,615
	FACILITIES MAINTENANCE	\$ 2,451,630
	DEBT SERVICE	\$ 3,018,458
	ALL OTHER EXPENDITURES	\$ 148,000
	ADULT EDUCATION	\$ 575,272
	TOTAL EDUCATION	\$28,144,684
	TOTAL APPROPRIATIONS	\$51,341,008

073 Manager (Bureau of Planning)
 BE IT ORDAINED, By the City Council of the City of Augusta, as follows:

That Section 5.1.14.2.d.iii. Off-Street Parking of the Revised Code of Ordinances 1990, as amended be further amended as follows:

(iii) As permitted by the Planning Board, places of worship located in the BP and RC District, provided that the minimum number of spaces required for a development proposal by said places of worship shall be available on a public street within 1,000 feet of the place of worship.

COMMUNICATIONS

Committee Reports

City Manager's Report

Respectfully submitted,

Barbara E. Wardwell
 City Clerk