

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

June 4, 2004

Minutes of the regular City Council meeting held Tuesday, June 1, 2004 at 7:00 p.m. Council Chambers, City Center.

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

Public Hearing - Appropriation Resolve FY 2005.

Public comments were held on items listed on the agenda.

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND PASSED, FINAL READING

080 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 the other debts incurred by the City for the fiscal year beginning July 1, 2004, and ending June 30, 2005, the sum of \$44,129,295 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 \$21,124,472 to be set at \$23,004,823.

DEPARTMENT	PRELIMINARY AMOUNT	FINAL AMOUNT
<u>LEGISLATIVE AND EXECUTIVE</u>		
35 Mayor and Council	\$ 40,823	\$ 40,823
36 City Management	235,564	235,564
37 Corporation Counsel	78,000	78,000
38 Central Services	11,950	11,950
39 Unclassified	212,249	212,249
40 Council Contingency	20,000	20,000
40 Manager Contingency	10,000	10,000
Total Legislative/Executive	\$ 608,586	\$ 608,586
<u>FINANCE AND ADMINISTRATION</u>		
42 City Clerk	\$ 174,722	\$ 174,722

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

080	Continued		
	44 Registration and Elections	31,706	31,706
	45 City Auditor	158,739	158,739
	46 Information Systems	225,714	225,714
	47 Treasurer/Tax Collector	306,215	306,215
	48 Assessor	212,212	212,212
	49 Finance and Administration	92,641	92,641
	51 Human Resources	202,040	202,040
	Total Finance and Administration	\$ 1,403,989	\$ 1,403,989
	<u>CITY SERVICES</u>		
	53 Economic Development	\$ 212,260	\$ 212,260
	54 Planning	82,813	82,813
	55 Historical Preservation	5,825	5,825
	56 Code Enforcement	233,332	233,332
	57 City Service Administration	46,010	46,010
	58 Engineer	164,914	164,914
	59 City Building	427,417	427,417
	Total City Services	\$ 1,172,571	\$ 1,172,571
	<u>COMMUNITY SERVICES</u>		
	61 Conservation Commission	\$ 2,800	\$ 2,800
	62 Community Services	188,661	188,661
	63 Public Library	534,862	534,862
	64 Recreation	171,160	171,160
	66 Bureau of Trees and Landscaping	84,168	84,168
	67 Parks and Cemetery	661,634	661,634
	68 Fort Western	109,098	109,098
	69 Bicentennial Nature	49,904	49,904
	70 Health and Welfare	220,575	220,575
	Total Community Services	\$ 2,022,862	\$ 2,022,862
	<u>PUBLIC SAFETY</u>		
	72 Police	\$ 3,223,581	\$ 3,223,581
	74 Fire	1,989,735	1,989,735
	74 Civil Emergency Preparedness	6,200	6,200
	Total Public Safety	\$ 5,219,516	\$ 5,219,516
	<u>PUBLIC WORKS</u>		
	75 Public Works Administration	\$ 102,101	\$ 102,101
	75 Highway	625,406	625,406

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

080	Continued		
	75 Street Cleaning	111,615	111,615
	75 Snow Removal	693,991	693,991
	75 Waste Removal	635,651	635,651
	75 Walks	71,792	71,792
	75 Street & Road Maintenance	196,790	196,790
	75 Resurfacing of Streets	183,402	183,402
	75 Signs	99,783	99,783
	Total Public Works	\$ 2,720,531	\$ 2,720,531
	<u>UTILITIES</u>		
	80 Utilities	\$ 1,947,257	\$ 1,947,257
	<u>RETIREMENT AND INSURANCES</u>		
	81 Retirement and Insurances	\$ 1,565,964	\$ 1,565,964
	<u>DEBT SERVICE</u>		
	82 Debt Service	\$ 1,403,359	\$ 1,403,359
	<u>ABATEMENTS, RESERVE AND CASH CAPITAL</u>		
	83 Abatements/Reserves/Cash Cap.	\$ 515,200	\$ 515,200
	TOTAL MUNICIPAL	\$18,359,835	\$18,359,835
	<u>COUNTY TAX</u>		
	88 County Tax	\$ 1,259,006	\$ 1,259,006
	<u>EDUCATION</u>		
	1 Board of Education	\$ 119,764	\$ 119,764
	2 Office of Superintendent	695,783	695,783
	3 Buker School	46,457	46,457
	4 Hodgkins School	1,807,335	1,807,335
	5 Farrington School	1,675,548	1,675,548
	6 Gilbert School	1,232,521	1,232,521
	7 Hussey School	974,681	974,681
	8 Lincoln School	1,059,483	1,059,483
	9 Cony High School	5,063,656	5,063,656
	10 Technical Center	2,246,200	2,246,200
	11 System Wide Services	5,509,748	5,509,748
	12 Special Education	3,317,202	3,317,202

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

080	Continued		
	20 Adult Education	485,776	485,776
	22 Crossing Guides	43,900	43,900
	23 Secular Services	12,400	12,400
	TOTAL EDUCATION	\$24,290,454	\$24,290,454
	TOTAL APPROPRIATIONS	\$44,129,295	\$44,129,295
	Yeas: 6; Sotir, Doore, Foster, Lerman, Davis, Lund		
	Nays: 1; Koski		

NEW BUSINESSHAS BEEN READ AND PASSED, AS AMENDED

086 ORDERED, That the City Council approve Smokey's Greater Shows carnival scheduled for June 4 June 8 through June 13, 2004, be granted the necessary variances for such show to be held at the Edwards Mill Site. Smokey's will provide proof of General Liability Insurance and financial responsibility for any property damages that may occur for an amount not less than \$30,000.

Yeas: 7; Sotir, Doore, Foster,  
Lerman, Davis, Koski, Lund  
Nays: 0

HAS BEEN READ, FIRST READING

090 BE IT ORDAINED, By the City Council of the City of Augusta, that Chapter 7, Section 1 of the Revised Code of Ordinances 1990, as amended, be deleted and replaced as follows:

WARD I:

Beginning at a point where the centerline of Sewall Street is intersected by the Northerly line of the City of Hallowell; thence Westerly and Northerly along said Northerly line of the City of Hallowell and the Easterly line of the Town of Manchester to the centerline of Bond Brook; thence Easterly and Southerly along the centerline of Bond Brook to where a Northerly projection of the centerline of North Street intersects with said Bond Brook; thence Southerly along said projection and Southerly along

NEW BUSINESS (Con't)HAS BEEN READ, FIRST READING (Con't)

090 Continued

the centerline of North Street to the intersection with Bridge Street; thence Easterly along the centerline of Bridge Street and the Father Curran Bridge to the centerline of the Kennebec River; thence Southerly along the centerline of the Kennebec River to the Memorial Bridge; thence Southwesterly along the centerline of the Memorial Bridge and Memorial Drive and Memorial Circle to the intersection of Chamberlain Street; thence Southwesterly and Southerly along the centerline of Chamberlain Street to the intersection with Capitol Street; thence Northwesterly along the centerline of Capitol Street to the intersection with Sewall Street; thence Southwesterly and Southerly along the centerline of Sewall Street to the point of beginning.

WARD II:

Beginning at a point where the centerline of Sewall Street is intersected by the Northerly line of the City of Hallowell; thence Easterly along said Northerly line of the City of Hallowell and continuing across the Kennebec River to the Northerly line of the Town of Chelsea; thence Easterly along said Northerly line of the Town of Chelsea to the Southeastern most corner of Augusta; thence Northerly along the Westerly line of the Town of Whitefield to the Westerly line of the Town of Windsor; thence continuing Northerly along the Westerly line of the Town of Windsor to the centerline of South Belfast Avenue; thence Westerly and Southwesterly along the centerline of South Belfast Avenue to the intersection with Cony Street; thence Westerly along the centerline of Cony Street and the Father Curran Bridge to the centerline of the Kennebec River; thence Southerly along the centerline of the Kennebec River to the Memorial Bridge; thence Southwesterly along the centerline of the Memorial Bridge and Memorial Drive and Memorial Circle to the intersection of Chamberlain Street; thence Southwesterly and Southerly along the centerline of Chamberlain Street to the intersection with Capitol Street; thence Northwesterly along the centerline of Capitol Street to the intersection with Sewall Street; thence Southwesterly and Southerly along the centerline of Sewall Street to the point of beginning.

WARD III:

Beginning at a point on the Manchester Town Line where the

NEW BUSINESS (Con't)HAS BEEN READ, FIRST READING (Con't)

090 Continued

same is intersected by the centerline of Bond Brook; thence running Northerly, Westerly and then Northerly along the Manchester Town Line to the Northwesterly most corner of Augusta and the Southerly line of the Town of Sidney; thence Easterly along the said Southerly line of the Town of Sidney to the centerline of the Kennebec River; thence Southerly along the centerline of the Kennebec River to the centerline of the Father Curran Bridge; thence Westerly along the Father Curran Bridge and Bridge Street to the intersection with North Street; thence Northerly along North Street and continuing along a Northerly projection of North Street to the centerline of Bond Brook; thence Westerly and Northerly along the centerline of Bond Brook to the point of beginning.

WARD IV:

Beginning at a point on the centerline of the Kennebec River where same is intersected by the Southerly line of the Town of Vassalboro; thence Easterly along the Southern line of Vassalboro to the Northeasterly most corner of Augusta; thence Southerly along the Westerly line of Windsor to the centerline of South Belfast Avenue; thence Westerly and Southwesterly along the centerline of South Belfast Avenue to the intersection with Cony Street; thence Westerly along the centerline of Cony Street and the Father Curran Bridge to the centerline of the Kennebec River; thence Northerly along the centerline of the Kennebec River to the point of beginning.

(FIRST READING, NO VOTE REQUIRED)

HAS BEEN READ AND PASSED

081 ORDERED, That minutes of the City Council meeting held May 17, 2004, submitted by the City Clerk be approved.

Yeas: 7; Sotir, Doore, Foster,  
Lerman, Davis, Koski, Lund

Nays: 0

082 ORDERED, That the City Council accept various donations for the new Cony High School in an amount totaling \$79,100.00.

Yeas: 7; Sotir, Doore, Foster,  
Lerman, Davis, Koski, Lund

Nays: 0

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

083 ORDERED, That Georgette Valliere of 10 Evolution Drive, Augusta serve as Ward Clerk at Ward 3 replacing Mary Robichaud, for the upcoming June 8 Primary/Referendum election.

Yeas: 7; Sotir, Doore, Foster,  
Lerman, Davis, Koski, Lund

Nays: 0

084 ORDERED, That the City Council hereby accepts the Certification of Settlement and Warrant for Completion of Collection for fiscal year 1999 through 2004 taxes.

Yeas: 7; Sotir, Doore, Foster,  
Lerman, Davis, Koski, Lund

Nays: 0

085 ORDERED, That the City of Augusta property taxes for the 2005 fiscal year shall be due and payable at the Office of the Tax Collector as follows:

- ONE HALF shall be due on September 15, 2004

- ONE HALF shall be due on March 15, 2005

With interest being charged on any outstanding amount commencing one (1) day after the due date at the rate of 6.50% per annum.

Yeas: 7; Sotir, Doore, Foster,  
Lerman, Davis, Koski, Lund

Nays: 0

087 ORDERED, That Joan Theberge be appointed to serve as Chairperson of the Registration Appeals Board in accordance with Title 21-A, Section 103; said term to expire June 1, 2008.

Yeas: 7; Sotir, Doore, Foster,  
Lerman, Davis, Koski, Lund

Nays: 0

088 ORDERED, That the following be appropriated for education funding.

ORDERED, That the following categories of funds as provided by the Maine State Legislature be accepted:

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

088 Continued

State Aid to Education (including Federal Pass-Through Funds of Categorical Grants) - Estimated \$12,100,000

BE IT FURTHER ORDERED, That the sum of \$17,230,542 be ratified as appropriated on June 1, 2004 as the foundation allocation for school purposes; and

BE IT FURTHER ORDERED, That the sum of \$7,855,020 be raised as the local share of the foundation allocation for FY2004-2005; and

BE IT FURTHER ORDERED, That the sum of \$453,918 be ratified as appropriated on June 1, 2004 for the education debt service allocation; and

BE IT FURTHER ORDERED, That the sum of \$275,483 be raised as the local share of debt service for FY2004-2005; and

BE IT FURTHER ORDERED, That the sum of \$3,694,729 be ratified as appropriated on June 1, 2004 and that the sum of \$3,342,229 be raised in additional local funds under the provision of Title 20-A M.R.S.A., Section 15614; and

BE IT FURTHER ORDERED, That the sum of \$2,425,489 be ratified as appropriated on June 1, 2004 from other revenue sources, including tuition revenue, miscellaneous receipts, fund balance, and other state subsidy sources for education; and

BE IT FURTHER ORDERED, That the sum of \$24,290,454 appropriated for school purposes on June 1, 2004 be ratified; and

BE IT FURTHER ORDERED, That the Board of Education (School Board) for fiscal year beginning July 1, 2004 and ending June 30, 2005 be authorized to expend said appropriation from the Foundation Allocation, Debt Service Allocation unexpended balances, tuition receipts, local appropriations, State subsidy and other receipts for the support of schools; and

BE IT FURTHER ORDERED, That the sum of \$485,776 be ratified as appropriated on June 1, 2004 for Adult Education; and

BE IT FURTHER ORDERED, That the sum of \$245,776 be raised

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

088 Continued  
as the local share for Adult Education for FY2004-2005; and

BE IT FURTHER ORDERED, That this budget does not include the estimated amount of \$2,191,346 in employer share of teacher retirement costs that is paid directly by the State of Maine.

Yeas: 7; Sotir, Doore, Foster,  
Lerman, Davis, Koski, Lund

Nays: 0

089 WHEREAS, comprehensive municipal land use planning is essential to the quality of life, health and safety, orderly growth and prosperity of all communities; and

WHEREAS, the City of Augusta's zoning ordinance, Growth Management Plan and Capital Action Plan constitute key elements of the City's comprehensive land use planning; and

WHEREAS, the economic climate in Augusta has experienced significant change within the past fifteen years, including the loss of traditional manufacturing and industrial businesses and the City has worked diligently to encourage new business to move to Augusta; and

WHEREAS, Augusta must contend with a high property tax rate and realize \$30 million a year in growth to offset increases in said tax rate; and

WHEREAS, recent major development proposals and commercial development projects in Augusta suggest the need for a review of, and potential modification to, the City's zoning ordinance and growth management plan,

NOW, THEREFORE BE IT RESOLVED that the Augusta City Council does hereby request that the Augusta Planning Board conduct a public review process of the land use designations in the City as specified by the City's zoning ordinance; and

THAT said process involve extensive public input from neighborhood organizations and other interested parties; and

THAT said process include an examination of the adequacy of residential growth opportunities and how that might be

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

089 Continued  
improved; and

THAT said process examine the potential for additional commercial development within the City and consider its compatibility with existing and potential residential development; and

THAT said review consider the importance of growth to the financial health of the City and the balance between property taxes and quality of life issues associated with land use; and

THAT said review be concluded by January 1st, 2005 and include any specific zone change recommendations to the City Council that the Planning Board shall deem appropriate.

Adopted this 1st day of June, 2004.

Yeas: 7; Sotir, Doore, Foster,  
Lerman, Davis, Koski, Lund  
Nays: 0

091 ORDERED, That the City Council enter into Executive Session to discuss land sale negotiations.

Yeas: 7; Sotir, Doore, Foster,  
Lerman, Davis, Koski, Lund  
Nays: 0

Respectfully submitted,

Barbara E. Wardwell  
City Clerk