

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

May 11, 2006

Agenda for the regular City Council meeting to be held Monday, May 15, 2006 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.

PUBLIC HEARING - APPROPRIATION RESOLVE FY 06-07 (Order #077)

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.

- 080 Manager (Bureau of City Clerk)  
ORDERED, That minutes of the City Council meeting held May 1, 2006 submitted by the City Clerk be approved.
- 081 Manager  
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.
- 082 Manager (Department of Community Services)  
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).
- 083 Manager (Bureau of Audit Accounts)  
ORDERED, That Roll of Accounts for the month of April 2006 in the amount of \$5,141,661.04 be approved.
- 084 Mayor Dowling  
ORDERED, That Suzanne Finn be appointed to the Lithgow Library Board of Trustees; said term to expire May 15, 2009.
- 085 Mayor Dowling  
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

085 Continued

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).

OLD BUSINESS AND TABLED MATTERSHAS BEEN READ AND TABLED

## 075 Manager

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 of Bond Street and its buildings and make recommendations to the City Council accordingly.

HAS BEEN READ, FIRST READING

## 077 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, 2006, and ending June 30, 2007, the sum of \$47,354,933 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 to be set at \$22,964,499.

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.

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

077 Continued

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 \$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 in additional local funds, which exceeds the State's Essential Programs and Services funding model by \$137,494. The Augusta Board of Education recommends \$137,494 for the following reasons:

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

077 Continued

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 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 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.

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

077 Continued

PRELIMINARY  
BUDGETLEGISLATIVE AND EXECUTIVE

Mayor and Council	\$ 40,846
City Manager	246,773
Corporation Counsel	96,600
Central Services	9,625
Unclassified	254,367
Council Contingency	20,000
Manager Contingency	10,000

TOTAL LEGISLATIVE AND EXECUTIVE	\$ 678,211
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FINANCE AND ADMINISTRATION

City Clerk	\$ 185,658
Registration and Elections	31,755
City Auditor	138,722
Information Systems	272,440
Treasurer and Tax Collector	286,535
Assessor	212,711
Finance and Administration	101,405
Human Resources	213,603

TOTAL FINANCE AND ADMINISTRATION	\$ 1,442,829
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CITY SERVICES

Economic Development	\$ 229,215
Planning	88,410
Historical Preservation	5,825
Code Enforcement	270,882
City Service Administration	50,702
Engineer	172,932
City Building	464,447
Buker School	87,368

TOTAL CITY SERVICES	\$ 1,369,781
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OLD BUSINESS AND TABLED MATTERS (Con't)HAS BEEN READ, FIRST READING (Con't)

077	Continued		
	<u>COMMUNITY SERVICES</u>		
	Conservation Commission	\$	2,762
	Community Services Administration		195,810
	Public Library		562,929
	Recreation		172,713
	Parks and Cemetery		771,507
	Fort Western		111,698
	Bicentennial Nature Park		58,268
	Health and Welfare		171,528
	General Assistance		77,350
	TOTAL COMMUNITY SERVICES	\$	2,124,565
	<u>PUBLIC SAFETY</u>		
	Police	\$	3,599,933
	Fire		2,029,739
	Civil Emergency Preparedness		5,800
	TOTAL PUBLIC SAFETY	\$	5,635,472
	<u>PUBLIC WORKS</u>		
	Public Works Administration	\$	107,531
	Highway		638,327
	Street Cleaning		93,914
	Snow Removal		848,789
	Waste Removal		735,395
	Walks		81,128
	Street & Road Maintenance		212,571
	Resurfacing of Streets		277,322
	Signs		102,555
	TOTAL PUBLIC WORKS	\$	3,097,532
	TOTAL UTILITIES	\$	2,133,588
	TOTAL RETIREMENT AND INSURANCE	\$	1,627,009
	TOTAL SERIAL BONDS AND NOTES	\$	1,302,281
	TOTAL RESERVE AND CASH C.I.P	\$	524,000

OLD BUSINESS AND TABLED MATTERS (Con't)

HAS BEEN READ, FIRST READING (Con't)

077	Continued	
	TOTAL COUNTY TAX	\$ 1,339,690
	<u>EDUCATION</u>	
	Board of Education	\$ 123,511
	Office of Superintendent	711,139
	Hodgkins School	1,939,581
	Farrington School	1,827,286
	Gilbert School	1,392,713
	Hussey School	943,794
	Lincoln School	1,100,819
	Cony High School	5,295,817
	Vo Tech Center	2,616,751
	System Wide Services	5,881,331
	District Wide Special Education	3,675,940
	Adult Education	518,635
	Secular Services	6,050
	Crossing Guides	46,608
	TOTAL EDUCATION	<u>\$26,079,975</u>
	TOTAL APPROPRIATIONS	\$47,354,933

NEW BUSINESS

PART 1 - ORDERS

- 086    Manager  
 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.
  
- 087    Manager  
 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.
  
- 088    Manager (Bureau of City Clerk)  
 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.

NEW BUSINESS (Con't)

089 Manager

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.

090 Mayor Dowling

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 will be terminated.

4. The settlement is subject to approval by the Superior Court.

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

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

091 Manager (Bureau of Planning)

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

NEW BUSINESS (Con't)

091 Continued  
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).

COMMUNICATIONS

Legal Opinion - Corporation Counsel regarding the three (3) Citizen Petitions filed with the City Clerk on April 27, 2006.

Committee Reports

City Manager's Report

PETITIONS

To discuss a Petition filed with the City Clerk May 9, 2006 and take all and necessary action regarding the same (Order #088)

Respectfully submitted,

Barbara E. Wardwell  
City Clerk