

**MINUTES FOR THE CITY COUNCIL MEETING
COUNCIL CHAMBERS
THURSDAY, MARCH 20, 2014
7:00 P.M.**

All members of Council were present except Councilor Bilodeau; Mayor Stokes presided.

Proclamation – Mary Farrell Burns 100th birthday, February 6, 2014

Presentation - Kennebec Land Trust by Brian Kent

Public Hearing – Community Natural Gas and Tax Increment Financing District

Public Hearing – Amendment to the Augusta Marketplace Tax Increment Financing District

Public Hearing – Amendment to the NRF Distributors, Inc. Municipal Development and Tax Increment Financing District

Public comments were held on items listed on the agenda.

NEW BUSINESS

READ AND PASSED

14-047

ORDERED, That the minutes of the City Council meeting held March 6, 2014, submitted by the City Clerk be approved.

Motion for passage by: Munson Second by: Paradis

Yeas: 7; Byron, Grant, Paradis, O'Brien
 Rollins, McCormick, Munson

Nays: 0

14-048

ORDERED, That Amanda Frost be appointed to the Augusta Housing Authority; said term to expire March 20, 2019.

Motion for passage by: Munson Second by: Paradis

Yeas: 7; Byron, Grant, Paradis, O'Brien
 Rollins, McCormick, Munson

Nays: 0

14-049

WHEREAS, the City of Augusta (the "City") is authorized pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, to designate a specific location within the City as the "Community Natural Gas and Tax Increment Financing District" (the "District") and to adopt a Development Program for the District (the "Development Program"); and

WHEREAS, there is a need to maintain public streets, roads intersections impacted by the installation of natural gas utility lines in the City of Augusta; and

WHEREAS, there is a need to improve fire protection facilities and apparatus for the protection of citizens of the City of Augusta and the surrounding region;

WHEREAS, implementation of the Financial Program will provide additional investment in the City of Augusta's designated Downtown District; improve and broaden the tax base in the City of Augusta and improve the economy of the City of Augusta and the State of Maine; and

WHEREAS, there is a need to encourage the expansion, improvement and continuation of commercial activities through the establishment of the District in accordance with the provision of Chapter 207 of Title 30-A; and

WHEREAS, the City desires to designate the Community Natural Gas Economic Development Program and Tax Increment Financing District, and to adopt a Development Program for the District; and

WHEREAS, it is expected that approval will be obtained from the Maine Department of Economic and Community Development (the "Department"), approving the designation of the District and the adoption of the Development Program for the District.

NOW THEREFORE BE IT ORDERED, that the attached Development Program, which creates the Community Natural Gas Economic Development Program and Tax Increment Financing District, be approved.

Motion for passage by: Byron Second by: Rollins

Yeas: 7; Byron, Grant, Paradis, O'Brien

Rollins, McCormick, Munson

Nays: 0

14-050

WHEREAS, the City of Augusta (the "City") is authorized pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, to amend the "Augusta Marketplace Tax Increment Financing District" (the "District") and to amend the Development Program for the District (the "Development Program"); and

WHEREAS, there is a need to meet financial obligations of the City of Augusta under an existing credit enhancement agreement with S.R. Weiner & Associates of Chestnut Hill, Massachusetts ; and

WHEREAS, there is a need to maintain and improve roadways and intersections impacted by the development of the Augusta Marketplace development;

WHEREAS, there is a need to make capital improvements and investments to the Augusta Civic Center;

WHEREAS, there is a need to encourage the expansion, improvement and continuation of commercial activities through this amendment to the District in accordance with the provision of Chapter 207 of Title 30-A; and

WHEREAS, the City desires to amend the Augusta Marketplace Economic Development Program and Tax Increment Financing District, and to adopt a Development Program for the District; and

WHEREAS, it is expected that approval will be obtained from the Maine Department of Economic and Community Development (the “Department”), approving the designation of the District and the adoption of the Development Program for the District.

NOW THEREFORE BE IT ORDERED, that the attached Development Program, which amends the Augusta Marketplace Economic Development Program and Tax Increment Financing District, be approved.

Motion for passage by: Byron Second by: Rollins
Yeas: 7; Byron, Grant, Paradis, O’Brien
 Rollins, McCormick, Munson
Nays: 0

14-051

WHEREAS, the City of Augusta (the “City”) is authorized pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, to amend the “NRF Distributors, Inc. Municipal Development and Tax Increment Financing District” (the “District”) and to amend the Development Program for the District (the “Development Program”); and

WHEREAS, there is a need to improve fire protection facilities and apparatus for the protection of citizens of the City of Augusta and the surrounding region;

WHEREAS, there is a need to encourage the expansion, improvement and continuation of commercial activities through this amendment to the District in accordance with the provision of Chapter 207 of Title 30-A; and

WHEREAS, the City desires to amend the NRF Distributors, Inc. Municipal Development and Tax Increment Financing District, and to adopt a Development Program for the District; and

WHEREAS, it is expected that approval will be obtained from the Maine Department of Economic and Community Development (the “Department”), approving the designation of the District and the adoption of the Development Program for the District.

NOW THEREFORE BE IT ORDERED, that the attached Development Program, which amends the NRF Distributors, Inc. Municipal Development and Tax Increment Financing District, be approved.

Motion for passage by: Byron Second by: Paradis
 Yeas: 7; Byron, Grant, Paradis, O'Brien
 Rollins, McCormick, Munson
 Nays: 0

14-052

BE IT ORDERED, That (1) Borrowing of a sum not to exceed \$750,000 be and hereby is authorized for the purpose of paying costs of capital expenditures for the construction, reconstruction, renovation, repair and improvement of streets and other public facilities in and of the City of Augusta (the "City") and for the acquisition of equipment for the City more fully described as follows:

Description of Improvements and Equipment	Est. Period of Utility	Amount
(A) Improvement of City streets, sidewalks and related facilities throughout the City	17	\$252,000
(B) Repair, renovation and improvement of City facilities located throughout the City	17	241,000
(C) Construction and equipping of an equipment storage facility located at the Public Works complex	22	<u>257,000</u>
Total:		\$750,000

The estimated period of utility of each of the foregoing improvements and equipment is hereby declared to be in excess of the number of years in the column entitled "Est. Period of Utility" following the respective description of the improvement and equipment in the table above.

(2) To fund and refund such borrowing, the City Manager of the City or his designee, including without limitation the Assistant City Manager for Finance and Administration (any of whom is referred to herein as an Authorized Representative), is hereby authorized and directed under and pursuant to Section 7 of Article VII of the City Charter and other enabling authority to prepare, issue and sell, at one time or from time to time, as one or more separate issues, general obligation bonds of the City in an aggregate principal amount not to exceed \$750,000. The date or dates, denominations, interest rate or rates and all other particulars as to form, issue and sale of each issue of the bonds shall be determined by an Authorized Representative, provided that each of the bonds shall be signed by an Authorized Representative and by the Mayor, whose signature may be by facsimile, shall bear the City seal or an authorized facsimile thereof, and shall mature or be payable in annual installments, the first installment to be payable on or before December 31 of the year after the year in which the bonds are issued, and the last installment with respect to an amount authorized to be payable not later than (a) fifteen (15) years after the date for payment of the first installment if the estimated period of utility of an improvement is declared to be in excess of seventeen (17) years or (b) twenty (20) years after the date for payment of the first installment if the estimated period of utility of an improvement is declared to be in excess of twenty-two (22) years. The bond issues authorized hereby may be consolidated for purposes of sale and issuance with any other authorized bonds, provided that the principal amount of each component of the consolidated bonds shall mature over a term not longer than

the term permitted by the City Charter and other applicable law for such component and by the order authorizing such component. The bonds may be subject to call for redemption with or without premium at the election of the City before the date fixed for final payment of the bonds. An Authorized Representative is authorized to sign such agreements, instruments and certificates as are required in connection with the issuance of the bonds.

(3) An amount sufficient for the payment of the annual installments of principal of and interest on the bonds or any notes shall be included in the tax levy for each year during which any of such bonds or notes shall be outstanding until the debt represented by the bonds or notes is extinguished.

(4) An Authorized Representative be and hereby is authorized to borrow at one time or from time to time in anticipation of the bonds to be issued as herein authorized, when and as funds may be required, a sum or sums not exceeding the aggregate principal amount of the bonds as herein authorized, and to prepare, issue and sell at public or private sale, the temporary note or notes of the City therefor and to renew the same as deemed advisable, provided that any such temporary note or renewal note shall be paid within the maximum term permitted by law therefor. An Authorized Representative is hereby authorized and directed, subject to the provisions of this Order and applicable provisions of law, to sign and determine the date or dates of the note or notes (including renewal notes), the interest rate or rates they shall bear and all other details of things necessary and proper to effectuate the issue and sale thereof, provided that each note shall be signed by an Authorized Representative and by the Mayor, whose signature may be by facsimile, and shall bear the City seal or an authorized facsimile thereof. The notes may be subject to call for redemption with or without premium at the election of the City before the date fixed for final payment of the notes. An Authorized Representative is authorized to sign such other agreements, instruments or certificates as are required in connection with the issuance of the notes.

(5) For purposes of U.S. Treasury Regulation §1.150-2, the City reasonably expects (1) to incur debt to reimburse expenditures (including expenditures made within the last sixty (60) days) temporarily advanced from funds of the City, such expenditures to be made to pay the cost, or a portion of the cost, of the foregoing construction, reconstruction, renovation, repair, improvement and equipment acquisition and (2) that the maximum principal amount of debt to be issued by the City for the foregoing construction, reconstruction, renovation, repair, improvement and equipment acquisition including for reimbursement purposes is \$750,000 and an Authorized Representative is authorized to advance money of the City for payment of such costs.

Motion for passage by: Byron Second by: McCormick

Yeas: 7; Byron, Grant, Paradis, O'Brien
 Rollins, McCormick, Munson

Nays: 0

14-053

BE IT ORDERED, That the following sums be and is hereby appropriated for the following capital improvement projects:

- Solar panel energy upgrade Hartford Fire Station	\$231,000.00
- Municipal share telecommunication replacement	231,670.00
- Street and road paving	366,500.00

BE IT FURTHER ORDERED, That \$231,670 is hereby appropriated from the City's Unassigned Fund Balance.

BE IT FURTHER ORDERED, That the City Manager or his designee is authorized to enter into a municipal lease purchase agreement in an amount not to exceed \$181,000.00 and is further authorized to accept an Efficiency Maine Grant in amount of \$50,000.00.

BE IT FURTHER ORDERED, That the sum of \$366,500.00 is hereby appropriated from the Street Opening Permit Fund.

BE IT FURTHER ORDERED, That the following sums be and hereby is authorized for the following capital improvement projects:

Central Garage

- 1 ton 4WD Dump w/plow	\$ 45,000.00
- 1 Rack Body Truck	80,000.00
- 1 Rubbish Packer	130,000.00
- Wheeler	180,000.00

Hatch Hill Landfill

- Pump Station Upgrade	\$10,000.00
- 2 New Roll Off Containers	10,000.00

Civic Center

- Banquet Chairs	\$10,000.00
- Rectangular and Round Tables	20,000.00

Motion for passage by: Byron Second by: Munson

Yeas: 7; Byron, Grant, Paradis, O'Brien
 Rollins, McCormick, Munson

Nays: 0

Executive session was canceled.

Meeting adjourned at 9:13 p.m.

Respectfully submitted,

Barbara E. Wardwell, City Clerk
March 24, 2014