

**MINUTES FOR THE SPECIAL CITY COUNCIL MEETING  
THURSDAY, SEPTEMBER 11, 2014  
COUNCIL CHAMBERS, CITY CENTER  
6:30 P.M.**

All members of Council were present except Councilor Bilodeau; Mayor O'Brien presided.

Presentation - September 11<sup>th</sup> Remembrance led by Gardiner Fire Department Chaplain  
Jeff Lewis

Public comments were held on items listed on the agenda.

NEW BUSINESS

READ AND PASSED, AS AMENDED

14-160

BE IT ORDERED, That (1) borrowing of a sum not to exceed \$3,615,000 be and hereby is authorized for the purpose of paying costs of capital expenditures for the construction of a building and the acquisition of equipment of a lasting character to constitute a fire station for the City of Augusta (the "City") to be located on property owned by the City. The estimated period of utility of the permanent improvements constituting the fire station is hereby declared to be in excess of twenty-two (22) years.

(2) Borrowing of a sum not to exceed \$1,000,000 be and hereby is authorized for the purpose of paying costs of capital expenditures for the acquisition of equipment of a lasting character to constitute a multi-purpose fire apparatus for the City. The estimated period of utility of the multi-purpose fire apparatus is hereby declared to be in excess of twenty-two (22) years.

(3) To fund and refund any 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, sell, with or without public bidding, and issue, at one time or from time to time, as one or more separate issues, general obligation bonds of the City that in aggregate amount produced by such sale, less the City's costs of issuance, including underwriter's compensation, and less a reasonable rounding amount, if any, will not exceed the aggregate amount authorized to be borrowed. The date or dates, denominations, interest rate or rates, method of sale and all other particulars as to form, sale and issue 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 twenty (20) years after the date of issue of such bonds. The bond issues authorized hereby may be consolidated for purposes of sale and issuance with any other authorized bonds, provided

that the bonds 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.

(4) 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.

(5) 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, sell, with or without public bidding, and issue, 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 sale and issue 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.

(6) 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 land acquisition, construction and equipment acquisition and (2) that the maximum principal amount of debt to be issued by the City for the foregoing land acquisition, construction and equipment acquisition including for reimbursement purposes is \$4,615,000 and an Authorized Representative is authorized to advance money of the City for payment of such costs.

~~(7) Section 6 of this Order takes effect when approved by the City Council. Sections 1, 3, 4 and 5 of this Order take effect when approved by the City Council initially for the purpose of submitting the following question of ratification of the \$3,615,000 borrowing authorization to the voters of the City at the municipal election to be held on November 4, 2014 in substantially the following form:~~

~~“Do you favor borrowing money as authorized by City Council Order No. 14-160 to provide an amount not to exceed \$3,615,000 to pay the costs of a fire station in~~

~~north Augusta? (Voter approval of the borrowed amount will not require an increase in City taxes because the costs of repaying the borrowed amount will be paid from tax increment finance district (TIF) revenues.)”~~

~~If such question is answered in the affirmative by a majority of the voters voting thereon at such November 4, 2014 election, then Sections 1, 3, 4 and 5 of this Order take effect for all purposes set forth in this Order.~~

~~(8) Section 6 of this Order takes effect when approved by the City Council. Sections 2, 3, 4 and 5 of this Order take effect when approved by the City Council initially for the purpose of submitting the following question of ratification of the \$1,000,000 borrowing authorization to the voters of the City at the municipal election to be held on November 4, 2014 in substantially the following form:~~

~~“Do you favor borrowing money as authorized by City Council Order No. 14-160 to provide an amount not to exceed \$1,000,000 for the acquisition of a multi-purpose fire apparatus for the City of Augusta? (Voter approval of the borrowed amount will not require an increase in City taxes because the costs of repaying the borrowed amount will be paid from tax increment finance district (TIF) revenues.)”~~

~~If such question is answered in the affirmative by a majority of the voters voting thereon at such November 4, 2014 election, then Sections 2, 3, 4 and 5 of this Order take effect for all purposes set forth in this Order.~~

(7) Section 6 of this Order takes effect when approved by the City Council. Sections 1, 2, 3, 4 and 5 of this Order take effect when approved by the City Council initially for the purpose of submitting the following question of ratification of the \$4,615,000 borrowing authorization to the voters of the City at the municipal election to be held on November 4, 2014 in substantially the following form:

“Do you favor borrowing money as authorized by City Council Order No. 14-160 to provide amounts not to exceed \$3,615,000 to pay the costs of a fire station in north Augusta and \$1,000,000 for the acquisition of a multi-purpose fire apparatus for the City? (Voter approval of the borrowed amounts will not require an increase in City taxes because the costs of repaying the borrowed amounts will be paid from tax increment finance district (TIF) revenues.)”

If such question is answered in the affirmative by a majority of the voters voting thereon at such November 4, 2014 election, then Sections 1, 2, 3, 4 and 5 of this Order take effect for all purposes set forth in this Order.

Motion to Amend, to replace language (7) delete language (8)

by: Paradis Second by: Rollins

Yeas: 6; Byron, Grant, Paradis,  
Rollins, Munson, O'Brien

Nays: 1; McCormick

Motion for Passage, As Amended, by: Byron Second by: Rollins

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

Nays: 0;

NEW BUSINESS (Con't)

READ AND PASSED

14-159

BE IT ORDERED, That (1) borrowing of a sum not to exceed \$1,942,000 be and hereby is authorized for the purpose of paying costs of capital expenditures of the City of Augusta (the "City") for repair, renovation, improvement and energy efficiency upgrades of the Augusta Civic Center. The estimated period of utility of the permanent improvements constituting the repaired, renovated, improved and upgraded Civic Center is hereby declared to be in excess of twenty-two (22) years.

(2) To fund and refund any 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, sell, with or without public bidding, and issue, at one time or from time to time, as one or more separate issues, general obligation bonds of the City that in aggregate amount produced by such sale, less the City's costs of issuance, including underwriter's compensation, and less a reasonable rounding amount, if any, will not exceed the aggregate amount authorized to be borrowed. The date or dates, denominations, interest rate or rates, method of sale and all other particulars as to form, sale and issue 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 twenty (20) years after the date of issue of such bonds. The bond issues authorized hereby may be consolidated for purposes of sale and issuance with any other authorized bonds, provided that the bonds 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, sell, with or without public bidding, and issue, 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 sale and issue 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 repair, renovation, improvement and energy efficiency upgrades and (2) that the maximum principal amount of debt to be issued by the City for the foregoing repair, renovation, improvement and energy efficiency upgrades including for reimbursement purposes is \$1,942,000 and an Authorized Representative is authorized to advance money of the City for payment of such costs.

(6) Section 5 of this Order takes effect when approved by the City Council. Sections 1, 2, 3 and 4 of this Order take effect when approved by the City Council initially for the purpose of submitting the following question of ratification of the borrowing authorization to the voters of the City at the municipal election to be held on November 4, 2014 in substantially the following form:

“Do you favor borrowing money as authorized by City Council Order No. 14-159 to provide an amount not to exceed \$1,942,000 to pay costs of capital expenditures for repair, renovation, improvement and energy efficiency upgrades of the Augusta Civic Center? (Voter approval of the borrowed amount will not require an increase in City taxes because the costs of repaying the borrowed amount will be paid from tax increment finance district (TIF) revenues.)”

If such question is answered in the affirmative by a majority of the voters voting thereon at such November 4, 2014 election, then Sections 1, 2, 3 and 4 of this Order take effect for all purposes set forth in this Order.

Motion for Passage by: Byron            Second by: Rollins  
Yeas: 6;            Byron, Grant, Paradis,  
                         Rollins, McCormick, Munson  
Nays: 0;

14-161

BE IT ORDERED, That (1) borrowing by the City of Augusta (the “City”) of a sum not to exceed \$21,000,000 be and hereby is authorized for the purpose of refinancing all or a portion of the outstanding principal amount of the City’s (a) General Obligation Bonds dated as of December 23, 2004 and authorized by City Council Order 423 approved by the Council on August 14, 2000 and by City voters on November 7, 2000 and (b) General Obligation Bonds dated as of May 31, 2006 and authorized by (i) City Council Order 113 approved by the Council on October 6, 2003 and by City voters on December 2, 2003 and (ii) City Council Order 145 approved by the Council on October 3, 2005. The estimated periods of utility of the improvements and equipment declared in such Orders are incorporated herein by reference and are restated and confirmed as of the respective dates of such prior Bonds.

(2) To fund and refund any 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, sell, with or without public bidding, and issue, at one time or from time to time, as one or more separate issues, general obligation bonds of the City that in aggregate amount produced by such sale, less the City’s costs of issuance, including underwriter’s compensation, and less a reasonable rounding amount, if any, will not exceed the aggregate amount authorized to be borrowed. The date or dates, denominations, interest rate or rates, method of sale and all other particulars as to form, sale and issue 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 to be payable not later than December 31, 2026. The bond issue authorized hereby may be consolidated for purposes of sale and issuance with any other authorized bonds, provided that the bonds 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) This Order takes effect when approved by the City Council initially for the purpose of submitting the following question of ratification of the borrowing authorization to the voters of the City at the municipal election to be held on November 4, 2014 in substantially the following form:

“Do you favor borrowing money as authorized by City Council Order No. 14-161 to provide an amount not to exceed \$21,000,000 to pay for refinancing some of the City’s General Obligation Bonds? (The City will save money because the repayment costs of the new borrowing will be less than the repayment costs of the borrowing to be refinanced.)”

If such question is answered in the affirmative by a majority of the voters voting thereon at such November 4, 2014 election, then this Order takes effect for all purposes set forth in this Order.

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

14-162

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 reconstruction, renovation, repair and improvement of streets and other public facilities in and of the City of Augusta (the “City”) more fully described as follows:

Description	Est. Period of Utility	Amount
(A) Improvement of City streets, sidewalks and related facilities throughout the City	17	\$570,000
(B) Repair, renovation and improvement of City facilities located throughout the City	17	180,000
Total:		\$750,000

The estimated period of utility of each of the foregoing permanent improvements 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 repairs, renovations and improvements 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 that in aggregate amount produced by such sale, less the City's costs of issuance, including underwriter's compensation, and less a reasonable rounding amount, if any, will not exceed the aggregate amount authorized to be borrowed. 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 principal installments, the first principal installment to be payable on or before December 31 of the year after the year in which the bonds are issued, and the last principal installment to be payable not later than fifteen (15) years after the date for payment of the first principal installment. 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 renovation, repair and improvement and (2) that the maximum principal amount of debt to be issued by the City for the foregoing renovation, repair and improvement 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,  
                         Rollins, McCormick, Munson, O'Brien  
Nays: 0;

14-163

BE IT ORDERED, That (1) borrowing of a sum not to exceed \$1,595,750 be and hereby is authorized for the purpose of paying costs of capital expenditures for the improvement of City of Augusta (the "City") streets, sidewalks and related facilities throughout the City. The estimated period of utility of the permanent improvements constituting the improved City streets, sidewalks and related facilities is hereby declared to be in excess of seventeen (17) years.

(2) To fund and refund any 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, sell, with or without public bidding, and issue, at one time or from time to time, as one or more separate issues, general obligation bonds of the City that in aggregate amount produced by such sale, less the City's costs of issuance, including underwriter's compensation, and less a reasonable rounding amount, if any, will not exceed the aggregate amount authorized to be borrowed. The date or dates, denominations, interest rate or rates, method of sale and all other particulars as to form, sale and issue 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 fifteen (15) years after the date of issue of such bonds. The bond issues authorized hereby may be consolidated for purposes of sale and issuance with any other authorized bonds, provided that the bonds 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, sell, with or without public bidding, and issue, 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 sale and issue 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 improvement and (2) that the maximum principal amount of debt to be issued by the City for the foregoing improvement including for reimbursement purposes is \$1,595,750 and an Authorized Representative is authorized to advance money of the City for payment of such costs.

(6) Section 5 of this Order takes effect when approved by the City Council. Sections 1, 2, 3 and 4 of this Order take effect when approved by the City Council initially for the purpose of submitting the following question of ratification of the borrowing authorization to the voters of the City at the municipal election to be held on November 4, 2014 in substantially the following form:

“Do you favor borrowing money as authorized by City Council Order No. 14-163 to provide an amount not to exceed \$1,595,750 to pay costs of capital expenditures for the improvement of City streets, sidewalks and related facilities throughout the City? (Voter approval of the borrowed amount will not require an increase in City taxes because the costs of repaying the borrowed amount will be paid from tax increment finance district (TIF) revenues.)”

If such question is answered in the affirmative by a majority of the voters voting thereon at such November 4, 2014 election, then Sections 1, 2, 3 and 4 of this Order take effect for all purposes set forth in this Order.

Motion for Passage by: Byron                      Second by: Paradis  
Yeas: 6;                      Byron, Grant, Paradis,  
   Rollins, Munson, O'Brien  
Nays: 1;                      McCormick

Meeting adjourned at 8:20 p.m.

Respectfully submitted,

Barbara E. Wardwell, City Clerk  
September 12, 2014