

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

June 20, 2003

Minutes of the regular City Council meeting held Monday, June 16, 2003 at 7:00 p.m., Council Chambers, City Center.

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

Presentation - New Cony High School

Public hearing was held on Appropriation Resolve 7/1/2003-6/30/2004 (Order #52)

Public comments were held on items listed on the agenda.

OLD BUSINESS AND TABLED MATTERS

HAS BEEN READ AND PASSED, FINAL READING, AS AMENDED

052 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, 2003, and ending June 30, 2004, the sum of \$42,681,036 \$42,615,143 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 \$19,995,238 \$20,276,734 to be set at \$22,685,798 \$22,338,409. (see on file in City Clerk's Office)

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

Nays: 0

NEW BUSINESS

HAS BEEN READ AND TABLED

072 ORDERED, That the attached list of uncollectible real estate and personal property taxes be charged off to bad debt expense.

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

Nays: 0

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

076 ORDERED, That the Historic Preservation Commission is authorized to conduct an archeological survey of city-owned property at Dickman and Winthrop Streets for an amount not to exceed \$6,000. Said survey will be completed on or before August 15, 2003.

Yeas: 5; Sotir, Doore, Veilleux, Davis, Koski  
Nays: 2; Foster, Lund

HAS BEEN READ AND PASSED

067 ORDERED, That minutes of the City Council meeting held June 2, 2003 submitted by the City Clerk be approved.

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

068 ORDERED, That Roll of Accounts #11 for the month of May 2003 in the amount of \$5,005,153.68 (warrants 220 through 244 inclusive) be approved.

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

069 ORDERED, That the report regarding the City's financial position through May 2003 be presented and accepted upon presentation.

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

070 ORDERED, That the City of Augusta property taxes for the 2004 fiscal year shall be due and payable at the Office of the Tax Collector as follows:

ONE HALF shall be due on September 15, 2003

ONE HALF shall be due on March 15, 2004

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

070 Continued

With interest being charged on any outstanding amount commencing one (1) day after the due date at rate of 7.00% per annum.

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

Nays: 0

071 ORDERED, That the Municipal Officers of the City of Augusta, upon request of the Tax Collector/Treasurer of said municipality, hereby require and direct, pursuant to 36 M.R.S.A. section 906, that any tax payment received from an individual as payment for any property tax be applied against outstanding or delinquent taxes due on that property in chronological order beginning with the oldest unpaid tax bill, provided however, that no such payment shall be applied to any tax for which an abatement application or appeal is pending unless approved in writing by the taxpayer. This order shall remain in effect until rescinded by the Municipal Officers.

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

Nays: 0

073 ORDERED, That the following individuals be reappointed:

NAME	COMMITTEE	TERM EXPIRES
David P. Smith	Planning Board	June 6, 2006
Chris Belanger	Zoning Board of Appeals	May 5, 2006
Thomas Simpson	Zoning Board of Appeals	May 5, 2006

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

Nays: 0

074 ORDERED, That Margaret W. Ayotte be appointed to fill a vacancy on the Augusta Housing Authority Board of Commissioners; said term to expire February 27, 2006.

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

Nays: 0

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

075 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:

State Aid to Education (including Federal Pass-Through Funds of Categorical Grants) - Estimated \$11,300,000

BE IT FURTHER ORDERED, That the sum of \$16,911,671 be ratified as appropriated on June 16, 2003 as the foundation allocation for school purposes; and

BE IT FURTHER ORDERED, That the sum of \$8,171,860 be raised as the local share of the foundation allocation for FY2003-2004; and

BE IT FURTHER ORDERED, That the sum of \$479,312 be ratified as appropriated on June 16, 2003 for the education debt service allocation; and

BE IT FURTHER ORDERED, That the sum of \$299,474 be raised as the local share of debt service for FY2003-2004; and

BE IT FURTHER ORDERED, That the sum of \$2,786,747 be ratified as appropriated on June 16, 2003 and that the sum of \$2,516,747 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 \$2,691,500 be ratified as appropriated on June 16, 2003 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 \$23,160,657 appropriated for school purposes on June 16, 2003 be ratified; and

BE IT FURTHER ORDERED, That the Board of Education (School Board) for fiscal year beginning July 1, 2003 and ending June 30, 2004 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

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

075 Continued  
support of schools; and

BE IT FURTHER ORDERED, That the sum of \$504,427 be ratified as appropriated on June 16, 2003 for Adult Education; and

BE IT FURTHER ORDERED, That the sum of \$264,427 be raised as the local share for Adult Education for FY2003-2004; and

BE IT FURTHER ORDERED, That this budget does not include the estimated amount of \$2,511,174 in employer share of teacher retirement costs that is paid directly by the State of Maine.

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

Nays: 0

077 ORDERED, That a portion of Winthrop Court as described below be discontinued and no public easement be retained. (see description on file in City Clerk's Office)

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

Nays: 0

078 ORDERED, That a portion of Winthrop Street as described below be discontinued.

BE IT FURTHER ORDERED, That the City chooses not to retain a public easement over the herein described area and that there shall be zero damages paid to abutting property owners, as would be allowed under Title 23, M.R.S.A. section 3026. (see description on file in City Clerk's Office)

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

Nays: 0

079 ORDERED, That the City Manager is authorized to apply for grant funds for Calumet Park, consistent with the following Resolve:

WHEREAS, the City of Augusta wishes to apply to the National Park Service through the Department of

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

079 Continued  
Conservation for a Land and Water Conservation Fund Grant (L&WCF Grant) to carry out park renovations; and

WHEREAS, the planning process required by Maine law and the L&WCF Grant Program have been complied with,

NOW THEREFORE BE IT RESOLVED, By the Council of the City of Augusta that the City Manager:

1) is authorized and directed to submit applications for the following programs and dollar amounts within the State of Maine's L&WCF Grant:

Program: Calumet Park renovation Grant Request Amount: \$50,000 (Fifty-thousand dollars) to the Department of Community Services, Bureau of Parks and Cemeteries on behalf of the City of Augusta, substantially in the form presented to this Council;

2) is authorized to make assurances on behalf of the City of Augusta required as part of such applications; and

3) is authorized and directed, upon acceptance of said funds, to carry out the duties and responsibilities for implementing said program, consistent with the Charter of the City of Augusta and the laws and regulations governing planning and implementation of community development programs in the State of Maine.

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

Nays: 0

080 ORDERED, That the City Manager is authorized to accept grant funds from the Maine Department of Transportation for the replacement of bulbs in the City's traffic control devices.

BE IT FURTHER ORDERED, That the City Manager is authorized to proceed with the contract of said replacement LED's.

Yeas: 4; Sotir, Doore, Foster, Lund  
Nays: 3; Veilleux, Davis, Koski

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

081 ORDERED, That the City Manager is authorized to terminate a lease with the State of Maine for parking at the Union Street facility subject to the termination provisions of said lease.

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

Nays: 0

082 ORDERED, That the tabulation results for the State of Maine Referendum and Special Municipal elections held June 10, 2003 submitted by the City Clerk be and are hereby certified.

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

Nays: 0

083 ORDERED, That the following rules and general information for Mill Park be adopted.

Mill Park  
2003 Rules and General Information

1. The following are prohibited:
  - a. Fires unless otherwise authorized and permitted;
  - b. Motorized vehicles inside the gated area except where permitted;
  - c. Entry into park after posted hours of operation without prior approval;
  - d. Intoxicating beverages;
  - e. The removal, injury or damage of anything natural, physical, or historical within the park;
  - f. Disorderly conduct;
  - g. Swimming and diving per City ordinance.
2. Other City of Augusta park policies, as detailed in the City's Code of Ordinances, unless otherwise stipulated will apply.
3. Motor vehicles are permitted on Canal Street only and in the designated parking lot.
4. Carry-in carry-out policy for trash.

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

083 Continued

5. Except as may be permitted, children under age 12 are not permitted in the park without adequate supervision of an adult at least 18 years of age.

6. The topography of the park varies throughout the park. Caution must be exercised in certain areas.

7. The park may not be suitable for all ages.

8. Schedule of Operation

a. Hours are 8:00 a.m. - 9:00 p.m.;

b. Gate will be locked each night at approximately 9:00 p.m. unless otherwise permitted;

c. The park is open Sunday - Saturday (seven days a week);

d. The park will open in the spring when conditions permit and will be closed in the fall when it is determined prudent by the Director of Parks and Cemeteries to close for the season. Advance notice will be given to the public when the park will close for the season;

e. The park will be kept closed when conditions warrant as determined by the Director of Parks & Cemeteries or designee.

9. The park may be periodically closed to the general public when special events such as carnival and festivals are scheduled.

Violation of park rules constitutes grounds for dismissal from park and or citation by Augusta City Police.

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

Nays: 0

Respectfully submitted,

Linda Veilleux  
Deputy City Clerk