

OFFICE OF THE CITY CLERK

AUGUSTA, MAINE

December 5, 2006

Minutes of the regular City Council meeting held Monday, December 4, 2006 at 7:00 p.m., Council Chambers, City Center.

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

Presentation - Comprehensive Planning Committee

Presentation - Fire Department

Public Hearing - Malt, Spirituous, and Vinous Liquor License
Application for RT New England Franchise, LLC, d/b/a
Ruby Tuesday, 58 Stephen King Drive (Order 198)

Public comments were held on items listed on the agenda.

NEW BUSINESS

HAS BEEN READ, FIRST READING

202 ORDERED, That (1) A sum not to exceed \$500,000 be and hereby is appropriated for the purpose of paying the costs of capital expenditures for the construction, reconstruction, renovation and improvement of streets, buildings and other public facilities to constitute the following:

| | |
|---|-----------|
| (A) Pearl Street Improvements | \$250,000 |
| (B) Improvement of City Streets including but not limited to reconstruction of Union Street and burial of utilities therein, and related facilities throughout the City | \$ 80,000 |
| (C) Construction of Recreational Facilities | \$ 60,000 |
| (D) Renovation and Improvement of City Buildings | \$110,000 |
| Totals | \$500,000 |

The estimated period of utility of the foregoing improvements is hereby declared to be in excess of twelve (12) years.

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

202 Continued

(2) To meet the aforesaid appropriation, 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 8 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 \$500,000. 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 to be payable not later than ten (10) years after the date for payment of the first installment. 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

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

202 Continued

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. 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 Sec.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 and improvement and (2) that the maximum principal amount of debt to be issued by the City for the foregoing construction, reconstruction, renovation and improvement including for reimbursement purposes is \$500,000 and the City Manager is authorized to advance money of the City for payment of such costs.

(FIRST READING, NO VOTE REQUIRED)

HAS BEEN READ AND PASSED

196 ORDERED, That minutes of the City Council meeting held November 20, 2006 submitted by the City Clerk be approved.

Yeas: 7; Byron, Doore, Gomeau,
Lerman, Coffin, Koski, Lund

Nays: 0

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

197 ORDERED, That the City Council accept a donation of \$2,500 from the Wal Mart Foundation awarded to the Augusta Police Department to be used for Juvenile Educational Supplies or Programs.

Yeas: 7; Byron, Doore, Gomeau,
Lerman, Coffin, Koski, Lund

Nays: 0

198 ORDERED, That the following application for a Malt, Spirituous and Vinous Liquor License be approved:

RT New England Franchise, LLC, d/b/a Ruby Tuesday, 58 Stephen King Drive

Yeas: 7; Byron, Doore, Gomeau,
Lerman, Coffin, Koski, Lund

Nays: 0

199 ORDERED, That the City Council, consistent with salary adjustments awarded to union employees, authorize a 1% cost-of-living salary adjustment to non-union employees at the start of the pay week closest to January 1, 2007.

Yeas: 7; Byron, Doore, Gomeau,
Lerman, Coffin, Koski, Lund

Nays: 0

200 ORDERED, That the City Manager is authorized to execute a contract with J. Stewart Roberts of Somerville, Massachusetts for architectural services related to Lithgow Library renovations and expansion project in an amount not to exceed \$37,000 base fee plus related expenses not to exceed \$6,000.

BE IT FURTHER ORDERED that the City Manager is authorized to contract with a qualified library consultant in an amount not to exceed \$7,000.

Yeas: 7; Byron, Doore, Gomeau,
Lerman, Coffin, Koski, Lund

Nays: 0

NEW BUSINESS (Con't)

HAS BEEN READ AND PASSED (Con't)

201 ORDERED, That the City Council establish Tuesday, January 2, 2007 as the Council Meeting for the Inaugural Ceremony at 7:00 p.m. for the newly elected City Officials and School Board members and that Councilor Sylvia Lund be designated as Mayor Pro-Tem for the commencement of that meeting.

BE IT FURTHER ORDERED, that the City Council meetings for 2007 will be held as follows:

Business Meetings will be held on the first and third Mondays of each month. Informational Meetings will be called by the Mayor or City Manager on an as-needed basis. Business Meetings will be held at 7:00 p.m. and Informational Meetings will be held at 6:30 p.m.

BE IT FURTHER ORDERED, that the Mayor, City Council or City Manager may amend or revise dates and times of meetings as is deemed necessary.

Yeas: 7; Byron, Doore, Gomeau,
Lerman, Coffin, Koski, Lund
Nays: 0

Respectfully submitted,

Barbara E. Wardwell
City Clerk