

**AGENDA FOR THE CITY COUNCIL MEETING
THURSDAY, APRIL 7, 2016
COUNCIL CHAMBERS, CITY CENTER
7:00 P.M.**

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.

PROCLAMATION – To Recognize Paul Vachon’s Induction to the Maine Franco American Hall of Fame.

PUBLIC HEARING – Malt, Vinous and Spirituous Liquor License Application for Stacey L Shaw d/b/a The Black and Tan, 18 Bridge Street

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.

16-049 Manager (Bureau of City Clerk)

ORDERED, That the minutes of the City Council meeting held March 17, 2016, submitted by the Manager’s Executive Assistant, be approved.

16-050 Manager (Bureau of Audit Accounts)

ORDERED, That the Roll of Accounts for the month of March, 2016 in the amount of \$5,497,065.32, be approved.

16-051 Manager (Bureau of City Clerk)

ORDERED, That the election clerks listed in the attachments be appointed in accordance with Title 21-A, §503(1), said terms to expire May 1, 2018.

NEW BUSINESS

PART 1 – ORDERS

16-052 Manager (Bureau of City Clerk)

ORDERED, That the application for a Malt, Vinous and Spirituous Liquor License be approved for Stacey L Shaw d/b/a The Black and Tan, 18 Bridge Street.

16-053 City Manager

BE IT ORDERED, That the City Manager is authorized to accept grant funding in an amount not to exceed \$8,500.00 from the Maine Bureau of Highway Safety for the 2016 High Visibility Distracted Driving Enforcement Campaign. Grant funding will be utilized to provide directed distracted driving enforcement. Funds are to be expended from April to October 2016. There is no monetary match.

16-054 City Manager

BE IT ORDERED, That the City Manager is authorized to accept grant funding an amount not to exceed \$13,068.00 from the Maine Bureau of Highway Safety for the 2016 Click It Or Ticket / Buckle Up No Excuses Enforcement and Education Program. Grant funding will be utilized to provide directed seatbelt enforcement. Funds are to be expended from May 23rd, 2016 to June 5, 2016. There is no monetary match.

16-055 Mayor and Council

ORDERED, That the City Council authorize beer and wine to be served at the City's Capital Park as part of the Kennebec Valley Chamber of Commerce Annual Whatever Festival's "Day In The Park" on June 25, 2016. Be it further ordered the beer and wine will be managed and operated by a duly licensed vendor with all applicable licenses, permits and insurance in place prior to the event and that all servers will be properly TIPS trained and certified.

16-056 Mayor and Council

ORDERED, That the City Manager is authorized to apply for a 2016 Federal Emergency Management SAFER Act grant in the amount of \$523,917. The application includes hiring/retaining four firefighters for a two year period with no local match.

16-057 Councilors Bilodeau, Blodgett and McCormick

BE IT ORDERED, That the City Manager be authorized to sell the tax acquired property located at 455 Church Hill Road map 7, lot 31B to Jean Brochu for the amount of \$3,245.00. Ownership to be conveyed by way of Quit Claim Deed Without Covenants. Mobile home must be removed from site within 60 days of transfer of ownership per purchase and sales agreement, and site cleaned up of all debris.

BE IT FURTHER ORDERED, That the net sale proceeds will be credited to the reserve for demolition of unsafe structures located in the city.

16-058 Mayor and Council

BE IT ORDERED, That (1) borrowing of a sum not to exceed \$337,750 be and hereby is authorized for the purpose of paying costs of capital expenditures for renovation, repair and improvement of public schools located in the City of Augusta (the "City"), including health, safety and compliance repairs of the roof at Hussey Elementary School. The estimated period of utility of the permanent improvements constituting the improved City public schools is hereby declared to be in excess of twelve (12) 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 seven (7) 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, if applicable, 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 \$337,750 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 June 7, 2016 in substantially the following form:

“Do you favor borrowing money as authorized by City Council Order No. 16-058 to provide an amount not to exceed \$337,750 to pay costs of capital expenditures for renovation, repair and improvement of public schools located in the City? (Upon completion of such work on the City’s public schools in compliance with statutes and rules, \$170,429 of the \$337,750 loan will be forgiven, and the City will be obligated to pay the balance of \$167,321, payable over 5 years at an interest rate of 0%.)”

If such question is answered in the affirmative by a majority of the voters voting thereon at such June 7, 2016 election, then Sections 1, 2, 3 and 4 of this Order take effect for all purposes set forth in this Order.

NEW BUSINESS (Con’t)

Part 2 – ORDINANCES BEING READ FOR THE FIRST TIME
NO VOTE REQUIRED

16-059 Mayor and Council

WHEREAS, the City Council finds that amending the Land Use Ordinance map entitled City of Augusta Base Zones will meet the growth area and mixed use goals of the 2007 Comprehensive Plan; and

WHEREAS, the Planning Board held a public hearing and unanimously recommended the following amendment to the Land Use Ordinance.

BE IT ORDAINED, By the City Council of the City of Augusta, that Augusta Land Use Ordinance be amended as follows:

The lot known as Assessor’s Map 5A, Lot 32, 33, 51 and a portion of Map 79, Lot 14 shall be rezoned in accordance with Section 300-106.B.(d)[1] of the Augusta Land Use Ordinance, as depicted on the map titled Proposed Rezoning Plan, J.S. McCarthy Printers, dated March 31, 2016. The new zone shall be Industrial District (IA).

16-060 Councilors Blodgett, Conti and McCormick

WHEREAS, the City Council finds that amending the Code of City of Augusta to include additional property maintenance requirements benefits the public health, safety, and welfare; now therefore;

BE IT ORDAINED, By the City Council of the City of Augusta, that the Code of the City of Augusta be amended as follows:

Add a new Chapter 139 regarding property maintenance, as attached; and
Amend Chapter 207-13 regarding swimming pools, as attached; and
Amend Chapter 207-24 regarding unregistered motor vehicles, as attached.

COMMUNICATIONS

Committee Reports
City Manager's Report

Respectfully submitted,

Barbara E. Wardwell, City Clerk
April 4, 2016