

**AGENDA FOR THE REGULAR CITY COUNCIL MEETING
SEPTEMBER 6, 2012
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 - Constitution Week 2012

PRESENTATION - Recognition of City of Augusta's Safety Team Members

PRESENTATION - By Scott Tilton on Behalf of the Town of Chelsea to the City of Augusta

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.

12-129 Manager (Bureau of City Clerk)

ORDERED, That the minutes of the City Council meeting held August 16, 2012, submitted by the City Clerk be approved.

12-130 Manager (Bureau of Audit Accounts)

ORDERED, That the Roll of Accounts for the month of August, 2012 in the amount of \$3,998,522.38 be approved.

12-131 Mayor Stokes

ORDERED, That Keith R.Varner be appointed to the Lithgow Library Board of Trustees; said term to expire on September 6, 2015.

OLD BUSINESS AND TABLED MATTERS

TABLED

12-111 Councilors Byron and Rollins

WHEREAS, the City Council finds that increasing the likelihood of preserving Augusta's historic buildings contributes positively to Augusta's sense of place and is supported by the 2007 Comprehensive Plan (Volume I, Page 29);

NOW THEREFORE BE IT ORDAINED, By the City Council of the City of Augusta, that: Section 6-35 of the Augusta Code of Ordinances be repealed in its entirety and replaced with the attached language.

NEW BUSINESS

12-132 City Manager

ORDERED, That the City Manager is authorized to accept additional grant funding from the State of Maine in the amount of \$7,360.00 for the Augusta Police Department. Grant funding will be used to provide underage drinking education and enforcement.

12-133 Manager (Community Services)

ORDERED, That the City Council approves the proposed amendment to the By-laws of a Dog Park Advisory committee. The strike thru is to be deleted and replaced with that which is in bold and underlined.

Article III Membership, Appointments, Terms of Office

~~B. Appointments~~

- ~~a. The Mayor of the City of Augusta shall appoint members.~~
- ~~b. City Council will approve the appointments.~~
- ~~c. Appointments will be made each December.~~
- ~~d. Temporary appointments may be made by the Mayor to fill un-expired terms of members who leave the Committee prior to completion of their full term.~~
- ~~e. Each year the Mayor shall appoint new members for the term of three years to succeed the outgoing members.~~

B. Appointments

- a. The Mayor of the City of Augusta shall appoint members.
- b. City Council will approve the appointments.
- c. The initial appointment schedule of the committee shall be; one appointment for a term to expire December 2015, two appointments for a term to expire December 2014 and two appointments for a term to expire December 2013.
- d. Each year the Mayor shall appoint new members for the term of three years to succeed the outgoing members.
- e. Appointments will be made each December or as deemed necessary due to vacancies.

12-134 Mayor Stokes

ORDERED, That William Dunn be appointed to the Dog Park Advisory Committee; said term to expire December 31, 2015.

12-135 Mayor Stokes

ORDERED, That Patrick O'Connell be appointed to the Dog Park Advisory Committee; said term to expire December 31, 2014.

12-136 Mayor Stokes

ORDERED, That Karen Knox be appointed to the Dog Park Advisory Committee; said term to expire December 31, 2014.

12-137 Mayor Stokes

ORDERED, That Jody Hanson be appointed to the Dog Park Advisory Committee; said term to expire December 31, 2013.

12-138 Mayor Stokes

ORDERED, That Robert Knox be appointed to the Dog Park Advisory Committee; said term to expire December 31, 2013.

12-139 Manager (Finance and Administration)

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 to constitute the following:

| Description of Improvements and Equipment | Est. Period of Utility | Amount |
|--|-------------------------------|------------------|
| (A) Improvement of City streets, sidewalks and related facilities throughout the City | 25 | \$100,000 |
| (B) Acquisition of Fire Apparatus | 25 | \$650,000 |
| 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) ten (10) years after the date for payment of the first installment if

the estimated period of utility of the equipment is declared to be in excess of twelve (12) years, (b) fifteen (15) years after the date for payment of the first installment if the estimated period of utility of the improvement is declared to be in excess of seventeen (17) years or (c) twenty-three (23) years after the date for payment of the first installment if the estimated period of utility of the improvement is declared to be in excess of twenty-five (25) 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 therefore 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 therefore. 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.

COMMUNICATIONS

Committee Reports

City Manager's Report

Respectfully submitted,

Barbara E. Wardwell, City Clerk
September 4, 2012