

SPECIAL MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, March 31, 1999 7:00 PM
City Council Chambers, Bath City Hall

Present: Councilors Williams, James, Blake, Wyman, Hayden, Rogers, Tainter and
Chairman Hall

Absent: Councilor Tibbetts

Also Present: City Solicitor Therriault and City Clerk White

Chairman Hall called the meeting to order at 5:03 PM and asked to have the rules waived to allow the agenda to be amended.

Motion by Councilor Wyman, seconded by Councilor Williams to waive the rules and allow the agenda to be amended.

Vote: to waive rules.

Yeas: 7

Nays: 0

Unanimous vote to waive rules

Chairman Hall asked City Solicitor Therriault to explain why the vote on the Bond Ordinances was taking place. The Solicitor explained that the Bond Ordinance needed to be published in the newspaper ten (10) days after passage of the ordinance in November 1998. This did not happen, so by putting the Bond Ordinances through first and second passage of the Council at this time the Bond Ordinances would be able to be published in the newspaper and still make the May 13, 1999 deadline for settlement of the Bonds.

I. BOND ORDINANCE (first passage) - 5:05 PM

Chairman Hall asked to have the reading of the Ordinance waived.

Motion by Councilor Wyman, seconded by Councilor Williams to waive the reading of the Ordinance.

Vote: to waive reading of the Ordinance

Yeas: 7

Nays: 0

Unanimous vote to waive reading of Ordinance

BOND ORDINANCE

AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE CITY OF BATH, MAINE, IN AN AMOUNT UP TO, BUT NOT TO EXCEED, \$1,500,000.00 FOR THE PURPOSE OF THE ELIMINATION AND IMPROVEMENT OF COMBINED SEWER OVERFLOWS, SEWER AND STORMWATER SEPARATION, AND OTHER IMPROVEMENTS TO THE CITY'S SEWER AND STORMWATER COLLECTION SYSTEM.

IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH, AS FOLLOWS:

Section 1. That a sum up to, but not to exceed, \$1,500,000.00 is hereby appropriated for the purpose of the elimination and improvement of combined sewer overflows, sewer and stormwater separation, and other improvements to the City's sewer and stormwater collection system.

Section 2. That, for the purpose of financing the aforesaid appropriation, authorization is hereby given to incur indebtedness by the issuance of bonds of the City of Bath, in an amount up to, but not to exceed, \$1,500,000.00 under, and pursuant to, the Charter of the City of Bath.

Section 3. That any and all bonds issued pursuant to this Ordinance shall be payable in annual installments which shall be substantially equal in amount or which shall be so arranged so that no installment shall be less than the amount of any installment payable in a subsequent year.

Section 4. That the term of any bonds issued under the within Ordinance shall not exceed twenty (20) years.

Section 5. That the proceeds of any bonds issued pursuant to this Ordinance shall be used only for those purposes specified in Section 1 above.

Section 6. That any proceeds of the bonds issued not used for the purposes specified in Section 4 shall be applied to repayment of the principal and/or interest of any such bonds.

Section 7. Any suit questioning the validity of this Ordinance shall be barred unless commenced within forty-five (45) days following publication of the Ordinance, said publication in accordance with Section 809 of the Charter of the City of Bath.

Section 8. The City Treasurer with the approval of the City Manager and the Chairman of the City Council may borrow money temporarily by the issuance of notes in anticipation of the issuance of bonds, subsequent to the authorization of this bond issue by the City Council of the City of Bath.

Section 9. That the City Treasurer, with the approval of the Chairman of the City Council and the City Manager, shall determine the date or dates, maturities, denominations, interest rate or rates and any other details of each issue of bonds and/or notes issued in anticipation of this bond issue.

Section 10. That any and all bonds and/or notes issued by the City pursuant to Chapter 6 of the Charter of the City of Bath or Chapter 8 of the Charter of the City of Bath shall be signed by the City Treasurer and countersigned by the Chairman of the City Council and the City Manager.

Section 11. That any and all bonds and/or notes issued pursuant to Chapter 8 of the Charter of the City of Bath shall be general obligation bonds of the said City.

Section 12. The City Treasurer, with the approval of the Chairman of the City Council and the City Manager, is hereby authorized to make any such bonds or notes authorized hereby subject to call for redemption with or without premium at the election of the City before the dates fixed for the final

payment thereof.

Chairman Hall asked for any Council comment on the Bond Ordinance. Seeing none he asked for a roll call vote.

Vote on First Passage of this Bond Ordinance:

Yeas: Williams, James, Blake, Wyman, Hayden,, Rogers, Tainter

Nays: None

Bond Ordinance got First Passage 7-0.

II. BOND ORDINANCE – (first passage) 5:08 PM

Chairman Hall asked to have the reading of the Ordinance be waived.

Motion by Councilor Wyman, seconded by Councilor Williams to waive the reading of the Ordinance.

Vote: to waive reading of the Ordinance

Yeas: 7

Nays: 0

Unanimous vote to waive reading of Ordinance

BOND ORDINANCE

AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE CITY OF BATH, MAINE, IN AN AMOUNT UP TO, BUT NOT TO EXCEED, \$3,000,000.00 FOR THE PURPOSE OF THE REPAIR, RENOVATION, RECONSTRUCTION, IMPROVEMENT AND UPGRADE OF CITY STREETS, CURBS AND SIDEWALKS, INCLUDING RELATED SEWER AND STORMWATER LINES.

IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH, AS FOLLOWS:

Section 1. That a sum up to, but not to exceed, \$3,000,000.00 is hereby appropriated for the purpose of repair, renovation, reconstruction, improvement and upgrade of City streets, curbs and sidewalks, including related sewer and stormwater lines.

Section 2. That, for the purpose of financing the aforesaid appropriation, authorization is hereby given to incur indebtedness by the issuance of bonds of the City of Bath, in an amount up to, but not to exceed, \$3,000,000.00 under, and pursuant to, the Charter of the City of Bath.

Section 3. That any and all bonds issued pursuant to this Ordinance shall be payable in annual installments which shall be substantially equal in amount or which shall be so arranged so that no installment shall be less than the amount of any installment payable in a subsequent year.

Section 4. That the term of any bonds issued under the within Ordinance shall not exceed twenty (20) years.

Section 5. That the proceeds of any bonds issued pursuant to this Ordinance shall be used only for those purposes specified in Section 1 above.

Section 6. That any proceeds of the bonds issued not used for the purposes specified in Section 1 shall

be applied to repayment of the principal and/or interest of any such bonds.

Section 7. Any suit questioning the validity of this Ordinance shall be barred unless commenced within forty-five (45) days following publication of the Ordinance, said publication in accordance with Section 809 of the Charter of the City of Bath.

Section 8. The City Treasurer with the approval of the City Manager and the Chairman of the City Council may borrow money temporarily by the issuance of notes in anticipation of the issuance of bonds, subsequent to the authorization of this bond issue by the City Council of the City of Bath.

Section 9. That the City Treasurer, with the approval of the Chairman of the City Council and the City Manager, shall determine the date or dates, maturities, denominations, interest rate or rates and any other details of each issue of bonds and/or notes issued in anticipation of this bond issue.

Section 10. That any and all bonds and/or notes issued by the City pursuant to Chapter 6 of the Charter of the City of Bath or Chapter 8 of the Charter of the City of Bath shall be signed by the City Treasurer and countersigned by the Chairman of the City Council and the City Manager.

Section 11. That any and all bonds and/or notes issued pursuant to Chapter 8 of the Charter of the City of Bath shall be general obligation bonds of the said City.

Section 12. The City Treasurer, with the approval of the Chairman of the City Council and the City Manager, is hereby authorized to make any such bonds or notes authorized hereby subject to call for redemption with or without premium at the election of the City before the dates fixed for the final payment thereof.

Chairman Hall asked for any Council comment on the Bond Ordinance. Councilor James made the observation that this bond was larger than the last one voted on.

Chairman Hall asked for a roll call vote.

Vote on First Passage of this Bond Ordinance:

Yeas: Williams, James, Blake, Wyman, Hayden,, Rogers, Tainter

Nays: None

Bond Ordinance got First Passage 7-0.

Chairman Hall set the Public Hearing date for the second passage of these Bond Ordinances for April 14, 1999 at 5:03 PM in Council Chambers.

The Council went into Executive Session to discuss a labor negotiation matter at 5:15 PM.

A motion was made by Councilor James, seconded by Councilor Williams to come out of Executive Session.

Unanimous in favor

Motion by Councilor Wyman, seconded by Councilor Williams to adjourn the meeting.

Unanimous in favor

Meeting adjourned at 6:47 PM

Respectfully submitted:

Mary J. White, City Clerk

Please note: These minutes are not recorded verbatim. A tape recording of the meeting is available for review in the City Clerk's office during regular business hours.