

Regular Meeting Minutes  
**City Council of the City of Bath, Maine**  
**Wednesday, June 7, 2000 7:00pm**  
City Council Chambers, Bath City Hall

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Present: Councilors Williams, James, Blake, Wyman, Hayden, Tibbetts, Rogers, Reed and Chairman Hall.

Also in attendance were the City Manager - John Bubier, City Solicitor - Roger Therriault and City Clerk - Mary White.

Chairman Hall led the Pledge of Allegiance and City Clerk White called the Roll.

**C. Public Hearings:**

There were no Public Hearings.

**D. Consent Agenda: 7:05 PM #118**

Under the Consent Agenda, the Minutes for the May 3, 17, 24 and 31 and Items F. 2, F3, F4 and F5 were motioned for acceptance by Councilor Williams and seconded by Councilor Wyman.

**VOTE:**

**Yeas:** 8

**Nays:** 0

Consent Agenda passed unanimously.

**E. Time Devoted to Residents to Address the City Council: 7:08 PM #118**

Richard Reynolds of 5 Lilac Street spoke to Council in regards to making Lilac Street one-way. He stated that they had sent a petition to Council stating their concerns with the safety of their children that use the street.

Councilor James stated that he had indeed received the letter, but since Cottage Street residents want to go to one-way also there needs to be further investigation of traffic flow before a proposal can be adopted and passed, possibly combining the two requests.

**F. Ordinances, Resolutions and Orders: 7:08 PM #153**

**Item F2 - Resolution : Establishing interest rate on Delinquent Taxes**

**RESOLUTION**

**WHEREAS**, pursuant to 36 M.R.S.A. Section 505(4) the City of Bath has the authority to specify an interest rate which shall be applied to the delinquent taxes, and

**WHEREAS**, Section 7-101 of the Code of the City of Bath determines that the rate of interest is to be established yearly by Resolution of this Council.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Bath, that the interest rate due and payable for all delinquent taxes shall be at the rate of 10.75% per annum, from July 1, 2000 to June 30, 2001.

Resolution passed unanimously on Consent Agenda.

**Item F3 - Resolution : Establishing interest rate on delinquent sewer bills**

**RESOLUTION**

**BE IT RESOLVED** by the City Council of the City of Bath, as follows:

That, the interest rate payable on delinquent sewer bills shall be at the rate of 10.75% per annum, from July 1, 2000 to June 30, 2001.

Resolution passed unanimously on Consent Agenda.

**Item F4 - Resolution: Establishing interest rates on refunds due to tax abatements**

**RESOLUTION**

**BE IT RESOLVED**, by the City Council of the City of Bath, as follows:

That any taxpayer who pays an amount in excess of what is finally assessed (as in the case of a taxpayer who pays under protest, appeals the assessment, and is granted an abatement) must be repaid the amount of the overpayment plus interest back to the date of the overpayment at a rate of eight percent (8%) per annum, from July 1, 2000 to June 30, 2001.

Resolution passed unanimously on Consent Agenda.

**Item F5 - Order: Continuation of the Tax Club**

**ORDER**

**BE IT ORDERED** by the City Council of the City of Bath, as follows:

That, the City Treasurer and Tax Collector be authorized and empowered to continue a monthly or quarterly payment plan now in force, and known as the "Bath Tax Club", making regular monthly or quarterly payments in accordance with the rules of said Club. All Tax Club members must join during the month of July 2000.

Membership in said Tax Club is restricted to those accounts which represent residential taxpayers and club membership shall specifically not be available to commercial, industrial, personal or rental properties.

And BE IT FURTHER ORDERED by the City Council of the City of Bath that the rules and regulations of the Tax Club be and hereby are amended to allow the taxpayer to elect a quarterly payment plan with payments to be made in August, November, February and May.

Resolution passed unanimously on Consent Agenda.

**Item F6 - Resolution: Adoption of City Operating Budget Component**

Chairman Hall read the following Resolution:

**RESOLUTION**

***BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE***, that the City Operating Budget for the fiscal year commencing on July 1, 2000 and terminating on June 30, 2001 be and hereby is adopted with a total expenditure of \$ 8,679,299.00, balanced with an equal amount of estimated revenue. Summaries of appropriations and estimated revenue are attached to this resolution as Exhibit "A"\*.

\*Exhibit "A" filed with Agenda materials.

Motion by Councilor Wyman, second by Council Williams to put this item on the floor for discussion.

There was no comment.

**VOTE: on Resolution :**

**Yeas:** 8

**Nays:** 0

Resolution passed unanimously.

**Item F7 - Resolution: Adoption of City Capital Improvement Project Budget Component**

Chairman Hall read the following Resolution:

**RESOLUTION**

***BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE***, that the City Capital Improvement Budget as reallocated and/or appropriated for the fiscal year commencing on July 1, 2000 and terminating on June 30, 2001, be and hereby is adopted with total funded resources of \$941,000. Summaries of funded projects and estimated revenue are attached to this Resolution as Exhibit "B"\*.

\*Exhibit "B" filed with agenda materials

Motion by Councilor Wyman, second by Council Reed to put this item on the floor for discussion.

No Council comment.

**VOTE: on Resolution :**

**Yeas:** 8

**Nays:** 0

Resolution passed unanimously.

**Item F8 - Resolution: Approve and appropriate City's Special Purpose Funds**

Chairman Hall read the following Resolution:

## **RESOLUTION**

***BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH MAINE***, that the City of Bath's Special Purpose Fund for the fiscal year commencing on July 1, 2000 and terminating on June 30, 2001, be and is appropriated for the purpose of funding up the following accounts: (complete list of accounts in agenda materials)

Motion by Councilor Reed, second by Council Hayden to put this item on the floor for discussion.

No comment.

### **VOTE: on Resolution :**

**Yeas:** 8

**Nays:** 0

Resolution passed unanimously.

### **Item F9 - Resolution: Adopt City Sewer Utility Fund Budget Component**

Chairman Hall read the following Resolution:

## **RESOLUTION**

***BE IT BESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE*** that the Sewer Utility Fund Budget for the fiscal year commencing on July 1, 2000 and terminating on June 30, 2001, be and is hereby adopted with a total expenditure of \$1,613,766. (As per Exhibit C.)

Motion by Councilor Wyman, second by Council Blake to put this item on the floor for discussion.

No comment.

### **VOTE: on Resolution :**

**Yeas:** 8

**Nays:** 0

Resolution passed unanimously.

### **Item F10 - Resolution: Adopt School Capital Improvement Project Budget Component**

Chairman Hall read the following Resolution:

## **RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE, THAT, THE SCHOOL CAPITAL IMPROVEMENT BUDGET AS REALLOCATED AND/OR APPROPRIATED FOR THE FISCAL YEAR COMMENCING ON JULY 1, 2000 AND TERMINATING ON JUNE 30, 2001, BE AND HEREBY IS ADOPTED WITH TOTAL FUNDED RESOURCES OP \$63,700, EXCLUSIVE OF FISCAL YEAR 1999/2000 SCHOOL CAPITAL IMPROVEMENT FUND CARRY-FORWARD REVENUES**

Motion by Councilor Wyman, second by Council Hayden to put this item on the floor for discussion.

No comment.

**VOTE: on Resolution :**

**Yeas: 8**

**Nays: 0**

Resolution passed unanimously.

**Item F11 - Resolution: Adopt School Department Budget Component**

Chairman Hall read the following Resolution:

**RESOLUTION**

2000/2001

Be It Resolved By The City Council of The City of Bath, That:

Article I The City hereby appropriates the total sum of \$14,015,019 for the City of Bath 2000/2001 Fiscal Year School Budget Components in accordance with Section 606 and 609D of the Charter of the City of Bath, and allocates the distribution of said sum among the following cost centers:

Administration	1,498,491
Secondary Instruction	2,773,799
Middle School Instruction	1,498,229
Elementary Instruction	2,111,348
Special Education	1,787,195
Athletic and Co-Curricular	285,504
Support Services	1,122,799
Operations & Maintenance	1,408,890
Transportation	320,934
Debt Service	1,144,130
Food Service	0
Sub Total	\$13,951,319
Capital Improvement	63,700
Grand Total	\$14,015,019

Article II The City will appropriate from the foundation allocation for school purposes \$9,042,298 and the City will raise as the local share of the foundation allocation \$4,346,614.

Article III The City will appropriate from Debt Service allocation \$652,918 and the City will raise \$246,613 as the local share of Debt Service.

Article IV The City will raise additional local funds under the provisions of 20A MRSA, Section 15614, \$1,137,108.

Article V The City will appropriate \$14,015,019 for School Department expenditure for Fiscal Year beginning July 1, 2000 and ending June 30, 2001 from the foundation and debt service allocation, unexpended balances, tuition receipts, local appropriations, State subsidy, and other revenues for the support of the schools.

Note: A. Total amount being raised and appropriated locally is \$5,730,335 against a total budget of \$14,015,019.

B. This budget does not include the estimated amount of \$1,562,997 in employer share of teacher retirement costs that is paid directly by the State of Maine.

Motion by Councilor James, second by Council Reed to put this item on the floor for discussion.

No comment.

**VOTE: on Resolution :**

**Yeas:** 8

**Nays:** 0

Resolution passed unanimously.

**Item F12 - Resolution : Approve and Appropriate School Special Purpose Funds**

Chairman Hall read the following Resolution:

**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE, THAT, THE CITY OF BATH'S PORTION OF THE SCHOOL DEPARTMENT'S BUDGET OF SPECIAL PURPOSE FUNDS FOR THE FISCAL YEAR COMMENCING ON JULY 1, 2000, AND TERMINATING ON JUNE 30, 2001, BE AND HEREBY ARE APPROPRIATED FOR THE PURPOSES INDICATED UP TO THE TOTAL REVENUES OF \$1,562,561. SUMMARIES OF THESE ESTIMATED REVENUES ARE ATTACHED TO THIS RESOLUTION AS EXHIBIT "D".**

\*"D" filed with agenda materials.

Motion by Councilor James, second by Council Williams to put this item on the floor for discussion.

No comment.

**VOTE: on Resolution :**

**Yeas:** 8

**Nays:** 0

Resolution passed unanimously.

**Item F13 - Ordinance: Supplemental Appropriation - Sewer Utility Capital Reserve** (first passage)

Chairman Hall read the following Ordinance:

**ORDINANCE**

**SUPPLEMENTAL APPROPRIATION  
-SEWER UTILITY CAPITAL RESERVE**

WHEREAS, the City of Bath has significant capital and maintenance requirements for the City's Sewer Utility Fund anticipated in the coming years; and

WHEREAS, additional funds to support the Sewer improvements in connection with Street reconstruction will be necessary; and

WHEREAS, surplus funds in the Sewer Utility Fund Undesignated Fund Balance account, constituting revenue in excess of those estimated in the budget for the current year are available for this purpose; and

WHEREAS, the sum proposed to be appropriated by this Supplemental Appropriation, totaling One Hundred Thousand Dollars (\$100,000), will not exceed the expenditure limits for the current year pursuant to Section 617 of the Charter of the City of Bath;

NOW THEREFORE, be it ordained by the City Council of the City of Bath that the total sum of One Hundred Thousand Dollars (\$100,000), be and hereby be supplementally appropriated from the Sewer Utility Fund Undesignated Fund Balance (account SUF-2500) to the Sewer Utility Capital Reserve (Account 703-307).

Motion by Councilor Blake, second Councilor Hayden to put this item on the floor for discussion.

No comment.

**VOTE: on Ordinance:**

**Yeas:** Williams, James, Blake, Wyman, Hayden, Tibbetts, Rogers, Reed

**Nays:** 0

Vote on Ordinance passed unanimously.

Chairman Hall set second passage of this Ordinance for June 21, 2000 at 7:01 PM.

**Item F14 - Ordinance: Supplemental Appropriation - Council Contingency** (first passage)

Chairman Hall read the following Ordinance:

**ORDINANCE  
SUPPLEMENTAL APPROPRIATION  
-COUNCIL CONTINGENCY**

WHEREAS, The City Council desires to set aside additional funds for unanticipated expenditures; and

WHEREAS, surplus funds in the General Fund Undesignated Fund Balance account, constituting revenue in excess of those estimated in the budget for the current year are available for this purpose; and

WHEREAS, the sum proposed to be appropriated by this Supplemental Appropriation, totaling Fourteen Thousand Dollars (\$14,000) will not exceed the expenditure limits for the current year pursuant to Section 617 of the Charter of the City of Bath;

NOW THEREFORE, be it ordained by the City Council of the City of Bath that the total sum of Fourteen Thousand Dollars (\$14,000), be and hereby be supplementally appropriated from the General Fund Undesignated Fund Balance (account GF-2500) to the Council Contingency Account (012-402)

Motion by Councilor Williams, second Councilor Rogers to put this item on the floor for discussion.

No comment.

**VOTE: on Ordinance:**

**Yeas:** Williams, James, Blake, Wyman, Hayden, Tibbetts, Rogers, Reed

**Nays:** 0

Vote on Ordinance passed unanimously.

Chairman Hall set second passage of this Ordinance for June 21, 2000 at 7:02 PM.

**Item F15 - Ordinance: Supplemental Appropriation - Fire Department Staffing** (first passage)

Chairman Hall read the following Ordinance:

**ORDINANCE  
SUPPLEMENTAL APPROPRIATION  
-FIRE DEPARTMENT STAFFING**

WHEREAS, The Fire Department required additional staffing during the year; and

WHEREAS, surplus funds in the General Fund Undesignated Fund Balance account, constituting revenue in excess of those estimated in the budget for the current year are available for this purpose; and

WHEREAS, the sum proposed to be appropriated by this Supplemental Appropriation, totaling Sixty Thousand Dollars (\$60,000) will not exceed the expenditure limits for the current year pursuant to Section 617 of the Charter of the City of Bath;

NOW THEREFORE, be it ordained by the City Council of the City of Bath that the total sum of Sixty Thousand Dollars (\$60,000), be and hereby be supplementally appropriated from the General Fund Undesignated Fund Balance (account GF-2500) to the following Fire Department Accounts

Regular Pay (Account 100-102) \$35,000

Sick Pay (Account 100-109) \$25,000

Motion by Councilor Blake, second Councilor Hayden to put this item on the floor for discussion.

No comment.

**VOTE: on Ordinance:**

**Yeas:** Williams, James, Blake, Wyman, Hayden, Tibbetts, Rogers, Reed

**Nays:** 0

Vote on Ordinance passed unanimously.

Chairman Hall set second passage of this Ordinance for June 21, 2000 at 7:03 PM.

**Item F16 - Ordinance: Supplemental Appropriation - Solid Waste** (first passage)

Chairman Hall read the following Ordinance:

**ORDINANCE  
SUPPLEMENTAL APPROPRIATION  
-SOLID WASTE**

WHEREAS, The Landfill received additional volume during the year and additional cost related to cover material were required to properly accept this material; and



**WHEREAS**, revenues in excess or those estimated in the budget were received in the General Fund landfill Scales Revenue account are available for this purpose; and

**WHEREAS**, the sum proposed to be appropriated by this Supplemental Appropriation, totaling Forty Thousand Dollars (\$40,000) still not exceed the expenditure limits for the current year pursuant to Section 617 of the Charter of the City of Bath;

**NOW THEREFORE**, be it ordained by the City Council of the City of Bath that the total sum of Forty Thousand Dollars (\$40,000), be and hereby be supplementally appropriated from the General Fund Landfill Scales Revenue Account (REV-5445) to the Solid Waste Applied Material Account (085-214).

Motion by Councilor Reed, second Councilor Williams to put this item on the floor for discussion.

No comment.

**VOTE: on Ordinance:**

**Yeas:** Williams, James, Blake, Wyman, Hayden, Tibbetts, Rogers, Reed

**Nays:** 0

Vote on Ordinance passed unanimously.

Chairman Hall set second passage of this Ordinance for June 21, 2000 at 7:04 PM.

**Item F17 - Ordinance: Supplemental Appropriation - City Capital Projects** (first passage)

Chairman Hall read the following Ordinance:

**ORDINANCE  
SUPPLEMENTAL APPROPRIATION  
-CITY CAPITAL PROJECTS**

**WHEREAS**, the City of Bath has significant capital and maintenance requirements for Various City Capital Projects anticipated in the coming years; and

**WHEREAS**, surplus funds in the General Fund Undesignated Fund Balance account, constituting revenue in excess of those estimated in the budget for the current year are available for this purpose; and

**WHEREAS**, the sum proposed to be appropriated by this Supplemental Appropriation, totaling One Hundred Ninety Nine Thousand Dollars (\$199,000) will not exceed the expenditure limits for the current year pursuant to Section 617 of the Charter of the City of Bath;

**NOW THEREFORE**, be it ordained by the City Council of the City of Bath that the total sum of One Hundred and Ninety Nine Thousand Dollars (\$199,000), be and hereby be supplementally appropriated from the General Fund Undesignated Fund Balance (account GF-2500) to the following Capital Project Accounts:

Landfill Capital Improvements (Account SW05-509)	\$50,000
Police Capital Reserve (Account POL05-552)	\$30,000
Recreation Congress Ave Parking Dot (REC05-607)	\$44,000
City Dock Improvements (CF05-571)	\$25,000
Salt Storage Shed Replacement (PW05-588)	\$50,000

Motion by Councilor Wyman, second Councilor Hayden to put this item on the floor for discussion.

Motion by Councilor Williams, second Councilor James to amend the third paragraph to read One Hundred Ninety Nine Thousand Dollars instead of One Hundred Thousand Dollars.

**VOTE: Amendment to Ordinance:**

**Yeas:** Williams, James, Blake, Wyman, Hayden, Tibbetts, Rogers, Reed

**Nays:** 0

Vote on Amendment to Ordinance passed unanimously.

**VOTE: on Ordinance:**

**Yeas:** Williams, James, Blake, Wyman, Hayden, Tibbetts, Rogers, Reed

**Nays:** 0

Vote on Ordinance passed unanimously.

Chairman Hall set second passage of this Ordinance for June 21, 2000 at 7:05 PM.

**H. City Manager's Report: 7:43 PM #1202**

City Manager Bubier spoke on the following items:

- PEG station is up and running community announcements and the showing of the Public Budget Hearing three times daily. There would also be shown a piece on the Bond Issues that will be voted for on June 13, 2000.
- Went to the DARE graduation at the Fisher-Mitchell School. Thanked the students for taking the time to submit many very well written essays and Officer Savary for reading all the essays and choosing the six winners.
- Attended the Seth Thomas Clock dedication at the corner of Front and Centre Street at noon on June 7, 2000. The clock was built in 1914 and set in the site it has been returned to in 1915.
- Thanked the Council for their time and effort deliberating over the budget for some 25 meetings. He also thanked the Department Heads for their efforts in the budget hearings.

**I. Committee Reports: 7:53 PM #1453**

Councilor Blake reported on the Skateboard Committee. The Committee, Jack Hart, Chief Lizanecz and a group of children took a tour of skateboard parks in Southern Maine. Data was collected and will be used in the design of the park here in Bath.

Councilor Tibbetts reported back from the Bridge Committee regarding the island (or lack thereof) at the intersection of Vine Street, Front Street and the Bridge. Mr. Pinkham from the DOT stated that there were no provisions for an island in that location in the plans, but some type of direction instructions would be put into action at that location.

**J. Old Business: 7:58 PM #1509**

There was no old business.

**K. New Business: 7:58 PM #1513**

Chairman Hall read a thank you letter from the National Honor Society regarding the assistance provided for their "River Jam Project".

Chairman Hall read an acknowledgement letter from John Brill of the Bridge Committee for the monies from the City of Bath towards the celebration.

Chairman Hall stated that the next meeting would be on June 14, 2000 at 7:00 PM for the purpose of accepting Election Results and having a workshop on the proposed Land Use Code.

Motion by Councilor Reed, second by Councilor Tibbetts to recess to Executive Session.

The vote was unanimous to go into Executive Session.

Motion to come out of Executive Session by Councilor James, second by Councilor Reed.

The vote to come out of Executive Session was unanimous.

The meeting adjourned at 8:59 PM with a motion made by Councilor Tibbetts and seconded by Councilor Wyman. All in favor.

Respectfully submitted:

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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.*