

SPECIAL MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, June 21, 2000 7:00 PM
City Council Chambers, Bath City Hall

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

Also Present: City Manager Bubier and City Clerk White

I. Public Hearing - Resolution for Housing Assessment Planning Grant - 7:01 PM #55

Chairman Hall read the following Resolution:

RESOLUTION

WHEREAS, the City of Bath wishes to apply to the Department of Economic and Community Development for a Small Cities Block Grant to carry out a community development program; and

WHEREAS, the planning process required by Maine Law and the CDBG Program have been complied with, including participation in the planning process by low and moderate income families and individuals and the community has conducted at least one duly advertised public hearing; and,

NOW, THEREFORE, be it resolved by the City Council of the City of Bath that the City Manager:

1. Is authorized and directed to submit a Community Development Block Grant Housing Assistance Application to the Department of Economic and Community Development on behalf of the City of Bath substantially in the form presented to this Council;
2. Is authorized to make such assurances on behalf of the City of Bath required as part of such applications; and
3. Is authorized and directed, upon acceptance of said funds to carry out the duties and responsibilities for implementing said program(s), consistent with the Charter of the City of Bath and the laws and regulations governing planning and implementation of community development programs in the State of Maine.

Signed this 21ST day of June 2000 on behalf of the City Council of Bath.

Motion by Councilor Blake, second by Councilor Williams to put this Resolution on the floor for discussion.

Al Smith, Community Development Director, gave an overview of the grant process and summary of the scope of work required for the study.

Vote on the Resolution:

Yeas: 8

Nays: 0

VOTE: Resolution Passed Unanimously 8-0

**II. Public Hearing - Ordinance: Supplemental Appropriation - Sewer Utility Capital Reserve
(second passage) - 7:12 PM #377**

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 (\$ 1 00,000), 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 Williams, second by Councilor Hayden to put this Ordinance on the floor for discussion.

There was no Council or public comment.

Chairman Hall asked for a Roll Call vote.

Roll Call Vote on Ordinance:

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

Nays: None

VOTE: to Approve Ordinance Passed Unanimously 8-0

III. Public Hearing - Ordinance: Supplemental Appropriation - Council Contingency (second passage) - 7:14 PM #429

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 by Councilor Hayden to put this Ordinance on the floor for discussion.

There was no Council or public comment.

Chairman Hall asked for a Roll Call vote.

Roll Call Vote on Ordinance:

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

Nays: None

VOTE: to Approve Ordinance Passed Unanimously 8-0

IV. Public Hearing - Ordinance: Supplemental Appropriation - Fire Department Staffing (second passage) - 7:15 PM #472

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 James, second by Councilor Williams to put this Ordinance on the floor for discussion.

There was no Council or public comment.

Chairman Hall asked for a roll call vote.

Roll Call Vote:

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

Nays: None

VOTE: to Approve Ordinance Passed Unanimously 8-0

V. Public Hearing - Ordinance: Supplemental Appropriation - Solid Waste (second passage) -

7:17 PM #523

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 of 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) 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 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 Wyman, second by Councilor Reed to put this Ordinance on the floor for discussion.

There was no Council or public comment.

Chairman Hall asked for a Roll Call vote.

Roll Call Vote:

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

Nays: None

VOTE: to Approve Ordinance Passed Unanimously 8-0

VI. Public Hearing - Ordinance: Supplemental Appropriation - City Capital Projects (second passage) - 7:19PM #570

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 and 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 by Councilor Williams to put this Ordinance on the floor for discussion.

Motion by Councilor Williams, second by Councilor James to amend the Ordinance by changing the words in the third paragraph from “One Hundred Thousand Dollars” to “One Hundred and Ninety Nine Thousand Dollars”

Vote: Amendment to Ordinance:

Yeas: 8

Nays: 0

VOTE: to Amend Ordinance Passed Unanimously 8-0

Chairman Hall asked for a Roll Call vote.

Roll Call Vote:

Yeas: Williams, James, Blake, Wyman, Hayden, and Tibbetts

Nays: Rogers and Reed

VOTE: to Approve Ordinance Passed 6-2

VII. Order: Approving Authorization of Replacement of the Harbor Master’s Outboard Motor -
7:23 PM #686

Chairman Hall read the following Order:

ORDER
APPROVING AUTHORIZATION
-Harbor Master

Be It Hereby Ordered By the City Council of the City of Bath that up to Eight Thousand Two Hundred and no/ 100 Dollars (\$8,200.00) be and hereby is authorized to be spent from Council Contingencies Account

012-402 for the purpose of replacement of the Harbor Master's outboard motor.

Motion by Councilor Reed, second by Councilor Rogers to put this Order on the floor for discussion.

Mr. Bubier, City Manager, gave a brief history of the outboard motor and the proposal to replace it.

Councilor Tibbetts stated that the boat and motor was a gift from the Bath Rotary Club in 1985.

Chairman Hall called for a vote.

Vote on the Order:

Yeas: 8

Nays: 0

VOTE: Order Passed Unanimously 8-0

VIII. Order: Approving Wage Reopener for the Public Works, Wastewater Treatment Plant and Public Works/Cemeteries and Parks Employees - 7:30 PM #934

Chairman Hall read the following Order:

**ORDER
APPROVING WAGE REOPENER**

WHEREAS, the current Bargaining Agreement between the City of Bath and the Wastewater Treatment Plant/Public Works Department employees calls for a wage reopener for the second year, and

WHEREAS, the parties have agreed to a wage adjustment for the second year of the Contract,

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that the wage scale now in effect be adjusted by adding 3.75% to the wage levels on the scale, effective July 1, 2000.

Motion by Councilor James, second by Councilor Hayden to put this Order on the floor for discussion.

There was no Council or public comment.

Chairman Hall asked for a vote.

Vote on Order:

Yeas: 8

Nays: 0

VOTE: Order Passed Unanimously 8-0

IX. Order: YMCA Deed - 7:31 PM #988

Chairman Hall read the following Order:

ORDER

WHEREAS, the Deed from the City of Bath to the Bath Area Family YMCA, dated April 7, 2000, and recorded in the Sagadahoc County Registry of Deeds in Book 1763, Page 77, contains a provision that restricts the use of the property to the erection, maintenance and utilization of a facility for recreational purposes of the Bath Area Family YMCA and no other purpose, and

WHEREAS, this provision is an impediment to the Bath Area Family YMCA acquiring financing for completion of its new facility,

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that the provision be modified in accordance with the Municipal Quit-Claim Deed attached hereto and that the City Manager be authorized to execute the said Quit-Claim Deed.

Motion by Councilor Williams, seconded by Councilor Reed to put this Order on the floor for discussion.

William Haggett, YMCA Building Committee Chairman, spoke to Council stating that this modified deed was agreeable to the Committee and asked for Council support.

Chairman Hall called for a vote.

Vote on Order:

Yeas: 8

Nays: 0

VOTE: Order Passed Unanimously 8-0

Motion by Councilor Williams, second by Councilor James to recess to Workshop. All were in favor.

Motion by Councilor Rogers, second by Councilor Williams to come out of Workshop. All were in favor.

Motion by Councilor Reed, second by Councilor Hayden to go into Executive Session to discuss personnel matter. All in favor.

Motion by Councilor Reed, second by Councilor Tibbetts to come out of Executive Session. All in favor.

Motion to adjourn by Councilor Blake, second by Councilor Hayden. All in favor.

The meeting adjourned at 9:52 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.