

SPECIAL MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, June 26, 2002 7:00 PM
City Council Chambers, Bath City Hall

Present: Councilors Hall, Banks, James, Blake, Hart, Tibbetts, Reed and Chairman Wyman

Late: Councilor Rogers

Also Present: City Manager Bubier, City Solicitor Therriault and City Clerk White

Chairman Wyman called the meeting to order at 7:00 PM and led the Pledge of Allegiance.

City Clerk White called the Roll.

I. Resolution - Approving City Budget for Fiscal Year 2002-2003 - 7:01 PM #78

Chairman Wyman read the following Resolution:

RESOLUTION
CITY OPERATING BUDGET COMPONENT

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, 2002 and terminating on June 30, 2003 be and hereby is adopted with a total expenditure of \$ 8,301,041.00, balanced with an equal amount of estimated revenue. Summaries of appropriations and estimated revenue are attached to this resolution as Exhibit "A".

Exhibit "A" is on file with the Agenda materials for June 26, 2002 in the City Clerk's Office.

Motion by Councilor Tibbetts, second by Councilor Hall to put this item on the floor for discussion.

Motion by Councilor James to amend the Resolution by changing the Line Item Figure \$8,301,041.00 to add \$20,000.00 to Line Item 016-24 (Library Budget) new Figure \$8,321,041.00, second by Councilor Blake.

There was a lengthy discussion by Council.

Motion by Councilor Reed, second by Councilor Banks to allow John Marsh, President of the Patten Free Library Board of Directors to speak to Council. All in favor.

Mr. Marsh stated that if the Council decided to not go forth with the addition of the \$20,000 at this time that the other communities would not be required to give their promised funds. This would result in a great loss of funding to the library.

Chairman Wyman asked for a Roll Call Vote on the Amendment.

Roll Call Vote on Amendment:

Yeas: Hall, James, Blake, Hart, Rogers

Nays: Banks, Tibbetts, Reed

VOTE: Passed 5-3

John Marsh expressed his appreciation to Council for their support to the library.

Chairman Wyman asked for a Roll Call Vote.

Roll Call Vote on the Amended Resolution:

Yeas: Hall, Banks, James, Blake, Hart, Rogers, Reed

Nays: Tibbetts

VOTE: Passed 7-1

This Item was added to the Agenda. A complete copy of this is filed (within Budget package) in the Agenda materials for June 26, 2002 in the City Clerk's Office.

Chairman Wyman read the following Resolution:

**RESOLUTION
COUNTY BUDGET COMPONENT**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE, that the County Budget Component for the fiscal year commencing on July 1, 2002 and terminating on June 30, 2003 be and hereby is adopted with a total expenditure of \$ 1,209,114.00, balanced with an equal amount of estimated revenue.

Motion by Councilor Tibbetts, second by Councilor James to table this item at this time.

Vote on Tabling Item:

Yeas: 6

Nays: 2

VOTE: Passed 6-2

II. Resolution - Approving Street Closing of North Street on June 29 and 30, 2002 - 7:35 PM #1077

Chairman Wyman read the following Resolution:

**RESOLUTION
STREET CLOSURE**

BE IT RESOLVED BY THE CITY COUNCIL OF BATH THAT, PURSUANT TO THE POWERS GRANTED TO THE BATH CITY COUNCIL UNDER SECTIONS 201 AND 202 OF THE CHARTER OF THE CITY OF BATH AND SECTION 17-220 OF THE CODE OF THE CITY OF BATH, NORTH STREET FROM WASHINGTON STREET TO MIDDLE STREET SHALL BE CLOSED TO EFFECT REPAIRS OF THE RAILROAD TRACKS THEREON, AND SUCH CLOSURE SHALL CONTINUE UNTIL SAID REPAIRS ARE COMPLETE.

IT IS FURTHER **RESOLVED** THAT THE CITY MANAGER, OR HIS DESIGNEE, SHALL CAUSE APPROPRIATE DEVICES TO BE PLACED AND MAINTAINED WHICH WILL EFFECTUATE THE CLOSURE. ESTIMATED TIME FOR CLOSURE IS TWO (2) DAYS.

Motion by Councilor Banks, second by Councilor Hart to put this Resolution on the floor for discussion.

Tom Stevens, MDOT Representative, spoke to Council regarding the need for four (4) days instead of the two (2) referenced in the Resolution. Mr. Stevens stated that he would prefer to have the closing from Friday, June 28, 2002 at 7:00AM until Monday, July 1, 2002 at noon. He explained the extent and process of the work needing to be done.

Motion by Councilor James to amend the Resolution by adding "Giving the City Manager and Public Works Director the authorization to negotiate a final agreement with the MDOT", second by Councilor Blake. All in favor.

Chairman Wyman asked for a Roll Call vote on the Amendment.

Roll Call Vote on Amendment:

Yeas: Hall, Banks, James, Blake, Hart, Tibbetts, Rogers, Reed

Nays: None

VOTE: Amendment Passed Unanimously 8-0

Chairman Wyman asked for a Roll Call vote on the Amended Resolution.

Roll Call Vote on Amended Resolution:

Yeas: Hall, Banks, James, Blake, Hart, Tibbetts, Rogers, Reed

Nays: None

VOTE: Resolution Passed Unanimously 8-0

III. Order - Approving Contract with T-Buck Construction for the Commercial Street Pump Station - 7:55 PM #1721

Chairman Wyman read the following Order:

**ORDER
APPROVING CONTRACT
COMMERICAL STREET PUMP STATION PROJECT**

BE IT HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH, THAT A CONTRACT BY AND BETWEEN THE CITY OF BATH AND T. BUCK CONSTRUCTION, INC. FOR THE COMMERICAL STREET PUMP STATION PROJECT IN THE AMOUNT OF \$1,337,806.60 BE AND HEREBY IS AWARDED, T. BUCK CONSTRUCTION, INC. BEING THE LOWEST BIDDER, AND THE MANAGER IS AUTHORIZED TO EXECUTE THE CONTRACT AND ANY OTHER DOCUMENTS NECESSARY TO ITS IMPLEMENTATION.

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

Scott Wilhelm, Superintendent of Wastewater, gave an overview of the project.

Chairman Wyman asked for a Roll Call vote.

Roll Call Vote on Order:

Yeas: Hall, Banks, James, Blake, Hart, Tibbetts, Rogers, Reed

Nays: None

VOTE: Order Passed Unanimously 8-0

IV. Order - Approving Insurance Contract for Fiscal Year 2002-2003 - 8:01 PM #1906

Chairman Wyman read the following Order:

**ORDER
APPROVING CONTRACT
INSURANCE PACKAGE FY 2002-2003**

BE IT HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH, THAT A CONTRACT BY AND BETWEEN THE CITY OF BATH AND CROSS AGENCY FOR THE VARIOUS CITY OF BATH INSURANCE POLICIES IN THE AMOUNT NOT TO EXCEED \$191,625 BE AND HEREBY IS AWARDED, AND THE MANAGER IS AUTHORIZED TO EXECUTE THE CONTRACT AND ANY OTHER DOCUMENTS NECESSARY TO ITS IMPLEMENTATION.

Motion by Councilor Reed, second by Councilor Banks to put this Order on the floor for discussion. Finance Director Greg L'Heureux explained the coverage of the insurance and stated the City Staff is still working on lowering the price by reducing items to be covered and increasing deductables.

Chairman Wyman asked for a Roll Call vote.

Roll Call Vote on Order:

Yeas: Hall, Banks, James, Blake, Hart, Tibbetts, Rogers, Reed

Nays: None

VOTE: Order Passed Unanimously 8-0

**V. Order - Approving Contract with Brown Construction for ADA Improvements - 8:13 PM
#2326**

Chairman Wyman read the following Order:

**ORDER
APPROVING CONTRACT
ADA PROJECTS**

BE IT HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH, THAT A CONTRACT BY AND BETWEEN THE CITY OF BATH AND BROWN CONSTRUCTION FOR THE VARIOUS ADA PROJECTS IN THE AMOUNT OF \$219,520.00 BE AND HEREBY IS AWARDED, BROWN CONSTRUCTION, INC. BEING THE LOWEST BIDDER, AND THE MANAGER IS AUTHORIZED TO EXECUTE THE CONTRACT AND ANY OTHER DOCUMENTS NECESSARY TO ITS IMPLEMENTATION.

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

City Manager John Bubier gave a short overview of some of the ADA improvements to be done.

Motion by Councilor James, second by Councilor Blake to table this Order until the July 10, 2002 Council Meeting. All in favor

The meeting adjourned at 8:22 PM with a motion made by Councilor Reed and second by Councilor Banks. All in favor.

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.