

SPECIAL MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, June 18, 2003 7:00 PM
City Council Chambers, Bath City Hall

Present: Councilors Hall, Winglass, Blake, Wyman, Hart, Rogers, Mitchell and Chairman James

Absent: Councilor Daigle

Also Present: Acting City Manager Paul Mateosian, City Solicitor Roger Therriault and City Clerk Mary White

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

City Clerk White called the Roll.

I. Presentation: Devin Anderson, MDOT Project Manager of the Carleton Bridge Rehab Project 7:02 PM #99

Mr. Anderson described the scope of the project, which included the removal of the road-surface deck and on ramps and railroad track and signal improvements. He explained the funding and the painting process. The project's completion date will be sometime in 2005.

II. Committee Reports: 7:10 PM #336

Councilor Hart informed the group that Safety Days had been rescheduled to September 13, 2003.

Councilor Winglass stated that the Board of the Patten Free Library had started the search process for a replacement for Betty Hughes. He gave an update on the Southend Park project. The erosion barriers will be in place until mid-July. After the barriers are removed, BIW will mow and the Park will be open to the public. The Committee is still working with BIW on the completion of the project.

III. Correspondence: 7:13 PM #403

Councilor Mitchell stated that he had been contacted by Craig Burgess of Burgess Computers regarding the intersection of Centre and Washington Streets. He will be meeting with Mr. Burgess about this matter.

IV. Time Devoted to Residents: 7:14 PM #430

No residents spoke at this time.

V. Manager's Report: 7:14 PM #435

Paul Mateosian, Acting City Manager spoke regarding the following subjects:

- Public Works Street Projects Update
- City Dock at Waterfront Park Update
- Waterfront Park Restrooms
- Budget Process
- Tax Reform

VI. Resolution: Supporting the MDOT's Gateway 1 project. (motion to adopt) 7:16 PM #530

Chairman James read a portion of the Resolution. *The Resolution is on file in the Bath City Clerk's Office in the Agenda Materials for 6/18/2003.*

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

Kathy Fuller, Assistant Director of the Planning Bureau of the MDOT, Chris Mann and Peter Robohm of Eagle Pt Rd spoke regarding the draft vision statement, land use, regional prospective and goals. Jeff Snedden of the MCBDP will be acting as a support person for the region. Joseph Byrnes of the Holiday Inn of Bath stated that he and Bill Reed of Bert's Exxon had attended the informational meetings.

VOTE:

Yeas: 7

Nays: 0

Resolution Passed 7-0

VII. Resolution: Approving Bath Heritage Days (motion to adopt) 7:37 PM #1152

Chairman James read the following Resolution:

RESOLUTION

WHEREAS, the Chamber of Commerce annually sponsors the Bath Heritage Days; and

WHEREAS, Heritage Days provides the City of Bath with marvelous entertainment for its citizens, visitors who spend their dollars here, and an opportunity for residents to celebrate their community; and

WHEREAS, the use of City streets, public spaces, and personnel is necessary for conducting Heritage Days.

NOW, THEREFORE, BE IT RESOLVED THAT THE BATH CITY COUNCIL approves of the attached correspondence from the Chamber of Commerce Heritage Days Committee and directs the City Manager to fulfill the intent of the request as best meets the needs of the community.

Motion by Councilor Mitchell, second by Councilor Winglass to put this Resolution on the floor for discussion.

Joseph Byrnes, Director of the Bath Heritage Days, updated the Council on the schedule of events for this year's celebration. There will be two fireworks displays, one on July 4 and one on July 6. It is hoped that Main Street Bath will be taking over the preparations for the celebration from the Chamber of Commerce next year.

VOTE:

Yeas: 7

Nays: 0

Resolution Passed 7-0

VIII. Resolution: Approving Street Closing and Traffic Patterns for the Bath Heritage Days Celebration (motion to adopt) 8:00 PM #1865

Chairman James read the following Resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE, that pursuant to the provisions of Section 17-220 of the Bath City Code, the street closing and traffic pattern proposed by the Chamber of Commerce in connection with the celebration of Bath Heritage Days are hereby approved. The City Manager is hereby authorized to implement these street closings and traffic pattern adjustments with appropriate signing.

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

VOTE:

Yeas: 7

Nays: 0

Resolution Passed 7-0

IX. Order: Appointing David R. Williams as Finance Director, Tax Collector and Treasurer (motion to pass) 8:01 PM #1907

Chairman James read the following Order:

ORDER

PURSUANT TO SECTION 403(B) OF THE CHARTER OF THE CITY OF BATH, AND IN CONCERT WITH THE MANAGER'S RECOMMENDATION, DAVID R. WILLIAMS IS HEREBY APPOINTED FINANCE DIRECTOR, TAX COLLECTOR AND TREASURER OF THE CITY OF BATH EFFECTIVE JULY 7, 2003.

Motion by Councilor Wyman, second by Councilor Mitchell to put this Order on the floor for discussion.

Councilor Blake made a motion to amend the Order by deleting the words "Tax Collector" and adding to the end of the Order "and the Tax Collector effective August 1, 2003". The motion was seconded by Councilor Mitchell. It was explained this was done for bookkeeping purposes.

VOTE on Amendment:

Yeas: 7

Nays: 0

Amendment Passed 7-0

VOTE on Amended Order:

Yeas: 7

Nays: 0

Amended Order Passed 7-0

Mr. Williams thanked Council for their support and gave a brief personal, educational and employment background on himself.

X. Resolution: City Operating Budget Component (motion to adopt) 8:05 PM #2045

Chairman James 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, 2003 and terminating on June 30, 2004, be and hereby is adopted with total funded expenditure of **\$8,493,954.00**, balanced with an equal amount of estimated revenue. Summaries of appropriations and estimated revenue are attached to this resolution as Exhibit "A".

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

Councilor Hall stated the tax rate had been set at 25.2.

Chairman James asked for a Roll Call Vote.

ROLL CALL VOTE:

Yeas: Hall, Winglass, Blake, Wyman, Hart, Rogers, Mitchell

Nays: None

Resolution Passed 7-0

XI. Resolution: City Capital Improvement Budget (motion to adopt) 8:15 PM #2410

Chairman James 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, 2003 and terminating on June 30, 2004, be and hereby is adopted with total funded resources of **\$406,900.00**. Summaries of funded projects and estimated revenue are attached to this Resolution as Exhibit "B".

Motion by Councilor Mitchell, second by Councilor Winglass to put this Resolution on the floor for discussion.

Chairman James asked for a Roll Call Vote.

ROLL CALL VOTE:

Yeas: Hall, Winglass, Blake, Wyman, Hart, Rogers, Mitchell

Nays: None

Resolution Passed 7-0

XII. Resolution: Sewer Utility Fund Budget (motion to adopt) 8:20 PM #2599

Chairman James read the following Resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE, that the Sewer Utility Fund Budget for the fiscal year commencing on July 1, 2003 and terminating on June 30, 2004, be and is hereby adopted with a total expenditure of **\$ 1,759,146.00** (As per Exhibit C.)

Motion by Councilor Wyman, second by Councilor Winglass to put this Resolution on the floor for

discussion.

Chairman James called for a Roll Call Vote

ROLL CALL VOTE:

Yeas: Hall, Winglass, Blake, Wyman, Hart, Rogers, Mitchell

Nays: None

Resolution Passed 7-0

XIII. Resolution: Bath City Bus Special Purpose Fund Budget (motion to adopt) 8:21 PM #2639

Chairman James read the following Resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE, that the Bath City Bus Special Purpose Fund Budget for the fiscal year commencing on July 1, 2003 and terminating on June 30, 2004, be and is hereby adopted with a total expenditure of **\$68,315.00**.

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

VOTE:

Yeas: 7

Nays: 0

Resolution Passed 7-0

XIV. Resolution: City of Bath's Special Purpose Fund Budget (motion to adopt) 8:23 PM #2700

Chairman James 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 Budget for the fiscal year commencing on July 1, 2003 and terminating on June 30, 2004, be and is hereby appropriated for the purpose of funding up the following accounts:

Motion by Councilor Mitchell, second by Councilor Rogers to put this Resolution on the floor for discussion.

VOTE:

Yeas: 7

Nays: 0

Resolution Passed 7-0

XV. Resolution: Establishing interest rate on all delinquent taxes at the rate of 7.00% per annum (motion to adopt) 8:26 PM #2807

Chairman James read the following Resolution:

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 7.00% per annum, from July 1, 2003 to June 30, 2004

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

VOTE:

Yeas: 7

Nays: 0

Resolution Passed 7-0

XVI. Resolution: Establishing interest rate on all delinquent sewer bills at the rate of 7.00% (motion to adopt) 8:27 PM #2850

Chairman James read the following Resolution:

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 7.00% per annum, from July 1, 2003 to June 30, 2004.

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

VOTE:

Yeas: 7

Nays: 0

Resolution Passed 7-0

XVII. Resolution: Establishing interest rate on refunds due to tax abatements at the rate of 3.00% per annum (motion to adopt) 8:29 PM 2880

Chairman James read the following Resolution:

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 four and three-quarters percent (3.00%) per annum, from July 1, 2003 to June 30, 2004.

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

VOTE:

Yeas: 7
Nays: 0
Resolution Passed 7-0

XVIII. Order: Continuation of Bath Tax Club (motion to pass) 8:30 PM #2954

Chairman James read the following Order:

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 2003.

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.

Motion by Councilor Wyman, second by Councilor Mitchell to put this Order on the floor for discussion.

VOTE:

Yeas: 7
Nays: 0
Order Passed 7-0

The meeting adjourned at 8:32 PM with a motion made by Councilor Rogers and second by Councilor Wyman. 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.