

**SPECIAL MEETING MINUTES**  
**City Council of the City of Bath, Maine**  
**Wednesday, June 9, 2004 6:00 pm**  
**City Council Chambers, Bath City Hall**

**Present:** Councilors Hall, Quimby, Blake, Wyman, Hart, Daigle, Mitchell and Chairman Winglass  
**Absent:** Councilor Rogers

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

Chairman Winglass opened the meeting at 6:00 PM with the Pledge of Allegiance and City Clerk White called the Roll.

**I. City of Bath CDBG Special Project Matching Fund to assist the Maine Affordable Housing Network in its efforts to promote safe and sanitary housing in Maine 6:01 PM #80**

Al Smith, Community Development Director, gave an overview of the mission of the Maine Affordable Housing which is to support the creation and preservation of safe and affordable homes accessible to all people in Maine. Mr. Smith asked Council to support the providing of \$7,500 in funds to the Maine Affordable Housing Network. Council was in agreement with the proposal.

Chairman Winglass closed the Public Hearing.

**II. Approving Tabulation of Election Returns of the State of Maine Primary/Referendum and the City of Bath Election Held Tuesday, June 8, 2004 6:07 PM #186**

Chairman Winglass gave an overview of the Election Results.

*A copy of the complete tabulation results is on file in the City Clerk's Office with the agenda materials for the June 9, 2004 Council Meeting.*

Motion by Councilor Wyman, second by Councilor Mitchell to accept the Election Tabulations.

**VOTE:**

**Yeas: 7**

**Nays: 0**

**Election Tabulations passed unanimously.**

**III. Manager's Report 6:08 PM #217**

John Bubier, City Manager, stated the total commitment for the City of Bath Budget for 2004-2005 will be up about 2.2% and the tax rate increase of 2% at \$25.75 maximum.

**IV. Resolution: Adoption of the School Department Budget Component for the fiscal period beginning June 1, 2004 and extending to June 30, 2005 6:10 PM #288**

Chairman Winglass read the following portion of the Resolution:

## RESOLUTION

Be It Resolved by the City Council of the City of Bath, That:  
The City hereby appropriate the total sum of \$16,134,227 for the City of Bath 2004/2005 Fiscal Year School Budget components in accordance with Section 606 and 609D of the Charter of the City of Bath.

*A complete copy of this Resolution is on file in the Bath City Clerk's Office with the Agenda materials for the June 9, 2004 Council Meeting.*

Motion by Councilor Hart, second by Councilor Wyman to accept the Resolution.

### VOTE:

**Yeas: 7**

**Nays: 0**

**Resolution passed unanimously.**

### **V. Resolution: Approve and appropriate, for the purposes indicated in accordance with the School Special Purpose Funds 6:11 PM #327**

Chairman Winglass 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, 2004, AND TERMINATING ON JUNE 30, 2005, BE AND HEREBY ARE APPROPRIATED FOR THE PURPOSES INDICATED UP TO THE TOTAL REVENUES OF \$2,330,511. SUMMARIES OF THESE ESTIMATED REVENUES ARE ATTACHED TO THIS RESOLUTION AS EXHIBIT "D".

*A complete copy of Exhibit "D" is on file in the Bath City Clerk's Office with the Agenda materials for the June 9, 2004 Council Meeting.*

Motion by Councilor Mitchell, second by Councilor Wyman to accept the Resolution.

### VOTE:

**Yeas: 7**

**Nays: 0**

**Resolution passed unanimously.**

### **VI. Resolution: City Operating Budget Component 6:12 PM #340**

Chairman Winglass 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, 2004 and terminating on June 30, 2005, be and hereby is adopted with total funded expenditure of **\$8,808,416.00**, balanced with an equal amount of estimated revenue. Summaries of appropriations and estimated revenue are attached to this resolution as Exhibit "A".

*A complete copy of Exhibit "A" is on file in the Bath City Clerk's Office with the Agenda materials for the June 9, 2004 Council Meeting.*

Motion by Councilor Wyman, second by Councilor Mitchell to accept the Resolution.

**VOTE:**

**Yeas: 7**

**Nays: 0**

**Resolution passed unanimously.**

**VII. Resolution: City Capital Improvement Budget 6:13 PM #369**

Chairman Winglass 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, 2004 and terminating on June 30, 2005, be and hereby is adopted with total funded resources of **\$1,006,900.00**. Summaries of funded projects and estimated revenue are attached to this Resolution as Exhibit "B".

*A complete copy of Exhibit "B" is on file in the Bath City Clerk's Office with the Agenda materials for the June 9, 2004 Council Meeting.*

Motion by Councilor Hart, second by Councilor Blake to accept the Resolution.

**VOTE:**

**Yeas: 7**

**Nays: 0**

**Resolution passed unanimously.**

**VIII. Resolution: Sewer Utility Fund Budget 6:14 PM #393**

Chairman Winglass 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, 2004 and terminating on June 30, 2005, be and is hereby adopted with a total expenditure of **\$ 1,754,100.00** (As per Exhibit C.)

*A complete copy of Exhibit "C" is on file in the Bath City Clerk's Office with the Agenda materials for the June 9, 2004 Council Meeting.*

Motion by Councilor Mitchell, second by Councilor Wyman to accept the Resolution.

**VOTE:**

**Yeas: 7**

**Nays: 0**

**Resolution passed unanimously.**

**IX. Resolution: Bath City Bus Fund Budget 6:15 PM #418**

Chairman Winglass read the following Resolution:

**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE**, that the Bath City Bus Fund Budget for the fiscal year commencing on July 1, 2004 and terminating on June 30, 2005, be and is hereby adopted with a total expenditure of **\$74,430.00**.

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

John Bubier, City Manager, explained the proposed increase in fares for the upcoming year and stated there would be a Public Hearing regarding these fares.

**VOTE:**

**Yeas: 6**

**Nays: 1 (Hall)**

**Resolution passed.**

**X. Resolution: Approve County Budget Component**

Chairman Winglass pulled this item from the agenda.

**XI. Order: Establishing Tax Club for the upcoming year 6:20 PM #590**

Chairman Winglass 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 2004.

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 Mitchell, second by Councilor Wyman to put the Order on the floor.

**VOTE:**

**Yeas: 7**

**Nays: 0**

**Order passed unanimously.**

**XII. Resolution: Establishing interest rate on all delinquent taxes at the rate of 6.5% per annum 6:21 PM #655**

Chairman Winglass 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 6.5% per annum, from July 1, 2004 to June 30, 2005.

Motion by Councilor Blake, second by Councilor Mitchell to accept the Resolution.

**VOTE:**

**Yeas: 7**

**Nays: 0**

**Resolution passed unanimously.**

**XIII. Resolution: Establishing interest rate on delinquent sewer bills at the rate of 6.5% per annum 6:23 PM #691**

Chairman Winglass 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 6.5% per annum, from July 1, 2004 to June 30, 2005.

Motion by Councilor Hart, second by Councilor Wyman to accept the Resolution.

**VOTE:**

**Yeas: 7**

**Nays: 0**

**Resolution passed unanimously.**

**XIV. Resolution: Establishing interest rate on refunds due to tax abatements at the rate of 2.5% per annum 6:24 PM #717**

Chairman Winglass read the following Resolution:

**RESOLUTION**

WHEREAS, pursuant to 36 M.R.S.A. Section 506(A) the City of Bath has the authority to specify an interest rate which shall be applied to the overpayment of taxes, and

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 (2.5%) per annum, from July 1, 2004 to June 30, 2005.

Motion by Councilor Mitchell, second by Councilor Wyman to accept the Resolution.

**VOTE:**

**Yeas: 7**

**Nays: 0**

**Resolution passed unanimously.**

**XV. Resolution: City of Bath's Special Purpose Fund Budget 6:25 PM #752**

Chairman Winglass 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 July 1, 2004 and terminating on June 30, 2005, be and is hereby appropriated for the purpose of funding up the following accounts. See attached to this resolution as Exhibit "D".

*A complete copy of Exhibit "D" is on file in the Bath City Clerk's Office with the Agenda materials for the June 9, 2004 Council Meeting.*

Motion by Councilor Mitchell, second by Councilor Hart to accept the Resolution.

**VOTE:**

**Yeas: 7**

**Nays: 0**

**Resolution passed unanimously.**

The meeting adjourned at 6:27 PM with a motion by Councilor Wyman, second by Councilor Blake. All in favor.

Attested:

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.*