

**SPECIAL MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, June 10, 2009 6:00 pm
Council Chambers, Bath City Hall**

Present: Councilors Rogers, Eosco, Sinclair, Pagurko, Winglass and Chairman Wyman
Late: Councilor Paulhus
Excused: Councilor Cochrane
Absent: Councilor Omo

Also in attendance were the City Manager, William Giroux, Acting City Solicitor, Michael Therriault and City Clerk, Mary White.

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

I. Accepting Tabulation Results for RSU #1 School Budget 2009-2010 6:02PM

**Regional School Unit #1
Lower Kennebec River Region School Unit
BUDGET VALIDATION ELECTION
June 9, 2009**

Do you favor approving the Lower Kennebec River Regional School Unit (RSU) budget for the upcoming school year that was adopted at the latest regional school unit budget meeting and that includes locally raise funds that exceed the required local contribution as described in the Essential program and Service so Funding Act:

TOTALS

YES = 124

NO = 22

Councilor Winglass made a motion to accept the results as presented. The motion was seconded by Councilor Pagurko. All were in favor of the motion.

II. Resolution: City Operating Budget Component 6:02 PM)

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, 2009 and terminating on June 30, 2010, be and hereby is adopted with a total expenditure of **\$8,495,744.00**, balanced with an equal amount of estimated revenue. Summary of appropriations are attached to this resolution in the following two pages.

A complete copy of the summary is on file in the Bath City Clerk's Office with the agenda materials for the June 10, 2009 Council Meeting.

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

VOTE:

YEAS: 5

NAYS: 0

Resolution passed unanimously. 5-0

III. Resolution: City Capital Improvement Component

Chairman Wyman read the following Resolution:

RESOLUTION – CITY CAPITAL IMPROVEMENT COMPONENT

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, 2009 and terminating on June 30, 2010, be and hereby is adopted with a total expenditure of **\$1,168,968.00** balanced with an equal amount of estimated revenue. Summary of funded projects is on the following page.

A complete copy of the summary is on file in the Bath City Clerk's Office with the agenda materials for the June 10, 2009 Council Meeting.

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

VOTE:

YEAS: 5

NAYS: 0

Resolution passed unanimously. 5-0

IV. Resolution: Landfill Fund Component 6:04 PM

Chairman Wyman read the following Resolution:

RESOLUTION – LANDFILL FUND COMPONENT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE, that the Landfill Fund Component as reallocated and/or appropriated for the fiscal year commencing on July 1, 2009 and terminating on June 30, 2010, be and hereby is adopted with a total expenditure of **\$2,132,902.00**, balanced with an equal amount of estimated revenue. Summary of appropriations is attached on the following pages.

A complete copy of the summary is on file in the Bath City Clerk's Office with the agenda materials for the June 10, 2009 Council Meeting.

Motion by Councilor Pagurko, second by Councilor Eosco to put this Resolution on the floor for discussion.

VOTE:

YEAS: 5

NAYS: 0

Resolution passed unanimously. 5-0

V. Resolution: Sewer Utility Fund Component 6:05 PM

Chairman Wyman read the following Resolution:

RESOLUTION – SEWER UTILITY FUND COMPONENT

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, 2009 and terminating on June 30, 2010, be and is hereby adopted with a total expenditure of **\$2,193,808.00**, balanced with an equal amount of estimated revenue. Summary of appropriations are attached to this Resolution on the following pages.

A complete copy of summary is on file in the Bath City Clerk's Office with the agenda materials for the June 10, 2009 Council Meeting.

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

Councilor Paulhus took his seat at this time.

VOTE:

YEAS: 3 (Rogers, Eosco, Sinclair)

NAYS: 2 (Pagurko, Winglass)

Abstain: 1 (Paulhus)

Resolution passed. 3-2-1

VI. Resolution: Bath City Bus Fund Budget 6:06 PM

Chairman Wyman read the following Resolution:

RESOLUTION – BATH CITY BUS FUND COMPONENT

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, 2009 and terminating on June 30, 2010, be and is hereby adopted with a total expenditure of **\$104,957.00**, balanced with an equal amount of estimated revenue. Summary of appropriations are attached to this Resolution on the following page.

A complete copy of the summary is on file in the Bath City Clerk's Office with the agenda materials for the June 10, 2009 Council Meeting.

Motion by Councilor Pagurko, second by Councilor Eosco to put this Resolution on the floor for discussion.

VOTE:

YEAS: 6

NAYS: 0

Resolution passed unanimously. 6-0

VII. Resolution: to Increase the LDI Tax Levy Limit 6:08 PM

Chairman Wyman read the following Resolution:

RESOLUTION TO INCREASE THE LD1 TAX LEVY LIMIT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE to increase the tax levy limit of \$5,520,875.00 by the amount required by the adoption of the 2009-2010 budget (estimated increase \$0.00).

Motion by Councilor Pagurko, second by Councilor Eosco to put this Resolution on the floor for discussion.

VOTE:

YEAS: 6

NAYS: 0

Resolution passed unanimously. 6-0

VIII. Order: Establishing Tax Club for the upcoming year 6:10 PM

Chairman Wyman read the following Order:

ORDER – TAX CLUB FOR 2009 - 2010

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE, as follows:

That the Finance Director, serving as the appointed Treasurer and Tax Collector, be authorized and empowered to continue a tax payment plan known as the “Bath Tax Club”, making payments in a method, frequency, and manner set by, and in accordance with, the rules of said Tax Club as determined by the Finance Director; and

That membership shall be limited to one property, that being the taxpayer’s primary residence, and specifically not available for commercial, industrial, personal, or rental properties; and

That enrollment in the 2009 Tax Club begins July 7, 2009, and ends August 15, 2009; with the first of twelve payments due in September, 2009.

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

VOTE:

YEAS: 6

NAYS: 0

Order passed unanimously. 6-0

IX. Resolution: Establishing interest rate on all delinquent taxes at the rate of 9.0% per annum 6:12 PM

Chairman Wyman read the following Resolution:

RESOLUTION – ESTABLISH INTEREST RATE ON PROPERTY TAXES

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 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 set at the rate of 9.0% per annum, from July 1, 2009 to June 30, 2010

Motion by Councilor Pagurko, second by Councilor Sinclair to put this Resolution on the floor for discussion.

VOTE:

YEAS: 6

NAYS: 0

Resolution passed unanimously. 6-0

**X. Resolution: Establishing interest rate on delinquent sewer bills at the rate of 9.0% per annum
6:19**

Chairman Wyman read the following Resolution:

RESOLUTION – ESTABLISH INTEREST RATE ON SEWER BILLS

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE, as follows:

That the interest rate due and payable for all delinquent sewer bills shall be set at the rate of 9.0% per annum, from July 1, 2009 to June 30, 2010.

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

VOTE:

YEAS: 6

NAYS: 0

Resolution passed unanimously. 6-0

XI. Resolution: Establishing interest rate on refunds due to tax abatements at the rate of 5.0% per annum 6:20 PM

Chairman Wyman read the following Resolution:

RESOLUTION – ESTABLISH INTEREST RATE ON REFUNDS DUE TO OVERPAYMENT OF TAXES

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE, 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; or in the case of accidental overpayment of taxes by a mortgage company, taxpayer, or tax club member) must be repaid the amount of the overpayment, plus interest back to the date of the overpayment, at a rate of 5.0% per annum, from July 1, 2009 to June 30, 2010; and

That property tax payments can be received only for delinquent or currently due taxes; and

That payments resulting in an overpayment will be applied as much as possible to outstanding balances, then remainder repaid only to the payee.

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

VOTE:

YEAS: 6

NAYS: 0

Resolution passed unanimously. 6-0

XII. Resolution: City of Bath's Special Purpose Fund Component 6:21 PM

Chairman Wyman read the following Resolution:

RESOLUTION – SPECIAL PURPOSE FUND COMPONENT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE, that the City of Bath's Special Purpose Fund as reallocated and/or appropriated for the fiscal year commencing on July 1, 2009 and terminating on June 30, 2010, be and is adopted for the purpose of funding the accounts attached to this Resolution below:

A complete copy of these accounts is on file in the Bath City Clerk's Office with the agenda materials for the June 10, 2009 Council Meeting.

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

VOTE:
YEAS: 6
NAYS: 0
Resolution passed unanimously. 6-0

XIII. Order: Approving Year-end Expenditure Transfers 6:22 PM

Chairman Wyman read the following Order:

ORDER
APPROVING TRANSFER
YEAR END EXPENDITURE TRANSFERS

Be It Hereby Ordered By the City Council of the City of Bath, pursuant to Section 611 (D) of the Charter of the City of Bath, that the following transfers be hereby approved.

Transfers in:	Account	Amount
APPLIED MATERIALS	080-214	\$50,000
VEHICULAR REPAIR	080-208	\$15,000
Transfers out:	Account	Amount
COUNCIL CONTINGENCY	012-402	\$65,000

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

VOTE:
YEAS: 6
NAYS: 0
Resolution passed unanimously. 6-0

XIV. Resolution Authorizing Borrowing in Anticipation of Taxes for FY 2009-2010 6:25 PM

Chairman Wyman read the following Resolution:

RESOLUTION AUTHORIZING BORROWING
IN ANTICIPATION OF TAXES
FOR FISCAL YEAR 2009-2010

WHEREAS, the City of Bath does not receive substantial income from ad valorem property taxes until approximately the beginning of October of any fiscal year; and

WHEREAS, the City of Bath has certain ongoing financial obligations that must be met including, but not limited to, payroll expenses and debt service payments that come due prior to the receipt of substantial tax revenues; and

WHEREAS, certain investments of City funds have been made and it would be disadvantageous to the City to cash in those investments based on advantageous interest rates and the imposition of penalties for cashing investments prior to maturity; and

WHEREAS, the City no longer receives school funding from the State of Maine, such funds now being remitted directly to RSU1; and

WHEREAS, these factors result in cash flow issues within City Budgets; and

WHEREAS, the Charter of the City of Bath, under Chapter VI, Section 616, authorizes the Council to approve the issuance of Notes in anticipation of tax receipts in order to provide adequate cash flow for required expenditures; and

WHEREAS, further authority for borrowing in anticipation of revenue is provided under the provisions of 30-A M.R.S.A. Section 5771.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bath that temporary borrowing is hereby authorized in anticipation of tax revenues in an amount not to exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00). Pursuant to the terms of the Charter, such anticipatory borrowing must be repaid in full by the end of the current fiscal year, June 30, 2010. The City Treasurer, with the approval of the Chairman of the City Council and the City Manager, shall determine the date or dates, maturities, denominations, interest rate or rates, and other details of each issue of Notes and shall provide for the sale thereof.

(NOTE: The intent of the City is to utilize tax anticipation funding only to provide adequate cash flow. It is further anticipated that any tax anticipation borrowing will be repaid by December 31, 2009.)

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

VOTE:

YEAS: 6

NAYS: 0

Resolution passed unanimously. 6-0

XV. Ordinance: Supplemental Appropriation (first passage) 6:32 PM

Chairman Wyman read the following Ordinance:

ORDINANCE **SUPPLEMENTAL APPROPRIATION**

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 fiscal year, are available for this purpose; and

WHEREAS, the sum proposed to be appropriated by this Supplemental Appropriation, totaling Three Million Dollars (\$3,000,000.00), will not exceed the expenditure limits for the current fiscal 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 Three Million Dollars (\$3,000,000.00) be and hereby is supplementally appropriated from the General Fund Undesignated Fund Balance (Account GF-2500) to the Council Contingency Account (Account 012-402).

Motion by Councilor Pagurko, second by Councilor Rogers to put this Ordinance on the floor for discussion.

VOTE:

YEAS: Paulhus, Rogers, Eosco, Sinclair, Pagurko, Winglass

NAYS: 0

Ordinance passed unanimously. 6-0

Chairman Wyman set second passage of this Ordinance for June 24, 2009 at 6:02 PM.

XVI. Bond Ordinance: for the purpose of financing the construction of sidewalks around the Praver Block (first passage) 6:36 PM

BOND ORDINANCE

AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR OTHER INDEBTEDNESS FOR THE CITY OF BATH, MAINE, IN AN AMOUNT UP TO, BUT NOT TO EXCEED, \$425,000.00 FOR THE PURPOSE OF FINANCING THE CONSTRUCTION OF SIDEWALKS AROUND THE PRAWER BLOCK.

IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH, AS FOLLOWS:

Section 1. That a sum up to, but not to exceed, \$425,000.00 is hereby appropriated for the purpose of financing the construction of sidewalks around the Praver Block.

Section 2. That, for the purpose of financing the aforesaid appropriation, authorization is hereby given to incur indebtedness by the issuance of bonds or other evidence of indebtedness of the City of Bath, in an amount up to, but not to exceed, \$425,000.00 under, and pursuant to, the Charter of the City of Bath.

Section 3. That any and all bonds, notes and other securities issued pursuant to this Ordinance may be payable in serial form in annual installments, which need not be equal, or under such payment terms or conditions as may be in the best interest of the City, but which shall be calculated to extinguish the entire debt at maturity.

Section 4. That the term of any bonds issued under the within Ordinance shall not exceed ten (10) years.

Section 5. That the proceeds of any bonds issued pursuant to this Ordinance shall be used only for those purposes specified in Section 1 above.

Section 6. That any proceeds of the bonds issued not used for the purposes specified in Section 1 shall be applied to repayment of the principal and/or interest of any such bonds.

Section 7. Any suit questioning the validity of this Ordinance shall be barred unless commenced within forty-five (45) days following publication of the Ordinance, said publication in accordance with Section 809 of the Charter of the City of Bath.

Section 8. The City Treasurer with the approval of the City Manager and the Chairman of the City Council may borrow money temporarily by the issuance of notes in anticipation of the issuance of bonds, subsequent to the authorization of this bond issue by the City Council of the City of Bath.

Section 9. That the City Treasurer, with the approval of the Chairman of the City Council and the City Manager, shall determine the date or dates, maturities, denominations, interest rate or rates and any other details of each issue of bonds and/or notes, including bonds and/or notes issued in anticipation of this bond issue.

Section 10. That any and all bonds and/or notes issued by the City pursuant to Chapter 6 of the Charter of the City of Bath or Chapter 8 of the Charter of the City of Bath shall be signed by the City Treasurer and countersigned by the Chairman of the City Council and the City Manager.

Section 11. That any and all bonds and/or notes issued pursuant to Chapter 8 of the Charter of the City of Bath shall be general obligation bonds of the said City.

Section 12. The City Treasurer, with the approval of the Chairman of the City Council and the City Manager, is hereby authorized to make any such bonds or notes authorized hereby subject to call for redemption with or without premium at the election of the City before the dates fixed for the final payment thereof.

Councilor Sinclair motion to waive the reading of the ordinance. The motion was seconded by Pagurko. All were in favor of the motion.

Motion by Councilor Pagurko, second by Councilor Rogers to put this Bond Ordinance on the floor for discussion.

VOTE:

YEAS: Paulhus, Rogers, Eosco, Sinclair, Pagurko, Winglass

NAYS: 0

Bond Ordinance passed unanimously. 6-0

Chairman Wyman set second passage of this Bond Ordinance for June 24, 2009 at 6:03 PM.

XVII. Bond Ordinance: for the purpose of purchase of certain equipment and repairs and renovations to the Customs House (first passage) 6:46 PM

Chairman Wyman read the following Ordinance:

BOND ORDINANCE

AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR OTHER INDEBTEDNESS FOR THE CITY OF BATH, MAINE, IN AN AMOUNT UP TO, BUT NOT TO EXCEED, \$866,000.00 FOR THE PURPOSE OF FINANCING THE PURCHASE OF CERTAIN EQUIPMENT AND REPAIRS AND RENOVATIONS TO THE CUSTOMS HOUSE.

IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH, AS FOLLOWS:

Section 1. That a sum up to, but not to exceed, \$866,000.00 is hereby appropriated for the purpose of providing the necessary funding for the following:

- Purchase of a Model 816F Series II Compactor
- 2007 Sterling Rolloff Truck Model #Sterling LT9500
- 2 Police Cruisers
- John Deere Pro-Gator
- Renovations and Repairs to the Customs House Property

Section 2. That, for the purpose of financing the aforesaid appropriation, authorization is hereby given to incur indebtedness by the issuance of bonds or other evidence of indebtedness of the City of Bath, in an amount up to, but not to exceed, \$866,000.00 under, and pursuant to, the Charter of the City of Bath.

Section 3. That any and all bonds, notes and other securities issued pursuant to this Ordinance may be payable in serial form in annual installments, which need not be equal, or under such payment terms or conditions as may be in the best interest of the City, but which shall be calculated to extinguish the entire debt at maturity.

Section 4. That the term of any bonds issued under the within Ordinance shall not exceed ten (10) years.

Section 5. That the proceeds of any bonds issued pursuant to this Ordinance shall be used only for those purposes specified in Section 1 above.

Section 6. That any proceeds of the bonds issued not used for the purposes specified in Section 1 shall be applied to repayment of the principal and/or interest of any such bonds.

Section 7. Any suit questioning the validity of this Ordinance shall be barred unless commenced within forty-five (45) days following publication of the Ordinance, said publication in accordance with Section 809 of the Charter of the City of Bath.

Section 8. The City Treasurer with the approval of the City Manager and the Chairman of the City Council may borrow money temporarily by the issuance of notes in anticipation of the issuance of bonds, subsequent to the authorization of this bond issue by the City Council of the City of Bath.

Section 9. That the City Treasurer, with the approval of the Chairman of the City Council and the City Manager, shall determine the date or dates, maturities, denominations, interest rate or rates and any other details of each issue of bonds and/or notes, including bonds and/or notes issued in anticipation of this bond issue. The City reserves the right under this Ordinance, to provide for separate bonds and/or notes with varying terms, not to exceed ten (10) years, for the individual pieces of equipment and the Customs House repairs and renovations authorized under this Ordinance. Financing options shall also include lease purchase agreements, should it be determined that it is in the best interest of the City.

Section 10. That any and all bonds and/or notes issued by the City pursuant to Chapter 6 of the Charter of the City of Bath or Chapter 8 of the Charter of the City of Bath shall be signed by the City Treasurer and countersigned by the Chairman of the City Council and the City Manager.

Section 11. That any and all bonds and/or notes issued pursuant to Chapter 8 of the Charter of the City of Bath shall be general obligation bonds of the said City.

Section 12. The City Treasurer, with the approval of the Chairman of the City Council and the City Manager, is hereby authorized to make any such bonds or notes authorized hereby subject to call for redemption with or without premium at the election of the City before the dates fixed for the final payment thereof.

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

Councilor Paulhus made a motion to add a comma after "EQUIPMENT" in the first paragraph. The motion was seconded by Councilor Pagurko.

VOTE on Amendment:

YEAS: Paulhus, Rogers, Eosco, Sinclair, Pagurko, Winglass

NAYS: 0

Amendment passed unanimously. 6-0

VOTE on Amended Ordinance:

YEAS: Paulhus, Rogers, Eosco, Sinclair, Pagurko Winglass

NAYS: 0

Amended Bond Ordinance passed unanimously. 6-0

Chairman Wyman set second passage of this Bond Ordinance for June 24, 2009 at 6:04PM.

XVIII. Resolution: Adjusting Landfill Tipping Fees 6:54 PM

Chairman Wyman read the following Resolution:

RESOLUTION ADJUSTING TIPPING FEES
BATH LANDFILL

WHEREAS, Section 13-32 of the Code of the City of Bath provides for assessing fees for use of the City's Solid Waste Facility; and

WHEREAS, the City Council of the City of Bath has deemed it appropriate, upon recommendation of Staff, that such fees be adjusted; and

WHEREAS, Section 13-32, above-referenced, provides for amendment of the fee schedule by Resolution of Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bath that the Solid Waste Facility fees are adjusted, effective July 1, 2009, as follows:

	<u>Current Rate</u>	<u>New Rate</u>
Residential	\$5 per 500 lbs	\$10 per 500 lbs
Solid Waste	\$90	\$95
Bath Demo	\$75	\$100
Non-Bath Demo	\$95	\$120
Residential CRT	\$4	\$10
Commercial CRT	\$15	\$20

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

VOTE:

YEAS: Paulhus, Eosco, Sinclair, Pagurko

NAYS: Rogers, Winglass

Resolution passed. 3-2

XIX. Resolution Establishing Schedule of Rates for Sewer System Fees, Use Charges and Special Assessments 7:02 PM

Chairman Wyman read the following Resolution:

RESOLUTION ESTABLISHING SCHEDULE OF RATES FOR SEWER SYSTEM FEES, USE CHARGES, AND SPECIAL ASSESSMENTS

WHEREAS, Sections 14-28, 14-30, 14-51(b), 14-52(a), and 14-54 of the Code of the City of Bath specify that the City Council from time to time shall establish by Resolution, upon recommendation from the City Manager, a schedule of rates for the sewer system fees and use charges together with surcharges which may be applicable, as well as special assessments; and

WHEREAS, it is apparent that an increase in the rate structure is necessary in order to fund the wastewater treatment system; and

WHEREAS, such an increase is recommended by the City Manager.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bath, pursuant to their authority under the Code of the City of Bath, that the following rate structure, listed in the attached table, be and hereby is adopted for all fees, charges, and special assessments, to be effective July 1, 2009 for the October 1, 2009 billing, August 1, 2009, for the November 1, 2009 billing, and September 1, 2009, for the December 1, 2009 billing. The schedule of fees, charges, and special assessments shall continue in effect until further Resolution of the Council.

2009 Proposed Sewer Rate Structure		
	Existing	Proposed
Residential/Commercial Based on Bath Water District Meter Readings		
Minimum charge per quarter	\$44.00	No Change
Volume upon which minimum charge is based	667 CF	No Change
Additional charge per 100 cf of volume in excess of minimum volume	\$5.53	\$6.14
New sewer connection fee	\$2,000.00	No Change
Betterment fee	\$500.00	No Change
Impact fee	To be determined on a case by case basis	No Change
Facilities Based on Flat Water Rates or Individual Wells		
Minimum charge per quarter for users based on flat water rate (PE = 1200cf)	\$73.47	No Change
Volume upon which minimum flat quarterly rate is based	1200 cf	No Change
Additional charge per 100 cf of volume in excess of minimum volume	\$5.53	\$6.14
Flat quarterly rate for users on wells (based on 2000 cf/quarter)	\$117.71	\$122.59
Industrial/Septage Disposal		
Charge per 100 CF of volume directly metered	\$5.53	\$6.14
Septage disposal (per 1,000 gallons)	\$110.00	No Change
Holding tank (per 1,000 gallons)	\$110.00	No Change

Motion by Councilor Pagurko, second by Councilor Eosco to put this Resolution on the floor for discussion.

VOTE:

YEAS: Paulhus, Rogers, Eosco, Sinclair

NAYS: Pagurko, Winglass

Resolution passed. 3-2

The meeting adjourned at 7:04 PM with a motion from Councilor Pagurko and a second from Councilor Rogers. All were in favor of the motion.

Attest:

Mary J. White, City Clerk

Please note: These minutes are action only and not recorded verbatim. A DVD recording of the meeting is available for review in the City Clerk's office during regular business hours.