

REGULAR MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, May 6, 2009 6:00pm
City Council Chambers, Bath City Hall

Present: Councilors Cochrane, Omo, Paulhus, Rogers, Eosco, Sinclair, Pagurko, Winglass, and Chairman Wyman.

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

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

C. Public Hearings: 6:01 PM

- 1) **Ordinance: Chapter 5. Businesses, Article 12. Regulating the Issuance of Special Amusement Permits for Establishments Licensed for the Sale of Liquor, Sections 5-201 and 5-210 (second passage)**

Chairman Wyman read the following Ordinance:

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE CODE OF THE CITY OF BATH, ADOPTED FEBRUARY 2, 1977, AND SUBSEQUENTLY AMENDED, BE FURTHER AMENDED AS FOLLOWS:

CHAPTER 5. BUSINESSES

Article 12. Regulating the Issuance of Special Amusement Permits
for Establishments Licensed for the Sale of Liquor

Amend Section 5-201 to read as follows:

Section 5-201. Purpose.

Purpose of this Article is to control the issuances of special permits for music, dancing or entertainment and facilities licensed by the State of Maine to sell liquor, as such special permits are required by ~~28 M.R.S.A. §702~~ 28-A M.R.S.A. §1054.
(Ord. 6/18/78)

Amend Section 5-210 to read as follows:

Section 5-210. Appeal procedure.

Any licensee who has requested a permit and has been denied, or whose permit has been revoked or suspended, may, within thirty (30) days of the denial, suspension or revocation, appeal the decision to the municipal board of appeals as defined in ~~30 M.R.S.A. § 2411~~ 30-A M.R.S.A. §2691. The municipal board of appeals may grant or reinstate the permit if it finds that the permitted activities would not constitute a detriment to the public health, safety, or welfare, or that the denial, revocation or suspension was arbitrary or capricious, or that the denial, revocation, or suspension was not based by preponderance of the evidence on a violation of any ordinance, article, bylaw, or rule or regulation of the municipality. (Ord.6-28-78)

Councilor Pagurko made a motion to put the item on the floor for discussion. The motion was seconded by Councilor Omo.

ROLL CALL VOTE:

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

NAYS: None

Ordinance passed unanimously. 8-0

Chairman Wyman stated this would become effective in 21 days.

2) Ordinance: Chapter 17. Vehicles and Traffic, Article 6. Stopping, Standing and Parking, Section 17-260. Municipal Lots. (second passage)

Councilor Omo made a motion to waive the reading of the following Ordinance. The motion was seconded by Councilor Rogers. All were in favor of the waiving of the reading motion.

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE CODE OF THE CITY OF BATH, ADOPTED FEBRUARY 2, 1977, AND SUBSEQUENTLY AMENDED, BE FURTHER AMENDED AS FOLLOWS:

CHAPTER 17. VEHICLES AND TRAFFIC
Article 6. Stopping, Standing and Parking

Section 17-260. Municipal Parking Lots.

Amend as follows:

(d) Water Street parking lot - West side. ~~No vehicle shall park in the Water Street parking area between the hours of 11:00 p.m. and 6:00 a.m.~~ Parking on weekdays from 6:00 a.m. to 6:00 p.m. shall be permitted in the Water Street parking area upon obtaining a parking permit or stamp from the ~~Finance~~ Police Department, which shall be affixed on such vehicle in a conspicuous place. The fee for parking by said permit shall be set by Resolution of the City Council.

... Parking on weekends ~~from 6:00 a.m. to 11:00 p.m.~~ and on weekdays from 6:00 p.m. to ~~11:00 p.m.~~ 6:00 a.m. is unrestricted. (Ord.4/19/00)

(Resolution 5-6-92 (fee for use of the Water Street Parking Lot - west side - shall be \$40.00 per month effective for all months commencing September 1, 1992 until further Resolution of this Council)

(e) Water Street parking lot - East side. Parking in excess of two (2) hours is prohibited in said municipal parking lot ~~to between 6:00 a.m. and 1:30 a.m.~~ 5:00 p.m., ~~and all parking is prohibited between 1:30 a.m. and 6:00 a.m.~~, subject to other ordinances, in effect. ...

(g) Commercial Street Parking Lot - West side under Sagadahoc Bridge.

... and shall require a parking permit or stamp issued by the Finance Police Department, ... ~~There shall be no parking in said lot from 11:00 p.m. to 6:00 a.m.~~ At all other times, parking shall be unrestricted. This Ordinance and any revision or amendment to this Ordinance shall be in effect as long as the License Agreement or any extension or amendment thereto between the State of Maine and the City of Bath, above-captioned, shall remain in full force and effect.(Ord.11/15/00)

Councilor Omo made a motion to put the item on the floor for discussion. The motion was seconded by Councilor Winglass.

ROLL CALL VOTE:

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

NAYS: None

Ordinance passed unanimously. 8-0

Chairman Wyman stated this would become effective in 21 days.

3) Public Hearing: Edward Byrne Memorial Justice Assistance grant program on behalf of the Bath Police Department.

Chairman Wyman read the Public Hearing Notice and opened the Public Hearing.

PUBLIC HEARING NOTICE

The City of Bath will hold a Public Hearing on May 6th, at 6:09 PM, in the City Council Chambers (3rd Floor) at City Hall to discuss an application being submitted to the Edward Byrne Memorial Justice Assistance grant program on behalf of the Bath Police Department. The purpose of the grant application is to upgrade the interview room, exterior and interior security cameras, and recording devices for the building. Public comments will be solicited at this Hearing and will be submitted as part of the application. All persons wishing to make comments or ask questions about the grant application are invited to attend this Public Hearing.

Chief Field explained this grant is part of the Federal Stimulus Package and Bath's portion would come to \$14,360. He stated the Department planned to use the funds to up grade the security camera system outside and inside the Police Station and to upgrade the suspect interview room.

Seeing no further comment, Chairman Wyman closed the Public Hearing.

Councilor Omo made a motion to waive the reading of Item 4-9 Ordinances. The motion was seconded by Councilor Rogers. All were in favor of the waiving of reading the motion.

Councilor Pagurko made a motion to put items 4-9 on the floor. The motion was seconded by Councilor Omo.

4) Ordinance: Chapter 17. Vehicles and Traffic, Article 3. Impounding Vehicles, Section 17-105. Alternative to Towing and Impounding. (second passage)

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE CODE OF THE CITY OF BATH, ADOPTED FEBRUARY 2, 1977, AND SUBSEQUENTLY AMENDED, BE FURTHER AMENDED AS FOLLOWS:

CHAPTER 17. VEHICLES AND TRAFFIC

Article 3. Impounding Vehicles

Section 17-105. Alternative to Towing and Impounding.

Amend as follows:

In instances where ~~a vehicle, which~~ the registered owner of a vehicle has three or more outstanding parking citations, ...

ROLL CALL VOTE:

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

NAYS: None

Ordinance passed unanimously. 8-0

Chairman Wyman stated this would become effective in 21 days.

5) Ordinance: Chapter 17. Vehicles and Traffic, Article 6. Stopping, Standing and Parking, Section 17-259. Parking Restrictions. (second passage)

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE CODE OF THE CITY OF BATH, ADOPTED FEBRUARY 2, 1977, AND SUBSEQUENTLY AMENDED, BE FURTHER AMENDED AS FOLLOWS:

CHAPTER 17. VEHICLES AND TRAFFIC

Article 6. Stopping, Standing and Parking

Section 17-259. Parking Restrictions.

Amend as follows:

(a) In all areas where there is timed parking, such parking shall be in effect between the hours of 6:00 a.m. and 8:00 p.m., except Sundays and holidays, except in the Downtown Business District, where there is timed parking, such parking shall be in effect between the hours of 6:00 a.m. and 5:00 p.m., except Sundays and holidays, unless otherwise specified. For purposes of definition, the Downtown Business District is determined to be that area South of Oak Street, West of the Kennebec River, North of Vine Street, and East of Washington Street.

ROLL CALL VOTE:

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

NAYS: None

Ordinance passed unanimously. 8-0

Chairman Wyman stated this would become effective in 21 days.

6) Ordinance: Chapter 17. Vehicles and Traffic, Article 6. Stopping, Standing and Parking, Section 17-259. Parking Restrictions Centre Street, Front Street, Water Street. (second passage)

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE CODE OF THE CITY OF BATH, ADOPTED FEBRUARY 2, 1977, AND SUBSEQUENTLY AMENDED, BE FURTHER AMENDED AS FOLLOWS:

CHAPTER 17. VEHICLES AND TRAFFIC

Article 6. Stopping, Standing and Parking

Section 17-259. Parking Restrictions.

Amend as follows:

CENTRE STREET

North Side:

.....From a point 40 feet west of Front Street to a point 85 feet east of Washington Street, 2 hour parking, except that the last space before Water Street and the first space after Water Street shall be designated as 30 minute parking. ...

South Side:

From the corner of Front Street and running westerly for a distance of 40 feet, no parking. From a point 40 feet from the intersection of Front Street to the first driveway, 2 hour parking, except that the first space shall be designated as 30 minute parking; from the first driveway to the Key Bank exit, no parking; From the Key Bank exit to Water Street, 2 hour parking, except that the last space before Water Street should be designated as 30 minute parking;...

FRONT STREET

West Side: From Vine Street to a point 30 feet south of Centre Street, 2 Hour Parking, except for the last space before Centre Street shall be designated as 30 minute parking. From a point 30 feet south of Centre Street to Centre Street, No Parking. From Centre Street to Summer Street, 2 Hour Parking, except that the first space North of Centre Street shall be designated as 30 minute parking...

WATER STREET

East Side: ~~From Vine Street to Centre Street, 1 Hour Parking;~~ From Vine Street and running northerly 40 feet, No Parking; From a point 40 feet northerly of Vine Street to Centre Street, 1 Hour Parking; From Centre Street to Elm Street, No Parking.

West Side: ~~From Vine Street to Elm Street, No Parking.~~ From Vine Street to a point 40 feet South of Centre Street, 1 Hour Parking; From a point 40 feet South of Centre Street to Centre Street, loading zone; From Centre Street to Elm Street, No Parking.

ROLL CALL VOTE:

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

NAYS: None

Ordinance passed unanimously. 8-0

Chairman Wyman stated this would become effective in 21 days.

**7) Ordinance: Chapter 17. Vehicles and Traffic, Article 6. Stopping, Standing and Parking, Section 17-259. Parking Restrictions. Commercial Street and Broad Street. (second passage)
ORDINANCE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE CODE OF THE CITY OF BATH, ADOPTED FEBRUARY 2, 1977, AND SUBSEQUENTLY AMENDED, BE FURTHER AMENDED AS FOLLOWS:

CHAPTER 17. VEHICLES AND TRAFFIC

Article 6. Stopping, Standing and Parking

Section 17-259. Parking Restrictions.

Amend as follows:

COMMERCIAL STREET

South and East Sides:

Delete the current text and replace with the following:

COMMERCIAL STREET

South and East Sides:

From Water Street to the South side of the Sagadahoc Bridge, No Parking; From the South side of the Sagadahoc Bridge and running North 303 feet, parking by permit only on weekdays between the hours of 6:00 a.m. and 6:00 p.m. Permits may be obtained from the Police Department in the same manner as permits are issued for the parking lot on the West side of Water Street. Parking on weekends and weekdays from 6:00 p.m. to 6:00 a.m. is unrestricted. From a point 303 feet North from the South side of the Sagadahoc Bridge to a point 170 feet North of the northerly side of Summer Street, No Parking, except the area on the West side of the Waterfront Park shall be designated as a 4 hour parking area from November 15th to March 15th of each year, and at all other times shall be designated as a 2 Hour Parking area. From a point 170 feet North of the northerly side of Summer Street and running North 275 feet, 4 hour parking. From a point 445 feet North of the northerly side of Summer Street to Front Street, No Parking.

BROAD STREET

North Side:

Delete the current text and replace with the following:

BROAD STREET

North Side:

From Front Street to the Kennebec River, 2 Hour Parking, except that the spaces from Commercial Street to the Kennebec River shall be designated as 4 Hour Parking from November 15th through March 15th.

ROLL CALL VOTE:

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

NAYS: None

Ordinance passed unanimously. 8-0

Chairman Wyman stated this would become effective in 21 days.

(c) Payment of waiver fee. Any person, firm or corporation accused of a violation of the provisions of the parking regulations in this chapter may voluntarily waive his right to appear and defend that matter before any court or judicial tribunal, by paying the City, in accordance with the following penalty schedule:

1. Parking in Wrong direction	\$ 5.00
2. Overtime Parking – Except Downtown Business District	
a. The first violation within a 7-day consecutive <u>six-month</u> period	\$ 5.00 <u>\$15.00</u>
b. The second violation within a 7-day consecutive <u>six-month</u> period	\$10.00 <u>\$20.00</u>
c. The third violation within a 7-day consecutive <u>six-month</u> period	\$15.00 <u>\$25.00</u>
d. The fourth violation within a 7-day consecutive <u>six-month</u> period	\$25.00 <u>\$30.00</u>
e. The fifth violation within a 7-day consecutive <u>six-month</u> period (effective 10/1/91)	\$30.00 <u>\$35.00</u>
2a. Overtime Parking – Downtown Business District Only	
The first violation within a six month period (Ord.3/20/02)(Ord.6/7/06)	Warning
b. The second violation within a six-month period (Ord.3/20/02) (Ord.6/7/06)	\$5.00 <u>\$20.00</u>
c. The third violation within a six-month period (Ord. 3/20/02) (Ord.6/7/06)	\$10.00 <u>\$25.00</u>
d. The fourth violation within a six-month period (Ord. 3/20/02) (Ord. 6/7/06)	\$15.00 <u>\$30.00</u>
e. The fifth violation within a six-month period (Ord. 3/20/02) (Ord. 6/7/06)	\$20.00 <u>\$35.00</u>
f. The sixth or more violation within a six-month period (Ord. 3/20/02) (Ord. 6/7/06)	\$25.00 <u>\$40.00</u>
3. Parking too far from curb	\$ 5.00 <u>\$10.00</u>
4. Too Close to driveway	\$ 5.00 <u>\$10.00</u>
5. Blocking driveway	\$ 50.00
6. No parking lot Permit	\$ 40.00
7. Parking on sidewalk:	
a. Sidewalk not blocked	\$ 5.00 <u>\$25.00</u>

b. Blocking sidewalk	\$15.00 <u>\$50.00</u>
8. No parking area	\$15.00
9. Parking too near hydrant	\$25.00
10. Parking in bus stop	\$15.00
11. Parking in fire zone or lane	\$15.00 <u>\$25.00</u>
12. Parking too near corner	\$25.00
13. Parking on crosswalk	\$25.00
14. Blocking a public way	\$25.00
15. Blocking snow removal	\$25.00
16. All night parking	\$15.00
17. Parking in loading zone	\$15.00
18. Double Parking	\$15.00
19. Use of immobilization device (Ord. 6/7/06)	\$75.00
20. Parking in an area designated for handicap parking (Ord. 6/7/06)	\$200.00
20. All other parking violations	\$ 5.00

(Ord. 9/03/03)

Late Charges: Any person receiving a parking citation shall, within 30 calendar days from the date of issuance, pay the waiver fee as prescribed in Section 17-351. Failure to pay the waiver fee within the 30 calendar days of issuance of the parking citation will result in a late charge of double the original amount imposed on each violation not paid.(Ord.6/7/06)

ROLL CALL VOTE:

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

NAYS: None

Ordinance passed unanimously. 8-0

Chairman Wyman stated this would become effective in 21 days.

D. Consent Agenda: 6:12 PM

***10)** Minutes of the previous Council meetings of April 1 and 15, 2009. Motion by Councilor Pagurko, second by Councilor Cochrane to accept the minutes as presented. All were in favor of the motion.

E. Time Devoted to Residents to Address the City Council: 6:13PM

No one spoke at this time.

F. Ordinances, Resolutions and Orders: 6:13 PM

11) Arbor Week Proclamation - May 17-23, 2009 (motion to pass)

Chairman Wyman read the following Proclamation:

ARBOR WEEK PROCLAMATION

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world (more often as a weekly observance), and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BATH, MAINE, HEREBY PROCLAIMS THE WEEK OF MAY 17-23 AS

ARBOR WEEK

in the City of Bath, and we urge all citizens to celebrate Arbor Week and to support efforts to protect our trees and woodlands, and

FURTHER, We urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

DATED this 6th day of May 2009.

Councilor Pagurko made a motion to pass the proclamation. The motion was seconded by Councilor Cochrane. All were in favor of passing the proclamation.

12) Order: For Wing Farm Expansion Development (motion to pass)

Chairman Wyman read the following Order:

ORDER

BE IT HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH, THAT THE BID OF HARRY C. CROOKER & SONS, INC. FOR THE WING FARM PROJECT IN THE AMOUNT OF \$970,154.00 IS ACCEPTED, IT BEING THE LOWEST QUALIFIED BID SUBMITTED, AND THE MANAGER IS AUTHORIZED TO EXECUTE THE CONTRACT AND ANY OTHER DOCUMENTS NECESSARY TO ITS IMPLEMENTATION ON BEHALF OF THE CITY OF BATH. THE PROJECT HAS BEEN FUNDED BY THE PROCEEDS OF A WING FARM BUSINESS PARK EXPANSION BOND AUTHORIZED BY THE BATH CITY COUNCIL.

Councilor Pagurko made a motion to put this item on the floor for discussion. The motion was seconded by Councilor Cochrane.

City Manager Giroux explained that the City would enter into the contract by June 20, 2009. The lots should be ready by Fall.

VOTE:

YEAS: 8

NAYS: 0

Passed unanimously. 8-0

13) Bond Ordinance: Aspen Lane Sewer/Stormwater Separation Project (first passage)

Chairman Wyman read the following Bond 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, \$72,500.00 FOR THE PURPOSE OF FUNDING FOR THE ASPEN LANE SEWER/STORMWATER SEPARATION PROJECT.

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, \$72,500.00 is hereby appropriated for the purpose of providing the necessary funding for the Aspen Lane Sewer/Stormwater Separation Project.

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, \$72,500.00 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 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.

NOTE: These funds are provided by the Federal Government under the Stimulus Program and administered by the Maine Bond Bank. It is anticipated that the funds will be provided interest free with 27.7% of the principal to be forgiven leaving a principal balance for repayment of \$52,399.00.

Councilor Pagurko made a motion to put this item on the floor for discussion. The motion was seconded by Councilor Winglass.

Peter Owen, Public Works Director, explained the money is part of the Federal Stimulus Program. He stated the City submitted about \$2.5 million worth of work to get funded and got \$72,500. Mr. Owen said the City would get \$20,000 in a grant to pay for a portion of the project. He explained the project would help with the Harward Street pump station overflow problems in that area.

ROLL CALL VOTE:

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

NAYS: None

Ordinance passed unanimously. 8-0

Chairman Wyman set second passage for June 3, 2009 at 6:01 PM.

G. Petitions & Communications: 6:30 PM

Chairman Wyman stated that he had received one communication from Tri-County Literacy and would discuss that during Budget Sessions.

Councilor Winglass stated he had been approached by citizens wondering about the street striping this year.

Public Works Director Peter Owen stated that the PW hoped to start the striping on Tuesday, May 12th. He explained that the weather had not been cooperating with the process due to the rain.

Councilor Omo asked on behalf of citizens in the Southend of the City as to what extent the road repairs will be done and if the sidewalks would be telephone pole free allowing for unobstructed access.

Mr. Owen explained that the contractor would be repairing the cross trenches and the damaged pavement adjacent to the sidewalk going in and the road would be paved in the Summer of 2010. He stated the poles now in the sidewalk's way would be moved.

H. City Manager's Report: 6:33 PM

The City Manager reported on the 2009-2010 City Budget.

Mr. Giroux started by explaining that the Capital Improvement Budget is a 5-year plan and a lot of the projects are funded with non-property tax money. He thanked the County Budget Committee and the RSU Board for doing such a good of putting together frugal budgets. He stated that the proposed budget has a decrease of 18.8% from last year, which is due to major projects at the landfill bringing in bond money which increases the revenues and then expended this bond money which increases spending. He said when the project goes away it makes it look like the budget has gone down but it actually hits on both sides, so it is a nonfactor. Mr. Giroux stated that the City's revenues, like most Cities in Maine, were down about \$250,000 or 2.5%. This results in a tax increase of about 1.86% and with the RSU's and County's numbers added it looks like the entire budget increase would be under 2%. He explained that this budget keeps spending down and people working.

Mr. Giroux spoke briefly about these other topics:

- Selling of Landfill Gases
- Water Street Sidewalk Construction Project
- Summer Paving Projects
- Phase II of the Train Station Project
- Roundabout Project
- Phase II of Wing Farm Project
- Downtown Hotel Project

I. Committee Reports: 6:45 PM

Councilor Eosco reported that Main Street Bath had moved their office to the Train Station location, had a very successful event in the downtown celebrating "May Fair" and hired Jennifer Geiger as their new Director.

Councilor Paulhus reported on the County Budget sessions.

J. Unfinished Business: 6:46 PM

There was no unfinished business.

K. New Business: 6:46 PM

Councilor Omo asked about plans to replace the City's flagpole in Library Park.

Mr. Giroux stated that project was not in the City's budget. He explained that the estimate to replace it was \$25,000, but hoped to discuss its replacement in future workshops.

The meeting adjourned at 6:47 PM with a motion by Councilor Pagurko, seconded by Councilor Omo. All were in favor of the adjournment.

Attest:

Mary J. White, City Clerk

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