

SPECIAL MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, May 20, 2009 6:00 pm
Council Chambers, Bath City Hall

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

Excused: Councilors Rogers and Winglass

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.

I) Bond Ordinance: Aspen Lane Sewer/Stormwater Separation Project (second passage)

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

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

Chairman Wyman opened the public hearing. Seeing no comment from the Council or public, he closed the public hearing and asked the Clerk to call the Roll.

ROLL CALL VOTE:

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

NAYS: None

Ordinance passed unanimously. 6-0

Chairman Wyman stated this Bond Ordinance would become effective in 21 days.

Council Omo made a motion to waive the Rules to add an agenda item. The motion was seconded by Councilor Pagurko. All were in favor of the motion to waive the Rules and to add an item to the agenda.

Chairman Wyman read the following Order:

ORDER

In City Council
May 20, 2009

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH, THAT:

Warrants be prepared and issued to notify and summons the inhabitants of the City of Bath, qualified to vote, that the School Budget Districts Election will be held at Bath Middle School, 6 Old Brunswick Road

(Districts 1-7) inclusive, on the 9th day of said June, in the year of our Lord Two Thousand Nine, at Nine O'clock in the forenoon, then and there, to cast their votes at the School Budget Election in their respective Districts for:

Regional School Unit # 1 Budget:
District One - District Seven

and, be it further ordered, that said polls are to be kept open until eight O'clock in the afternoon of said day and then be closed

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

Councilor Sinclair made a motion to amend the Order by striking the word "said" in the Order and to place a period after the word "closed". The motion was seconded by Councilor Pagurko.

Vote on the Amendment:

YEAS: 6

NAYS: 0

Amendment passed unanimously. 6-0

Vote on the Amended Order:

YEAS: 6

NAYS: 0

Amendment passed unanimously. 6-0

City Manager Giroux reported that with the School and County cutting more money out of their budgets the tax increase this year would be at 0%.

Chairman Wyman gave an update on the Flagpole project at Library Park. He stated that the City has ordered an 80 foot aluminum flagpole at a cost of \$12,500 installed and the VFW will pay 50% of this cost. Chairman Wyman reported that due to the granite at the location a drilling company which charges \$180/hour would have to be hired. The drilling could take up to 3 hours, which would be an extra cost. The drilling company would do the job in a couple of weeks and the pole should be ready by July 4, 2009.

The meeting adjourned at 6:12 PM with a motion by Councilor Cochrane, seconded by Councilor Pagurko. 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.