

SPECIAL MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, April 17, 2013 6:00 pm
Council Chambers, Bath City Hall

Present: Councilors Brackett, Merrill, Paulhus, Lockwood, Eosco, Sinclair, Mitchell, 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.

I. Order: McMann Field Construction Project 6:01 PM

Chairman Wyman read the following Order:

ORDER
MCMANN FIELD CONSTRUCTION PROJECT

WHEREAS, the City Council of the City of Bath adopted an Order regarding McMann Field, entitled “McMann Field Upgrade,” on September 1, 2010 (copy attached); and

WHEREAS, the Order encouraged continued fundraising efforts by the Fields for Our Future Committee, to provide resources to construct the turf field at McMann Field; and

WHEREAS, the Fields for Our Future Committee has advised the City that the fundraising nears completion; and

WHEREAS, the City needs to consider authorizing construction of the project.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath as follows:

- Authorization is hereby given to proceed with the construction of the turf field.
- The City Manager is hereby authorized to execute on behalf of the City of Bath all construction contracts and other documents necessary, appropriate or convenient for construction of the turf field.
- There is hereby established a Building Committee consisting of the following: two members of City Council, the Public Works Director or his designee, the Director of Cemeteries, Parks and Recreation or his designee, Chairman of the Recreation Commission or his designee, and two members of the Fields for Our Future Committee selected by the Committee. The Council may from time to time add other members to the Committee if it is deemed necessary and appropriate to do so.

Councilor Winglass made a motion to put this item on the floor for discussion. Councilor Mitchell seconded the motion.

Councilor Winglass reported the following list of members of the Fields for Our Future Building Committee: Councilors – Mitchell and Winglass; Steve Balboni, Parks and Recreation Director and Karyn Garofoli,

Assistant Parks and Recreation Director; Peter Owen, Public Works Director; Gregory Page, Chairman Recreation Commission; Gregory Harrison and Lu Lozano of the Fields for Our Future Committee.

Lu Lozano, Co-Chairman for the Fields for Our Future Committee, reported that the Fields for Our Future Building Committee had met to discuss and assign the various tasks that needed to be accomplished before the project's construction is to begin. Mr. Lozano explained these tasks and the status of completion. He stated that at this time \$544,000 has been raised and the Committee is still engaged in the raising of funds. Mr. Lozano reported that the construction would take place mid-June through the third week of August.

Steve Balboni, Parks and Recreation Director, explained that the management and running of the rental/advertising would be done by the Recreation Department and the fund for replacement would come from these rentals of the fields for different events and the advertising at the fields.

Kay Beveridge, Co-Chairman of the Fields for Our Future Committee, gave an overview of the status of current and future fund raising.

Councilor Merrill praised the group for the effort that had gone into the project. She stated that she had a concern with the replacement cost of the field and wanted assurance that by approving the Order the City Council would in no way be affirming future monies to replace the field other than those set aside in the Recreation fund. Councilor Merrill stated that she was only approving this particular laying down of the initial field and that should future monies not be available there would be no guarantee that any monies would come from Bath taxpayers towards the replacement of the field.

VOTE on ORDER:

YEAS: 7

NAYS: 1 (Sinclair)

Order passed. 7-1

II. Order: Sale of Midcoast Center for Higher Education

Chairman Wyman read the following Order:

ORDER APPROVING SALE OF REAL ESTATE

WHEREAS, the City of Bath, based on developments regarding certain tenants, has determined that it is in the City's best interest to sell the property generally known as the Midcoast Hospital property; and

WHEREAS, the property was acquired by the City of Bath by virtue of a Quit-Claim Deed With Covenant from Midcoast Hospital, dated January 31, 2002, and recorded in the Sagadahoc County Registry of Deeds in Book 1965, Page 164, and a Quit-Claim Deed With Covenant from Midcoast Health Services, Inc. also dated January 31, 2002, and recorded in said Registry of Deeds in Book 1965, Page 166, and as modified by an exchange of Quit-Claim Release Deeds between David A. Bourque and Martha M. Bourque and the City of Bath, dated November 6, 2002, and recorded in said Registry of Deeds in Book 2083, Page 140, and Book 2083, Page 142; and

WHEREAS, the City has received an advantageous offer from Robert Smith to purchase the property for the sum of \$799,000.00; and

WHEREAS, the City has determined this to be a fair and equitable offer for the property,

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that the City sell the property acquired from Midcoast Hospital and Midcoast Health Services, Inc. to Robert Smith for the sum of \$799,000.00, and that the City Manager is authorized to execute a Purchase and Sale Agreement, documents of transfer, and such other documents as may be necessary, appropriate or convenient to the transfer.

Councilor Winglass made a motion to put this item on the floor for discussion. Councilor Mitchell seconded the motion.

City Manager William Giroux stated this would help in reducing the City's exposure in the rental market.

VOTE on ORDER:

YEAS: 8

NAYS: 0

Order passed unanimously. 8-0

Chairman Wyman stated that, since there was not a need for the Executive Session listed on the agenda, he was pulling it.

The meeting adjourned at 6:31PM with a motion from Councilor Mitchell and a second from Councilor Brackett. All were in favor of the motion to adjourn.

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 by appointment.