

**REGULAR MEETING MINUTES  
CITY COUNCIL OF THE CITY OF BATH, MAINE  
Wednesday, November 7, 2012 6:00 PM  
City Council Chambers, Bath City Hall**

Present: Councilors Merrill, Paulhus, Rogers, Wyman, Eosco and Chairman Sinclair.

Excused Absence: Councilors Brackett and Winglass

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

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

**C. Public Hearings:**

**1) Ordinance – LUC Text Amendments for Articles 2, 10 and 16. (second passage)**

Councilor Eosco made a motion to waive the reading of the Ordinance. Councilor Paulhus seconded the motion. All were in favor of the waiving motion.

**ORDINANCE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE LAND USE CODE OF THE CITY OF BATH ADOPTED JULY 19, 2000, AND SUBSEQUENTLY AMENDED, BE HEREBY FURTHER AMENDED AS FOLLOWS:

**ARTICLE 2. DEFINITIONS**

**SECTION 2.02. DEFINITIONS**

Amend as follows:

**School, Public or Private Elementary or Secondary.** A place where courses of study are taught that are sufficient to qualify attendance as compliance with state compulsory education requirements for Kindergarten through Grade 12 or non-boarding schools for the purposes of teaching life skills, such as hygiene, reading, cooking, and money management.

~~**School, Special Education.** A non-boarding school that teaches life skills such as hygiene, reading, cooking, and money management, to individuals with developmental disabilities.~~

**School, Special Purpose.** A place where any specialized branch of knowledge is taught for compensation such as martial arts, dancing, gymnastics, music, automobile driving, and business skills, but not including horseback riding.

**ARTICLE 10. GENERAL PERFORMANCE STANDARDS**

**SECTION 10.06. PARKING AND LOADING**

**A. Off-street Parking, Number of Spaces Required**

Amend Subsection 6.0, Educational and Cultural Use, under the Parking Requirements Table under Section 4, as follows:

<b>6.0 Educational and Cultural Use</b>	
6.1 Schools	
6.1.1 Public or private elementary or secondary schools	1.75 spaces per classroom for elementary schools; 5 spaces per classroom for secondary schools
6.1.2 Public or private post-secondary Schools	5 spaces per classroom
6.1.3 Special-purpose schools	1 space per 2 students, based on maximum capacity
<del>6.1.4 Special education school</del>	<del>2 spaces per classroom</del>
6.2 Libraries and museums, including associated educational and instructional activities	1 space per 300 square feet of building gross floor area

## **ARTICLE 16. CONTRACT ZONING DISTRICTS**

### **SECTION 16.06. FORMER BATH HOSPITAL AND 2 DAVENPORT CIRCLE**

Amend Section D, Conditions of Approval, as follows:

#### **D. Conditions of Approval**

This contract zone is approved subject to the following conditions:

1. The only uses allowed are the uses presently allowed by the Land Use Code in the underlying district, plus the following C1 use categories:
  - a. 3.1.1 – Office, clerical, research, or service operations designed to attract and serve numerous clients on the premises.
  - b. 3.1.2 – Office, clerical, research, or service operations designed to attract little or no client traffic.
  - c. 6.1.1 – Public or private elementary or secondary schools.
  - d. 6.1.2 – Public or private post-secondary schools.
  - e. 6.1.3 – Special-purpose schools.
  - ~~f. 6.1.4 – Special education schools.~~
  - g. 6.3 – Libraries and museums.
  - h. 13.3 – Shared parking.

### **SECTION 16.17. 619 HIGH STREET CONTRACT ZONE**

Amend Section D, Conditions of Approval, as follows:

#### **D. Conditions of Approval**

This contract zone is approved subject to the following conditions:

1. The only uses allowed are the use categories:
  - a. Use 1.1.1 – Site-built Single-family dwelling.
  - b. Use 1.2 – Two-family dwelling.
  - c. Use 1.3 – Multi-family dwelling.
  - d. Use 1.6.1 – Home occupation – A.
  - e. Use 1.6.2 – Home occupation – B.
  - f. Use 3.1.1 – Operations designed to attract and serve numerous customers or clients on the premises, however, limited to only attorneys’ offices, professional offices, and travel agent offices.
  - g. Use 3.1.2 – Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use.
  - h. Use 6.1.1 – Public or private elementary or secondary schools.
  - i. Use 6.1.2 – Public or private or post-secondary schools.
  - j. Use 6.1.3 – Special-purpose schools.
  - ~~k. Use 6.1.4 – Special education schools.~~

- l. Use 6.2 – Libraries and museums, including associated educational and instructional activities.
- m. Use 30.0 – Art studio.

Additions are shown as underlined text and deletions with a strike-through.

City Planner Andrew Deci explained this amendment would remove the special school definition and would amend the existing public school definition to include the special school uses within the definition.

**VOTE ON ORDINANCE:**

**YEAS: Merrill, Paulhus, Rogers, Wyman, Eosco**

**NAYS: None**

**Ordinance passed unanimously. 5-0**

Chairman Sinclair stated that the Ordinance would become law in 21 days.

**2) Ordinance – LUC Zoning Map Amendment to Map 26/Lot 25. (second passage)**

Councilor Wyman made a motion to waive the reading of the Ordinance. Councilor Paulhus seconded the motion. All were in favor of the waiving motion.

**ORDINANCE**

**WHEREAS, THE CITY COUNCIL OF THE CITY OF BATH, AS PART OF THE ADOPTION OF THE BATH LAND USE CODE ON JULY 19, 2000, EFFECTIVE AUGUST 9, 2000, DEPICTED THE BOUNDARIES OF ALL LAND USE DISTRICTS ON A ZONING MAP OF THE CITY OF BATH, ALSO DATED JULY 19, 2000, INCORPORATED BY REFERENCE INTO THE LAND USE CODE PURSUANT TO THE PROVISIONS OF SECTION 7.02 OF THE SAID CODE; AND**

**WHEREAS, IT IS NECESSARY AND APPROPRIATE THAT THE BOUNDARIES OF THE LAND USE DISTRICTS BE, FROM TIME TO TIME, ADJUSTED AND AMENDED, IN ORDER TO CREATE NEW DISTRICTS AND ADJUST BOUNDARY LINES OF EXISTING DISTRICTS.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE ZONING MAP OF THE CITY OF BATH, DATED JULY 19, 2000, BE AND HEREBY IS AMENDED IN ACCORDANCE WITH THE SKETCH PLAN ATTACHED HERETO AND MADE A PART HEREOF. THIS CHANGE SHALL BE INCORPORATED INTO AND BE PART OF THE OFFICIAL ZONING MAP OF THE CITY OF BATH. THE SPECIFIC ADJUSTMENT IS:**

An amendment to the Zoning Map changing the zoning on Lot 250 on Tax Map 26 from Residential 1 (R-1) to Commercial 1 (C-1).

Councilor Wyman made a motion to put this Ordinance on the floor for discussion

City Planner Andrew Deci explained this amendment would change the location known as the “Tin Type Building” from an R1 – High Density Residential District to a C1 – Downtown Zoning District.

**VOTE ON ORDINANCE:**

**YEAS: Merrill, Paulhus, Rogers, Wyman, Eosco,**

**NAYS: None**

**Ordinance passed unanimously. 5-0**

Chairman Sinclair stated this change would become law in 21 days.

**D. Consent Agenda 6:04 PM**

**\*3) Minutes of the Regular Council Meeting on October 3, 2012. (Motion to Accept as Presented)**

Councilor Wyman made a motion to accept the minutes as presented. Councilor Eosco seconded the motion and all were in favor of the motion.

**E. Time Devoted to Residents to Address the City Council 6:04 PM**

Rayburn Hutton of 195 High Street asked why the football field was used by the Hyde School football team instead of the Bath Middle School football team. Recreation Director Steve Balboni stated that the Bath Middle School hadn't asked to use the field and chose to play in Brunswick instead.

Charles Gilbertson of 24 Andrews Road made inquiries about repairs to North Street and concerns of possible damage to vehicles using the street. City Manager William Giroux explained the proposed narrowing of North Street and that the City is in the process of acquiring funding grants to do the project. He also mentioned planned repairs to Front Street and suggested that Mr. Gilbertson meet with the City Planner to go over the proposed street repairs.

**F. Ordinances, Resolutions and Orders 6:10 PM**

**4) Approving tabulation of Election Returns of the State of Maine General/Referendum Election, City of Bath Municipal Election and RSU #1 Election on Tuesday, November 6, 2012 (motion to approve)**

Total State Votes Cast = 4,731

Total Registered Voters = 6,916

Percent of Turnout = 68%

**CITY OF BATH ELECTION TOTALS – November 6, 2012**

	Ward 1	Ward 2	Ward 3	Ward 4	Ward 5	Ward 6	Ward 7	Absentees	TOTAL
<b>President/Vice President</b>									
Johnson, Gary E.	4	8	14	2	11	7	9	12	<b>67</b>
Obama, Barack	346	281	280	268	328	282	312	798	<b>2895</b>
Romney, Mitt	174	163	155	112	201	147	233	327	<b>1512</b>
Stein, Jill	5	4	14	2	10	10	4	5	<b>54</b>
Write In									
Anderson, Ross C.	0	0	0	0	0	0	0	0	<b>0</b>
Paul, Ronald E.	3	8	0	2	1	1	1	5	<b>21</b>
Read, Jill Ann	0	0	0	0	0	0	0	0	<b>0</b>
<b>US Senator</b>									
Dalton, Danny Francis	8	9	18	7	8	9	5	20	<b>84</b>
Dill, Cynthia Ann	73	53	59	54	59	59	53	134	<b>544</b>
Dodge, Andrew Ian	1	0	5	1	4	3	9	10	<b>33</b>
King, Angus	326	290	297	243	349	270	327	751	<b>2853</b>
Summer, Charles E. Jr.	120	96	85	74	123	94	153	208	<b>953</b>
Woods, Stephen M.	2	2	4	2	6	8	6	7	<b>37</b>
<b>Representative Congress Dist 1</b>									
Courtney, Jonathan T. E.	149	137	139	95	171	137	175	281	<b>1284</b>
Pingree, Chellie	376	310	317	285	363	299	362	847	<b>3159</b>
<b>State Senator Dist 19</b>									
Goodall, Seth A.	352	277	302	267	343	290	337	787	<b>2955</b>
Pierce, Jeffrey K.	160	156	143	107	181	128	204	296	<b>1375</b>
<b>Rep. State Leg. Dist. 62</b>									
Dechant, Jennifer	126	260	270	264	326	282	295	633	<b>2456</b>
Rogers, Kyle Charles	64	176	177	112	205	155	242	344	<b>1475</b>
<b>Rep. State Leg. Dist. 65</b>									
Kent, Peter S.	228	0	0	0	0	0	0	97	<b>325</b>
Warnke, Jason K.	95	0	0	0	0	0	0	31	<b>126</b>

<b>Judge of Probate</b>									
Voorhees, John W.	426	380	391	311	461	349	470	927	<b>3715</b>
<b>Register of Probate</b>									
Atwood, Joan M.	454	382	403	344	457	362	466	982	<b>3850</b>
<b>Sheriff</b>									
Merry, Joel A.	483	409	420	349	481	382	488	1009	<b>4021</b>

**CITY OF BATH ELECTION TOTALS – November 6, 2012**

WARDS	1	2	3	4	5	6	7	Absentees	TOTAL
<b>COUNCILOR WARD TWO</b>									
Sean C. Paulhus		404						119	<b>523</b>
<b>COUNCILOR WARD THREE</b>									
Kyle C. Rogers			216					46	<b>262</b>
Carolyn R. Lockwood			226					68	<b>294</b>
<b>COUNCILOR WARD FOUR</b>									
Bernard A. Wyman				224				86	<b>310</b>
Fran Simmler				125				45	<b>170</b>
<b>COUNCILOR WARD SEVEN</b>									
Larry Scott							150	68	<b>218</b>
Leverett "Tink" Mitchell							167	65	<b>232</b>
Cal Stilphen							177	49	<b>226</b>

**REGIONAL SCHOOL UNIT #1  
RETURN OF VOTES CAST  
Election of Board of Directors  
November 6, 2012**

At the election for Board of Director of RSU 1 the votes of inhabitants present ant qualified to vote were as follows:

Question: Board of Directors, District 4	Total	Question: Board of Directors, District 5	Total
YACOBEN, Kyle S. – West Bath	306	AUGUST, Stephen Mathew - Bath	607
<i>Write Ins:</i>		<i>Write Ins:</i>	
WARREN, Robert	1	RICE, Julie	1
TRULUCK, Rich	1	ALLEN, Matthew	1
FOYE, Kate	1	GOULD, Erika	1
ROBERTSON, Mary	1	RINGROSE, Katrina	1
HOAG, Amanda	1	CLOUTIER, Nancy	1
DUNHAM, Roxane	1	Wolf, Wilbur	1
<b>Blanks</b>	37	OMO, James	1
		DECKER, Morgan	1
		<b>Blanks</b>	43

Councilor Rogers made a motion to put this item on the floor for discussion. Councilor Paulhus seconded the motion.

Chairman Sinclair thanked the candidates for taking the time to run for office and congratulated the winners.

City Clerk Mary White thanked all the election workers for their hard work on a very long day.

**VOTE ON TABULATIONS:**

**YEAS: Merrill, Paulhus, Rogers, Wyman, Eosco**

**NAYS: None**

**Tabulations passed unanimously. 5-0**

**5) Resolution: “Bath Climate Action Plan Implementation” Grant**

Chairman Sinclair read the following Resolution:

**RESOLUTION  
“BATH CLIMATE ACTION PLAN IMPLEMENTATION” GRANT**

**WHEREAS**, the Davis Conservation Foundation is a public charitable foundation with a broad purpose of wise utilization, protection and advancement of our physical environment and the different natural forms of life that inhabit it – including wildlife, sea life and mankind as they are impacted by the environment; and

**WHEREAS**, the said Davis Conservation Foundation is offering grant opportunities in support of organizations whose areas of interest include projects and activities related to wildlife, wildlife habitat, environmental protection or outdoor recreation, with particular interest to projects that strengthen volunteer activity and outreach/community involvement in the above categories; and

**WHEREAS**, the City of Bath is eligible for the Grant Program due to the Bath Forestry Division’s and Planning Department’s efforts to prepare and adapt to climate change; and

**WHEREAS**, if approved, an award of Grant funds to the City of Bath will fund a private consultant to assess current storm-water and sea level rise risks and impacts to public and private infrastructure and to sensitive coastal and shore line natural habitat areas, as well as, fund a 1-year, part-time (1040) hours staff person to coordinate and continue the 1-3 year implementation activities of Bath’s 2011 Climate Action Plan; and

**WHEREAS**, the Grant Program does not call for City matching funds; the Grant is to be funded 100% from Davis Conservation Foundation Funds.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Bath that a Grant Application is hereby authorized to be filed with the Davis Conservation Foundation to access Grant Funds, and the City Manager and/or his designee is hereby authorized to execute any documentation relating to the Grant Application as may be required.

Councilor Wyman made a motion to put this item on the floor for discussion. Councilor Merrill seconded the motion.

City Planner Andrew Deci explained the Comprehensive Plan passed by the City Council in 2009 outlined the development of an Open Spaces Natural Resources plan. He stated the Climate Adaptation plan from the Forestry Committee and City Arborist and the Comprehensive Plan require implementation activities. Mr. Deci reported that the City Arborist had found possible sources of funding for these plans. He said the temporary part-time position to oversee the implementation of this plan would be funded exclusively by the Davis Conservation Foundation Grant Funds.

Rayburn Hutton of 195 High Street had questions regarding the effects on resident’s property and owner’s uses of their property.

Mr. Deci explained grant has two purposes. The first would be a sea-level inundation study which looks at trends modeling of how water levels may change, how specific storm events may affect water level to help with hazard mitigation planning which may cause the adjustment of zoning over time and intensify building code regulations or reallocation resources. The second purposes would be the implementation of the Open Spaces and Resources Plan from the Comprehensive Plan.

Mr. Deci stated that the temporary position would last only as long as the project.

**VOTE ON RESOLUTION:**

**YEAS: Merrill, Paulhus, Rogers, Wyman, Eosco**

**NAYS: None**

**Resolution passed unanimously. 5-0**

**6) Resolution: Adopting Procedure for Requests to Purchase interest in City Owned Property**

Councilor Rogers made a motion to table this Resolution until a date unknown. All were in favor of the motion.

**RESOLUTION ADOPTING  
PROCEDURE FOR REQUESTS TO PURCHASE  
INTERESTS IN CITY OWNED PROPERTY**

**WHEREAS**, in accordance with Chapter I, Section 102, of the Charter of the City of Bath, the City, through its City Council, "...may sell, lease, mortgage, hold, manage and control such property as its interests may require;" and

**WHEREAS**, it would be appropriate to establish and approve a Procedure to outline the process for handling requests directed to the City for the purchase of interests in City owned property.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Bath that the Procedure for Requests to Purchase Interests in City Owned Property attached hereto be and hereby is approved.

**7) Order: Approving Butler Head Conservation Easement (Sponsors: Chairman Sinclair & Vice Chairman Paulhus)**

Chairman Sinclair read the following Order:

**ORDER APPROVING EASEMENT**

**WHEREAS**, the City of Bath has agreed to convey a Conservation Easement to the Kennebec Estuary Land Trust, on a parcel of land owned by the City at Butler Head, so-called, and;

**WHEREAS**, the purpose of the conveyance of the Butler Head property is to provide significant public benefit by protecting and preserving in perpetuity the Butler Head property.

**NOW, THEREFORE, BE IT ORDERED** by the City Council of the City of Bath that a Conservation Easement for the property, as more particularly described in Exhibit A of the proposed Conservation Easement (attached hereto), be and hereby is approved, and the City Manager is authorized to execute an appropriate Easement or such other documentation as may be necessary to conclude the

transaction. The Easement shall be in substantially the same form as the proposed Conservation Easement.

Councilor Paulhus made a motion to put this item on the floor for discussion. Councilor Wyman seconded the motion.

Councilor Paulhus explained he felt that this item needed to be discussed by Council to determine what the roles of Kennebec Estuary Land Trust and the City would be regarding this property and future situations like this.

Chairman Sinclair stated this is a unique property and public resource and the concerns of people regarding the public conveyances of pieces of Butler Head needed to be addressed by Council.

Thomas Barrington a member of Forestry Committee stated that he would encourage taking positive action in preserving Butler Head and suggested that Council table the Order and maybe have a Workshop regarding the issue.

Jack Witham, President of the Board of Kennebec Estuary Land Trust strongly considers this to be a very good project and looks forward to working with the City to put together an easement that works for both parties.

Councilor Paulhus made a motion to table this Order to the January 2, 2013 meeting. Councilor Eosco seconded the tabling motion. All were in favor of the tabling motion.

**8) Order: Approving Authorization BIW Tax Increment Financing District (FY 2013)**

Chairman Sinclair read the following Order:

**ORDER  
APPROVING AUTHORIZATION  
BIW TAX INCREMENT FINANCING DISTRICT (FY 2013)**

Be It Hereby Ordered By the City Council of the City of Bath that nine hundred nineteen thousand, seven hundred sixty-five dollars and 00/100 (\$919,765) be and here by is authorized to be spent from the Tax Increment Financing District Development Program Fund Project Costs Accounts from the fiscal year commencing July 1, 2012 and terminating on June 30, 2013 for the following purposes:

<b>TIF REVENUE</b>	
INCREMENT	\$927,386
TRANSFER IN FROM RESERVE	
<b>TOTAL REVENUE</b>	<b><u>\$927,386</u></b>
<b>EXPENSES</b>	
DEBT SERVICE	\$664,865
CONTRIBUTION TO BATH LOCAL DEVELOPMENT CORPORATION	\$133,900
CONTRIBUTION TO MAIN STREET BATH	\$28,000
ECONOMIC DEVELOPMENT PROJECTS ACCOUNT	\$30,000
ECONOMIC DEVELOPMENT CITY MANAGER	\$25,000
HISTORIC MARKER PROGRAM	\$20,000
TRAIN STATION FUNDING-TRANSFER	\$18,000
<b>TOTAL</b>	<b><u>\$919,765</u></b>
SURPLUS	<u>\$7,621</u>



Councilor Rogers made a motion to put this item on the floor for discussion. Councilor Wyman seconded the motion.

Finance Director Juli Millett explained that there are no new items for expenses on this TIF from last year.

City Manager William Giroux explained that some staff salaries were funded by the TIF instead of using property tax monies.

Councilor Paulhus made a motion to table the Order until the December 5, 2012 meeting so a more detailed listing of the use of monies could be given to Council. Councilor Rogers seconded the tabling motion.

**VOTE ON Tabling Motion:**  
**YEAS: Merrill, Paulhus, Rogers, Wyman**  
**NAYS: Eosco**  
**Tabling motion passed. 4-1**

Councilor Rogers made a motion to table F9 to the December 5, 2012 meeting. There was no second to the motion.

**9) Order: Approving Authorization Wing Farm Tax Increment Financing District (FY 2013)**

Chairman Sinclair read the following Order:

**ORDER  
APPROVING AUTHORIZATION  
WING FARM TAX INCREMENT FINANCING DISTRICT (FY 2013)**

Be It Hereby Ordered By the City Council of the City of Bath that one hundred ninety- two thousand and five hundred fifty-six dollars and 00/100 (\$192,556) be and here by is authorized to be spent from the Tax Increment Financing District Development Program Fund Project Costs Accounts from the fiscal year commencing July 1, 2012 and terminating on June 30, 2013 for the following purposes:

<b>REVENUE</b>	
INCREMENT	\$215,492
<b>TOTAL REVENUE</b>	<b><u>\$215,492</u></b>
<b>EXPENSES</b>	
DEBT SERVICE PAYMENT	\$182,556
ANCHOR ROAD	\$10,000
<b>TOTAL EXPENSES</b>	<b><u>\$192,556</u></b>
<b>SURPLUS</b>	<b><u>\$22,936</u></b>

Councilor Rogers made a motion to put this item on the floor for discussion. Councilor Paulhus seconded the motion.

Finance Director Juli Millett explained the debt service payment just for the purchase of Wing Farm and Anchor Road is for the materials to finish the road.

City Manager William Giroux explained the road work was required as part of the Planning Board process and so that the road can be used as an emergency access road.

**VOTE ON ORDER:**

**YEAS: Merrill, Paulhus, Rogers, Wyman, Eosco**

**NAYS: None**

**Order passed unanimously. 5-0**

**10) Order: Approving Authorization Downtown Tax Increment Financing District (FY 2013)**

Chairman Sinclair read the following Order:

**ORDER  
APPROVING AUTHORIZATION  
DOWNTOWN TAX INCREMENT FINANCING DISTRICT (FY 2013)**

Be It Hereby Ordered By the City Council of the City of Bath that one hundred sixty-six thousand one hundred forty-two dollars and 00/100 (\$166,142) be and hereby is authorized to be spent from the Tax Increment Financing District Development Program Fund Project Costs Accounts from the fiscal year commencing July 1, 2012 and terminating on June 30, 2013 for the following purposes:

<b>REVENUE</b>	
INCREMENT	\$117,530
TRANSFER IN FROM RESERVE	\$50,000
<b>TOTAL REVENUE</b>	<b>\$167,530</b>
<b>EXPENSES</b>	
DEBT SERVICE PAYMENT	\$116,142
DOWNTOWN PAVING	\$50,000
<b>TOTAL EXPENSES</b>	<b>\$166,142</b>
<b>SURPLUS</b>	<b>\$1,388</b>

Councilor Wyman made a motion to put this item on the floor for discussion. Councilor Rogers seconded the motion.

Finance Director Juli Millett explained the debt service is to pay for the sidewalk around the hotel and for the park and pier improvements. She stated the surplus has to be used for something in the downtown and the recommendation is for it to be used for downtown paving.

City Manager Giroux explained the details for the paving program for next year that this would cover.

**VOTE ON ORDER:**

**YEAS: Merrill, Paulhus, Rogers, Wyman, Eosco**

**NAYS: None**

**Order passed unanimously. 5-0**

## **G. Petitions & Communications 6:43 PM**

There were no petitions or communications at this time.

## **H. City Manager's Report 6:43 PM**

The City Manager gave a report on the following Item:

- Update on State Road Culvert adjacent to the Round-About repairs
- Update on Fire Station Furnace repairs

Recreation Director Steve Balboni gave an update on the status of repairs to the ball fields, tennis court and track off Congress Avenue.

## **I. Committee Reports 6:51 PM**

Chairman Sinclair and Councilor Wyman gave an update from the RSU #1 Cost Sharing Methodology Committee. Chairman Sinclair explained the details of the different cost sharing options that had been suggested by the Committee and the process by which the options came from. He stated that the Committee would like a consensus from the governing bodies of the RSU #1 communities as to which option they would back.

After a discussion, the Council unanimously backed Option C.

*A copy of the options is on file with the agenda materials for the November 7, 2012 meeting in the Bath City Clerk's Office.*

## **J. Unfinished Business 7:31 PM**

### **•Discussion regarding the First Baptist Church Bell (Sponsor Councilor Rogers)**

Councilor Rogers explained he felt that it would be worth looking into trying to quiet the sound to help give some sort of relief to a business that supports our local economy.

City Maintenance Director Michael Peabody explained that he had tried a rubber sleeve made from a tire inner tube in different thicknesses and it really didn't provide the desired results.

## **K. New Business 7:35 PM**

### **11) Appoint one member to the Bath Water District Board of Directors with term to expire November 2017.**

Councilor Eosco recommended Roberta Banks to be appointed to this position. The appointment was passed unanimously.

### **12) Appointment one Housing Representative to the Bath Housing Authority Board of Directors to fill a vacant term to February 2013.**

Councilor Eosco recommended Freida Gaudette to be appointed to this position. The appointment was passed unanimously.

**13) Appointment one member to the Bath Bicycle and Pedestrian Committee to fill a vacant term to May 2013.**

Councilor Eosco recommended Perian Moore to be appointed to this position. The appointment was passed unanimously.

Councilor Wyman made a motion to go into Executive Session at 7:40 PM to discuss per 1 MRSA §405(6)(E) a Real Estate Matter. Councilor Merrill seconded the motion and all were in favor.

Councilor Rogers made a motion at 7:52 PM to come out of Executive Session. Councilor Wyman seconded the motion and all were in favor.

Councilor Rogers made a motion to go into Executive Session at 7:53 PM to discuss per 1 MRSA §405(6)(E) a Legal Matter. Councilor Merrill seconded the motion and all were in favor.

Councilor Eosco made a motion at 8:10 PM to come out of Executive Session. Councilor Merrill seconded the motion and all were in favor.

The meeting adjourned at 8:11 PM with a motion by Councilor Merrill, seconded by Councilor Eosco. 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.*