

**REGULAR MEETING MINUTES
CITY COUNCIL OF THE CITY OF BATH, MAINE
Wednesday, August 3, 2011 6:00 PM
City Council Chambers, Bath City Hall**

Present: Councilors Brackett, Omo, Rogers, Eosco, Sinclair, Pagurko, Winglass and Chairman Wyman.
Excused: Councilor Paulhus

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. Consent Agenda 6:00 PM

***1) Minutes of the previous meeting of July 6, 2011. (Motion to Accept as Presented)**

Councilor Pagurko made a motion to accept the Consent Agenda as presented. Councilor Omo seconded the motion. All were in favor of the motion.

D. Time Devoted to Residents to Address the City Council 6:01 PM

Sue Whittaker of Woolwich spoke to Council regarding ADA accessibility issues with various sidewalks throughout the City.

City Manager William Giroux suggested she join the subcommittee of the Bike and Pedestrian on a tour of the City looking for such issues.

City Planner James Upham stated this meeting would be taking place on August 31st at 8:30 AM and everyone would be meeting in front of City Hall.

Donna Moreau of Woolwich stated it was very difficult for her to maneuver around Bath in her wheelchair and that someone helping her into City Hall for the Council meeting had made the remark “Is that all of them?” that she didn’t appreciate being referred to as “them”.

Jennifer Geiger, Director of Main Street Bath, stated Main Street Bath would be putting forth a strong effort to make the events in the City more accessible and pleasurable to all.

E. Ordinances, Resolutions and Orders 6:12 PM

2. Ordinance – Chapter 17. Vehicles and Traffic, Article 5. Operations, Section 17-219. Commercial vehicles in excess of two axles - Granite Street. (first 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 17. VEHICLES AND TRAFFIC
Article 5. Operations

Section 17-219. Commercial vehicles in excess of two axles.

Add Granite Street, to read as follows:

All commercial vehicles having in excess of two (2) axles shall be prohibited from using Front Street from Vine Street to Cedar Street, Windjammer Way, Floral Street, Cottage Street, Elsinore Avenue, ~~or~~ Quimby Street, or Granite Street except by permission of the police chief, with the exception of service vehicles servicing said streets.

Councilor Rogers made a motion to put this Ordinance on the floor for discussion. Councilor Omo seconded the motion.

Police Chief Michael Field explained the reason this Ordinance was being brought to Council was to help with slowing the truck use on this street. He asked that Council support the Ordinance.

Cheryl Young of 54 Granite Street asked if this Ordinance could include school buses as they go very fast down the hill by her house.

Chief Field stated that he has addressed this issue with the school department and hopes this issue will improve.

There was a discussion on whether weight limit conditions should be added to the Ordinance. It was decided to leave the Ordinance as written for now and see how it works out.

ROLL CALL VOTE:

YEAS: Brackett, Omo, Rogers, Eosco, Sinclair, Pagurko, Winglass

NAYS: None

Ordinance passed unanimously. 7-0

Chairman Wyman set second passage of the Ordinance for September 7, 2011 at 6:01 PM.

3. Order - Approve Bid for the Waterfront Improvement Project – Phase II

Chairman Wyman read the following Order:

**ORDER
APPROVING BID AND CONTRACT**

BE IT HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH, THAT THE BID OF LABRECQUE CONSTRUCTION, INC. FOR THE WATERFRONT PARK IMPROVEMENTS – PHASE II PROJECT IN THE AMOUNT OF \$289,907.00 IS ACCEPTED, IT BEING THE LOWEST QUALIFIED BID SUBMITTED, AND A CONTRACT BY AND BETWEEN THE CITY OF BATH AND LABRECQUE CONSTRUCTION, INC. IS HEREBY APPROVED 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 SHALL BE FUNDED BY THE CITY OF BATH TIF ACCOUNT TIF 17-547.

Councilor Sinclair made a motion to put this Order on the floor for discussion. Councilor Pagurko seconded the motion.

Public Works Director Peter Owen explained the bid process and what the project will consist of. Mr. Owen stated that the project should last Labor Day through November and some landscape work would be completed in the Spring.

VOTE:

YEAS: Brackett, Omo, Rogers, Eosco, Sinclair, Pagurko, Winglass

NAYS: None

Order passed unanimously. 7-0

4. Approval Black Barnacle Special Amusement License

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

Police Chief Michael Field reported that he had no objections to the granting of this license.

VOTE:

YEAS: Brackett, Omo, Rogers, Eosco, Sinclair, Pagurko, Winglass

NAYS: None

Item passed unanimously. 7-0

F. Petitions & Communications 6:35 PM

There were no petitions or communications.

G. City Manager Report 6:35 PM

5. Presentation regarding Bath Youth Meeting House structural issues in pool area.

City Manager Giroux made an introduction into the subject explaining there is a large hole in the roof of the pool area and some separation in the party wall with abutting property owners. Mr. Giroux reported the building is in significant jeopardy and needs to be dealt with by Winter.

Mr. Giroux introduced Joseph Hemes of Stephen Blatt Architects and Ronald Norton of McDonald Associates the consultants on the project.

Councilor Rogers suggested to table the item to Workshop after the completion of the Regular Meeting.

Chairman Wyman asked if all were in favor of completing the meeting and then adjourning to Workshop on the item. All were in favor.

H. Committee Reports 6:43 PM

There were no Committee reports.

I. Unfinished Business 6:43 PM

Councilor Winglass reported that he and Councilor Brackett had met with City Staff and Joseph Katara regarding the funds for City retirement and hopefully will be back in a month with a recommendation.

J. New Business 6:44 PM

6) Appointment 1 member to the Bath Board of Assessment Review with a term to expire in July 2013.

Councilor Pagurko, on behalf of the Interview Committee, nominated William Truesdell to the position on the Bath Board of Assessment Review. All were in favor of the nomination.

Pagurko reported on Committee vacancies and stated that any of the public interested in serving on these Committees contact the City Clerk's office.

The meeting adjourned to Workshop on the Bath Skate Park Meeting House structural issues at 6:45 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 by appointment.