

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

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

Excused: Councilor Omo

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.

Presentation of the Bath Bike and Pedestrian Plan by City Planner James Upham.

Mr. Upham handed out an overview of the Plan to Council. He highlighted the following points:

The Plan contains recommendations for:

- Priority short-term actions.
- Continued and strengthened municipal policies and plans that support bike and walking.
- Further study of several places in the city of which plans to improve bike and pedestrian access should be developed over the longer term.

The high priority short-term recommendations include:

- Establish a permanent City Bike and Pedestrian Committee.
- Ensure ADA compliance by making improvement to sidewalks and crosswalks in the downtown.
- Improve bike and pedestrian access to schools.
- Designate bike routes through the city.
- Convene a meeting of officials from Bath, Brunswick, and West Bath to consider how to move ahead with extending the Androscoggin River Bike Path to the Kennebec River.

How will improvements get made?

- Capital improvements for biking and walking will need to make their way into the annual CIP.
- Any other budgetary changes will have to get into the annual operation budget.
- Grants will be applied for when appropriate.

C. Public Hearings 6:11 PM

1) Ordinance: Chapter 17. Vehicles & Traffic, Article 3A. Towing of Vehicles, Section 17-129. Maximum Rates (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 17. VEHICLES & TRAFFIC
Article 3A. Towing of Vehicles

Sec. 17-129. Maximum Rates.

Amend as follows:

Maximum fees for City ordered towing with minimal waiting period, shall conform to the following schedule:

~~Fifty~~ Seventy-Five Dollars (~~\$50.00~~\$75.00) Daytime
~~Sixty-Five~~ Eighty-Five Dollars (~~\$65.00~~\$85.00) Nighttime

Inside storage shall not exceed ~~Twenty-Five~~ Fifty Dollars (~~\$25.00~~\$50.00) per day and outside not to exceed ~~Thirty-Five~~ Dollars ~~\$45.00~~\$35.00 per day.

Daytime and nighttime shall be defined as follows:

Daytime 7 a.m. to 7 p.m.
Nighttime 7 p.m. to 7 a.m.

Day is defined as: A day is considered to be a 24-hour period from time of tow.

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

Chairman Wyman opened the floor to public comment. Since no one spoke, he closed the public session.

Seeing no more comment from Council, Chairman Wyman asked for Roll Call Vote.

ROLL CALL VOTE:

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

NAYS: None

Ordinance passed unanimously. 7-0

Chairman Wyman stated this would become law in 21 days.

2) Ordinance: Chapter 5. Business, Article 1. General Licensing Provisions, Section 5-17. License Fee Schedule - Taxi Cab Operator License (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 1. General Licensing Provisions**

Sec. 5-17. License Fee Schedule.

Amend as follows:

The following schedule of license fees is hereby made effective:

LICENSE	FEE
...	
TAXI CAB OWNER (PER VEHICLE)	\$ 25.00 per year
TAXI CAB OPERATOR LICENSE (NEW)	\$10.00 \$25.00 per year
TAXI CAB OPERATOR LICENSE (RENEWAL)	\$5.00 \$25.00 per year

Councilor Pagurko made a motion and Councilor Winglass seconded it to put this Ordinance on the floor for discussion.

Chairman Wyman opened the floor to public comment. Since no one spoke, he closed the public session.

Seeing no more comment from Council, Chairman Wyman asked for Roll Call Vote.

ROLL CALL VOTE:

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

NAYS: None

Ordinance passed unanimously. 7-0

Chairman Wyman stated this would become law in 21 days.

3) Ordinance: Animals, Article 1. Dogs, Section 4.08. Fees (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 4. ANIMALS

Article 1. Dogs

Sec. 4.08. Fees.

Amend as follows:

The following fees shall be in effect:

(a) Fee for keeping dog - ~~\$10.00~~ \$40.00 per day or with a pro-rated portion per day not to be less than \$10.00. These fees and any other fees subsequently enacted under this Section, may be subsequently changed or amended by Resolution of Council.

Note: Any fees collected under this Section shall be designated to revenue account 01-2023 for use in accordance with the provisions and requirements of 30-A M.R.S.A. § 3945.

Section 3945 requires certain fees to be separate and used for salaries and costs of animal control, enforcement of licensing law, care of injured and abandoned animals, and support of animal control shelters. The funds also are required to be carried forward from year to year.

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

Councilor Sinclair made a motion to amend the Ordinance by changing wording to read “pro-rated for a portion of a day, but not to be less than \$10.00”. Councilor Winglass seconded the motion. All were in favor of the motion for the amendment.

ROLL CALL VOTE:

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

NAYS: Brackett

Ordinance passed. 6-1

Chairman Wyman stated this would become law in 21 days.

D. Consent Agenda 6:25 PM

***4) Minutes of the previous meeting of March 2, 2011. (Motion to Accept as Presented)**

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

E. Time Devoted to Residents to Address the City Council 6:25 PM

No one spoke.

F. Ordinances, Resolutions and Orders 6:25 PM

5) Ordinance: Chapter 3. Advertising, Article 2. Signs, Section 3.204 Definitions (first passage)

Councilor Sinclair made a motion to waive the reading of the Ordinance. Councilor Rogers seconded the motion.

VOTE on Waiving Motion:

YEAS: Brackett, Rogers, Sinclair, Pagurko, Winglass

NAYS: Paulhus, Eosco

Waiving Motion passed. 5-2

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 3. ADVERTISING
Article 2. Signs

Section 3.204 Definitions.

Add M. Directory Signs for Goods and Services.

Signs which list or indicate generic goods and services that may be available in the downtown area but do not advertise a particular or specific business.

Section 3.209. Wayfinding.

Add the following:

III. Directory Signs for Goods and Services in the Downtown.

The City may erect, or have erected, one or more directory signs that list or indicate goods and services, which are offered for sale in the downtown, provided the following criteria are met:

- A. The sign is in the CI Zone and lists or indicates goods or services offered for sale in the CI Zone.
- B. The sign is erected on City property.
- C. The sign does not block sight distance for pedestrians or motorists.
- D. The sign meets the requirements of 23 MRSA, Sections 1901 through 1925 (Maine Traveler Information Services Act).
- E. The sign is approved by the City Manager, after review by the Codes Enforcement Officer, the Planning Director, and Public Works Director.
- F. The sign is generic in nature and does not advertise a specific business or location.

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

City Planner James Upham explained that in our downtown there are a number of businesses on the fringe of the downtown where additional foot traffic would help their business. Mr. Upham stated merchants and Main Street Bath had asked the City if there could be an amendment to the Sign Ordinance to allow the City to erect generic signs directing people to businesses.

Rabyrne Hutton of 195 High Street spoke stating that his political sign issues from the past year had not been addressed as of yet and asked if they could be taken up together at a workshop. Mr. Hutton expressed concern that this sign would cost the City money for upkeep, observing that the downtown isn't that big and didn't feel these signs were warranted.

Paul Frasier, owner of the Bath Sweet Shop located at 19-23 Centre Street, stated that the pedestrian traffic seems to stay on Front Street and doesn't make it down Centre Street. Mr. Frasier asked if a prototype could be arranged for the summer just to see if it might help direct pedestrians to Centre Street.

William Nelson, co-owner of Solo Bistro located at 128-134 Front Street and Chairman of the Economic Restructuring Committee of Main Street Bath, stated that last summer sandwich signs helped bring foot traffic down Centre Street from Front Street.

Gayle Hunt, owner of Ornament located at 11 Centre Street, stated that the sandwich board she put on the corner of Centre and Front Streets last summer directing pedestrians to her business did make a difference in the volume of business she experienced while it was there.

Community Development Coordinator Carolyn Lockwood displayed a graphic example of what the sign might look like.

Councilor Rogers made a motion to table this Ordinance to Workshop. Councilor Sinclair seconded the motion.

VOTE on Table to Workshop Motion

YEAS: Brackett, Paulhus, Rogers, Sinclair, Pagurko, Winglass

NAYS: Eosco

Tabling Motion passed. 6-1

6) Ordinance: Chapter 7. Purchasing and Finance, Article 1. Purchase and Sale of Property, Sections 7.104,705, 106, 113, 114 and 115 (first passage)

Councilor Winglass made a motion to waive the reading of the Ordinance. Councilor Eosco seconded the motion. All were in favor of this 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 7. PURCHASING AND FINANCE
Article 1. Purchase and Sale of Property**

Amend as follows:

Section 7.104. Purchases; under ~~\$10,000.00~~.

Deleted: \$4,000.00

Purchases involving less than ~~Ten~~ Thousand Dollars (~~\$10,000.00~~) may be made in the open market by the Purchasing Agent without competitive bids, but shall be on a competitive basis to the maximum extent practicable.

Deleted: Four

Deleted: 4,000.00

Section 7.105. Purchases; ~~\$10,000.00~~ and over.

Deleted: \$4,000.00

On all purchases, except as provided in Sections ~~7-110~~ and ~~7-111~~ hereof, involving an expenditure of ~~Ten~~ Thousand Dollars (~~\$10,000.00~~) or more, the normal procedure shall be to seek competitive bids. This may be accomplished by publishing a notice describing the supplies, material or equipment desired to be purchased and affixing a date and time limit for the reception of bids, said publication to be one (1) time in a newspaper having general circulation in the City of Bath, said time at least five (5) days prior to the date of closing of bids. As an alternate method, the City may directly solicit bids from a representative number of vendors where it is deemed by the Purchasing Agent that this method more appropriately suits the nature of the supplies, material or equipment sought to be purchased.

Deleted: 7-10

Deleted: 7-11

Deleted: Four

Deleted: 4,000.00

Section 7.106. Purchase of services.

In instances where the City is purchasing services, there need not be any competitive ~~bid~~ process, except in instances where such a process is required by order of the Bath City Council or deemed to be an appropriate method of obtaining services in the judgment of the Purchasing Agent.

Section 7.113. Sales; under ~~\$10,000.00~~.

Deleted: \$1,500.00

The Purchasing Agent shall conduct the sale of any municipal supplies, material and equipment no longer required by the City, of value less than ~~Ten~~ Thousand Dollars (~~\$10,000.00~~) on request of the proper department head, and in such manner as provided by this Article.

Deleted: One

Deleted: Five Hundred

Deleted: 1,500.00

Deleted: \$1,500.00

Section 7.114. Sales; ~~\$10,000.00~~ or more; real estate.

A. Municipal Property. No Municipal Property, supplies, material or equipment of a value that exceeds ~~\$10,000.00~~ may be sold by the City of Bath unless the sale is authorized by Order of the Council. The sale will be conducted in the same manner and subject to the same requirements as those applicable to purchases in amounts of ~~\$10,000.00~~ provided in Section ~~7-105~~.

Deleted: 1,500

Deleted: 4,000

Deleted: 7-5

B. Real Estate.

1. General. With the exception noted in Subsection 2 below, the City Council shall determine when and in what manner real estate owned by the City of Bath may be disposed of. The City Council may consider disposing of real estate under the following methods:

- a. Sale by solicitation of public bids;
- b. Sale by solicitation of limited bids where the market of the property appears limited to a few potential purchasers;
- c. Lease where use of the property by another entity is deemed appropriate and in the city's interest but permanent disposal of the property is deemed inappropriate.
- d. Sale to an abutter without bid process where the nature of the property is such that only an abutter would have any interest in acquiring the real estate;
- e. Gift of the property without compensation to the City where it is deemed to be in the city's best interests (i.e. conveyance of property to a non-profit entity providing a service of benefit to the citizens of Bath, or disposition of real estate to put the property back on the tax roles etc.)
- f. Any other disposition of real estate by a method that is deemed by the City Council to be in the best interest of the City of Bath.

2. Tax Acquired Property. Property which has been acquired by the City of Bath for nonpayment of taxes pursuant to 36 M.R.S.A. Section 943, and for which the period of redemption has expired, may be returned by Municipal Quit-Claim Deed to the taxpayer who was the owner of record of the property at the time of acquisition by the City, or that taxpayer's successor in interest. The Quit-Claim Deed is to be executed by the City Manager and the City Treasurer without the necessity of Council action. The Deed shall not be delivered to the taxpayer or successor until the payment of all back taxes, interest and costs, including such taxes, together with appropriate interest and costs thereon, which would have become assessed and due during the period it was City owned. (Ord. 5/6/98)

Section 7.115. Annual public sale.

All surplus or obsolete equipment, machinery, tools, supplies and all other articles belonging to the City for which there is no longer any use, ~~may~~ be sold by the Purchasing Agent at public sale. All articles to be disposed of by the purchasing agent at such sale shall be subject to ~~the~~ approval ~~of~~ the City Council, and the time of such sale shall be fixed by vote of the City Council.

- Deleted: shall
- Deleted: once each year
- Deleted: by
- Deleted: each year

Finance Director Juli Millet explained that the reason this Ordinance change was being proposed was the Finance Committee felt the numbers are too low in today's business climate.

City Solicitor Roger Therriault explained these numbers were at least 15 years old and inflation has changed some since then.

City Manager Giroux explained that the City calls bidders and can continue with this practice.

Public Works Director Peter Owen explained that this change would help expedite the process of getting problems fixed. Mr. Owen explained that this process might be used for the purchase of such things as stripping paint, tires and traffic cones.

Councilor Sinclair motioned an amendment to the Ordinance to change \$10,000 to \$7,500. There was no second to this motion.

William Nelson, owner of Solo Bistro, spoke in favor of this Ordinance.

Jacqueline Dwinall of 1552 Washington Street stated that she thought the Council should be involved with money matters.

Councilor Sinclair motioned an amendment to the Ordinance to change \$10,000 to \$8,000. There was no second to this motion.

ROLL CALL VOTE:

YEAS: Paulhus, Eosco, Winglass

NAYS: Brackett, Rogers, Sinclair, Pagurko

Ordinance Failed. 3-4

7) Ordinance: Chapter 7. Purchasing and Finance, Add Article 3. De Minimis Accounts, Section 7.301. De Minimis Accounts – Write-off (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 7. PURCHASING AND FINANCE

Add a new Article as follows:

Article 3. De Minimis Accounts

Section 7-301. De Minimis Accounts – Write-off.

The Finance Director shall have the authority to write-off de minimis accounts that are deemed to be of such a nature that the effort and resources to collect the accounts are not justified. De minimis accounts shall be defined as accounts of Five Hundred Dollars (\$500.00) or less of revenue to the City that is not ad valorem property taxes, or sewer user fees. It shall also include interest and fees due with respect to the principal balance.

Councilor Rogers made a motion to the Ordinance on the floor for discussion. Councilor Pagurko seconded the motion.

Juli Millett explained this would help the City not to spend more money then the process was worth to get the payment. She stated this course of action would only take place after all other efforts to collect the fees have been exhausted.

ROLL CALL VOTE:

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

NAYS: None

Ordinance passed unanimously. 7-0

Chairman Wyman set second passage of this Ordinance for May 4, 2011 at 6:01 PM.

8) Resolution: Mooring Fees

Chairman Wyman read the following Resolution:

RESOLUTION

WHEREAS, the Ordinances of the City of Bath provide for registration fees for moorings to be set by Resolution of the City Council; and

WHEREAS, the Ordinances require the City Council to set registration fees at their regular meeting during the first week of April.

NOW, THEREFORE, be it resolved by the City Council of the City of Bath that the mooring registration fees be established as follows:

- Single Mooring - Private Use - Resident - ~~\$12.00~~ \$25.00
- Single Mooring - Private Use - Non-Resident - ~~\$25.00~~ \$50.00
- Single Mooring - Commercial Use - ~~\$25.00~~ \$75.00
- Multiple Moorings - Private Use - ~~\$12.00~~ \$25.00 Per Mooring Not to Exceed \$200.00
- Multiple Moorings - Commercial Use - ~~\$25.00~~ \$75.00 Per Mooring Not to Exceed \$400.00

(Note the term commercial in reference to moorings refers to the nature of the mooring as income producing and does not relate to the nature of the vessel using the mooring.)

Councilor Pagurko made a motion to the Ordinance on the floor for discussion. Councilor Rogers seconded the motion.

Chief Fields introduced Harbor Master Officer Jensen. Officer Jensen explained the process of keeping track of mooring locations. He stated there is no limit on number of moorings a person can have and there is no waiting list. Officer Jensen said the City has no commercial moorings at this time, but the Kennebec Marina has 10 commercial moorings.

Councilor Sinclair motioned to amend the Resolution by striking the text “Not to Exceed \$200.00” and striking the text “Not to Exceed \$400.00”. Councilor Rogers seconded this motion. All were in favor of the motion.

VOTE on amended Resolution:

YEAS: 7

NAYS: 0

Resolution passed unanimous. 7-0

9) Resolution: Amending the fee schedule for requests for permits associated with the Land Use Code

Chairman Wyman read the following Resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE FEE SCHEDULE FOR REQUESTS FOR PERMITS ASSOCIATED WITH THE LAND USE CODE BE AMENDED AS FOLLOWS:

Add the following:

Request for Site Plan Approval when that Site Plan pertains to a single-family dwelling, if not otherwise included in this fee schedule.\$50.00

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

City Planner James Upham explained this would pertain to someone that wanted to start a business in their home or someone wanting to keep animals such as horses, goats or chickens, but does not have a lot large enough for them.

VOTE:

YEAS: 7

NAYS: 0

Resolution Passed Unanimously. 7-0

10) Resolution: Regarding Installation of Smart Meters

Chairman Wyman read the following Resolution:

**RESOLUTION REGARDING
INSTALLATION OF SMART METERS
WITHIN THE CITY OF BATH**

WHEREAS, the Maine Public Utilities Commission issued an Order on February 25, 2010 (Docket No. 2007-2150 (II)) allowing the Central Maine Power Company to install advanced metering infrastructure, commonly known as wireless smart meters, to replace existing electric meters; and

WHEREAS, installation of wireless “smart meters” in nearby areas within the State of Maine has commenced; and

WHEREAS, a number of concerns regarding the installation and operation of the “smart meters” have been raised by numerous parties including, but not limited to, the following:

- Health concerns regarding medical devices and the effect of radiofrequency and microwave radiation associated with “smart meters” upon such medical devices; and
- Cyber safety concerns with respect to electronic devices within the home resulting in potential invasion of personal privacy and the compromise of confidential and secure information; and
- A potential fire hazard; and

WHEREAS, it has been alleged that the Maine Public Utilities Commission did not adequately consider the health and safety impacts as well as the impacts on security and privacy in granting Central Maine Power the authority to install “smart meters”; and

WHEREAS, there is currently pending before the Maine Public Utilities Commission a Petition/Complaint requesting that a moratorium be enacted regarding installation of “smart meters,” and that the Maine Public Utilities Commission reopen its case to allow for a thorough and independent analysis of the concerns that have been raised; and

WHEREAS, the reopening of the case, upon information and belief, has the support of the Public Advocates Office; and

WHEREAS, there is no provision for, nor has notice been given to residents, prior to the installation of the “smart meters” at their homes; and

WHEREAS, there has been inadequate information given to residents regarding their option to exercise their opportunity to opt out of the installation.

NOW, THEREFORE, BE IT HEREBY RESOLVED as follows:

1. The Bath City Council urges Central Maine Power Company to refrain from the installation of any “smart meters,” repeaters, antennas and any other related wireless equipment within the City of Bath for a period of not less than one hundred and eighty (180) days in order to provide

the residents of the City of Bath an opportunity in an open public forum to understand the issues relating to “smart meters.”

2. The Bath City Council urges Central Maine Power Company to require the provision of advance notice to any resident of Central Maine Power’s intent to install a “smart meter” and to provide to that resident adequate information regarding that resident’s ability to opt out, and how to exercise that option.

3. The Bath City Council urges the Public Utilities Commission to reopen the matter concerning installation of “smart meters” in order to allow for a full and frank discussion of the issues that have been brought forward regarding the use of these meters and based on that discussion to make such adjustments in its Order as may be appropriate to protect the interests of electric users, and in reconsidering the granting of permission, to provide appropriate mechanisms and forums for local residents to voice their opinions regarding “smart meter” installation.

4. The Bath City Council urges its citizens to become involved in this matter in order to understand the issues and provide the Public Utilities Commission with their opinions as to further appropriate regulation of the installation and use of “smart meters.”

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

Louise Sharp of 65 Denny Road spoke in favor of this Resolution and requested that there be a year moratorium instead of the 90-day. She stated she has health issues which would be affected by these meters and would like to feel and be safe in her own home.

Rabyrne Hutton of 195 High Street explained that you may opt out of the installation of “Smart Meters” by calling Central Maine Power Company and telling them you don’t want it installed.

Councilor Paulhus made it clear that this is not a legally binding Resolution.

VOTE:

YEAS: 7

NAYS: 0

Resolution Passed Unanimously. 7-0

G. Petitions & Communications 8:13 PM

There were no petitions or communications.

H. City Manager’s Report 8:13 PM

The following topics were discussed:

- Workshops-
 - Use of Armory decision needs to be completed by early August so it can go on the ballot for November
 - Sign Code Discussion Workshop scheduled for April 13th at 6pm.
 - Pine Hill Condominiums and Willow Street Flooding Issues Discussion Workshop scheduled for May 18th following Budget Public Hearing

I. Committee Reports 8:29 PM

Councilor Eosco thanked and congratulated the 100 plus people that participated in the Chocolate Church’s Hot Chocolate Jubilee. She stated that the show was a job well done.

Councilor Paulhus echoed Councilor Eosco's report on the Jubilee. He informed Council that LD214 approving Governor William King Day had passed and will be observed next March 16, 2012. Councilor Paulhus stated that the Sagadahoc County Budget Advisory Committee will be starting budget meetings next week and he will keep the Council updated on their progress.

J. Unfinished Business 8:32 PM

There was no unfinished business.

K. New Business 8:32 PM

11) Appointment of one member to the Bath Recreation Commission with a term expiration of November 2011.

Councilor Pagurko nominated Jessica Avery on behalf of the Interview Committee. All were in favor of the nomination.

12) Appointment of one member to the Bath Planning Board with a term expiration of September 2012.

Councilor Pagurko nominated John Swenson on behalf of the Interview Committee. All were in favor of the nomination.

13) Appointments of Political Party Nominees for the Voter Registration Appeals Board:

Democratic Nominee: Louis Ensel, and Democratic Alternate: Barbara Reinertsen,
Republican Nominee: Leo Gibbons and Republican Alternate: Joseph Manhardt
Terms to expire March 2014

All were in favor of these Political Parties' Nominees.

Councilor Rogers made a motion at 8:34 PM to go into Executive Session to discuss Real Estate Matters per 1 MRSA§405(6)(C). Councilor Pagurko seconded the motion. All were in favor of the motion.

Councilor Pagurko made a motion at 9:00 PM to continue the meeting past the 9:00PM time limit. Councilor Paulhus seconded the motion. All were in favor.

Councilor Pagurko made a motion at 9:27 PM to come out of Executive Session. Councilor Winglass seconded the motion. All were in favor of the motion.

A motion was made and seconded at 9:27 PM to authorize the City Manager to execute a lease for Computer Software Architects, LLC located at the Mid Coast Center for Higher Education. All were in favor of the motion.

The meeting adjourned at 9:28 PM with a motion by Councilor Pagurko, seconded by Councilor Paulhus. 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.