

SPECIAL MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, January 20, 1999 7:00 PM
City Council Chambers, Bath City Hall

Present: Councilors Williams, James, Blake, Wyman, Hayden, Tibbetts, Rogers, Tainter and Chairman Hall

Also Present: City Manager Bubier, City Solicitor Therriault and Deputy City Clerk White

Chairman Hall called the meeting to order at 7:00 PM.

PUBLIC HEARING – Chapter 5, Businesses, Article 14. Manner of Sale of Tobacco Products
(Second Passage) - 7:01 PM

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

Add the following:

Article 14. Manner of Sale of Tobacco Products

Section 5-401. Findings and Purpose.

The City Council of the City of Bath recognizes and finds that undeniable and substantial scientific and medical evidence indicates that the use of tobacco products leads to serious and life threatening medical problems such as cancer and heart disease. This Council further recognizes and finds that substances in tobacco are highly addictive and once engaged in the use of tobacco products, makes discontinuing their use difficult. Under these circumstances, the Council finds that prevention by reducing accessibility to tobacco products by adolescents is in the public interest and in the interest of the safety, health and welfare of the inhabitants of the City of Bath. Therefore, the purpose of this Ordinance is to prohibit self-service sales, self-service displays, racks and shelves of tobacco products in environments in which minors are allowed.

Section 5-402. Definitions.

The following words and phrases, whenever used in this Article, shall be construed as defined in this Section:

1. "Business" means any sole proprietorship, joint venture, corporation or other business entity formed for profit-making purposes, including retail establishments where goods or services are sold as well as professional corporations and other entities where legal, medical, dental, engineering, architectural or other professional services are delivered in the City of Bath.
2. "Exempt Business" means any business except tobacco specialty stores that does not allow anyone under eighteen (18) years of age to enter unless accompanied by an adult. These establishments will be exempt from the Ordinance as written.
3. "Person" shall mean any individual, partnership, cooperative association, private corporation, personal representative, receiver, trustee, assignee, or any other legal entity.
4. "Self-service merchandising" means open display of tobacco products and point-of-sale tobacco

products that the public has access to without the intervention of an employee.

5. "Tobacco product" means any tobacco cigarette, cigar, pipe tobacco, smokeless tobacco, snuff or any other form of tobacco which may be utilized for smoking, chewing, inhalation or other manner of ingestion.

6. "Tobacco retailer" shall mean any person or governmental entity that operates a store, stand, booth, concession, or other place at which sales of tobacco products are made to purchasers for consumption or use in the City of Bath.

7. "Vendor assisted" means only a store employee has access to the tobacco product and assists the customer by supplying the product. The customer does not take possession of the product until it is purchased.

8. "Vending machine" means any automated, self-service device which, upon insertion of money, token or other form of payment, dispenses cigarettes or any other tobacco product.

9. "Tobacco specialty store" shall mean a tobacco retailer whose business exclusively or primarily involves the sale of tobacco products and related goods.

Section 5-403. Regulation of Manner of Sale of Tobacco Products.

A. It shall be unlawful for any person, business, or tobacco retailer, except tobacco specialty stores which do not allow persons under the age of eighteen (18) to enter the premises, to sell, permit to be sold, offer for sale or display for sale any tobacco products by means of self-service merchandising.

B. Any person, business, tobacco retailer, or owner, manager or operator of any establishment subject to this Ordinance shall eliminate the self-service merchandising, vendor assisted counter displays, vending machines of tobacco products except for exempt businesses as herein defined, no later than February 10, 1999.

Section 5-404. Enforcement.

A. Enforcement of this Ordinance shall be the responsibility of the Chief of Police or his or her designee.

Section 5-405. Violations.

Any person who owns, manages, operates or otherwise controls the use of any premises subject to this Ordinance, where tobacco products are sold, shall be subject to the terms and conditions of this Ordinance and any failure to comply with its terms and conditions shall be considered a violation thereof.

Section 5-406. Penalties.

Any person, business, tobacco retailer, or owner, manager or operator of any establishment subject to this Ordinance who violates any provision of this Ordinance shall be deemed guilty of a civil infraction, punishable by:

- 1) First violation, a fine, not exceeding one hundred dollars (\$100.00), payable to the City of Bath.
- 2) Second violation within one year, a fine, not exceeding five hundred dollars (\$500.00), payable to the City of Bath.
- 3) For a third or more violation within one year, a fine, not exceeding one thousand dollars

(1,000.00), payable to the City of Bath.

Each day that a violation continues, shall constitute a separate offense and each shall be subject to the penalties noted above.

Nothing herein shall prohibit enforcement of this Ordinance through injunctive relief or other appropriate court order.

Section 5-407. Other Applicable Laws.

This Article shall not be interpreted or construed to permit tobacco vending machines and distribution of tobacco product samples where they are otherwise restricted by other applicable laws.

Motion to put ordinance on floor by Councilor Tainter, seconded by Councilor Wyman.

No preliminary Council comment.

Chairman Hall opened the floor to public comment.

The following people spoke against the Ordinance.

Doris Ford, Bath resident.

The following people spoke in favor of the Ordinance and urged the Council to give the Ordinance Second Passage.

Joanne Marco, Bath resident, grandmother and health educator for senior citizens.

Patsy Brawn, Bath resident and mother of two daughters.

Dr. Karl Miller, Bath resident and physician.

Jay Manhardt, Sagadahoc Sheriff's Department and DARE Officer.

Duane Pierson, Bath Substance Abuse Counselor for the Bath School District.

Gordon Reed, Bath resident.

Kimberly Brackett, Bath resident, mother and business owner.

Chairman Hall closed the public hearing and opened the floor to Council comments.

Councilor Tainter: "I feel it's the responsibility of us Councilors as elected officials to address the needs of the community and part of our community are the young people and we should be proud of them and we should be watching out for them. I can't see ..., why this ordinance is going to effect the people selling cigarettes, all we are asking them to do is to put them out of reach of young people. If these stores have to depend on the sale of cigarettes, we are in big trouble...this is going to stop the theft of cigarettes in some of the stores by getting them out of the way so people can't steal them...Several people including myself have worked many long hours. We have had several meetings to try to put this together and give it the right perspective and I think its an ordinance we really should pass...This is something I really believe in and I'm so glad I've worked on this and appreciate all the people who have come here and spoke for it. I think it's wonderful and I hope we can back this 100%."

Motion to put the proposed amendment on the floor by Councilor Tainter, seconded by Councilor

Wyman.

Chairman Hall read the following proposed amendment that would replace Section 5-403. Item B:

B. Any person, business, tobacco retailer, or owner, manager or operator of any establishment subject to this Ordinance shall eliminate the self service merchandising, vendor assisted counter displays, vending machines of tobacco products, except for exempt businesses as herein defined, shall eliminate all means or devices for sale of tobacco products except those which are vendor assisted as that term is defined in §5-403(7), no later than February 10 May 1, 1999.

Chairman Hall asked for discussion from the Council on this proposed amendment.

Council James: "I am not in favor of this amendment because in essence what it does is it allows merchants to put actual cigarette cartons in the faces of under age people buying soda, chips, milk and creates an incentive for them to want to purchase cigarettes...remove the advertising and I think you remove some of the incentive...I think this amendment as worded unfortunately goes half way"

Councilor Wyman: "I can't see any difference in having a locked display on the counter than I can having it a foot behind the clerk...as long as they can't get in to steal them, I can't see the difference..."

Councilor Rogers: "...I think this is a good ordinance...but I think to move forward here, we have to change either Part B or the first paragraph...the way it reads now you can put the displays out and you can't put the displays out, so how do we word it properly and move forward...?"

Councilor James asked if the City Solicitor could work on a possible amendment that all of the Council could go along with.

Solicitor Therriault: "No, ...this comes out of the ordinance of Freeport... and I think it's a mistake, somebody wasn't thinking about the language here because there's nothing in the rest of this ordinance about the display of tobacco products...that's the only thing in there that deals with displays. If you want to prohibit the display of that, than this needs to be reworded...if we are going to do this we are going to do it right. If that's what Council wants to do, than it needs to be tabled and reworked to include...language that would prohibit the display as well as the sale to under age."

Vote on Amendment:

Yeas: 3

Nays: 5

Amendment defeated.

Motion by Councilor James, seconded by Councilor Tibbetts to table the Ordinance pending the rewrite by the City Solicitor to reflect the wishes of the Council as expressed and take his rewrite as an amendment.

Vote on tabling Ordinance until February 3, 1999 meeting:

Yeas: 6

Nays: 2

Ordinance tabled.

**II. PROCLAMATION – Naming the LPD 19 ship built at Bath Iron Works the USS BATH –
7:48 PM**

Chairman Hall read the following Proclamation regarding the naming of the LPD 19 the *USS BATH*:

PROCLAMATION

WHEREAS, the Bath Iron Works Corporation, along with Avondale Shipyard of Louisiana, is a participant in developing and constructing the Navy's newest surface combatant, and

WHEREAS, the third ship to be constructed, identified as LPD 19, is scheduled to be constructed and launched at the Bath Iron Works Corporation facility in Bath, Maine, and

WHEREAS, the City of Bath has been famous worldwide for its shipbuilding heritage and current shipbuilding activity, and

WHEREAS, the first ship built by Europeans in the New World was launched on the lower Kennebec River, and

WHEREAS, the Bath Iron Works is now in its 115th year of constructing and launching ships on the shore of the Kennebec River in Bath, Maine, and

WHEREAS, a century and a half ago the City of Bath was the fifth largest port in the world, and

WHEREAS, the City of Bath's maritime history and heritage forms the fabric of the City, represented not only by past and current shipbuilding activities but also by the maritime heritage represented by the many fine sea captains' homes that grace the City of Bath, and institutions such as the Maine Maritime Museum, and

WHEREAS, it would be entirely appropriate to honor the maritime history and heritage of the City of Bath by naming LPD 19 the U.S.S. Bath.

NOW, THEREFORE, be it resolved and proclaimed by the City Council of the City of Bath that it supports and encourages the naming of LPD 19 the U.S.S. Bath and that this support and encouragement be communicated to the Secretary of the Navy, the Secretary of Defense, and the Maine Congressional Delegation.

DATED at Bath, Maine this 12th day of January 1999

Motioned by Councilor James, seconded by Councilor Blake, it was moved to put the Proclamation on the floor.

There was no comment on this Proclamation.

Vote on accepting this Proclamation:

Yeas: 8

Nays: 0

Unanimous to accept the Proclamation.

III. ORDER – Approving Bond Advisory Agreement – 7:50 PM

Chairman Hall read the following Order regarding the acceptance of the Bond Advisory Services Agreement.

ORDER

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE BOND ADVISORY SERVICES AGREEMENT BY AND BETWEEN THE CITY OF BATH AND MOORS & CABOT, BE AND HEREBY IS APPROVED, AND THE CITY MANAGER IS AUTHORIZED TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY OF BATH.

On a motion by Councilor Williams, seconded by Councilor Blake, it was moved to put this ordinance on the floor.

City Manager Bubier gave some background information on the agreement for the public. He stated that the public had given the City the authority to go forward on a new bond issue for streets, roads, sewer separation and sidewalk curbing. In order to do the best the City could in terms of interest rates they were asking to hire Moors & Cabot. The timing of an issue could involve a \$4,500 impact so it is important to have someone that knows specifically what they are doing. He recommended Moors & Cabot be hired.

Chairman Hall asked for Council and public comment there was none

Vote on accepting Order:

Yeas: 8

Nays: 0

Unanimous to accept.

ORDINANCE – Amendment – Chapter 17. Vehicles and Traffic, Article 6. Stopping, Standing and Parking, Section 17-259 Parking Restrictions for Chestnut Street (First Passage) –
7:53 PM

Chairman Hall read the following Ordinance parking on Chestnut Street:

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 6. Stopping, Standing and Parking

Section 17-259. Parking Restrictions

Chestnut Street

North Side

Delete:

"From a point 300 feet westerly of CMP Pole No.3, to Lincoln Street, no restrictions."

Replace With:

"From a point 300 feet westerly of CMP Pole No.3, to a point 40 feet east of Lincoln Street, 2 hour parking; From a point 40 feet east of Lincoln Street to Lincoln Street, no parking."

Motion by Councilor Tibbetts to put the Ordinance on the floor, seconded by Councilor Rogers.

Councilor Tibbetts asked to hear from the sponsor of this ordinance.

Councilor Wyman informed Council this came in response to a letter written by a resident to John Bubier.

Albert Wyman, a Chestnut Street resident, offered to speak to Council even though he was not the sponsor of the Ordinance. He stated he owned two pieces of property on that street and that it was impossible to get an emergency vehicle down that street on a school day. He urged Council to come and witness this themselves.

Chairman Hall asked what two lots belonged to Mr. Wyman

Mr. Wyman stated that his lot was the third lot in on Chestnut Street.

Councilor Blake asked why it was so difficult to travel down the street.

Mr. Wyman responded snow removal is inadequate, the high school kids parking there don't observe the rules and crowd the street, and the street is narrow.

Councilor Blake asked how this 2 hour parking would stop the crowding.

Mr. Wyman replied this restriction would mean high school kids would not be able to park there as they would have to move their vehicles every two hours.

Councilor James asked if this problem only occurred when there was snow.

Mr. Wyman answered no it happened with no snow also.

Councilor James inquired what the width of the street was.

Councilor Wyman stated that the street was wide enough for one car while the high school kids are parked there, but no emergency vehicle would be able to make through.

Mr. Wyman stated he believed the street was 30 feet wide.

Councilor James stated his apprehension with this ordinance as it may lead to many other residents requesting the same restrictions.

Chairman Hall asked for Council comments.

Councilor Tainter stated that the problem on Chestnut would not effect all small streets within the city because this problem was located within a short distance of the high school due to the kids wanting to park close to the school.

Councilor James asked for clarification why the restriction was only part way down the street.

Councilor Wyman stated that was because of a very steep hill and there was already no parking there.

Councilor Rogers made the observation that if the majority of the residents on Chestnut Street were in favor of this restriction the Council should approve it.

Councilor Wyman made the comment that this would not restrict the student's available parking as there were plenty of lots at St. Mary's they could use.

Councilor Williams stated that through the SCLC Committee she knew that the kids are aware that

parking on city street is a problem and that they have been asked to help with the solution. She expressed her support for the ordinance.

Chairman Hall went to the public for comment at this time.

David Mcleod, resident at 57 Chestnut Street, spoke next referencing the many years and problems he has experienced on this street due to its size and the student parking. He expressed his hope that the Council would support this ordinance.

Steve Marois, Chestnut Street resident, expressed his concerns for the safety of the students and the residents as some of the students that park in front of his house have on occasion use extreme speed when leaving the street. He was also in favor of the ordinance.

Patsy Brawn, Bath resident, wondered if this restriction would be effective as high school students have been known to leave school just to move their vehicles.

City Manager Bubier stated that residents, police, fire, public works and planning department have all worked on this ordinance and agreed to take this approach for now.

Ricky Rodrigues of 67 Chestnut Street and the resident that wrote the letter to City Manager Bubier, addressed the Council next stating that he wrote the letter because of safety concerns. Because he lives on the corner, he has trouble seeing on-coming traffic when leaving his driveway if there is a vehicle parked in front of his house. Since listening to other residents, he believes the parking restrictions should extend even further down the street.

Chairman Hall closed public comment and asked for Council comments.

Councilor James expressed his concern for the students that need to park close to school because they have to be able to get to work quickly after school. He stated that he would vote for the Ordinance because of the public safety issues expressed, but hoped that the students' parking issues would be looked into further.

Councilor Blake stated that she would like to see some sort of shuttle bus service for students be initiated.

Councilor Wyman stated he was not worried about the enforcement of the 2 hour parking or the reprimand of students for unruly behavior because the police were very visible in the neighborhood. He informed Council that Bud Shepard had offered bus for busing of students. He expressed his personal feelings as a resident that the parking situation is a problem and the ordinance needed to be passed.

Councilor Tibbetts stated that he had brought the issue of satellite parking to Council before and since the City had the resources to institute such a program he would like to see it pursued. He expressed that he would like to see no parking on this street, but for the sake of the residents he would support the 2 hour parking ordinance.

Councilor Wyman made the Councilors aware that the residents on the street have accommodated many students by letting them park in their driveways.

Councilor James suggested that a joint committee of school and city representatives be formed by the Chairman to look into the shuttle bus option as soon as possible.

Vote on Ordinance:

Yeas: Councilors Williams, James, Blake, Wyman, Hayden, Tibbetts, Rogers and Tainter

Nays: None

Ordinance passed unanimously. 8-0

Chairman Hall set the Second Passage and Public Hearing on this Ordinance for the February 3, 1999 meeting at 7:02 PM.

Chairman Hall suggested that the parking/bus issue be thought about by councilors and discuss at their goals meeting next month so that it can be put into the budget.

City Manager Bubier suggested that Superintendent Wallace be in on this issue as it could possibly be partly funded by the State through the school budget.

APPEAL: Taxi Operator Application – Richard Dixon, Sr. – 8:30 PM

Since this was the first time an appeal of a business license had come before this council, Chairman Hall gave an overview of the reason Mr. Dixon was addressing the Council. Solicitor Therriault gave the procedure for conducting this appeal.

Chief Lizanecz explained that his decision to deny the taxi operator license of Mr. Dixon was based upon a review of his motor vehicle record by looking at alcohol related offenses, accident record, offenses of other violations and criminal record for behavior related to driving. The Maine State Police report indicated that Mr. Dixon has four convictions of felony for acquiring drugs by deception in 1994 and has been arraigned this year for acquiring drugs by deception and forgery. Based on that information the Chief denied the license.

Mr. Dixon addressed the council by stating that what Chief Lizanecz had reported was true, but that he was receiving counseling for his addictions and that his driving record shows no moving violations, no OUIs, and two vehicle accidents. He was pursuing this matter so that he may obtain employment.

Chairman Hall opened the floor to council questions of Mr. Dixon.

Councilor James: “I appreciate your participation in Narcotics and Alcoholics Anonymous ...how do you reconcile that against these recent arraignments...?”

Mr. Dixon: “I had a relapse this last fall...I do know that relapse will always be an issue...today I am working on that problem...”

Councilor Rogers: “When did you start rehab...?”

Mr. Dixon: “I originally started in May of 1994...I went about two and a half years of sobriety before this recent relapse...”

Chairman Hall: “How long have you been going to counseling?”

Mr. Dixon: “This time around ... about two months ...”

Chairman Hall: “...is there a certain amount of time you go?”

Mr. Dixon: “I can drop out anytime...I chose to go...”

Chairman Hall: “You did have a relapse last fall?”

Mr. Dixon: “Yes, I did...”

Councilor Rogers: “You ...drive a delivery truck?”

Mr. Dixon: “I work for New England Courier Service ...”

Councilor Rogers: “How long ...?”

Mr. Dixon: “I have been with them for almost three years.”

Councilor Blake: “...what were the two accidents you were involved in?”

Mr. Dixon: “Both accidents were with the courier service. The first was ice related....the second occurred while taking off from a red light...car stopped suddenly had no choice but rear end the vehicle....”

Councilor Williams: “...during what period of time were they..?”

Mr. Dixon: “...second accident happened this past summer...the one before that was two years ago...”

Councilor James: “...do you find yourself working and driving under the influence?”

Mr. Dixon: “There have been a couple of occasions...”

Councilor James: “What assurances do we have as a city...you won’t be driving under the influence.”

Mr. Dixon: “...I will agree to maintain counseling, maintain medications, ... offer on the spot drug testing...”

Councilor Rogers: “...are you married...?”

Mr. Dixon: “...married, tenth anniversary coming up in August...I have three children...”

Chairman Hall opened the floor to questions of the Chief of Police.

Councilor James: “...are urinalysis checks something that might change your mind?”

Chief Lizanecz: “...we are not equipped to do urinalysis checks...” The chief clarified Mr. Dixon’s accident record. Dixon had accidents in September ‘98, January ‘97 and May ‘89.

Councilor Blake: “...were the accidents where he was negligent or at fault...?”

Chief Lizanecz: “I can’t answer that ...all I have is the date of the accident...”

Councilor Rogers: “...did you get a reference from the courier owner...?”

Chief Lizanecz: “No, he was not listed.”

Councilor Rogers: “...was your decision made on your personal feeling of his character...?”

Chief Lizanecz: “...I did not have a face to face interview with Mr. Dixon...”

Councilor Tainter: “...is there a state law that a convicted felony can not obtain a taxicab license...?”

Chief Lizanecz: “...I am not aware of one...”

There were no more questions for Chief Lizanecz.

Chairman Hall asked Mr. Therriault if there was any potential liability on the City Council’s behalf if

they were to overrule the Chief's decision...?

Solicitor Therriault: "There's always potential liability..."

Councilor Rogers: "...Drew's Taxi would have first liability ...?"

Solicitor Therriault: "...Yes..."

Mr. Ralph Drew owner of Drew's Taxi addressed the Council next. He stated that he had a problem with the idea that the police chief has the authority to decide whom he could hire. He stated that his cab service was fully covered by liability insurance and was willing to take a chance on Mr. Dixon.

Councilor Tainter: "...do you have other applicants with clean driving records...?"

Mr. Drew: "Yes...we are not appraised of their driving records unless they tell us..."

Councilor Blake: "...what kind of a check does the insurance company do...?"

Mr. Drew: "...I submit the name, driver's license number and date of birth and they get a read out from the State of Maine...Mr. Dixon has been approved by my insurance..."

Councilor Rogers made a comment regarding the Council giving a person a second chance through rehab. He hoped that they would be able to do that.

Councilor Blake: "...do you see your drivers before they start their day...?"

Mr. Drew: "...Yes..."

Councilor Tibbetts: "...your office is in West Bath...?"

Mr. Drew: "...Yes"

Solicitor Therriault: "...his service operates in Bath that's why he is required to be licensed in Bath."

Councilor Tainter: "I am sure that our Chief checks applicants very thoroughly and fairly and we should support his decision."

Chairman Hall asked for clarification of status of court case on the most recent charge.

Mr. Dixon stated that he will be having a court date soon and was not sure of what the sentence might be if convicted.

Councilor Tibbetts: "...we are only denying Mr. Dixon the right of driving in the City of Bath..."

Mr. Drew: "...stated he understood the Councilor's position but there may be another taxi who frequent Bath and are not required to be licensed..."

Chairman Hall: "... what about giving Mr. Dixon a time period before reapplying..."

Mr. Drew: "...would rather see Mr. Dixon given a temporary license and allowed to make money during such a time period..."

Councilor Williams: "...would like to see a period of time go by...."

Councilor Tibbetts: "...clarification of who is required to have a taxi cab license from the City of Bath..."

City Manager Bubier: "...if their primary business is here in the city...must have a license..."

Solicitor Therriault: "...if the trip ends in Bath...needs to check Ordinance for clarification..."

Councilor Blake: "...does a felony conviction make it so you can't get a CDL..."

Chief Lizanecz: "...not sure..."

Solicitor Therriault: "...CDL falls under federal law and must have random drug testing...taxi drivers are not required to have a CDL..."

City Manager Bubier: "...you have the situation where you are being asked to endorse a license and the public will look at your endorsement as such..."

Motioned by Councilor Rogers, seconded by Councilor James to over turn the decision of the Chief of Police.

Vote on Motion:

YEAS: James, Blake, and Rogers

NAYS: Williams, Wyman, Hayden, Tibbetts, and Tainter

Motion to overturn decision defeated.

Motioned by Councilor Wyman, seconded by Councilor Tainter to sustain the decision of the Chief of Police.

Vote on Motion:

YEAS: Williams, James, Wyman, Hayden, Tibbetts, Rogers and Tainter

NAYS: Blake

Motion to sustain decision passed.

Motion by Councilor Tibbetts, seconded by Councilor Wyman to waive the rules so the Chairman could read communications that had been received by the Council.

Vote on Motion:

Unanimous in favor

Communications: 9:37 PM

Chairman Hall first read a communication from the Superintendent of Schools David R. Wallace pertaining to a request from the Board of Education formally requesting the Bath City Council to appoint a Building Committee for the Bath Middle School. No action taken on the matter at this time.

Chairman Hall read a memo from Jim Upham, City Planner stating that the Maine Department of Economic and Community Development has been awarded the Hyde Park Grant. We will now be able to put out to bid the entire Hyde Park Improvement Project.

The Council received notification the Bath Recreation Commission and the Bath YMCA are communicating for the purpose of setting up a joint committee.

Chairman Hall asked for a motion to adjourn.

Motioned by Councilor James, seconded by Councilor Williams to adjourn the meeting.

Unanimous in favor

Meeting adjourned at 9:40 PM

Respectfully submitted:

Mary J. White, Deputy City Clerk

Please note: These minutes are not recorded verbatim. A tape recording of the meeting is available for review in the City Clerk's office during regular business hours.