

REGULAR MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, April 7, 1999 7:00 PM
City Council Chambers, Bath City Hall

The Regular Meeting of the Bath City Council was called to order by Chairman Hall at 7:00 PM on Wednesday, April 7, 1999 for the purpose of conducting business as listed on the agenda.

Chairman Hall opened the meeting with the Pledge of Allegiance.

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

Also in attendance were the City Manager, John Bubier, City Solicitor, Roger Therriault and City Clerk, Mary White.

C. PUBLIC HEARING: 7:03 PM

- 1) **ORDINANCE: Amendment Land Use Code; Article 7. Zoning Districts Section 7.16. Highway Business District - C IV and Section 7.18. Commercial District - C II (Cottage Street) Second Passage**

Chairman Hall opened the Public Hearing with the reading of the following Ordinance:

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE LAND USE CODE OF THE CITY OF BATH ADOPTED DECEMBER 7, 1983, AND SUBSEQUENTLY AMENDED, BE FURTHER AMENDED AS FOLLOWS:

ARTICLE 7. ZONING DISTRICTS Section 7.16. Highway Business District - C IV Delete the following:

"Thence running westerly by the southerly line of Lot #201 on Map #31 to a right of way;

"Thence running southerly Ten (10) feet by the right of way;

"Thence running westerly across the right of way and by the southerly line of Lot #207 on Map #30 to Cottage Street;

"Thence running southerly by Cottage Street to the westerly extension of Quimby Street;"

Replace with the following:

"Thence running westerly along the southerly line of Lot #201 on Map #31 to the easterly line of Lot #201A on Map #31;

"Thence running southerly by Lot #201A on Map #31 to the northeasterly corner of Lot #214 on Map #31;

"Thence running westerly by the southerly lines of Lot #201A on Map #31 and Lot #208 on Map #30 to Cottage Street;

"Thence running northerly by Cottage Street to the easterly extension of Quirnby Street,"

Section 7.18. Commercial District - C II

Delete the following:

B. Western District in its entirety.

Replace with the following:

"Lot 202A on Map #31 in its entirety;

"The easterly corner of Lot #210B and the northerly corner of Lots #210A and #214 on Map #30."

Motion Councilor Wyman, seconded by Councilor Williams to put this Ordinance on the floor for discussion.

Jim Upham, City Planner spoke first about how this ordinance zone change had made its way to be considered by Council. The developer had come before the Planning Board to have this change made. The Planning Board had voted 3 against and 2 in favor of the change. This recommendation of not changing the zone was then passed on to the Council. Mr. Upham stated that he was in favor of the change because he felt it was in compliance with the Comprehensive Plan.

Chairman Hall brought the Council's attention to the memo on traffic (trips/day) from Mr. Upham as asked for by Councilor Blake at the last meeting.

There were no preliminary Council comments so Chairman Hall opened the meeting to public comment.

William Quimby, 28 Farrin Street, spoke on behalf of the Cottage Street Action Committee. The Committee had been formed after the first passage of this Ordinance by City Council and were against such a zone change. He gave an apology from the Committee to Councilor James for not asking him to join the group, but they felt it would not be appropriate to include him in the group.

Mr. Quimby brought up the following points from the Committee:

- They are not opposed to a hotel being built in Bath.
- They are not against development of the lot in question.
- They do not believe the Comprehensive Plan backs up the theory this area should be rezoned as there is no text reference made to this in the Plan.
- The proposed use for this area is not appropriate to sustain the quality of life for the adjacent neighborhood.
- Applicant requested a zone change to the Planning Board without a site plan review. According to the LUC under Rezoning Process and Section 6.15 Amendments to Code, the requirements were not fulfilled and the application should have been rejected.
- The Committee believes according to LUC Section 8.11 Commercial Support District - C II definitions this area is already appropriately zoned.
- They believe according to LUC Section 4:08. Conflict of Interest - E. Performance Standards a C IV zone would not give the City any more control than a C II. The Committee had questions about the *Option Agreement* between the property owner, Mr. Trudell and buyer, Mr. Hahn. The *Agreement* was for a restaurant, not a hotel.
- The zone change would produce a 325' encroachment into the residential neighborhood. As defined in the Comprehensive Plan Section 13.1.11 Route 1 Commercial Contract Area such an area should be kept narrowly confined. This change would not keep it narrowly confined.

- They believe according to the Comprehensive Plan Section 3.6 Downtown Waterfront Development Goal: to build central business districts linking waterfront and development together, the hotel should be built in the downtown area.
- The Committee believes that as stated in the Comprehensive Plan Section 7.6 Goals, Objectives and Implementation Strategies, 7.6.1 Goals, recognizes the unique quality of Bath as a community due to the layout, structure, and friendliness of its neighborhoods. Therefore, development should focus on protecting the scale, value and quality of life for each neighborhood. The hotel proposal does not do that.
- Scare Tactics: The Committee doesn't care what may happen or what might happen. They will address that when it goes to the Planning Board for site plan review.
- Land Owner's Rights: The land owners of this property have had another selling opportunity without need for a zone change, so they do not have to sell to this developer. Their rights are protected.

During Mr. Quimby's addressing the Council, Chairman Hall asked for a waiving of the Five Minute Rule so that Mr. Quimby could continue. Motion by Councilor James, seconded by Councilor Blake to waive the Five Minute Rule for Mr. Quimby and extend his time by fifteen minutes, as he was speaking on behalf of a group.

Vote was unanimous to waive the Five Minute Rule for Mr. Quimby.

Mr. Quimby stated that the Committee had retained the legal services of Pierce and Atwood out of Portland and would take Rule 80B action against the City for not following the City's Comprehensive Plan and Land Use Code, if the Council should give this ordinance second passage.

The following people spoke against the Ordinance:

Wendy Stanley of 13 Allen Street was troubled by the Council not taking the Planning Board recommendation.

Glen Barr of 74 Western Avenue stated that this would deeply impact the neighborhood with extra traffic and this is a concern because of his children that play there and it would also increase the potential for vandalism and noise that already occurs too much in the neighborhood due to the Bounty.

Bruce Garbin of 8 Cottage Street, a primary abutter, said he would very much like to see this zone remain a C II.

Robert Rasbeard of 10 Cottage Street suggested that a factory be built and really make a dump out of it.

Ralph McInnis of 40 Farrin Street stated that he had raised 10 children here and would like to see the quality of life continue for the neighborhood.

William Hahn, the prospective developer, spoke in response to some of Mr. Quimby's remarks. In regards to the process of the application submission, it was his understanding the discussion of use was to be done prior to site plan review. The statement of 77 rooms was done very early in the process and has since then been scaled back to a 60 room plan. Mr. Hahn shared a new site plan that showed a new entrance to the property from Route One, a larger setback from Cottage Street and provided a better buffer zone between the project and the neighborhood. The exit from the project would be out the Cottage Street route. The restaurant issue was a typo as they never intended to put a restaurant on the property.

Mr. Quimby stated that he would like to reference the Comprehensive Plan again in regards to Mr. Hahn's statements about the impact of Route 1 traffic on the rest of the City. It speaks about reducing the curb cuts on Route 1, and that the Comprehensive Plan doesn't support any more curb cuts on Route 1.

Richard Hill of 71 South Street presented the Council with a proposal that he had worked out. This plan could hopefully keep the residential integrity of the neighborhood and give the developer the land needed for the project. With a land swap, the nine houses involved would be put in the field and the hotel in the area between Cottage and Elsinore Streets. The homeowners would still have the same or more amount of land. He suggested that the Council table the zone change and work out this solution as it would be a win-win situation for everyone.

Ms. Stanley brought up the point that anyone turning into the new proposed entrance to the hotel would have to stop still on Route 1 to turn in.

Mr. Hahn stated that this plan with the new entrance had already been approved by the Maine Department of Transportation.

Chairman Hall closed the public hearing and asked the City Solicitor for clarification on the Conditions of Contract Zoning.

City Solicitor Therriault stated that these conditions did not apply to what was before the Council at that time.

Councilor James asked the City Solicitor, through the Chair, if there were enough legal irregularities that were of potential concern pointed out by Mr. Quimby that would justify a tabling of this ordinance's passage.

City Solicitor Therriault stated that this would be a policy and legislative decision, not a legal one, to be made by Council and urged the Council to go forward with a decision.

Councilor Blake asked the Solicitor, through the Chair, what Rule 80B was.

Solicitor Therriault stated that Rule 80B refers to a rule in the Maine Rules of Civil Procedure and provides a mechanism for the challenge of administrative acts such as amendments to zoning laws.

Councilor James stated that he thought this was a bad idea. It was definitely putting the cart before the horse. He was in favor of a motel, but there were other places in Bath to put it. The plan to develop the Highway C IV zone starts with the bi-directional traffic on Route 1 with MDOT's help, then get an anchor business to buy Bodwells, but without this anchor the commercial zone can't truly be developed. The City had just completed the process for the Comprehensive Plan and at the core of the Plan was the self determination of the neighborhoods. By the attendance of the people and the signatures on the petition, it was pretty clear how this neighborhood wants to maintain itself with true residential character and the Comprehensive Plan is in error with regards to this residential flavor. He urged his fellow Councilors to vote no on this Ordinance.

Councilor Wyman stated that he took offense to the statement made by Mr. Quimby as to the team of expert planners that made up the Comprehensive Plan. The Committee was made up of individual citizens and the Plan was written with loads of flexibility for all neighborhoods. The only planner involved with the Plan was Mat Eddy.

Councilor Rogers referenced a comment made by Mr. Hill pertaining to the Councilors stating how they felt about an issue and that is why he was giving the reasons he felt this change should be made. First, is the quality of life and that should be done through a balance of commercial, residential and recreational development. Second, in order to be able to afford living in the town there has to be a strong tax base. We have to work together to come up with plans to bring development that will bring a new tax base. He did not see anyone buying this property for \$200,000 and building a \$500,000 house in back of the gas station. He had done some research on the impact of hotels on residential areas in the past two weeks. While visiting his wife's family in Portsmouth, NH, he had been able to ask his brother-in-law, who is buying a house across from a Holiday Inn, why he wanted to live there. His response was that this is the house they wanted and he was not concerned by the traffic. The Comfort Inn in Camden was a very attractive unit and asset to Camden and he felt the new hotel proposed for Bath would do the same. He had spent about 4 hours watching the traffic flow at the Parkwood Inn in Brunswick and the traffic had been minimal, whereas at Applebee's the traffic impact was much higher. In order to have a vibrant downtown, we have to encourage transient businesses here. In regards to the mention of scare tactics, he had been told by members of the BBA that were in favor of this ordinance that they did not dare to come to speak because they had been told by members of the Cottage Street Action Committee if they did, their businesses would be boycotted. He did not feel that the neighborhood had given the hotel idea a fair shot and that he felt he had to vote in support of the Ordinance.

Councilor Tibbetts addressed the comment on scare tactics. He felt that the mention of what could go into the area under the C II zoning was not a scare tactic, but only a statement of facts and he had a problem with the quoting of facts being labeled as such.

Seeing no more comments from the Councilors, Chairman Hall asked for a call of the Roll.

Vote on the Ordinance:

Yeas: Williams, Blake, Wyman, Hayden, Tibbetts, Rogers, Tainter

Nays: James

Vote: 7 to 1 in favor

Motion by Councilor James, seconded by Councilor Blake to waive the rules and let Mr. Quimby address the Council.

Vote on waiving the Rules:

Yeas: 7

Nays: 1 (Tibbetts)

Vote: 7 to 1 in favor

Mr. Quimby addressed the comment by Councilor Wyman concerning his quote of "a panel of planning experts". He referenced the text in his handout 1.1 Significant Places: A Summary of Process and Conclusions of the Comprehensive Plan, third paragraph; It states "working with a panel of planning experts". It was this literature he had gotten the quote from.

D. CONSENT AGENDA: – 8:14 PM

Chairman Hall introduced the Consent Agenda consisting of the following:

- 2) **Minutes of Previous Meetings of March 3, 17 and 31, 1999** (motion to accept as presented)

Motion to accept Consent Agenda by Councilor Rogers, seconded by Councilor Tibbetts.

VOTE: Consent Agenda Approved by Unanimous Vote_ 8-0

E. TIME DEVOTED TO RESIDENTS TO ADDRESS THE CITY COUNCIL: - 8:16 PM

No members of the public spoke at this time.

F. ORDINANCES, RESOLUTIONS AND ORDERS: - 8:17 PM

3) Order - Waiver of Building Permit and Demolition Disposal Fees for the Bath YMCA Project
(motion to pass)

Chairman Hall read the following Order:

ORDER WAIVING FEES

WHEREAS, the City of Bath is supportive of the Bath Area Family YMCA campaign to construct a new facility on the Huse School property, and

WHEREAS, the City has received a request for waiver of fees for the building permit and landfill costs,

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that the building permit fee associated with the construction of the new YMCA facility on the Huse School site be and hereby is waived; BE IT FURTHER ORDERED by the City Council of the City of Bath that all landfill tipping fees associated with the construction of the new YMCA facility also be waived.

Motion by Councilor Tainter, seconded by Councilor Wyman to put this Order on the floor for discussion.

Chairman Hall asked for Council comments on the Order.

Councilor Wyman stated that he would be voting against it. He felt that since he was expected to pay landfill fees everyone else should.

Councilor Williams stated that she would be voting against the order. She felt the last sentence of the Order was pretty broad and should have been more specific and would like to see a landfill tipping fee waiver policy.

Chairman Hall asked for public comment. Seeing none, he went back to the Council for comments.

Councilor Tainter asked if there was any way to determine how much money this might involve.

City Manager Bubier stated that he believed it would come to \$.09 a foot.

Councilor James asked if it would be possible for City staff to come up with a recommended policy in 60 days to present to the Council in workshop.

Chairman Hall stated that a policy of denying tipping fee waivers had been presented to Council by City staff and the Council had chose to reject that policy and had decided to take these requests on a case by case basis.

Councilor James asked the staff to come up with another policy.

City Manager Bubier stated that the last policy was based on a survey of various towns and cities about the size and makeup of Bath and they had suggested that these fees not be waived. He wasn't sure if they went through the process again a different outcome would be reached.

Councilor James stated that he and Councilor Williams will come up with a proposal to present to Council.

Councilor Hayden asked if the policy had always been on a case by case basis.

City Manager Bubier replied that historically the Council had granted waivers to nonprofit organizations on a case by case basis.

Councilor Tibbetts remarked that he was worried about the space that this project would take up at the landfill considering all the stumps that would be removed from this construction site. He would recommend tabling this Order until the proposal had been prepared by the two fellow Councilors for presentation to the Council.

Councilor James said that he and Councilor Williams would try to get something back to Council in two weeks for consideration. He made a motion that this Order be tabled until the May 5, 1999 meeting, seconded by Councilor Williams.

VOTE: on Tabling of Order until the May 5, 1999 Meeting

Yeas: 8

Nays: 0

Vote: Unanimous in favor.

4) Order - Accepting the Dedication of Seekins Drive as a Street (motion to pass) - 8:26 PM

Chairman Hall read the following Order:

**ORDER ACCEPTING THE
NORTHERLY PORTION OF SEEKINS DRIVE**

WHEREAS, the owner of the upper portion of Seekins Drive, being more specifically described in the deed attached hereto and made a part hereof, has offered to voluntarily transfer their interest to the City of Bath, in fee simple, and

WHEREAS, the road has been built to applicable City standards and is currently utilized for public way purposes,

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that, pursuant to the authority of the City Council, under the provisions of 23 M.R.S.A. Section 3025, the portion of Seekins Drive described in the deed attached hereto be and hereby is accepted for dedication for highway purposes.

IT IS FURTHER ORDERED that the deed attached hereto be recorded in the Sagadahoc County Registry of Deeds as evidence of acceptance of the way for highway purposes and that the City Manager be authorized to execute any and all documents necessary to carry out this dedication and acceptance.

Chairman Hall asked for a motion to put this Order on the floor for discussion.

Motion by Councilor Rogers, seconded by Councilor Wyman to put this Order on the floor.

Chairman Hall asked for Council comments.

Councilor Tibbetts stated that he would like some clarification of the statement in the release deed referring to a 60 foot wide strip of land. He believed this was a 40 foot strip of land and this has to be clarified before the Council should vote on the Order.

Chairman Hall asked for public comment.

Brian Smith, the land surveyor that prepared the plan for the development of Seekins Drive fifteen years ago spoke next. He stated at that time the Planning Board approved the plan with a 60 foot right-of-way. The original plan in 1959 showed it being 40 feet, but the developer decided to widen it to 60 feet. All of the construction of the extra 20 feet was done on the east side of the street away from Mr. Tibbetts house (west side). There were quick claim deeds exchanged with all the lot owners on the west side to clarify the location of the west side of the street. The proposed street starts at the line of these quick claim deeds as shown in the 1984 plan and goes 60 feet to the east. He shared an approved subdivision plan with the Council.

Councilor Tibbetts made a motion to table this Order until the discrepancy could be clarified, seconded by Wyman.

Chairman Hall asked for a vote on the tabling of this Order until the May 5, 1999 meeting.

VOTE: on Tabling this Order until the May 5, 1999 Meeting

Yeas: 6

Nays: 1 (Blake)

Abstention: 1 (Rogers)

Vote: in favor of Tabling Order

It was decided that Brian Smith would go out and mark out the street so that the Council could do a site walk of the street before the May 5, 1999 meeting.

5) RESOLUTION - Supporting the Ban of Personal Watercraft on Winnegance Lake (motion to pass) - 8:32 PM

Chairman Hall read the following Resolution:

RESOLUTION

WHEREAS, the City of Bath along with the Towns of Phippsburg and West Bath, exercise joint jurisdiction over Winnegance Lake, said lake being within the corporate limits of all three municipalities, and

WHEREAS, concern has arisen among all three municipalities as to the desirability of the operation of personal watercraft on the lake, and

WHEREAS, the City of Bath has considered the feasibility of the operation of personal watercrafts in accordance with the factors related below,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bath that the following recommendation be submitted to the Maine Commissioner of Inland Fisheries and Wildlife pursuant to Chapter 739 of the Public Laws of 1997, entitled "An Act To Implement The Recommendations Of The Great Ponds Task Force":

The City of Bath recommends that the following regulation of the use, operation and type of watercraft be applied to Winnegance Lake which is located entirely within all three communities:

Operation of personal watercraft, defined under 12 M.R.S~A. Section 7791, shall be prohibited.

In submitting this recommendation to the Department of Inland Fisheries and Wildlife, the Bath City Council has considered the following factors relating to Winnegance Lake:

Average Pond/Lake Depth: unknown, but very shallow in areas

Uses to Which Waters are Put: low-impact recreation

Amount of Waterborne Traffic: presently not significant

Wildlife and Environmental Values: good water quality; important freshwater habitat and relatively undisturbed environment for waterfowl

Traditional Uses: Kayaks, canoes, small boats, fishing, bird watching, photography, nature study, and swimming

Safety of Persons and Property: due to the prevalence of submerged and partially-submerged obstacles in the Ponds, use of jet skies is extremely unsafe at low water levels

Special Considerations: because this lake is shallow, personal watercraft operating at high speeds could easily resuspend lake bottom sediments, thereby decreasing water clarity, destroying benthic habitat, and accelerating eutropication

If this recommendation is adopted by the State, the City of Bath intends to assist the Department of Inland Fisheries and Wildlife Department in enforcing these requirements by use of their local police department. Also, the Sagadahoc County Sheriff's Department will assist in the enforcement of these requirements.

This Resolution is made and approved by the City Council of the City of Bath in conjunction and cooperation with the Towns of Phippsburg and West Bath, who will be considering the above Resolution at their Annual Town Meetings.

Motion by Councilor Williams, seconded by Councilor James to put this Resolution on the floor for discussion.

Councilor James asked who sponsored the Resolution.

City Manager Bubier stated that it had come from the Town of Phippsburg.

Councilor Rogers asked if there were any water sources available to personal watercraft in Bath at the present time.

City Manager Bubier stated that the Kennebec River is open to personal watercraft.

Chairman Hall asked for any more Council comment. Seeing none, he opened the floor to public comment.

The following people spoke in opposition to the Resolution:

Darryl Coffin of 2 High Street, sells watercraft and lets people try out the watercraft on the lake. He promotes the safety of their use. Mr. Coffin shared a handout with the Council addressing environmental impact and safety issues of the personal watercraft. He pointed out that without bans people were disciplining themselves and that the accident records showed that in 1995 there were 23 accidents, in 1996 there were 18 accidents and in 1997 there were 12 accidents. There are more people buying watercraft but the accident rates are going down due to education of the watercraft owners on safety issues.

Melissa McCourt from Topsham stated that she and her daughter use the lake frequently with her watercraft to view birds and fish and if the crafts were banned her daughter would no longer have that opportunity to see what nature has to offer there.

Jeffrey Shiers, Bath Harbor Master, stated that he had not heard any complaints from that area concerning personal watercraft and he had no problem with the use of personal watercraft on the lake. If the size limit goes through, a child with a small boat and motor will also be banned from using the lake.

Tom Reno from Woolwich spoke from a scuba diver's prospective. He had let a personal watercraft run over the top of him while he was diving so that he could observe the effects underwater. It was true that they are environmentally safe as they do not pollute and do not stir up the bottom when operating. He urged the Council not to ban personal watercraft.

Heather Belanger from Topsham stated that she registers her personal watercraft as a boat every year and that if she is banned from Winnegance, then outboard motor boats should also be banned in order to be fair.

Peter Gagnon from Woolwich stated because of the 200 foot shoreline headway speed state law and that the largest part of the lake is the bay, the environmental impact would be kept to a minimal.

Councilor Blake asked if this Resolution will still allow outboard motor boats to still use the lake.

Chairman Hall stated that anything under 13 feet will not be allowed in the lake by this Resolution.

Councilor Rogers asked Mr. Coffin how much of the lake was Bath and what percentage was fronted by Phippsburg.

Mr. Coffin stated the three-quarters mile of the lake is fronted by Bath and the whole southside is on the Phippsburg side.

Chairman Hall closed public comment and asked for any Council comment.

Councilor James stated that there were four concerns brought by this Resolution. The first was environmental impact and that has been proven not to be a problem. A 12 foot aluminum boat and outboard will stir up the bottom more. The second concern was pollution. A two cycle outboard produces gasoline residue back into the water through the cooling process; a jet ski does not. The third concern was safety and these were negated by statistics. The fourth concern was noise concerns. The proven direct relationship between noise and speed may warrant the restriction of speed and the noise level would then go down. He stated that he would vote against the Resolution, but would be in favor of an amendment if the phrase "operation of personal watercraft shall be prohibited" were struck and substituted with all watercraft would be restricted to a speed of 10 miles an hour.

Councilor Blake stated that she would vote against this resolution, and she also had concerns regarding the noise issue and felt that it needed to be addressed.

Councilor Williams stated that she had concerns of safety. She had seen watercraft come into the causeway area at a great rate of speed and an accident could very well happen.

Councilor Wyman asked how Phippsburg and West Bath had voted.

Chairman Hall stated that they had not voted as they had not had their town meetings yet.

Councilor Tibbetts stated that he had a concern with the vagueness of the Resolution such as the statement "Average Pond/Lake Depth: Unknown, but very shallow in areas. He said he would vote against the Resolution as he felt leery of making restrictions on something that is not a problem right now and there are means within the City to take care of any problem that might arise.

Councilor Rogers stated that he had spent most of the four months on the Council legislating people's rights. Jet skis are becoming one of the fastest growing sports and environmentalists are trying to put them out of business. He could not support that and would be voting against the Resolution.

Councilor Williams made a motion to table the Resolution indefinitely, seconded by Councilor Hayden.

Chairman Hall asked for a vote on the tabling.

VOTE: on the Tabling of the Resolution Indefinitely

Yeas: 3

Nays: 5

Vote on the Tabling of the Resolution Failed

Councilor Tibbetts made a motion to call the question, seconded Councilor Tainter.

VOTE: on the Resolution

Yeas: 1 (Williams)

Nays: 7

Vote on the Resolution Failed

G. PETITIONS & COMMUNICATIONS: - 9:02 PM

There were no petitions or communications.

H. CITY MANAGER'S REPORT: - 9:03 PM

The City Manager's Report was deferred until the May 5, 1999 meeting.

I. COMMITTEE REPORTS - 9:04 PM

Councilor James invited the Council and public to the School Budget Public Hearing at the Dike Newell School at 7:00 PM on Thursday, April 8, 1999.

Councilor Tainter reported that the Alewives Committee met, elected a new Chairman and asked the School Department to make a sign saying "Keep Off The Dock from April 15 to June 15" .

J. OLD BUSINESS: – 9:06 PM

Chairman Hall did an overview of the Preliminary Goals and Objectives List for 1999 that had been prepared by Council a week earlier.

K. NEW BUSINESS: – 9:08 PM

Chairman Hall set the next meeting to take place on April 14, 1999 and there would be no meeting on April 21, 1999 because some Councilors would be away due to school vacation week.

Motion by Councilor Wyman, seconded by Councilor Blake to recess into Workshop

VOTE: to go into Workshop Approved by Unanimous Vote 8-0

WORKSHOPS: 9:09 PM

- 1) Legislative Update on Bath Related Bills -
State Senator, Mary Small and State Representative, Arthur Mayo, III
- 2) Landfill Financial Discussion -
Greg L'Heureaux, Finance Director/Lee Leiner, Deputy Public Works Director/
Paula Adam, Landfill Director

EXECUTIVE SESSION: 10:36 PM

- 1) An Abatement Matter

Motion by Councilor Wyman, seconded by Councilor James to go into Executive Session.

VOTE: to go into Executive Session Approved by Unanimous Vote 8-0

Motion by Councilor Wyman, seconded by Councilor Williams to come out of Executive Session.

VOTE: to come out of Executive Session Approved by Unanimous Vote 8-0

On motion by Councilor Blake, seconded by Councilor James to adjourn the meeting.

VOTE: To Adjourn Approved by Unanimous Vote 8-0

Meeting Adjourned at 10:51 PM.

Respectfully submitted:

Mary J. White, 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.