

REGULAR MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, June 2, 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 7:03 PM on Wednesday, June 2, 1999 for the purpose of conducting business as listed on the agenda.

Chairman Hall opened the meeting with the Pledge of Allegiance.

ROLL CALL: 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:

There was no Public Hearing.

D. CONSENT AGENDA: – 7:05 PM

Chairman Hall introduced the Consent Agenda consisting of the following:

2) **Minutes of Previous Meetings of May 5, 19 and 26, 1999** (motion to approve as presented)

F-2) **Resolution establishing interest rate on all delinquent taxes at the rate of 10% per annum** (motion to adopt)

F-3) **Resolution establishing interest rate on delinquent sewer bills at the rate of 10% per annum** (motion to adopt)

F-4) **Resolution establishing interest rate on refunds due to tax abatements at the rate of 8% per annum** (motion to adopt)

F-5) **Order for the continuation of Bath Tax Club for 1999-2000** (motion to pass)

K-9) **Appointment: City Assessor - Paul D. Mateosian Term to expire 6/06/2004** (motion to appoint)

A motion was made by Councilor James, seconded by Councilor Blake to accept the Consent Agenda as presented.

VOTE: Consent Agenda approved by Unanimous Vote 8-0

E. TIME DEVOTED TO RESIDENTS TO ADDRESS THE CITY COUNCIL: - 7:06 PM

No members of the public spoke at this time.

F. ORDINANCES, RESOLUTIONS AND ORDERS: - 7:07 PM

6) Order declaring an At Large Council Seat vacant and criteria for appointment by City Council
(motion to pass)

Chairman Hall read the following Order with regret:

ORDER

1. That a vacancy exists in an At Large Seat on the Bath City Council having an unexpired term ending the first Wednesday of December, 1999.
2. That pursuant to City Charter the City Council shall appoint a qualified person to fill this vacancy if the remainder of the unexpired term is less than six (6) months.

WHEREAS, a vacancy has been created on the Bath City Council by the resignation of Arthur Tainter, and

WHEREAS, this vacancy must be filled pursuant to the Charter of the City of Bath,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BATH HEREBY ORDERS:

3. That the City Clerk be directed to advertise for "Letters of Interest" for said office, said letters to be filed with the City Clerk not later than 4:30 PM on **Friday, June 18, 1999.**
4. That the Letters of Interest be directed to the City Council to nominate a Councilor for the At Large Seat, to be appointed by City Council on **Wednesday, June 23rd, 1999.**

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

Chairman Hall explained that this vacancy will be advertised in the Times Record and the Portland Press Herald and interviews will be scheduled for June 21, 1999.

Chairman Hall asked for public and Council comment. Seeing none he asked for a vote.

VOTE: On Order approved by Unanimous Vote 8-0

7) Ordinance amending Chapter 17. Vehicles and Traffic. Art. 6 Stopping, Standing and Parking. Sec. 17-259. Parking Restrictions. Centre Street-North Side and Elm Street-North Side (first passage)

Chairman Hall 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 6. Stopping, Standing and Parking

Section 17-259. Parking Restrictions

Centre Street North Side

Delete: "Starting at a point 20 feet from the intersection of Front Street and running in a westerly direction for 20 feet, Taxi Stand."

Add: "Starting at a point 20 feet from the intersection of Front Street and running in a westerly direction for 45 feet, Loading Zone."

Impact: 1 parking space

Elm Street North Side

Delete: "From Front Street to a point across from Water Street, two hour parking."

Add: "Starting at a point 20 feet from the intersection of Front Street and running westerly a distance of 45 feet, Loading Zone. From a point 65 feet westerly of Front Street to a point across from Water Street, two hour parking."

Impact: 2 parking spaces

Motion by Councilor Blake, seconded by Councilor James to put this Ordinance on the floor.

Councilor Blake explained that this came from a discussion among the business community, City Planner, Police Chief, Flatiron and Phil Pinkham regarding the traffic problems created by truck deliveries in the downtown area. These loading zone areas came from that discussion.

Chairman Hall asked for Council comment. Seeing none he called for public comment.

William King asked for an exact location of these areas.

Chairman Hall explained that one would be across from the City Hall entrance and the other was beside Fuller Focus at the beginning of Elm Street.

Mr. King then explained the closing of Vine Street had increased the traffic through the downtown area and with the delivery trucks having to park in the middle of the street to off load, it was causing traffic jams and this solution was suggested.

Seeing no more public comment. Chairman Hall asked for Council comment.

Councilor Tibbetts asked how all truck drivers were going to be notified of this change and since a loading zone is not restricted and can be used by the public for 30 minute parking, how they could guarantee these spaces to be free for truck deliveries.

Councilor Blake stated that this solution would be better than nothing.

Councilor Tibbetts asked how this was going to be enforced. He also explained that usually loading zones were especially designated for frequent deliveries such as the zone in front of what was Greenblatts.

Councilor Blake explained that the alternative would be the continuation of these trucks parking in the middle of the street and causing traffic tie-ups.

Councilor Williams stated that this problem did not just happen with the closing of Vine Street. It has been going on for a long time and no doubt will continue even after this solution is in place.

Councilor Blake agreed this issue would probably have to be revisited at a later date.

Councilor Rogers stated that he had noticed that the downtown loading zone previously mentioned in front of Greenblatts is used by trucks only and he felt this ordinance could be enforced. The only trucks he had noticed that do not follow the zone rule is UPS.

Councilor Blake replied that maybe the answer to the UPS problem would be a meeting with the District Manager notifying him of the zones and that the UPS drivers would be ticketed if they did not adhere to the ordinance.

Police Chief Lizanecz stated that the Police Department and the Business Association would work together to notify all delivery persons of this change and encourage them to use the zones.

Councilor James asked how many business do not have back doors for deliveries.

Councilor Blake replied that there are less that have back door delivery capability then do. There are also a number of business in the downtown area that are on the second floors of buildings and the only entrance is from Front Street.

Seeing no more Council comment, Chairman Hall for a Roll Call Vote.

VOTE: On Ordinance (first passage)

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

Nays: None

Vote Unanimous (8-0)

Chairman Hall set second passage of this ordinance for June 23, 1999 at 7:01 PM.

8) Order establishing Bath Community Television Steering Committee (motion to pass)

Chairman Hall read the following Order:

**ORDER ESTABLISHING
BATH COMMUNITY TELEVISION STEERING COMMITTEE**

WHEREAS, the City of Bath has a unique opportunity to develop public, educational and governmental programming on its own access station in accordance with the new Franchise Agreement between the City of Bath and Casco Cable Television, and

WHEREAS, it is in the interest of the community that this effort have direction and focus and that there be an organization dedicated to developing the programming and facilities,

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that the Bath Community Television Steering Committee be and hereby is established. The membership of the Committee initially shall be as follows:

- Two Members to be appointed by the Bath City Council Chairman.
- Two Members to be appointed by the Bath Board of Education Chairman.
- Two Community Members from the Cable Franchise Committee (Laura Brill, George Pollard).
- A representative from the Library/Audio Visual Program at Morse High School (Dawn Lee).
- Bath Recreation Director or his designee (Jack Hart).
- Representative from the Vocational Program at Morse High School (Fran Tate).
- A Member from the Community Policing Committee.
- A Member from the Bath Community Development Block Grant Committee.

The Committee shall be initially tasked with the following:

- (1) Develop a Mission Statement for the development of public, educational and governmental programming for the citizens of the City of Bath.
- (2) Develop recommendations for studio locations and equipment to be utilized in providing PEG programming.
- (3) Develop a budget which allocates and utilizes funds appropriated by the Bath City Council for PEG purposes, develops a checks and balances system for the expenditure of those monies, and a program for investigating other sources of revenue to support the effort.
- (4) Develop procedures, rules and processes for handling the business of the Committee.

In further exercising its authority, Council understands that this Committee is recommending and will be pursuing the location of a public studio facility in conjunction with the Bath Recreation Department Offices and has recommended a \$30,000.00 budget for FY 2000 which shall form the basis for current financial operations.

Motion by Councilor James, seconded by Councilor Williams to put this Order on the floor.

Chairman Hall asked for Council and public comment.

Chairman Hall expressed thanks to the PEG Committee and especially to Laura Brill for their fine work in putting this program together.

Chairman Hall asked for a vote on this Order.

VOTE: On Order approved by Unanimous Vote 8-0

G. PETITIONS & COMMUNICATIONS: - 7:30 PM

No petitions or communications received.

H. CITY MANAGER'S REPORT: – 7:31 PM

1. Have been doing 1999-2000 Budget Reviews for about two months with staff and a month with Council. The Council is now getting ready to go into the second set of reviews. It has been a productive review process and are looking forward to coming through these reviews with a good solid budget.
2. Have been working with the Jessie Albert Dental Clinic on a request to expand their business space at their present location. The discussions have entailed how that might work or if there is another location that might suit their needs better.
3. Have signed the bonds at an interest rate of 4.4%.
4. Continue to have monthly meetings with BBA. From one of these meetings came the Ordinance on Loading Zones for the downtown area.
5. Continue to talk to the National Guard about the Armory. Have made it clear that should the City take over the building it would have a strong control due to the significant amount of capital needed to renovate it.
6. Continuing to be the region's representative to the MMA's Legislative Policy Committee.
 - State Budget passed 5/29/99
 - Education GPA \$624,000,000 and \$4,000,000 in School Renovations
 - LD 2192 passed which prohibits municipalities ability to file lawsuits against gun or ammunition manufacturers.
 - Still outstanding LWRAP and 5 cent gas tax increase (3-1-1). We need to show support for these bills.
7. Have been having discussions with BNAS regarding joint dispatch for the region. There is a possible opportunity to go forward with the joint dispatch program with a major expenditure coming from the BNAS. Second, in August 2000 there will be an opportunity to serve between 6,000-10,000 tour buses coming to BNAS. We are going to have to work on marketing strategies to bring these people into the downtown area.
8. Our Trolley is up and running. The City Manager expressed his hope that everyone would support this venture.
9. Discussion with Jim Upham, Dan Thompson and the Town of Wiscasset on the possibility of building a super park on a 300 acre parcel in Wiscasset.
10. Have been having discussions between the business community and city staff dealing with the truck route problem from the northend of Bath. The discussions included traffic and traffic patterning in the downtown area.

I. COMMITTEE REPORTS & J. OLD BUSINESS: –7:45 PM

E911 Committee - Councilor Williams stated that the street signs for the new E911 street listings have been put in place and the Bath Business Association is working on a new street map for the City.

Library Committee - Councilor Williams informed the group that the annual fund raising dinner was a huge success. A wonderful time was had by all that attended. Councilor Williams encouraged everyone to stop by the library for a tour of the facilities.

K. NEW BUSINESS: – 7:47 PM

No New Business.

Chairman Hall asked for a motion to adjourn the meeting to Workshops.

ADJOURN:

Motion by Councilor James, seconded by Councilor Wyman to adjourn to workshop.

VOTE: To Adjourn approved by Unanimous Vote (8-0)

Meeting Adjourned at 7:48 PM.

Respectfully submitted:

Mary J. White, City Clerk

WORKSHOPS:

Workshops taken out of order as listed on the agenda.

- 1. Landfill Fee Schedule -**
Lee Leiner - Deputy Public Works Director
- 2. New Mid Coast Hospital Update-**
Charles Richelieu - Chairman of the Building Committee
- 3. Old Hospital Reuse -**
Patrick O'Keefe - Chairman Reuse Committee