

SPECIAL MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, October 18, 2000 6:00 PM
City Council Chambers, Bath City Hall

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

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

Chairman Hall called the meeting to order at 6:00 PM and led the Pledge of Allegiance.

City Clerk White called the Roll.

**I. Public Hearing -Acceptance of a US Bureau of Justice Assistance Local Law Enforcement
Block Grant - 6:01 PM #150**

Chairman Hall read the following Public Hearing Notice:

NOTICE
PUBLIC HEARING

The Municipal Officers of the City of Bath will conduct a public hearing for approving the acceptance of a US Bureau of Justice Assistance Local Law Enforcement Block Grant in the amount of \$9,355.00. The City of Bath Police Department proposes using the grant funding to purchase law enforcement related equipment. Proposed items will be identified and their need explained at said hearing.

Motion by Councilor Wyman, second by Councilor Williams to put this Item on the floor for discussion.

Police Chief Peter Lizanecz gave an overview of the purpose for the Grant and the items it would be used for.

Chairman Hall asked for a vote.

Vote on the Block Grant Acceptance:

Yeas: 8

Nays: 0

VOTE: Acceptance of Block Grant Passed Unanimously 8-0

**II. Ordinance: Amendments to Chapter 9. Building and Electrical Codes, Article 1. Building Code,
Section 9-2. Adoption, Amendments (First Passage) - 6:07 PM #266**

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 9. BUILDING AND ELECTRICAL CODES

Article 1. Building Code
Section 9-2. Adoption, Amendments

Add to the revisions and exceptions to the 1996 BOCA National Building Code, the following:

Section 107.1. Delete exception 2 and replace with the following: "retaining wall(s), the design of which is not considered engineering by applicable state law require no permits or compliance with this code."

Section 302.1.1 Existing exception becomes exception #1. Add exception #2 as follows: "In buildings that are not otherwise required to be sprinklered, 2 hour separation can be substituted for sprinkler protection."

Section 507.2 Add exception #6 as follows: "Accessory buildings can be sited and constructed without regard to construction type, protection features, or fire separation distances, with the approval of the City Fire Chief, City Code Official, or their designees."

Section 1006.3.1 Add exception #6 as follows: "Buildings of SB construction, less than 2000 square feet per floor, protected with an automatic fire detection system."

Chapter 11 Delete in its entirety.

Motion by Councilor James, second by Councilor Blake to put this Ordinance on the floor for discussion.

City Manager John Bubier and City Solicitor Roger Therriault explained the reasons these amendments needed to be made to the Code.

Chairman Hall asked for a Roll Call vote.

Roll Call Vote on Ordinance:

Yeas: Williams, James, Blake, Wyman, Hayden, Tibbetts, Rogers and Reed

Nays: None

VOTE: Ordinance Passed Unanimously 8-0

Chairman Hall set second passage of this Ordinance on November 1, 2000 at 7:01PM.

Motion to waive the rules to take up a Temporary Waiver of Payment made by Williams, second by Councilor Blake.

Vote on Waiving the Rules:

Yeas: 7

Nays: 1

VOTE: Passed Unanimously 8-0

Chairman Hall read the following Temporary Waiver of Payment:

TEMPORARY WAIVER

I, Jeff Crossman, ask that in lieu of the on going strike at BIW, I be granted a temporary waiver of payment on my lease for the Pleasant Street Parking Lot. My usual clients are unable to pay, and I can not find anyone to fill their spots. As I am also out of work, I cannot make the lease payment. Under normal conditions I would be making the payment on time and In full. I hope to remain in good standings with you, and hopefully we can work something out. Thank You, Jeffrey Crossman

After a lengthy discussion, a motion was made by Councilor Tibbetts, second by Councilor Reed to deny the waiver and instructed the City Manager to negotiate arrangements with Mr. Crossman for full payment by the end of the lease agreement date.

Vote on Denial of Waivier and Negotiation of Payment:

Yeas: 8

Nays: 0

VOTE: Passed Unanimously 8-0

Motion by Councilor Blake, second by Councilor James to Waive the Rules to go into Executive Session to discuss an Order to approve land purchase.

Vote on Waiving the Rules to go into Executive Session:

Yeas: 8

Nays: 0

VOTE: Passed Unanimously 8-0

Motion by Councilor Wyman, second by Councilor Hayden to Waive the Rules to take up the following Order.

Vote on Waiving the Rules to discuss Order:

Yeas: 8

Nays: 0

VOTE: Passed Unanimously 8-0

Chairman Hall read the following Order:

ORDER APPROVING LAND PURCHASE

WHEREAS, the City of Bath has the opportunity to purchase property designated as Lot 95 on City of Bath Tax Map 27; and

WHEREAS, said property abuts other property of the City of Bath, namely the parking area on the westerly side of Water Street; and

WHEREAS, the acquisition of this property will provide the opportunity for expanded parking facilities and is of benefit to the City and its Inhabitants.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that a Purchase and Sales Agreement, attached hereto, be and hereby is approved and the City Manager is authorized to execute said Purchase and Sales Agreement on behalf of the City of Bath and any and all other documents required to consummate this purchase. The purchase price of \$22,500.00 shall be appropriated from the Council Contingency Account, Account #012402.

Motion by Councilor Reed, second Councilor Wyman to put this Order on the floor for discussion.

Vote on Order:

Yeas: 7

Nays: 1

VOTE: Passed Unanimously 7-1

The meeting adjourned to a Workshop with the Bath School Board at 6:35PM with a motion made by Councilor Reed and second by Councilor Williams. All in favor.

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.