

SPECIAL MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, April 19, 2000 7:00 PM
City Council Chambers, Bath City Hall

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

Also Present: City Clerk White

Chairman Hall called the meeting to order at 7:00 PM and led the Pledge of Allegiance.

City Clerk White called the Roll.

Chairman Hall recognized Tammy Aloisio, camera operator for Cable TV, as this would be her last night of filming the Council Meetings as she would be moving to Ohio next month. Ms. Aloisio has been filming the meetings for the last five years.

I. Public Hearing - Ordinance: Amendment to Chapter 17. Vehicles and Traffic, Article 6. Stopping, Standing and Parking, Section 17-260. Municipal Parking Lots Subsection (d) Water Street Parking Lot - West Side - Second Passage - 7:03 PM #124

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 Packing

Section 17-260. Municipal Parking Lots Subsection (d)

(d) **Water Street parking lot - West Side.** No vehicle shall park in the Water Street parking area between the hours of 11:00 p.m. and 6:00 a.m. Parking on weekdays from 6:00 a.m. to 6:00 p.m. shall be permitted in the Water Street parking area upon obtaining a parking permit or stamp from the Finance Department, which shall be affixed on such vehicle in a conspicuous place. The fee for parking by said permit shall be set by Resolution of the City Council. Sales of the permit or stamp shall be limited to those persons employed *or living in the central business district of the City from the period of the twenty-first through the twenty-fourth of the month preceding the month of issue of the permit or stamp. Central business district employees may purchase multiple months up to one (1) year. If any permits remain after the twenty-fourth of particular month, then those remaining permits may be sold to the general public on a month to month basis. The general public may not purchase multiple months but shall purchase only on a month to month basis as spaces are available after the needs of the central business district employees have been met. Parking on weekends from 6:00 a.m. to 11:00 p.m. and on weekdays from 6:00 p.m. to 11:00 p.m. is unrestricted.

(Note: Additions are underlined, deletions are .)

Motion by Councilor Reed, seconded by Councilor Rogers to put this Ordinance on the floor for discussion.

There was no public comment.

*Motion by Councilor James, seconded by Councilor Blake to amend the Ordinance by inserting the words "or living" between the words "employed" and "in" located in line 7 of the Ordinance.

Chairman Hall asked for a Roll Call vote.

Roll Call Vote on the Amendment to the Ordinance:

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

Nays: None

VOTE: to Approve Amendment to the Ordinance Passed Unanimously 8-0

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: to Approve Ordinance Passed Unanimously 8-0

Chairman Hall stated that this would become effective in 21 days.

II. Public Hearing - Ordinance: Amendment to Chapter 17. Vehicles and Traffic, Article 6.

Stopping, Standing and Parking, Section 17-259. Parking Restrictions. Drayton Road/Bluff Road/Central Avenue/Lark Street - Second Passage - 7:08 PM #238

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

Drayton Road

Delete: "No restrictions."

Add:

West Side: "From Central Avenue and running to a point thirty (30) feet south of Centre Street, unrestricted parking from March 16th to November 14th, from November 15th to March 15th, no parking; From a point thirty (30) feet south of Centre Street and running to Centre Street, no parking.

East Side: "From Central Avenue to Centre Street, no parking."

Bluff Road

Delete: "No restrictions."

Add:

West Side: "From Central Avenue to Centre Street, no parking."

East Side: "From Central Avenue and running north to a point thirty (30) feet south of Centre Street, unrestricted parking from March 16th to November 14th, from November 15th to March 15th, no parking; "From a point thirty (30) feet south of Centre Street to Centre Street, no parking."

Central Avenue

Delete: "No restrictions."

Add:

Both Sides: "From November 15th to March 15th, no parking. "From March 16th to November 14th, unrestricted parking."

Lark Street

Delete: "No restrictions."

Add:

South Side: "From Bluff Road to Drayton road, no parking."

North Side: "From Bluff Road and running west a distance of thirty (30) feet, no parking; "From a point thirty (30) feet west of Bluff Road to a point thirty (30) feet east of Drayton Road, unrestricted parking from March 16th to November 14th, from November 15th to March 15th, no parking; "From a point thirty (30) feet west of Drayton Road to Bluff Road, no parking."

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

There was no public comment.

Councilor Tibbetts had a question concerning the thirty (30) feet set back and whether it could be taken that there would be parking in that thirty (30) feet.

City Planner Upham stated that he would confer with the City Solicitor regarding this question and if any other action would be needed to clarify this it would be brought back to Council.

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: to Approve Ordinance Passed Unanimously 8-0

Chairman Hall stated that this would become effective in 21 days.

III. Public Hearing - Ordinance: Amendment to Chapter 17. Vehicles and Traffic, Article 6.

Stopping, Standing and Parking, Section 17-259. Parking Restrictions Front Street -West Side/Summer Street - South Side/ Commercial Street -South & East Sides. - Second Passage -
7:12 PM #406

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

Front Street West Side

Delete: "From Summer Street to Linden Street, 2 hour parking."

Add: "From Summer Street to Linden Street, 4 hour parking."

Summer Street South Side

Delete: "From Commercial Street to Front Street, 2 hour parking."

Add: "From Commercial Street to Front Street, 4 hour parking."

Commercial Street South and East Sides

Delete: "From Water Street to Front Street, no parking, except the area adjacent to the waterfront park where designated parking is permitted for a 2 hour parking period."

Add: "From Water Street to Front Street, no parking, except the area adjacent to the waterfront park where designated parking is permitted for a 4 hour period."

Motion by Councilor Rogers, seconded by Councilor Blake to put this Ordinance on the floor for discussion.

Doris Ford of Whiskeag Road asked for some clarification of the Front Street location associated with this Ordinance.

Chairman Hall stated that this involved the parking area by the Library on Front Street.

Councilor Tibbetts asked since this Ordinance addressed more than one street how the changes would be filed by the City Clerk.

City Clerk White stated that the Ordinance itself would be filed with the Agenda Materials Originals and the individual changes would be made to the individual streets as listed in the City Codes with reference to the date the changes were passed.

Chairman Hall asked for a Roll Call vote.

Roll Call Vote on Ordinance:

Yeas: James, Blake, Hayden, Rogers and Reed

Nays: Williams, Wyman and Tibbetts

VOTE: to Approve Ordinance Passed 5-3

Chairman Hall stated that this would become effective in 21 days.

IV. Public Hearing - Ordinance: Amendment to Chapter 17. Vehicles and Traffic, Article 6. Stopping, Standing and Parking, Section 17-259. Parking Restrictions School Street - South Side - Second Passage - 7:16 PM #525

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

School Street - South Side

Delete: "From a point 110 feet westerly from Washington Street to Middle Street, 2 hour parking; "From a point 32 feet easterly from Middle Street, no parking."

Add: "From a point 110 feet westerly from Washington Street to a point 20 feet easterly from Middle Street, on weekdays between the hours of 6:00 a.m. and 6:00 p.m. parking by permit only. Permits may be obtained from the Finance Department in the same manner as permits are issued for the parking lot on the west side of Water Street (See Section 17-260(d)). Parking on weekends and on weekdays from 6:00 p.m. to 6:00 a.m. is unrestricted."

Motion by Councilor James, seconded by Councilor Hayden to put this Ordinance on the floor for discussion.

No public comment.

Councilor James stated that this is the first on street paid parking in the City.

Councilor Tibbetts stated that he was skeptical of setting a precedence of other Bath citizens coming to Council requesting such an Ordinance be made for their street.

Chairman Hall asked for a roll call vote.

Roll Call Vote:

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

Nays: Tibbetts

Abstention: Blake

VOTE: to Approve Ordinance Passed 6-1-1

Chairman Hall stated this Ordinance would become effective in 21 days.

V. Public Hearing - Approval of a Liquor License for the Yum Mee Restaurant - 7:20 PM #650

Motion by Councilor Williams, seconded by Councilor Blake to put this Public Hearing on the floor for discussion.

There was no public or Council comment.

Vote:

Yeas: 8

Nays: 0

VOTE: to Approve Passed Unanimously 8-0

VI. Resolution: Setting permit parking fees for School Street - 7:22 PM #698

Chairman Hall read the following Resolution:

**RESOLUTION SETTING PERMIT PARKING FEES
SCHOOL STREET**

WHEREAS, the City Council of the City of Bath has designated an area on the South side of School Street for parking by permit only, and

WHEREAS, the Ordinance calls for the administration of permits and setting of permit fees as designated in Code Section 17-260(d), and

WHEREAS, Section 17-260(d) provides for the setting of fees for the use of these designated permit parking areas by Resolution of Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bath that the fee for the use of the School Street permit parking area shall be Forty Dollars (\$40.00) per month effective June 1, 2000 and for all subsequent months until further Resolution of this Council.

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

No public comment.

Councilor James asked how the fee had been determined.

Chairman Hall explained that it was the fee now charged for parking permits for the Water Street Parking Lot.

Chairman Hall called for a vote.

Vote:

Yeas: 8

Nays: 0

VOTE: Resolution Passed Unanimously 8-0

**VII. Resolution: Determining Sewer Transportation System Alternatives for Landfill - 7:24 PM
#762**

Chairman Hall read the following Resolution:

**RESOLUTION DETERMINING
TRANSPORTATION SYSTEM ALTERNATIVES**

WHEREAS, the City of Bath is under a Consent Agreement with the Maine Department of Environmental Protection to remediate leachate at the City of Bath Solid Waste Facility, and

WHEREAS, the approved methodology for remediation calls for the collection of leachate and the piping of that leachate from the solid waste site to the City's sewerage collection system for transportation to the Sewer Treatment Plant and treatment, and

WHEREAS, a number of alternative locations and methods of transport have been considered and a determination needs to be made in order to proceed with final design, bidding, construction and eventual completion of the project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bath that Alternative No.5 as presented in correspondence from Environmental Engineering & Remediation, Inc., by letter of March 14, 2000, and considered by the City of Bath in workshop session, be and hereby is approved. This Alternative calls for a force main to transport leachate from the landfill to High Street and along High Street to the crest of the hill and then by gravity line to Ancona Avenue and along Ancona Avenue to connect to the gravity line running South across Ancona Avenue and Harward Street.

NOTE: If you wish to adopt Alternative No.6, then the following should be substituted.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bath that Alternative No.6 as presented in correspondence from Environmental Engineering & Remediation, Inc., by letter of March 14, 2000, and considered by the City of Bath in workshop session, be and hereby is approved. This Alternative calls for a force main transporting the leachate from the landfill, cross country West of High Street, across High Street and along Ancona Avenue to the gravity line running South across Ancona Avenue and Harward Street.

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

Robert Ford of Whiskeag Road asked where exactly tie-ins could occur.

Peter Owen, Public Works Director, showed Mr. Ford on a map where tie-ins would be available.

Councilor James expressed some concerns for urban sprawl which could occur from this project.

James Upham, City Planner, explained that this area is addressed in the comprehensive plan as the area where the community would grow if it does grow, but not in a sprawl manner.

Chairman Hall asked for a Roll Call vote.

Roll Call Vote on Ordinance:

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

Nays: James

VOTE: Resolution Passed 7-1

VIII. Order: Approving Transfer for Temporary Services - 7:40 PM #1376

Chairman Hall read the following Order:

**ORDER
APPROVING TRANSFER
Temporary Staffing**

Be It Hereby Ordered By the City Council of the City of Bath, pursuant to Section 611(D) of the Charter of the City of Bath, that the transfer of the sum of Five Thousand Five Hundred and no/00 Dollars (\$5,500.00) from the from Council Contingencies Account 012-402 to the following accounts be and hereby is approved.

010-242	Administration - Services Other	4,500
060-242	Assessor - Services Other	1,000

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

There was no Council or public comment.

Chairman Hall called for a vote.

Vote:

Yeas: 8

Nays: 0

VOTE: Order Passed Unanimously 8-0

IX. Order: Approving Transfer for Telephone Departmental Allocation - 7:43 PM #1409

Chairman Hall read the following Order:

**ORDER
APPROVING TRANSFER
Telephone Departmental Allocation**

Be It Hereby Ordered By the City Council of the City of Bath, pursuant to Section 611(D) of the Charter of the City of Bath, that the transfer of the sum of Eleven Thousand and no/00 Dollars (\$11,000.00) from the from Central Services Telephone Account 030-56 to the following accounts be and hereby is approved.

080-250	Public Works	1,500
085-250	Solid Waste	500
090-250	Cemetery & Parks	400
100-250	Fire	3,000
105-250	Police	3,000
065- <u>244</u>	Recreation	2,600

Motion by Councilor Reed, seconded by Councilor Rogers to put this Order on the floor for discussion.

Motion by Councilor Tibbetts, seconded by Councilor Williams to amend the Order changing account “065-250” to “065-244”.

Chairman Hall called for a vote.

Vote on the Amendment to the Order:

Yeas: 8

Nays: 0

VOTE: Amendment to Order Passed Unanimously 8-0

Chairman Hall called for a vote.

Vote on Amended Order:

Yeas: 8

Nays: 0

VOTE: Amended Order Passed Unanimously 8-0

IX. Appointment of the Nominations from the Republican and Democratic Parties of Election Clerks for two year terms pursuant to Maine State Law, for appointment by Municipal Officers -
7:47 PM #1512

Motion by Councilor Hayden, seconded by Councilor Reed to accept nominations and appoint as presented.

Vote:

Yeas: 8

Nays: 0

VOTE: Appointments Passed Unanimously 8-0

Motion by Councilor Reed, seconded by Councilor Rogers to Adjourn to Workshop.

Chairman Hall called for a vote.

VOTE: to Adjourn to Workshop Unanimous 8-0

The meeting adjourned at 7:48 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.