

SPECIAL MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, September 20, 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 Manager Bubier, City Solicitor and 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.

**I. Public Hearing - Ordinance: Amendment to Chapter 17. Vehicles and Traffic, Article 5.
Operation, Section 17-211 - Stop Intersections (Oak Street) Second Passage - 7:01 PM #95**

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 5. Operations

Section 17-211. Stop Intersections

Oak Street

ADD:

“Eastbound at High Street”

“Westbound at High Street”

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

Chairman Hall asked for a Roll Call vote.

Roll Call Vote on the Ordinance:

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

Nays: None

VOTE: 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 5.

Operations, Section 17-211 Stop Intersections (Lincoln Street) Second Passage - 7:04 PM #202

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 5. Operations

Section 17-211. Stop Intersections

Lincoln Street

Add:

“Northbound at North Street”

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

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 stated that this would become effective in 21 days.

III. Public Hearing - Ordinance: Amendment to Chapter 14. Sewers, Article 6. Charges for Sewer Service, Section 14-53. Billing; Failure to Pay; Responsibility for Payment. - Second Passage - 7:06 PM #237

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 14. SEWERS

Article 6. Charges for Sewer Service

Section 14-53. Billing; Failure to Pay; Responsibility for Payment

Add:

New Section C:

“C. Charges for use of the sewerage system may be abated by action of the Bath City Council. The

abatement process and standards for abatement shall be in accordance with the procedure for infirmity or poverty abatements as indicated in 36 M.R.S.A. Section 841 and shall be specifically subject to the confidentiality provisions of Section 841(2)(E).”

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

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 stated that this would become effective in 21 days.

IV. Order: Authorization of a Bond Ordinance for the purpose of completing renovations to the Bath Middle School on the November 7, 2000 ballot. (Motion to Pass) - 7:08 PM #290

Chairman Hall read the following Order:

ORDER

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH AS FOLLOWS:
THAT PURSUANT TO THE AUTHORITY OF THE CITY COUNCIL UNDER SECTION 1014 OF THE CHARTER OF THE CITY OF BATH AND IN ACCORDANCE WITH THE PROVISIONS OF SECTION 617 OF THE CHARTER OF THE CITY OF BATH, THE FOLLOWING PROPOSITION FOR THE ENACTMENT OF AN ORDINANCE APPROVING THE ISSUANCE OF GENERAL OBLIGATION BONDS TO FUND THE COMPLETING OF RENOVATIONS AND IMPROVEMENTS TO THE BATH MIDDLE SCHOOL AND ADJACENT PROPERTIES, SAID BOND ORDINANCE BEING ATTACHED HERETO, BE SUBMITTED TO THE VOTERS OF THE CITY OF BATH AT A MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 7, 2000:

"SHALL A BOND ORDINANCE BE AUTHORIZED IN THE AMOUNT UP TO BUT NOT TO EXCEED, \$1,000,000.00 FOR THE PURPOSE OF COMPLETING RENOVATIONS AND IMPROVEMENTS TO THE BATH MIDDLE SCHOOL AND ADJACENT PROPERTIES?"

Motion by Councilor Rogers, second by Councilor Hayden to put this Order on the floor for discussion.

Vote on Order:

Yeas: 8

Nays: 0

VOTE: Order Passed Unanimously 8-0

V. Grant Resolution: Cops Universal Hiring Program (Motion to Pass) - 7:12 PM #404

Chairman Hall read the following Resolution:

GRANT RESOLUTION
COPS Universal Hiring Program

WHEREAS, the City of Bath has applied for a Grant of up to \$75,000.00 to provide one full-time additional Police Officer under the COPS Universal Hiring Program, and
WHEREAS, this Grant has been approved and funds made available to the City of Bath, and
WHEREAS, the Grant funds will pay 75% of the salary of this Officer for a three-year period, not to exceed a total of \$75,000.00, and
WHEREAS, the City of Bath will be required to furnish the remaining salary in excess of the \$75,000.00 plus cost of benefits for the three-year period, and
WHEREAS, Grant recipients are required to develop a written plan to retain their COPS funded Officer position after federal funding has ended, and
WHEREAS, the opportunity to provide additional manpower for policing the City at substantial reduced cost to the City and its taxpayers, is an opportunity to enhance police service levels, and is of benefit to the community -
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bath that the COPS Universal Hiring Program Grant be and hereby is accepted and the Chief of Police and/or the City Manager are authorized to execute such documents and take such action as may be necessary to implement the Grant.

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

Pete Lizanecz, Chief of Police, gave an overview of the program this grant would implement and the need for it in our City.

Chris Toy of Eagle Point Road spoke as a resident and an educator in favor of this grant and the following grant.

Thomas MacDonald, Chairman of the Board of Education, spoke in favor of this grant and the following grant.

Susan Craney of 205 North Street spoke as a parent in favor of this grant and the following grant.

Reverend Gregory Vinson, Chairman of the Community Policing Committee, spoke in favor of this grant and the following grant.

Vote on Grant Resolution:

Yeas: 8

Nays: 0

VOTE: Grant Resolution Passed Unanimously 8-0

VI. Grant Resolution: Cops in School Program - 7:32 PM #1032

Chairman Hall read the following Grant Resolution:

GRANT RESOLUTION

COPS IN SCHOOL PROGRAM

WHEREAS, the City of Bath has an opportunity to participate in a COPS In School Program Grant which would fund a School Resource Officer for the Bath Middle School, and

WHEREAS, the Grant funds would fund the position for a three-year period, and

WHEREAS, a similar position at Morse High School, also funded through this Program, has proved to be a valuable tool in improving Police/School relationships, providing on-site security, providing education and when necessary deterrents in areas of conflict management, substance abuse, ethics and crime prevention, and

WHEREAS, it is crucial to provide a safe learning environment for Bath Middle School students, and

WHEREAS, this additional position also provides the availability of an additional officer at times when school is not in session and especially during the busy summer months.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bath that the COPS in School Program Grant be and hereby is accepted and the Chief of Police and/or the City Manager are authorized to execute such documents and take such action as may be necessary to implement the Grant.

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

Vote on Grant Resolution:

Yeas: 8

Nays: 0

VOTE: Grant Resolution Passed Unanimously 8-0

There was a unanimous decision by Council to allow the Board of Education to use Council Chambers for televising of their monthly meetings.

Motion by Councilor Reed, second by Councilor Rogers to recess to Executive Session to discuss personnel and disposition of property matters.

Vote to Recess to Executive Session:

Yeas: 8

Nays: 0

VOTE: Passed Unanimously 8-0

Motion by Councilor Reed, second by Councilor Rogers to come out of Executive Session.

Vote to come out of Executive Session:

Yeas: 8

Nays: 0

VOTE: Passed Unanimously 8-0

Motion by Councilor Wyman, second by Councilor Williams to Waive Rules to consider Order - Approving Retirement Agreement and Order - Approving Interim Financing.

Vote to Waive Rules:

Yeas: 8

Nays: 0

VOTE: Passed Unanimously 8-0

Motion by Councilor James, second by Councilor Reed to waive the reading of the following two Orders.

Vote to Waive Reading of the Orders:

Yeas: 8

Nays: 0

VOTE: Passed Unanimously 8-0

VII. Order: Approving Retirement Agreement - #1450

ORDER

APPROVING RETIREMENT AGREEMENT

WHEREAS, Assistant Fire Chief Michael Brown is desirous of retiring from the employment with the City of Bath, and

WHEREAS, the City is desirous of facilitating that retirement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bath that a Retirement Agreement by and between the Michael C. Brown and the City of Bath, whose terms provide in general for a retirement effective September 28, 2000, for continuation of health insurance benefits for Brown and his spouse until August 15, 2010 with the same coverage options available to other Bath municipal employees, to be funded by the City of Bath and by Brown's worker's compensation settlement and a full release and waiver of all claims from each party to the other, be and hereby is approved and the City Manager is authorized to approve the final form of the Agreement and to execute the Agreement on behalf of the City of Bath.

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

Vote on Order:

Yeas: 8

Nays: 0

VOTE: Order Passed Unanimously 8-0

VIII. Order: Approving Interim Financing - #1504

ORDER

APPROVING INTERIM FINANCING

WHEREAS, the City of Bath has operated as owner of certain properties conveyed to the City of Bath by Coastal Economic Development Corporation by Deed dated July 9, 1999 and recorded in the Sagadahoc County Registry of Deeds in Book 1701, Page 199, together with an Easement by and between the same parties of even date and recorded in the Sagadahoc County Registry of Deeds in Book 1701, Page 195, and

WHEREAS, the conveyance to the City of Bath was for the purpose of providing construction financing for the Coastal Economic Development building, and

WHEREAS, a closing has been scheduled on permanent financing whereby the City of Bath will reconvey the property to Coastal Economic Development Corporation and all outstanding obligations will be satisfied and appropriate Releases obtained, and

WHEREAS, the City of Bath through the State of Maine Department of Economic and Community Development has obtained a Development Fund Loan in the amount of \$200,000.00 as part of the final funding package for the Coastal Economic Development operation facility,

and

WHEREAS, those funds will not be available due to State DECD draw down procedures until October 2nd or 3rd, 2000, and

WHEREAS, it is imperative that all construction funds be paid down and that the \$200,000.00 supplied through the Maine DECD are necessary for this purpose to finally discharge all construction obligations, and

WHEREAS, the City of Bath has met all obligations for the draw down of the DECD funds.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH that the City Finance Director is authorized to advance in order to close the Coastal Economic Development financing the sum of \$200,000.00 to be secured by a interim Promissory Note and Mortgage and Security Agreement, to be in effect until such time as permanent DECD funding becomes available, at which time the advance of these funds shall be paid to the City and the interim Note and Mortgage and Security Agreement be discharged. The City Manager is authorized to execute any and all documents that are necessary' with respect to the interim financing.

Motion by Councilor Tibbetts, seconded by Councilor James to put this Order on the floor for discussion.

Vote on Order:

Yeas: 8

Nays: 0

VOTE: Order Passed Unanimously 8-0

The meeting adjourned at 8:11 PM 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.