

SPECIAL MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, April 18, 2001 7:00 PM
City Council Chambers, Bath City Hall

A Workshop (Landfill Update - Part I) was held prior to the Special Meeting.

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

Absent: Councilor James

Also Present: City Manager Bubier 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: Chapter 6 Cemeteries and Parks - Second Passage - 7:01 PM #71

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 6. CEMETERIES AND PARKS

Article 2. Burials Section 6-17. Burial and Monument Foundation Fees

Section A(1)(c) Amend to read as follows:

"In the case of adult graves for any person who, at the time of his or her death, was a bona-fide recipient of City general assistance, there shall be no charge.

Section 6-23. Lot Prices

Amend the following to read as follows:

Section A(1)

"Adult lots shall be sold to residents of Bath, Maine, or individuals who, upon determination by the Superintendent, have been deemed to have been a resident of Bath for a majority of their lives....

Section A(3)

"A child's lot shall be sold to residents of Bath, Maine, or individuals who, upon determination by the Superintendent, have been deemed to have been a resident of Bath for a majority of their lives....

Section A(5)

"Cremation lots (3'X5') shall be sold to residents of Bath, Maine, or individuals who, upon determination by the Superintendent, have been deemed to have been a resident of Bath for a majority of their lives....

Add new Section as follows:

"Section 6-23(e.) Dedication of Revenue

All revenue collected for lot prices established under this Section will be dedicated to, and become a part of, the perpetual care fund denoted in Section 6-26 of this Chapter."

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

Motion by Councilor Tibbetts to amend the Ordinance by changing Section A(1)(c) to read Section A(1)(b), second by Councilor Blake.

Vote on the Amendment 1:

Yeas: 7

Nays: 0

VOTE: Amendment 1 Passed Unanimously 7-0

Motion by Councilor Tibbetts to amend the Ordinance by deleting the following: "Section 6-23(e.) Dedication of Revenue All revenue collected for lot prices established under this Section will be dedicated to, and become a part of, the perpetual care fund denoted in Section 6-26 of this Chapter.", second by Councilor Banks.

Chairman Hall asked for a roll call vote.

Vote on the Amendment 2:

Yeas: Banks, Wyman, Hayden, Tibbetts, Rogers

Nays: Blake, Reed

VOTE: Amendment 2 Passed 5-2

Chairman Hall asked for a Roll Call vote on the twice amended Ordinance.

Roll Call Vote on the Ordinance:

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

Nays: None

VOTE: Amended Ordinance Passed Unanimously 7-0

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

II. Ordinance: Amendment to Land Use Code - First Passage - 7:27 PM #790

A copy of this entire document is on file with the Agenda materials for April 18, 2001 in the City Clerk's Office.

Motion by Councilor Reed, second by Councilor Rogers to remove this Ordinance from the table (3/21/01).

Motion by Councilor Rogers, second by Councilor Banks to put this Ordinance on the floor for discussion.

Motion by Councilor Reed to amend the Ordinance as indicated by the highlighted areas (*this amended document is on file with the agenda materials for April 18, 2001 in the City Clerk's Office*), second by Councilor Rogers.

City Planner, Jim Upham, explained the highlighted amendments.

Chairman Hall asked for a Roll Call vote on the Amendments.

Roll Call Vote on Amendments to Ordinance:

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

Nays: None

VOTE: Amendments to Ordinance Passed Unanimously 7-0

Chairman Hall asked for a Roll Call vote on the amended Ordinance.

Roll Call Vote on Amended Ordinance:

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

Nays: None

VOTE: Amended Ordinance (first passage) Passed Unanimously 7-0

Chairman Hall set second passage of this Ordinance for May 2, 2001 at 7:01 PM.

Chairman Hall took the following item out of order on the agenda.

IV. Resolution - Amendment to Comprehensive Plan Section 13.1.4 - 7:43 PM #1335

Chairman Hall read the following Resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE COMPREHENSIVE PLAN OF THE CITY OF BATH, ADOPTED AUGUST 6, 1997, BE AMENDED BY REPLACING 13.1.4 WITH THE FOLLOWING:

13.1.4 Medium-density Residential Area

The Medium-density Residential land use area is the residential area that is transitioning (over time) from a rural, low-density pattern of residential development, to one that is similar to the High-density Residential area. As growth occurs in Bath, this is the area in which it should take place.

The densities should be such that developers are encouraged to extend public sewer and water lines. To do this the Land Use Code will have a density like the Low-density Residential land use area in the non-sewered part of this area, with a higher density allowed in the sewer part.

The uses in the Medium-density Residential land use area will be very similar to those allowed in High-density Residential area. Except, that in one portion of the Medium-density Residential area there will be the Mobile Home Park Overlay area.

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

City Planner, Jim Upham explained the need for this amendment to the Comprehensive Plan.

Vote on Resolution:

Yeas: 7

Nays: 0

VOTE: Resolution Passed Unanimously 7-0

Chairman Hall recessed to Workshops at this time. 7:50 PM

WORKSHOP:

- 1) Wayfinding Update - Jim Upham, City Planner
- 2) Landfill Update - Part 2

Chairman Hall resumed the Special Meeting at this time. 8:45 PM

III. Order - Landfill Improvement Contract - 8:45 PM #1596

Chairman Hall read the following Order:

ORDER
APPROVING CONTRACT
LANDFILL IMPROVEMENT CONTRACT

BE IT HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH, THAT A CONTRACT BY AND BETWEEN THE CITY OF BATH AND HARRY C. CROOKER & SONS, INC. FOR THE LANDFILL IMPROVEMENT CONTRACT IN THE AMOUNT OF \$1,398,360 BE AND HEREBY IS AWARDED, HARRY C. CROOKER & SONS, INC. BEING THE LOWEST BIDDER, AND THE MANAGER IS AUTHORIZED TO EXECUTE THE CONTRACT AND ANY OTHER DOCUMENTS NECESSARY TO ITS IMPLEMENTATION.

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

Finance Director, Greg L'Heureux, explained the funding for this Order.

Chairman Hall asked for a vote.

Vote on Order:

Yeas: 7

Nays: 0

VOTE: Order Passed 7-0

The meeting adjourned at 8:55 PM with a motion made by Councilor Tibbetts and second by Councilor Rogers. 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.