

REGULAR MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, January 8, 2003 7:00pm
City Council Chambers, Bath City Hall

Present: Councilors Hall, Winglass, Blake, Hart, Daigle, Rogers, Mitchell and Chairman James.
Absent: Councilor Wyman

Also in attendance was the City Manager - John Bubier, City Solicitor - Roger Therriault and City Clerk - Mary White.

Chairman James led the Pledge of Allegiance and City Clerk White called the Roll.

C. Presentations: 7:03 PM #96

Seth Garrison, Superintendent of the Bath Water District, gave a brief history of the Water District and upcoming projects. He handed out a water quality report and answered questions from the Council.

D. Committee Reports: 7:10 PM #254

City Clerk White announced that there were Committee openings on the following Committees:

- 1 member to the Planning Board
- 2 resident housing members to the Bath Housing Authority
- 2 members to the Forestry Committee

She also stated that it was now time to license dogs as the 2002 licenses have expired and there would be an extra \$5.00 fee after January 31, 2003.

Councilor Winglass gave an update on the Patten Free Library activities. The following is a list of some of the projects:

- Strategic Planning Workshops (library's programs and budget) in February
- Annual Giving Program has started
- Community Read Program is underway
- Update on the Save the Rain Forest project

E. Correspondence/Petitions: 7:12 PM #365

There was no correspondence or petitions.

There was a motion by Councilor Mitchell, second by Councilor Blake to move Item I. Time Devoted to Residents to this location on the agenda from now on. All in favor.

Time Devoted to Residents to Address the City Council: 7:15 PM #402

William Quimby of 28 Farrin Street addressed the issues regarding the Hanaford project that have been raised by the Neighborhood Preservation Committee. He also thanked Council Chair James for answering the questions of the citizen group. Mr. Quimby gave an overview of the purpose of the Committee.

Motion by Councilor Blake, second by Councilor Rogers to waive the rules to let the City Manager answer a question from Mr. Quimby regarding the recent work done to a culvert at the Hinds residence.

Mr. Bubier stated that the work done on the city owned culvert had to occur due to the crushing of the pipe during the DEP's recent project on the Bodwell lot.

Carolyn Aberg of 37 Western Avenue spoke regarding three concerns she had dealing with the Hannaford project: the increased traffic in the neighborhood, bringing something that doesn't fit into the neighborhood and the objective of the Comprehensive Plan is to preserve the neighborhoods.

Lori Harper of 27 Farrin Street voiced her concerns with the Hannaford project. She stated that she was concerned with the size of the lot being too small for the project, safety issues for the public, traffic problems, business losses to the Downtown stores, lowering of property values, destruction of neighborhood houses and general health problems from the development.

Tom Harkins of High Street stated that he thought the Council really needed to listen to the neighbors regarding the Hanaford project.

F. Manager's Report: 7:40 PM #1169

The City Manager spoke regarding the following subjects:

- Continuing the search for a new Finance Director
- Environmental reports are in for the hotel project
- Overview of the meeting with Pine Tree Waste
- Overview of the Maine Service Center Communities meeting
- Overview of Tax Reform programs
- Update on the progress of the Mid Coast Center for Higher Education
- Stated he and Fire Chief Hinds would be attending a meeting in Waterville of municipal managers and fire chiefs regarding regionalization of fire departments
- Public Works Department's handling of snow removal

G. Public Hearings: 8:55 PM

Public Hearing #1: Ordinance: Article 8, Section 8.20 Contract Rezoning, B. Description of Property and Section 8.11 Marine Business District, D. (second passage) #1645

Chairman James read the following Ordinance:

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE LAND USE CODE OF THE CITY OF BATH ADOPTED JULY 19, 2000, AND SUBSEQUENTLY AMENDED, BE HEREBY FURTHER AMENDED AS FOLLOWS:

Amend Article 8, Section 8.20 CONTRACT REZONING, B. Description of Property, as follows:

B. Description of Property

This Section applies only to properties located in the following Zoning Districts:

1. Route 1 Commercial Contract District,
2. Special Purpose Commercial Contract Overlay District,
3. Industrial/Shipyard District 4. Trufant Marsh Contract District and
5. Marine Business District.

And amend Article 8, Section 8.11 MARINE BUSINESS DISTRICT -C5, by adding subsection D, as follows:

D. Contract Rezoning

Contract rezoning is allowed in the C5 District (see section 8.20).

(note: Additions are underlined, deletions are)

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

Jim Upham, City Planner, answered questions from Council and the public and gave an in-depth description of how this change could help the City.

Herbert Kresser of 110 Washington Street stated that he was in favor of this change.

Jayne Palmer of 300 Front Street expressed concerns regarding this change and that she was not in favor of the change.

Tom Wilcox of the Maritime Museum explained the timetable of their project.

ROLL CALL VOTE on Ordinance (second passage):

Yeas Hall, Winglass, Blake, Hart, Rogers, Mitchell

Nays Daigle

Ordinance passed 6-1.

Chairman James stated that this Ordinance would become effective on January 29, 2003.

Public Hearing #2: Ordinance: Chapter 17. Vehicle and Traffic, Article 6. Stopping, Standing and Parking, Section 17-259. Parking Restrictions, Winter Street Court (second passage) #3321

Chairman James 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

Winter Street Court Both Sides

Delete:

"No restrictions."

Add:

Winter Street Court West Side

"No parking."

Winter Street Court East Side

"No restrictions."

Motion by Councilor Mitchell, second by Councilor Winglass to put this Ordinance on the floor for discussion.

ROLL CALL VOTE on Ordinance (second passage):

Yeas Hall, Winglass, Blake, Hart, Daigle, Rogers, Mitchell

Nays None

Ordinance passed unanimously 7-0.

Chairman James stated that this Ordinance would become effective on January 29, 2003.

H. Consent Agenda: 8:45 PM #3405

Items L6, L7 and L8, Councilor Hart asked that one ballot be cast for the Consent Agenda.

3) Under the Consent Agenda, Councilor Hart made a motion to accept the minutes for the December 4 and 18, 2003 Council Meetings. Motion by Councilor Blake, second by Councilor Mitchell to approve the minutes as submitted.

VOTE on Consent Agenda:

Yeas: 7

Nays: 0

Consent Agenda passed unanimously.

J. Ordinances, Resolutions and Orders: 8:47 PM #3474

Item J4 – Order: Approving Amendments to By-laws Bath Meeting House and Skatepark Center

Motion by Councilor Blake, second by Councilor Mitchell to waive the reading of the document.

Document is on file with the Agenda Materials for January 8, 2003 Council Meeting in City Clerk's Office.

Councilor Blake explained this Order is to insert the word "Youth" before Meeting and to add a Mission Statement.

Motion by Councilor Mitchell, second by Councilor Hart to put this Order on the floor for discussion.

VOTE on Order:

Yeas: 7

Nays: 0

Order passed unanimously. 7-0

K. Old Business: 8:50 PM #3556

Councilor Daigle expressed his concern regarding the lack of warning signs for the new stop sign on Washington and North Street. Councilor Mitchell stated that he had talked to 45 people and no one thought the stop sign was a good idea.

L. New Business: 8:55 PM #3795

5) Appointment to the Personnel Service Commission term to expire January 2006.

Councilor Hall stated that the Personnel Screening Committee recommended Mark Westrum to fill that position, seconded by Councilor Blake.

VOTE on Appointment:

Yeas: 6

Nays: 0

Abstain: 1 (Daigle)

Appointment passed. 6-0-1

Chairman James stated that the Council would need a representative to the Sagadahoc County Budget Advisory Committee as there was to be a meeting on the following Tuesday. He said that anyone interested should contact him.

Motion by Councilor Blake, second by Councilor Mitchell to waive the rules and add a Real Estate Matter and a Personnel Matter to the Executive Session.

VOTE on Waiving of Rules:

Yeas: 6

Nays: 0

Abstain: 1 (Daigle)

Waiving of Rules passed. 6-0-1

Motion by Councilor Blake, second by Councilor Mitchell to go into Executive Session. All in favor.

Motion by Councilor Hall, second by Councilor Blake to come out of Executive Session. All in favor.

The meeting adjourned at 10:40 PM with a motion made by Councilor Mitchell and seconded 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.