

**SPECIAL MEETING MINUTES**  
**City Council of the City of Bath, Maine**  
**Wednesday, May 21, 2003 7:00 PM**  
**City Council Chambers, Bath City Hall**

**Present:** Councilors Hall, Winglass, Blake, Wyman, Hart, Daigle, Mitchell and Chairman James

**Late:** Councilor Rogers

**Also Present:** Acting City Manager Mateosian, City Solicitor Therriault and City Clerk White

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

City Clerk White called the Roll.

**I. Presentation – McMann Field Association 7:04 PM #68**

Councilor Rogers took his seat on Council at this point in the meeting.

Randy Harrington of the McMann Field Association gave an overview of the steps it took to complete the McMann Field project. Mr. Harrington introduced the other members of the Association that were present. The community and regional project began in 1994 and had the support of the Council, Bath and area residents, Senior Citizens, Reed & Reed, BIW, Page Monument, Fred Hersom, Gerry Galuza and Bath Savings Bank. Mr. Harrington asked the Council to continue their support of the field by keeping the resurfacing money in the budget.

The presentation ended with Chairman James presenting Certificates of Appreciation to the Association members: John Morse IV, Greg Harrison, Phil DeLeon, Randy Harrington and Rebecca Launer (absent).

**II. Committee Reports - 7:22 PM #735**

Councilor Hart reported that the Morse High SCLC had their last meeting of the year which was a Going-Away party for retiring teacher Jeff Nichols an advisor of the SCLC. He stated the Community Policing Committee would be sponsoring a Safety Day on June 14.

**III. Correspondence –**

There was no correspondence taken up at this time.

**IV. Manager's Report – 7:25 PM #637**

Acting City Manager, Paul Mateosian thanked Staff and Council for their support during his time as Acting city Manager, Action Finance Director and Treasurer, especially during this budget process.

Sherry Sutton, City Manager's Assistant, then gave a brief update on John Bubier's condition and issued a statement from John to Council and Staff thanking everyone for their well wishes and the good work they were doing in his absence.

**V. Order: Prepare Warrant to notify inhabitants of the Special State Referendum Election to be held June 10, 2003. 7:30 PM #860**

Chairman James read the following Order:

**ORDER**

In City Council  
May 21, 2003

BE IT HEREBY ORDERED BY THE CITY COUNCIL, AS FOLLOWS:

That, the Notice of State of Maine Special Referendum Election be prepared and issued to notify and summons the inhabitants of the City of Bath, qualified to vote, that the Special Referendum Election will be held at the Fisher-Mitchell School, 597 High Street, on Tuesday, June 10, 2003 for the purpose of determining the following questions:

(as referenced on the attached Notice of Special Referendum Election)

Absentee ballots shall be processed Election Day at 10:00am, 2:00pm, and 7:00pm. Any and all remaining absentee ballots will be processed at 8pm.

The polls shall be opened at 9:00am and closed at 8:00pm.

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

**Vote on Order:**

**Yeas: 6**

**Nays: 1 (Rogers)**

**Abstention: 1 (Daigle)**

**VOTE: Order Passed 6-1-1**

**VI. Order: Setting hourly schedule for the Office of Voting Registrar for the Special State Referendum Election to be held June 10, 2003. 7:33 PM #930**

Chairman James read the following Order:

**ORDER**

Be It Ordered by the City Council of the City of Bath, that the hourly schedule for the office of the Registrar of Voters shall be from 8:30am to 4:30pm Monday through Friday prior to the State of Maine Special Referendum Election to be held Tuesday, June 10, 2003 except for Election Day when the Office will be opened from 8:30am to 8:00pm. Special Registrar hours will be held on June 7, 2003 from 11:00am to 2:00pm.

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

**Vote on Order:**

**Yeas: 7**

**Nays: 0**

**Abstention: 1 (Daigle)**

**VOTE: Order Passed 7-0-1**

**VII. Order: Appointing Warden and Ward Clerk for the Special State Referendum Election to be held June 10, 2003. 7:35 PM #972**

Chairman James read the following Order:

**ORDER**

Be It Ordered by the City Council of the City of Bath, that the following be appointed for the State of Maine Special Referendum Election to be held on Tuesday, June 10, 2003:

Warden \_\_\_\_\_ Ward Clerk \_\_\_\_\_

Jackie Dwinal                      Sally Jo Hordeman

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

**Vote on Order:**

**Yeas: 7**

**Nays: 0**

**Abstention: 1 (Daigle)**

**VOTE: Order Passed 7-0-1**

**VIII. Order: Approving Contract with H.C. Crooker and Sons for the 2003 Streets Paving Program 7:36 PM #999**

Chairman James read the following Order:

**ORDER**

**APPROVING CONTRACT  
2003 STREET IMPROVEMENT PROGRAM**

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 2003 STREET IMPROVEMENT PROGRAM IN THE AMOUNT OF \$1,349,585.00 BE AND HEREBY IS AWARDED, HARRY C. CROOKER & SONS, INC. BEING THE LOWEST BIDDER. THE MANAGER IS AUTHORIZED TO EXECUTE THE CONTRACT AND ANY OTHER DOCUMENTS NECESSARY TO ITS IMPLEMENTATION. THE PROJECT WILL BE JOINTLY FUNDED FROM AVAILABLE FUNDS FROM THE 2003 STREETS CAPITAL IMPROVEMENT PROGRAM ACCOUNT (CIP02-875), A CDBG INFRASTRUCTURE GRANT AND THE BATH WATER DISTRICT.

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

Peter Owen, Director of Public Works, explained that this would be the beginning of a 3-year street improvement program. The program would be a “whole body approach” which is looking at the sanitary improvements, water main replacements, stormwater separations and drainage improvements to cut down on the need to dig up the streets more than once. Mr. Owen stated that neighborhood meetings would be starting soon to inform the citizens of the program.

**Vote on Order:**

**Yeas: 8**

**Nays: 0**

**VOTE: Order Passed Unanimously 8-0**

**IX. Ordinance: Amendments to Chapter 10- Public Safety, Article 3. Skateboard Ordinance, Section 10.2 Prohibited Areas (first passage) 7:40 PM 1149**

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 10. PUBLIC SAFETY  
Article 3. Skateboard Ordinance**

Section 10.2. Prohibited areas.

The use of skateboards shall be prohibited in the following areas:

(a) Downtown Area bounded as follows:

On the south by Vine Street;

On the east by Commercial Street including the City Waterfront Park; On the north by Linden Street;

On the west by Washington Street.

(b) The Edward McMann Outdoor Recreation Area including Kelley Field- McMann Field -Tainter Field -Legion Field -Tennis and Basketball Complex and all parking areas and access roads.

Section 10.4. Penalties.

Penalties for violations of Sections 2 and 3 above shall be as follows:

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

Jack Hart, Recreation Director, gave the reasons this amendment was needed such as skateboarders damaging the grounds and equipment of the fields and being an annoyance to others trying to use the facilities.

Motion by Councilor Daigle to table this Ordinance until a Workshop could be held to discuss the Ordinance with the skateboard community. There was no second so the motion failed.

Chairman James asked for a Roll Call Vote.

**Roll Call Vote on Ordinance:**

**Yeas: 7**

**Nays: 0**

**Abstention: 1**

**VOTE: Ordinance Passed 7-0-1**

Chairman James set second passage of the Ordinance for the June 4, 2003 Council Meeting at 7:10 PM.

**X. Old Business**

There was no Old Business at this time.

**II. XI. New Business**

There was no New Business at this time.

The Workshop was not held at this time due to the Superintendent of Cemeteries and Parks not being present.

Motion by Councilor Blake, second by Councilor Hart to go into Executive Session at 7:56 PM to discuss labor negotiations.

**Vote on Motion to go into Executive Session:**

**Yeas: 7**

**Nays: 0**

**Abstention: 1 (Daigle)**

**VOTE: Motion Passed 7-0-1**

Councilor Daigle left at this time.

Motion by Councilor Rogers, second by Councilor Wyman to come out of Executive Session at 8:27 PM.

**Vote on Motion to come out of Executive Session:**

**Yeas: 7**

**Nays: 0**

**VOTE: Motion Passed 7-0**

The meeting adjourned at 8:32 PM with a motion made by Councilor Rogers and seconded by Councilor Blake. 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.*