

**REGULAR MEETING MINUTES**  
**City Council of the City of Bath, Maine**  
**Wednesday, October 1, 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:** City Manager John Bubier, City Solicitor Roger Therriault and City Clerk Mary White

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

City Clerk White called the Roll.

**C. Presentation: Rotary Clubs of Bath – Jeff Guenther and David O’Neil #64**

The Presentation was pulled from the agenda due to medical issues of the presenters.

**D. Committee Reports: 7:04 PM #82**

Councilor Hart stated the free Fall Cleanup Days at the landfill will be held October 18 –25, 2003. He gave a brief report on the Hazardous Waste Day held September 27 at the Public Works Garage.

Councilor Winglass gave an update of the Steering Committee Meeting for the Route One/Viaduct Project.

Councilor Rogers took his seat on Council during the Committee Reports.

**E. Correspondence/Petitions: 7:13 PM #376**

Edward True, Chairman of the Board of Directors gave the 25<sup>th</sup> Annual Report of the Old Bath Customs House. He reported that the second floor was now being rented to four new tenants, 2 boilers had to be replaced, major roof repairs will need to be done in the near future and Dr. Charles Burden, after 26 years of service, to the Board did not seek re-appointment and was replaced with Daniel Donovan.

**F. Time Devoted to Residents: 7:23 PM #687**

Katherine McClellan of 708 Washington Street asked the Council to consider providing Fire Prevention and Safety Education in the Bath School System. She read a letter from the Waldo County Board of Commissioners stating they had not spoken with John James in reference to a four County Jail. Ms. McClellan stated she was in favor of the Lincoln/Sagadahoc County Jail.

**G. City Manager’s Report: 7:32 PM #996**

The City Manager spoke regarding the following subjects:

- Regionalization of the Public Safety Departments, Codes and Assessing Departments
- Overview of the Downtown Main Street Meeting held in Bangor
- Route One Project Impact on some building within the City

- Represented MMA/Maine Service Center Communities in Kennebunk at the Colony to talk about regional systems to the County Commissioners' Association
- Tenants for the Old Train Station
- Reported on the Business Barometer Meeting

**H. Public Hearings:**

There were no Public Hearings.

**I. Consent Agenda: 7:45 PM # 1360**

Motion by Councilor Mitchell to accept the Consent Agenda consisting of Minutes from the September 3 and 17, 2003 Council Meetings, second by Councilor Blake. All in favor.

**J. Ordinances, Resolutions and Orders:**

**J-3 Order: Prepare Notice of Election to notify inhabitants of the Maine State Referendum Election to be held on Tuesday, November 4, 2003 7:45 PM #1375**

Chairman James read the following Order:

**ORDER**

In City Council  
October 1, 2003

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

That, the Notice of State of Maine Referendum Election be prepared and issued to notify and summons the inhabitants of the City of Bath, qualified to vote, that the Referendum Election will be held at their respective Ward Rooms (1-7 inclusive), on Tuesday, November 4, 2003 for the purpose of determining the following questions:

To determine six (6) Referendum Questions.

Absentee Ballots shall be processed Election Day at 10:00am, 11:00am, 1:00pm, 2:00pm, 3:00pm and 7:00pm.

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

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

**VOTE on Order:**

**Yeas: 8**

**Nays: 0**

**Order Passed Unanimously 8-0**

**J-4 Order: Prepare Election Warrant to notify inhabitants of City of Bath Municipal Election to be held on Tuesday, November 4, 2003 to vote for the following: One Councilor from Ward 2, Ward 3, Ward 4 (three year terms); One member Board of Education (four year term) 7:48 PM #1458**

Chairman James read the following Order:

**ORDER**

In City Council  
October 1, 2003

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH, THAT:

Warrants be prepared and issued to notify and summons the inhabitants of the City of Bath, qualified to vote, that the Municipal Election will be held at their respective Ward Rooms 1-7 inclusive, on the Tuesday following the first Monday of November, the same being the 4<sup>th</sup> day of said month, in the year of our Lord Two Thousand Three, at 9 O'clock in the forenoon, then and there, to cast their votes at the Municipal Election in their respective Wards for:

City Councilors to be Elected:

Ward One	None to be Elected
Ward Two	One to be Elected for a three year term
Ward Three	One to be Elected for a three year term
Ward Four	One to be Elected for a three year term
Ward Five	None to be Elected
Ward Six	None to be Elected
Ward Seven	None to be Elected
At Large	None to be Elected
At Large	None to be Elected

1 Member to the Board of Education - At Large - 4 year term

and, be it further ordered, that said polls are to be kept open until eight o'clock in the afternoon of said day and then be closed.

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

**VOTE on Order:**

**Yeas:** 8

**Nays:** 0

**Order Passed Unanimously 8-0**

**J-5 Order: Appointment of Wardens and Ward Clerks of the November 4, 2003 7:50 PM #1508**

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 Maine State General Election and the City of Bath Municipal Election to be held on Tuesday, November 4, 2003:

<u>Ward</u>	<u>Warden</u>	<u>Ward Clerk</u>
-------------	---------------	-------------------

1	Darlene Compton	Marion Craige
2	Paula Adam	Donna Hays
3	Sally Hordeman	Betsy Alley
4	Carol Duehring	Vickey Beckman
5	Cindy Gabelmann	Judith Lemoine
6	Barbara Day	Ruthe Pagurko
7	Jackie Dwinal	Rachel Bennett

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

**VOTE on Order:**

**Yeas:** 8

**Nays:** 0

**Order Passed Unanimously 8-0**

**J-6 Order: Setting hourly schedule of the Office of Voting Registrar 7:51 PM #1557**

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 General Election and City of Bath Municipal Election to be held Tuesday, November 4, 2003 except for Election Day when the Office will be opened from 8:30am to 8:00pm.

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

**VOTE on Order:**

**Yeas:** 8

**Nays:** 0

**Order Passed Unanimously 8-0**

**J-7 Approval of Forestry Grant – Thomas Hoerth, Tree Warden 7:53 PM #1605**

Thomas Hoerth, Tree Warden, explained the reasons for this grant. Mr. Hoerth gave an overview of the proposed project the grant would cover. He stated the grant would allow a control research experiment on the trees located on Front Street. Mr. Hoerth explained the details of the project, which would primarily be to stimulate growth in these trees.

Motion by Councilor Hart, second by Councilor Winglass to approve the grant.

**VOTE on Grant:**

**Yeas:** 8

**Nays:** 0

**Grant Passed Unanimously 8-0**

**K. Old Business: 8:00 PM #1823**

Councilor Hall asked for an update on the Midcoast Center for Higher Education issue. City Manager, John Bubier stated that the paperwork had been drawn up and sent to the Board of Directors and then the paperwork would come back to Council for approval.

Councilor Hall stated that the changing of the Council Meeting day could be considered at the first meeting in December during the Organizational Meeting.

Councilor Mitchell asked that the review of the Washington Street stop sign issue be placed on the agenda for the next Council Meeting on October 15, 2003. Chairman James asked the Clerk to see that this was done and the City Manager to notify the Police Chief of this item. Councilor Rogers asked that the City Clerk have a press release done to notify the citizens of Bath this issue was going to be discussed at the next Council Meeting.

**I. New Business: 8:04 PM #1962**

Chairman James announced the airing times of the Public Hearing held September 30<sup>th</sup> regarding the proposed Lincoln/Sagadahoc Counties Jail project on Bath Community Television Channel 14.

After a brief discussion, it was decided that the Council would take a consensus vote regarding the jail project at their next meeting on October 15, 2003.

Chairman James reported on a meeting regarding the decoupling of the traffic lights at the Washington and Centre Street intersection and the intersection by the Post Office.

Councilor Winglass asked about the center and parking stripping on Washington Street from Centre Street to Midcoast Center of Higher Education. Councilor Hart asked that this be done on Lincoln Street also. Councilor Blake stated that Peter Owen, Director of Public Works, would be addressing this issue.

The Workshop of the Fire Department review was pulled from the agenda.

Motion by Councilor Hart, second by Councilor Hall to add an item to the Executive Session regarding a personnel matter.

**VOTE:**

**Yeas:** 7

**Nays:** 1 (Daigle)

**Motion Passed 7-1**

Motion by Councilor Blake, second by Councilor to go into Executive Session to discuss labor negotiations, legal matter and personnel matter. Vote passed 8-0.

Councilors Wyman, Rogers and Daigle left the meeting during the Executive Session.

Motion by Councilor Blake, second by Councilor Mitchell to come out of Executive Session. Vote passed 6-0

The meeting adjourned at 9:20 PM with a motion made by Councilor Mitchell and second by Councilor Winglass. Vote passed 6-0.

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.*