

SPECIAL MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, November 19, 2003 7:00 PM
City Council Chambers, Bath City Hall

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

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.

I. Presentation: 7:05 PM #39

- a. Chairman James presented Fire Chief Stephen Hinds with his Level I Certification from the Maine Fire Chief's Association.
- b. Mari Huotari, Co-coordinator for Main Street Bath, Inc., gave an overview of the establishment/mission, local projects and organization of Main Street Bath.

II. Committee Reports: 7:15 PM #331

Councilor Winglass reported the Patten Free Library Board of Trustees elected the following officers: Ken Textor, Chairman; Steve Gardiner, Vice-Chair; Julia DeBery, Treasurer and Karen Cowan, Secretary. He stated that the Library is in need of replacement of the copper flashing on the roof, which is estimated to cost around \$100,000. The Library has received a Grant from the State of Maine to experiment with a wireless connection for lap top computers.

Councilor Winglass reported on meetings held by the Southend Park Committee. He said that things are still moving toward the transferring of the property from BIW to the City. Mr. Winglass explained the process for Phase II of the Parks completion.

Councilor Hall updated everyone on the Board of Education's progress on the possible consolidation with School Union 47. He asked that everyone be on the lookout for the survey that was being sent to all residents of the communities involved regarding their input on consolidation and issues in the schools. Mr. Hall stated that the Board and teachers had come to an agreement and the teachers would be signing their contract soon.

III. Correspondence: 7:24 PM #586

There was no correspondence.

IV. Manager's Report: 7:24 PM #592

The City Manager reported on the following items:

- Finishing up with the Mid Coast Center for Higher Learning project with Ledgewood
- Discussions regarding DOT's "Safe Way" project looking at sidewalks and bikeways, which try to make the ways that children go to and from school safer.
- Governor Baldacci's visit to the Skatepark
- DOT hearings regarding railroad crossings closings
- Route One Corridor project and the future Public Hearings
- Attendance at the Bath Police Department Command Meeting
- Main Street Meeting regarding Heritage Days 2004
- Attendance at the Governor's Economic Development Conference on National Resource

Based Industries in August

- Meetings with the Board of Education representatives regarding educational services in the City

V. Public Hearing: 7:40 PM #1076

(1) Al Smith, CD Director, explained the purpose of the Public Hearing was to present information about the City's application for a CDBG Public Facilities grant for \$250,000 to assist the Elmhurst, Inc. in building a new facility at 400 Centre Street and to gain additional citizen input into the proposal. He introduced Darlene MacKinnon, Executive Director of Elmhurst, Inc., to highlight the project.

MacKinnon described the Elmhurst mission in serving children and adults with developmental disabilities, mental retardation, and autism. She also explained the need for the new 6,500 square foot ADA-designed facility to replace their existing inadequate and substandard facility. Darlene presented a conceptual drawing of the new building and answered Councilor's questions on the project.

Councilors Mitchell, Blake, and Rogers each spoke of how important the work of Elmhurst is and the tremendous need for a new facility. There was no opposition to the proposal.

Chairman James closed the Public Hearing.

(2) Al Smith, CD Director said that the City was fortunate earlier this year in securing a Brownfields Assessment Grant from the Environmental Protection Agency (EPA). EPA's Brownfields Program assists communities to identify environmental issues, develop cleanup plans, perform necessary cleanup activities and work on reuse activities. The Assessment program would be up and running and will be holding an informational Public Meeting on November 20th in the Auditorium in City Hall at 6:00 pm. Al explained that the purpose of meeting was to reach out to property owners and citizens about the Assessment program. The City's environmental consultant, Stephan Dyer will be at the meeting to discuss the process and looking for further citizen input on the two new Brownfields Grant applications. The program will be working with several owners of property along the waterfront, the opportunity still exists for other interested parties to become involved.

Brownfields funding applications consist of a request for a \$750,000 Brownfields Cleanup Revolving Loan Fund and a \$200,000 Cleanup Grant. These grants will be submitted on December 4th to the EPA. The \$750,000 would be used to establish a Loan Fund for eligible private owners to assist in the cleanup of contaminants identified through our environmental assessment work. The loan will be provided on flexible terms and low-interest/no interest. Up to 40% of the funds could be provided as subgrants to nonprofits groups. These funds could potentially be available to address cleanup issues in the 2nd phase at the Old Mid-Coast Hospital property.

The Cleanup Grant funds are available to the City and would be used in the context of the Praver Block Property redevelopment effort to address identified cleanup issues. This is the one property that is being considered for the grant program, because a Phase 1 environmental review has already been completed.

Chairman James closed the Public Hearing.

VI. Ordinance: Chapter 17. Vehicle and Traffic, Article 6 Stopping, Standing and Parking Section 17-259. Parking Restrictions, Quinnan and Somerset Place (first passage) 8:05 PM #1860

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

Delete: Quinnan Street - No restrictions

Add:

Somerset Place West Side:
No parking.

Somerset Place East Side:
No restrictions.

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

Police Chief Lizanecz explained the reason this amendment was needed is the narrowness of the street causes a safety issue.

ROLL CALL VOTE:

Yeas: Hall, Winglass, Blake, Wyman, Daigle, Rogers, Mitchell

Nays: None

Ordinance Passed Unanimously 7-0

Chairman James set second passage for this Ordinance on December 3, 2003 at 7:35 PM.

**VII. Ordinance: Chapter 17. Vehicle and Traffic, Article 6 Stopping, Standing and Parking
Section 17-259. Parking Restrictions, Centre Street (first passage) 8:10 PM #2028**

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

Centre Street North Side:

Delete: From a point sixty-five (65) feet west from Lincoln Street and running westerly a distance of sixty (60) feet, no parking from 6 a.m. to 5 p.m. weekdays, unrestricted parking weekends and holidays and from 5 p.m. to 11 p.m. weekdays;

Add: From a point sixty-five (65) feet west from Lincoln Street and running westerly a distance of sixty (60) feet, 2 hour parking.

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

Add: From a point 235 feet westerly of High Street to Lincoln Street, 2 hour parking from 6:30 a.m. to 3:30 p.m. on days where school is in session, otherwise no restrictions.

Preble Lane

Delete: No Restrictions.

Add: Both sides, From Oak Street to Green Street, 2 hour parking 6:30 a.m. to 3:30 p.m. on days that school is in session, otherwise no restrictions.

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

Police Chief Lizanecz explained this was being brought to Council due to the parking of Morse High School students parking all day on these streets causing a traffic problem.

After a lengthy discussion by Council, a motion to table this Ordinance was made by Councilor Mitchell, seconded by Councilor Rogers.

VOTE on Tabling Motion:

Yeas: Winglass, Blake, Daigle, Rogers, Mitchell

Nays: Hall, Wyman

Tabling Motion Passed 5-2

Motion to amend the tabling motion indefinitely and refer the issue to the Parking Committee made by Councilor Hall, seconded by Councilor Mitchell .

VOTE on Tabling Motion:

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

Nays: Wyman

Tabling Motion Passed 6-1

IX. New Business: 8:30 PM #2847

Councilor Blake made a motion to waive the rules to vote on the appointment of three new members to the Skatepark Board of Directors, Rev. Greg Vinson, Katie Kindred and Steve Platt, second by Wyman. All in favor.

Motion by Councilor Winglass, seconded by Councilor Rogers to appoint the three members. All in favor.

Councilor Daigle reported that he would like to form a committee that would take care of Goddard's Pond issues during the winter season and that anyone interested in helping on this should contact him.

Chairman James named the members of the newly formed Waterfront Park Committee as follows: Kristie Nygaard-Kennebec Tavern, Howie Kirkpatrick-Bath Fuel, Mari Huotari-Main Street, John Marsh-Bath Savings Bank, Judy Metcalf-Forestry Committee, Mike Fear-Sunrise Rotary, Jack Hart-Rotary, Jeff Shiers-Harbor Master, Jim Upham-City Planner, Denis Hebert-Superintendent Cemeteries and Parks, Thomas Hoerth-Tree Warden, Jim Mercier-Farmers' Market and two landscape architects (names to come from Mary Huotari).

X. Old Business: 8:40 PM #3081

There was no Old Business taken up at this time.

Chairman James gave his farewell address at this time thanking City staff, fellow Councilors and his family for their support over the past 9 years.

Motion by Councilor Rogers, second by Councilor Mitchell to go into Executive Session to discuss an Abatement Matter. All in favor. 8:45 PM

Motion by Councilor Blake, second by Councilor Wyman to come out of Executive Session. All in favor. 9:09 PM

The meeting adjourned at 9:10 PM with a motion made by Councilor Mitchell and second by Councilor Winglass. 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.