

REGULAR MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, March 3, 2004 6:00 pm
City Council Chambers, Bath City Hall

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

Also in attendance were the City Manager - John Bubier, Acting City Solicitor – Michael Therriault and City Clerk - Mary White.

Chairman Winglass opened the meeting at 6:00 PM with the Pledge of Allegiance and City Clerk White called the Roll.

Chairman Winglass and Bath Police Chief Pete Lizanecz presented the “Bath Police Office of the Year” award to Patrol Officer Jason Aucoin and “Bath Police Department’s Employee of the Year” award to Animal Control Officer, Ann Harford.

Chairman Winglass made a presentation of a Council Proclamation and City Chair to former Councilor John W. James IV for his 9 years of service as the Councilor from Ward 2.

Lee Leiner, Deputy Public Works Director, gave an update on the status of the Bath Landfill. He spoke regarding the following items:

- Recycling Program
- Regional Cooperation
- Recent Projects at the Landfill
- New Landfill Securing Project
- Financing Issues of the Landfill
- Environmental Issues at the Landfill

C. Public Hearings: 7:43 PM

There were no Public Hearings.

D. Consent Agenda: 6:44 PM #1314

1)* Under the Consent Agenda, Councilor Wyman made a motion to accept the minutes for the February 4 and 18, 2004 Council Meetings and Items F2, F3, and F4, which was seconded by Councilor Mitchell.

VOTE on Consent Agenda:

Yeas: 7

Nays: 0

Consent Agenda passed unanimously.

E. Time Devoted to Residents to Address the City Council: 6:52 PM #1460

Katherine McClellan, owner of apartments at 807 Washington Street, spoke to Council regarding their responsibilities to the citizens of the City of Bath.

F. Ordinances, Resolutions and Orders: 6:56 PM

Item F2* – Order: Exercising the Alewife Fishing Rights at Winnegance Lake

This Item was passed on the Consent Agenda.

Item F3* – Order: Exercising the Alewife Fishing Rights at Whiskeag Creek

This Item was passed on the Consent Agenda.

Item F4* – Order: Issuing Warrant for Prosecuting Unlicensed Dog Owner-Keepers for the Year 2004

This Item was passed on the Consent Agenda.

Item F5 – Approve Transfer of Drug Forfeiture Cash to the City of Bath #1555

Motion by Councilor Mitchell, second by Councilor Daigle to put this Item on the floor for discussion.

Police Chief Pete Lizanecz explained to Council details concerning the drug forfeiture.

VOTE:

Yeas: Hall, Quimby, Wyman, Hart, Daigle, Rogers, Mitchell

Nays: None

Passed Unanimously 7-0

Item F6 – Ordinance: Chapter 9 – Building and Electrical Codes, Article 1 – Building Code, Add Section – 504.2.1 and 1014.6.3 (first passage) #1620

Chairman Winglass 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 9 -Building and Electrical Codes Article 1 -Building Code

Amend the building code, the 1996 Edition of the BOCA National Building Code, as follows:

Add section

504.2.1: In buildings of Type 5 construction equipped throughout with an automatic sprinkler system and a smoke detection system meeting the requirements of section 919 of this code, the building height limitation for buildings of Use Groups Band E shall be increased 2 stories and 20' above those specified in Table 503.

Add section

1014.6.3, Exception: Stairs with winders shall be permitted in a required means of egress in existing buildings equipped throughout with an automatic sprinkler system, with at least one other means of egress from the floor(s) served by that stairway that do not contain winders, and an occupant load of the floors served by the stairway not to exceed 16. The dimensional requirements of the stairways allowed by this exception shall be as detailed in section 1014.6.3.

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

ROLL CALL VOTE on Ordinance:

Yeas: Hall, Wyman, Hart, Rogers, Mitchell

Nays: Quimby, Daigle
Ordinance Passed 5-2

Chairman Winglass set second passage for April 7, 2004 at 6:01 PM.

G. Petitions & Communications: 7:12 PM #2295

There were no petitions or communications at this time.

H. City Manager's Report: 7:12 PM #2301

The City Manager spoke on the following topics:

- City Budget Schedule
- Retirement of Scott Wilhelm, Superintendent of Wastewater Treatment Department
- Sewall Bridge Project
- Submission to DOT for funding of various projects within the City
- Tax Reform Update
- Regionalization Meeting Update
- Report on Base Closing Meetings

I. Committee Reports: 7:29 PM #3162

Councilor Wyman reported that there would be a new vendor at Waterfront Park this summer that would be selling Mexican Food.

Councilor Hart reported that the Main Street Program had just had a review done by Darcie Rawlings of Augusta and the program passed with flying colors. He gave an update on the Waterfront Park Committee stating they are now looking into the benches and waste receptacles needed. Councilor Hart reported on the SCLC Committee at Morse High School. He stated the students were doing a good job policing students in school and the Committee is now working on the Mainsail Award for May.

Chairman Winglass announced at this time that the Maine Maritime Museum was offering free admission to the museum to Bath residents until Memorial Day. He stated there would be a Workshop Meeting of Council and School Board Members on Wednesday, March 10th.

J. Old Business: 7:43 PM #3373

Maurice Bernier, Director of the Vocational Center at Morse High School, asked Council to consider giving the land the Vocational Center had been using to build homes on to the school. The Council's consensus was the program was a worthwhile program and needed to continue, and they would need to look and see if there may even be a better site or way to proceed with the program.

K. New Business: 7:53 PM #3745

K7 – Appointment of one member to the Bath Housing Authority Board of Directors, term to expire February 2007.

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

Councilor Hart nominated Frederick Clark to the position, second from Councilor Quimby. All in favor.

Motion by Councilor Hart, second by Councilor Quimby to waive the Rules to go into Executive Session to discuss a Property Matter. All in favor.

Motion by Councilor Wyman, second by Councilor Hart to come out of Executive Session at 8:30 PM.
All in favor.

The meeting adjourned at 8:30 PM with a motion by Councilor Mitchell, second by Councilor Quimby.
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.