

REGULAR MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, March 2, 2005 6:00 pm
City Council Chambers, Bath City Hall

Present: Councilors Hinds, Quimby, Wyman, Hart, Daigle, Pagurko, Mitchell and Chairman Winglass

Absent: Councilor Blake

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

Chairman Winglass led the Pledge of Allegiance and City Clerk White gave the Roll Call.

Presentation by Chairman Winglass and Police Chief Pete Lizanecz to Bath Police Department's "Officer of the Year" Detective James A. Montz, "Civilian Employee of the Year" Shelley Merrill and "Volunteer of the Year" Chaplain Gregory Vinson.

C. Public Hearings: 6:14 PM

1) Ordinance: Chapter 17. Vehicles and Traffic, Article 6. Stopping, Standing and Parking, Section 17-259. Parking Restrictions, Downtown Bath (second passage) #415

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 17. VEHICLES AND TRAFFIC

Article 6. Stopping, Standing and Parking

Section 17-259. Parking Restrictions

Add:

From Arch Street running north 25 feet, handicapped parking. From a point 25 feet north of Arch Street to a point 10 feet south of the fire hydrant just south of Elm Street, 2 hour parking.

Front Street West Side

Delete:

From Vine Street to a point 85 feet north of the northerly side of Centre Street, 2 hour parking.

From a point 85 feet north of the northerly side of Centre Street and running northerly for distance of 25 feet, 1 handicapped parking space. From a point 110 feet north of the northerly side of Centre Street to Summer Street, 2 hr. parking.

Add:

From Centre Street to Summer Street, 2 hour parking.

(Note: This deletes the handicapped space in front of The Times Record Office.)

Centre Street North Side

Delete:

From a point 40 feet west of Front Street to a point 85 feet east of Washington Street, 2 hour parking.

Add:

From the westerly terminus of the loading zone and running west 150 feet, 2 hour parking. From a point 150 feet west of the westerly terminus of the loading zone and running west 25 feet, handicapped parking. From a point 175 feet west of the westerly terminus of the loading zone to a point 85 feet east of Washington Street, 2 hour parking.

Elm Street South Side

Delete:

Starting at a point 20 feet from the intersection of Front Street and running westerly a distance of 45 feet, Loading Zone. From a point 65 feet westerly of Front Street to a point across from Water Street, two hour parking.

Add:

From Front Street to Water Street diagonal parking. The farthest space from Front Street, handicapped parking, the remaining spaces, 2 hour parking.

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

No one from the public spoke.

Chairman Winglass called for a Roll Call Vote.

ROLL CALL VOTE:

Yeas: Hinds, Quimby, Wyman, Hart, Daigle, Pagurko, Mitchell

Nays: None

Ordinance passed unanimously. 7-0

Chairman Winglass stated this Ordinance change goes into effect in 21 days.

D. Consent Agenda: 6:18 PM #551

2)* Under the Consent Agenda acceptance of the Minutes to the February 2 and 14th Meetings, Councilor Mitchell made a motion to amend the minutes to the February 2nd minutes by changing on page 9 the 10% to 100% and in the February 14th, 2005 Minutes by removing Councilor Daigle from the vote count as he was not in attendance at the meeting. Councilor Pagurko seconded the motion.

VOTE on the Amended Minutes:

Yeas: 7

Nays: 0

Passed unanimously.

E. Time Devoted to Residents to Address the City Council: 6:21 PM #646

Announcement from Leslie Trundy and Mari Houtari of Main Street Bath regarding the naming of the City of Bath by the National Trust for Historic Preservation as being “One of the Top Twelve Distinctive Destinations” in the Nation. They stated there would be a “Toast to Bath” on March 16th from 5:30PM to 7:30PM to celebrate the honor.

F. Ordinances, Resolutions and Orders: 6:24 PM

Item F3 – Ordinance: Chapter 2. Administration, Article 1. Administrative Code, Section 2.12. Recreation Commission (first passage) #712

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 2. ADMINISTRATION
Article I. Administrative Code

Section 2.12. Recreation Commission
B. Recreation Commission

Delete:

4. Commission Meetings and Quorum. The Commission shall meet monthly in order to formulate policies as required for the proper and adequate conduct of the recreational program of the City of Bath and at such other times as becomes necessary and appropriate to assure coordination of the recreation program, said meetings to be called by the Chairman, or in his absence, the Recreation Director. The Commission may suspend any regular monthly meeting when, in the judgment of the Chairman or a majority of the Board, no action is required of the Commission. The Commission shall adopt its own rules of procedure and four (4) members attending any regular or special meeting shall constitute a quorum.

Replace with the following:

4. Commission Meetings and Quorum. The Commission shall meet monthly in order to formulate policies as required for the proper and adequate conduct of the recreational program of the City of Bath and at such other times as becomes necessary and appropriate to assure coordination of the recreation program, said meetings to be called by the Chairman, or in his absence, the Recreation Director. The Commission may suspend any regular monthly meeting when, in the judgment of the Chairman or a majority of the Board, no action is required of the Commission. The Commission shall adopt its own rules of procedure and four (4) members attending any regular or special meeting shall constitute a quorum. Any member who does not attend fifty percent (50%) of the Recreation Commission meetings within any six (6) month period, unless excused by the Chairman of the Commission, may be removed by City Council.

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

Councilor Hinds explained this amendment was needed because of poor attendance practices.

Roger Therriault, City Solicitor, stated this is the same attendance requirement used by many of the City's committees.

ROLL CALL VOTE:

Yeas: Hinds, Quimby, Wyman, Hart, Daigle, Pagurko, Mitchell

Nays: None

Ordinance passed unanimously. 7-0

Chairman Winglass stated that second passage would be held April 6, 2005 at 6:01

Item F4 - Ordinance: Chapter 17. Vehicles and Traffic, Article 6. Stopping, Standing and Parking, Section 17-259. Parking Restrictions, Washington Street East Side (first passage) #854

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 17. VEHICLES AND TRAFFIC

Article 6. Stopping, Standing and Parking

Section 17-259. Parking Restrictions

Washington Street East Side

Delete:

From a point 173 feet north of the northerly side of Spring Street to a point 40 feet south of a point across from the north side of Bath Street, 2 hour parking. From a point 40 feet across from the north side of Bath Street to South Street at the BIW west gate, 30 minute parking from 6 a.m. to 1 a.m. From a point across from the north side of Bath Street and running 60 feet northerly, 6:00 a.m. to 1 :00 a.m., fifteen-minute parking. From a point across from the north side of Bath Street and running 60 feet northerly, 6:00 a.m. to 1 :00 a.m., fifteen-minute parking. From a point 60 feet north of Bath Street to South Street, 2 hour parking. From South Street running northerly to a point 100 feet north of the southerly entrance to the BIW Panel Shop, 2 hour parking. From a point 100 feet north of the southerly entrance to the BIW Panel Shop to a point 195 feet south of the northerly entrance to the BIW Panel Shop, No Restrictions. From South Street to a point 195 feet south of the south side of the northerly entrance to the BIW panel shop, No Restrictions.

Add:

From a point 173 feet north of the northerly side of Spring Street and running northerly a distance of 233 feet to a point 406 feet north of Spring Street, 2 hour parking. From a point 406 feet north of Spring Street to a point 40 feet south of the northerly side of Bath Street, City of Bath permit parking only 6:00 a.m. to 5:00 p.m.; 5:00 p.m. to 6:00 a.m., no restrictions.

Total distance 685 feet, enough room for 34 +- permit spaces.)

From a point 40 feet south of the north side of Bath Street to South Street, 30 minute parking from 6:00 a.m. to 1 :00 a.m.; 1 :00 a.m. to 6:00 a.m., no restrictions. From South Street running north to a point 195 feet south of the northerly entrance to the BIW panel shop, City of Bath permit parking only 6:00 a.m. to 5:00 p.m.; 5:00 p.m. to 6:00 a.m., no restrictions.

(Total distance 254 feet, enough room for 22+- permit spaces.)

Note: These areas are underutilized for parking. Issuing permits in these two areas has the potential for the City to make close to \$27,000 in permit fees per year if filled to capacity. Parking permit rates in the south end have jumped to \$60 per month. If the City kept its rate at \$40 per month, these areas have the potential to fill up rather quickly.

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

Roger Therriault, City Solicitor, explained the change to the Ordinance.

Pete Lizanecz, Bath Police Chief, explained the procedure for cording off the area by the building owned by BIW when there is an ice problem on the roof.

Motion by Councilor Mitchell, second by Councilor Hinds to table this Ordinance to a Workshop.

ROLL CALL VOTE on Tabling:

Yeas: Hinds, Quimby, Wyman, Hart, Daigle, Pagurko, Mitchell

Nays: None

Tabling of Ordinance passed unanimously. 7-0

Item F5 - Ordinance: LUC Zoning Map Change and LUC Amendment Article 16, Section 16.12-1172 Washington Street Contract Zone (first passage) #1290

Chairman Winglass read the following Ordinance:

ORDINANCE

WHEREAS, THE CITY COUNCIL OF THE CITY OF BATH, AS PART OF THE ADOPTION OF THE BATH LAND USE CODE ON JULY 19, 2000, EFFECTIVE AUGUST 9, 2000, DEPICTED THE BOUNDARIES OF ALL LAND USE DISTRICTS ON A ZONING MAP OF THE CITY OF BATH, ALSO DATED JULY 19,2000, INCORPORATED BY REFERENCE INTO THE LAND USE CODE PURSUANT TO THE PROVISIONS OF SECTION 7.02 OF THE SAID CODE, AND

WHEREAS, IT IS NECESSARY AND APPROPRIATE THAT THE BOUNDARIES OF THE LAND USE DISTRICTS BE, FROM TIME TO TIME, ADJUSTED AND AMENDED, IN ORDER TO CREATE NEW DISTRICTS AND ADJUST BOUNDARY LINES OF EXISTING DISTRICTS,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE ZONING MAP OF THE CITY OF BATH, DATED JULY 19,2000, BE AND HEREBY IS AMENDED IN ACCORDANCE WITH THE SKETCH PLAN ATTACHED HERETO AND MADE A PART HEREOF. THIS CHANGE SHALL BE INCORPORATED INTO AND BE PART OF THE OFFICIAL ZONING MAP OF THE CITY OF BATH. THE SPECIFIC ADJUSTMENT IS:

Adding the Special Purpose Commercial Contract Overlay (SPCCO) District to the zoning on a portion of the parcel of land designated as lot 188 on City of Bath Tax Map 20, dated April 1, 2004. The change is shown on the map attached hereto and made a part hereof.

AND, 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 16, by adding Section 16.12, as follows:

SECTION 16.12 -1172 WASHINGTON STREET CONTRACT ZONE

A. District Designation

The property designated for this contract zoning amendment is that portion of the property at the corner of Beacon and Washington streets included in the Purchase and Sale agreement between Mr. A. Charles Lane and the United Methodist Church of Bath, being a portion of Lot 188 on City of Bath Tax Map 20, dated April 1, 2004.

B. Findings

The property is located in the Special Purpose Commercial Contract Overlay District. The City Council made the following additional specific findings:

1. The building was built as a church in 1853.
2. The building is in a residential neighborhood and in an R1 zoning district.
3. The present use is classified as Place of Assembly.
4. The United Methodist Church of Bath is proposing to sell the building and property.
5. It is in the best interest of the community to preserve the building.
6. The future owner is proposing to convert the building to other non-residential uses.
7. All of the C1 uses allowed by the Special Commercial Contract Overlay District would not be appropriate and compatible in the neighborhood.
8. The applicant has voluntarily offered to limit the number and type of permitted uses of the property, as allowed by Land Use Code Section 8.20, 0, 2, (a).

C. Zoning Provisions Affected

This contract zoning amendment is intended to limit hours of operation, and the number and type of authorized uses of the property as would otherwise be permitted under C1 designation under a Special Purpose Commercial Contract Overlay District, but which would be inappropriate on this site given the residential character of the neighborhood in which the building is located.

D. Conditions of Approval

This contract zone is approved subject to the following conditions:

1. The only uses allowed are the uses presently allowed by the Land Use Code in the underlying district, plus the following C1 use categories:
 - a. Use 3.1.1 - Office, clerical, research, or service operations designed to attract and serve numerous clients on the premises.
 - b. Use 3.1.2 - Office, clerical, research, or service operations designed to attract little or no client traffic.
 - c. Use 6.1.3 - Special-purpose schools.
 - d. Use 6.1.4 - Special-education schools.
 - e. Use 7.1 - Private meeting facility.
 - f. Use 7.2 - Function or assembly facility.
 - g. Use 8.1.2 - Movie theater or live performance hall.
 - h. Use 13.3 - Shared parking
2. The hours of operation are limited to 8:00 am to 10:00 pm Sundays, 7:00 am to 11 :00 pm

Monday through Thursday, 7:00 am to midnight Friday, and 8:00 am to midnight Saturday.

3. Any change of use, which would require Site Plan Approval, is subject to Site Plan Approval from the Planning Board in accordance with Land Use Code Article 12.
4. The construction of any new buildings and the additions to buildings require Site Plan Approval from the Planning Board and must meet the following additional approval criteria: The construction of any building or the addition to any building must generally be of such design, form, proportion, mass, configuration, building material, texture, color, and location on the lot so as to be compatible with other buildings and with streets and open spaces to which it is visually related.

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

Jim Upham, City Planner, explained the change to the Ordinance and why these changes had been brought to Council.

Jerzy Karcz of 17 Beacon Street spoke against the Ordinance change citing the use would not be a Community activity and it would cause real estate devaluation.

Robert Hardcastle of 16 Beacon Street spoke against the Ordinance change stating he had questions regarding noise and conduct issues that could occur from this use. He hoped the Council would look at the change more closely.

Ralph Lewis of the Methodist Church Building Committee spoke in favor of the Ordinance explaining it would be to the advantage of the City to have the church upkeep maintained, which is becoming harder and harder on the members of the church.

John Armentrout, owner of property across the street from the church, explained he had concerns regarding parking issues and hours of operation.

Charles Lane, one of the applicants, explained the hours and type of operation that is envisioned for the project.

Motion by Councilor Daigle, second by Councilor Pagurko to table this Ordinance to a Workshop to be held on March 14, 2005 at 6:00PM.

ROLL CALL VOTE on Tabling to Workshop:

Yeas: Hinds, Quimby, Wyman, Daigle, Pagurko, Mitchell

Nays: Hart

Tabling of Ordinance passed 6-1

Item F6 - Resolution: Opposing the elimination of the Community Development Block Grant Program #4409

Chairman Winglass read the following Resolution:

City of Bath Resolution
Supporting the Community Development Block Grant (CDBG) Program

LET IT BE KNOWN TO ALL PERSONS of the City of Bath, Maine that the President's FY06 budget proposes to eliminate the Community Development Block Grant (CDBG) Program as currently established under the U.S. Housing and Urban Development (HUD). The proposal to cut the CDBG program and create a vastly reduced and more narrowly-focused program in the Department of Commerce will have a detrimental effect on our community. Therefore, the City of Bath does hereby pass the following Resolution:

WHEREAS, the CDBG Program continues to be a foundation upon which Maine communities have addressed critical public infrastructure and facilities, revitalized their downtowns, developed affordable housing, stabilized neighborhoods, grown new economic opportunities and provided important public services for the past 30 years; and

WHEREAS, since 1982, 314 million dollars in Federal funding has assisted some 300 Maine communities in addressing their needs, including the City of Bath, where CDBG funds have been used to diversify our economy, rehabilitate housing and provide important public services; and

WHEREAS, the strength of the CDBG program lies in its local determination of need and use, flexibility, and a wide variety of eligible activities; and

WHEREAS, funds are granted to communities as part of long range strategies to improve the lives and living conditions of low-moderate-income persons and are designed to improve the health, safety and welfare of community residents. In Bath, CDBG funding has supported neighborhood infrastructure improvements, including vital storm water separation and sewer upgrades; and

WHEREAS, 87% to 96% of Maine's annual CDBG funds (well in excess of the HUD-required 70%) directly benefit low and moderate-income persons. In Bath, CDBG funding has supported rehabilitation of well over 100 units of affordable housing for low and moderate-income persons and has been awarded to support the construction of a new facility for Elmhurst, Inc., serving the developmentally disabled in our community; and

WHEREAS, partnerships are being created and strengthened among municipalities, state and federal agencies, regional organizations and the private sector to address common community and economic problems. In Bath, CDBG funds have leveraged additional funding to support the creation of Varnum Field, and matched funds from the Maine State Housing Authority to rehabilitate streets, water and sewer lines; and

WHEREAS, the Office of Management and Budget (OMB) has recommended elimination of funding for CDBG for states and entitlement communities in the FY06 federal budget released on February 7, 2005, which will cause significant hardships for Maine's rural and urban communities.

NOW, THEREFORE, BE IT RESOLVED, that the City of Bath supports full funding of the CDBG program in FY06 and opposes elimination of the Department of Housing and Urban Development's CDBG Program.

BE IT FURTHER RESOLVED that the City of Bath City Council shall publicize this Resolution and submit written communication to its local, state, and federal delegation regarding the negative impact the loss of Community Development Block Grant funds will have on our community.

EFFECTIVE DATE of this Resolution shall be March 2, 2005.

Motion by Councilor Wyman, second by Councilor Hinds to put this Resolution on the floor for discussion.

Al Smith, Community Development Coordinator, explained the reasons behind the need of this Resolution and the results to the City should this program be eliminated.

Jim Upham, City Planner, listed some of the projects such as the Neighborhood Revitalization Project in Lambert Park, Water, Sewer, and Highway Improvements Project in Hyde Park, Commercial Street Pump Station Improvements, Elm Street and several Southend Neighborhood Improvements, the purchase of the Downeast Wood Crafter Building and Wing Farm Project the City was able to accomplish due in part to CDBG funding. He stated that the loss of this funding would mean the second phase to the Wing Farm project would not be able to be completed. He gave a brief history of the benefits experienced from CDBG funding in the nation.

VOTE on Resolution:

Yeas: 7

Nays: 0

Resolution passed unanimously 7-0

Motion by Councilor Mitchell, second by Councilor Hinds to amend the agenda and move the Butler Head Workshop to the March 14, 2005 Council Meeting.

VOTE on Moving Workshop:

Yeas: 7

Nays: 0

Motion passed unanimously 7-0

Item F7- Granting a “Going Out of Business License” for the Run to Win Christian & Family Bookstore at 99 Commercial Street. #4928

Motion by Councilor Mitchell, second by Councilor Pagurko to put this item on the floor for discussion.

VOTE:

Yeas: 7

Nays: 0

Passed unanimously 7-0

Item F8- Order: Exercising the Alewife fishing rights at Winnegance Lake to be administered by the Winnegance Alewife Commission as per Harvest Plan #4951

Chairman Winglass read the following Order:

ORDER

*Be It Ordered by the City Council of the City of Bath, Maine, that the Alewife Fishing Rights at Winnegance Lake be operated by the Winnegance Alewife Commission as per Ordinance adopted August 28, 1985, and the municipal rights to take alewives will be sold by the Commission. The Harvest Plan (*Condition and Regulations*) will be submitted by the Commission setting forth in detail the exact conditions under which alewives may be taken, all in accordance with good conservation practices. This plan will be submitted to the Department of Marine Resources by the Commission with City of Bath approval.*

Motion by Councilor Quimby, second by Councilor Pagurko to put this Order on the floor for discussion.

Councilor Quimby stated that the Commission is working with the Department of Marine Resources and Inland Fish and Wildlife to secure funding for upgrading the fishway.

VOTE on Order:

Yeas: 7

Nays: 0

Order passed unanimously 7-0

Item F9 - Order: Exercising the Alewife fishing rights at Whiskeag Creek to "Rod and Line" only #5074

Chairman Winglass read the following Order:

ORDER

Be It Ordered by the City Council of the City of Bath, as follows:

that, the taking of alewives at Whiskeag Creek will be restricted to "Rod and Line" only.

Motion by Councilor Pagurko, second by Councilor Mitchell to accept this Order.

VOTE on Order:

Yeas: 7

Nays: 0

Order passed unanimously 7-0

Item F10 - Order: Issuing warrant for prosecuting unlicensed dog owners-keepers #5093

Chairman Winglass read the following Order:

ORDER

Be It Ordered by the City Council of the City of Bath, that, a warrant for prosecuting unlicensed dog owners-keepers be prepared and issued in accordance with the provisions of Title 7 MRSA Section 3943.

Motion by Councilor Mitchell, second by Councilor Hart to accept the Order.

VOTE on Order:

Yeas: 6

Nays: 0

Order passed unanimously 6-0 (Councilor Daigle was out of Chambers during this vote)

Item F11 - Order: Approving Property Exchange with the Bath Housing Authority #5130

Chairman Winglass read the following Order:

ORDER

APPROVING PROPERTY EXCHANGE

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH THAT AN EXCHANGE OF DEEDS WITH THE BATH HOUSING AUTHORITY BE AND HEREBY IS APPROVED, AND THE CITY MANAGER IS AUTHORIZED TO SIGN CONVEYANCE DOCUMENTS AND SUCH OTHER DOCUMENTS AS MAY BE NECESSARY TO ACCOMPLISH THIS EXCHANGE.

Motion by Councilor Mitchell, second by Councilor Pagurko to accept the Order as read.

VOTE on Order:

Yeas: 7

Nays: 0

Order passed unanimously 7-0 (Councilor Daigle returned to Chambers at this time)

Item F12 - Memorandum of Understanding: Corridor Preservation Plan for the U.S. Route 1 Corridor #5161

John Bubier, City Manager, asked Council to look over the paperwork that had been given to Council in their packets and if they had any issues with the language let him know and he would make the changes and bring the document back to Council for action during the first meeting in April.

G. Petitions & Communications: 8:27 PM #5266

There were none.

H. City Manager's Report: 8:27 PM #5273

The City Manager spoke on the following topics:

- Thank you to Judi Mansfield's Third Grade Class for inviting him to read to them
- Meetings with the BRAC and BIW
- Train Schedule
- Kennebec River Dredging Project
- Snow Removal Update
- Presentation to City Managers' Association showcasing the Bath Police Department and the Community collaborative process

I. Committee Reports: 8:37 PM #5823

None.

J. Old Business: 8:37 PM #5828

None.

K. New Business: 8:38 PM #5831

Item K13 - Appointment: Two Members to the Mid Coast Center for Higher Learning Board of Directors. Terms to expire in March of 2008.

Motion by Councilor Mitchell, second by Councilor Hinds to appoint Arthur Mayo III and Herbert Kresser to the Board positions with the provision that should a vacancy on the Board occur Julia DeBery be appointed.

All in favor of the appointments.

Item K14 - Appointment of Registration Appeals Board per Title 21-A MRSA §103, Democratic & Republican Nominees (Term Exp 3/2008)

Candidates:

Democratic Nominee: Louis Ensel, 1008 Middle Street

Alternate: Barbara Reinertsen, 69 Western Avenue

Republican Nominee: Joseph Manhardt, 153 Varney Mill Road

Alternate: Madeline Williams, 935 Middle Street

Motion by Councilor Mitchell, second by Councilor Hinds to accept the nominations.

All in favor of the appointments.

At 8:40 PM Councilor Wyman made a motion to go into Executive Session to discuss a Labor Negotiations Matter pursuant to 1 MRSA, Section 405 (6) (D). Councilor Pagurko seconded the motion. All in favor.

At 9:00 PM Councilor Pagurko made a motion to come out of Executive Session. Councilor Hinds seconded the motion. All in favor.

Chairman Winglass read the following Ordinance:

**ORDINANCE
APPROVING POLICE CONTRACT**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE BARGAINING AGREEMENT BY AND BETWEEN THE CITY OF BATH AND THE BATH POLICE DEPARTMENT UNIT, MAINE ASSOCIATION OF POLICE, COMMENCING JULY 1, 2004 AND EXTENDING THROUGH JUNE 30, 2007, A COPY OF WHICH IS ATTACHED HERETO, BE AND HEREBY IS APPROVED, AND THE CITY MANAGER IS AUTHORIZED TO EXECUTE SAID CONTRACT ON BEHALF OF THE CITY OF BATH.

Motion by Councilor Quimby, second by Councilor Hinds to put the following Ordinance on the floor for discussion.

ROLL CALL VOTE:

YEAS: Hinds, Quimby, Wyman, Hart, Daigle, Pagurko, Mitchell

NAYS: None

Ordinance passed unanimously. 7-0

Chairman Winglass set second passage of the Ordinance for April 6 at 6:01PM.

The meeting adjourned at 9:05 PM with a motion by Councilor Wyman, second by Councilor Pagurko. All in favor.

Attested:

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.