

REGULAR MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, June 1, 2005 6:00pm
City Council Chambers, Bath City Hall

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

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

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

Joseph Byrnes, BRAC Task Force Committee Member, gave a brief overview of the BRAC Commission process. The Task Force Committee's mission is to provide complete and accurate information to the Commission. Mr. Byrnes stated that the facts that were published were flawed. He encouraged everyone to be at the BNAS main gate at 7:00AM on June 2, 2005 to greet the BRAC Commissioners and show support for the base.

Chairman Winglass than read the following Proclamation:

PROCLAMATION
BY THE BATH CITY COUNCIL
REGARDING NAS BRUNSWICK June 1, 2005

WHEREAS NAS Brunswick is the only active military facility capable of providing aerial surveillance and interdiction along the United States northeastern corridor, more commonly known as the New England coast and the Maritimes; and

WHEREAS NAS Brunswick is a major asset in the support of Homeland Security and Defense, and, more particularly, in the fight against terrorism in the United States; and

WHEREAS NAS Brunswick is geographically situated such that joint forces may operate and train together; and

WHEREAS NAS Brunswick is sufficient in size and capacity to allow joint military use with both active and reserves units; and

WHEREAS NAS Brunswick has recently been completely reconstructed to handle any aircraft in the military inventory, both past, present and projected for the future; and

WHEREAS NAS Brunswick has a logistical advantage as the only fully operational air facility in the northeast; and

WHEREAS NAS Brunswick is a welcome and vital link in the continued success of the Bath, Brunswick, Topsham region economy and the entire social fabric of the surrounding communities;

NOW THEREFORE BE IT PROCLAIMED AND RESOLVED that the City of Bath, Maine declares and affirms through this vote complete support by the Honorable Bath City Council for the retention of NAS Brunswick as a fully operational naval air station; that the Bath City Council fully supports the Constitutional rights and authority of the BRAC Commission in requiring the deliverance of any and all pertinent Department of Defense data for a full review by said commission; that the Bath City Council supports and encourages the retention of all assets now currently located at NAS Brunswick,

allowing for the continued security of the United States homeland, in general, and the Northeastern Coastline, in particular; that the Bath City Council would expect the Department of Defense to recognize the inherent vital economic and protective role that NAS Brunswick holds in the northeast, in particular, and for the United States, at large; that the Bath City Council fully endorses and sanctions NAS Brunswick in its current use, as well as its potential use in establishing essential joint military force structures in the future defense of the American homeland; and through this Proclamation seeks and enjoins the continuation of the Department of Navy activities as enumerated above at NAS Brunswick.

Chairman Winglass stated the Council would sign this proclamation.

C. Public Hearings: 6:16 PM

1) Ordinance: LUC Amendment, Ordinance: LUC amendment, Article 16, Section 16.12, 1172 Washington Street Contract Zone (second passage) #437

A complete copy of this Ordinance is on file with the agenda materials for the May 4, 2005 Council Meeting in the Bath City Clerk's Office.

Jim Upham, City Planner, asked that the Ordinance be tabled.

Motion by Councilor Blake, second by Councilor Daigle to table this Ordinance.

VOTE:

Yeas: 5

Nays: 0

Tabling Motion passed unanimously. 5-0

D. Consent Agenda: 6:17 PM #471

2)* Under the Consent Agenda acceptance of the Minutes to the meetings of May 4 and 18, 2005. Motion by Councilor Mitchell, second by Councilor Wyman to accept the minutes as presented. All in favor.

E. Time Devoted to Residents to Address the City Council: 6:18 PM #488

No one spoke.

F. Ordinances, Resolutions and Orders: 6:18 PM

Item 3 Resolution: Approving Heritage Days #494

RESOLUTION

WHEREAS, the Main Street Bath Inc. is sponsoring the Bath Heritage Days; and

WHEREAS, Heritage Days provides the City of Bath with marvelous entertainment for its citizens, visitors who spend their dollars here, and an opportunity for residents to celebrate their community; and

WHEREAS, the use of City streets, public spaces, and personnel is necessary for conducting Heritage Days.

NOW, THEREFORE, BE IT RESOLVED THAT THE BATH CITY COUNCIL approves of the attached correspondence from Main Street Bath Inc., the Heritage Days Committee and directs the City Manager to fulfill the intent of the request as best meets the needs of the community.

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

VOTE on Resolution:

Yeas: 5

Nays: 0

Resolution passed unanimously. 5-0

Item 4 Resolution: Approving Traffic Patterns for Heritage Days #524

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE, that pursuant to the provisions of Section 17-220 of the Bath City Code, the street closing and traffic pattern proposed by Main Street Bath Inc. in connection with the celebration of Bath Heritage Days are hereby approved. The City Manager is hereby authorized to implement these street closings and traffic pattern adjustments with appropriate signing.

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

VOTE on Resolution:

Yeas: 5

Nays: 0

Resolution passed unanimously. 5-0

Item 5 Approval of Updated CDBG Forms #545

Al Smith, CDBG Coordinator, gave an explanation of the reasons for the changes made to the forms.

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

VOTE:

Yeas: 5

Nays: 0

Forms passed unanimously. 5-0

Item 6 Order: Elmhurst, Inc. Lease #618

Councilor Hinds excused himself from the vote as he is employed by Elmhurst, Inc.

Chairman Winglass read the following Order.

ORDER

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE LEASE TO ELMHURST, INC. FOR CERTAIN PORTIONS OF THE BUILDING KNOWN AS SMALL SCHOOL, AS SET FORTH IN THE LEASE ATTACHED HERETO, BE AND HEREBY IS APPROVED AND THE CITY MANAGER IS AUTHORIZED TO EXECUTE SAID LEASE ON BEHALF OF THE CITY OF BATH.

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

VOTE:

Yeas: 5 (Wyman, Hart, Pagurko, Mitchell, Winglass)

Nays: 0

Order passed unanimously. 5-0

G. Petitions & Communications: 6:23 PM #667

Chairman Winglass announced to Council they would be holding their last Budget Session on Monday, June 6th at 5:30PM in the Basement Conference Room.

Councilor Mitchell shared a note from the family of former Councilor John Coombs thanking Council for their expression of appreciation for his work for the City of Bath.

H. City Manager's Report: 6:26 PM #745

John Bubier, City Manager, spoke on the following topics:

- VIP and Family Dollar Store Grand Openings
- Listing of Bath as a District Definition - Economic Development District
- Boat tour of Bath's coastline with the Bath Economic Development Committee
- City Hall tour by Mrs. Mansfield's 3rd Grade Class
- Overview of the Community Action Committee regarding the local and regional layoffs since 2004
- Urged everyone to show their support for BNAS by being at the main gate when the BRAC Commission arrives on June 2, 2005.

I. Committee Reports: 6:35 PM #1014

Councilor Mitchell gave a brief report on the Sidewalk Vending Committee stating that they have issued approval for three locations in the downtown area for mobile vending carts to sell hot dogs.

Councilor Hart announced the SCLC had held the Main Sail Award assembly and the recipient this year was former police lieutenant Joel Merry. He stated that his Class of 1953 had given a gift of a new lectern to Morse High School.

Councilor Wyman reported on the BHA's plan to lease the former Cemeteries and Parks building for the VOC students to use for storage of tools relating to the construction of new houses they are doing.

J. Old Business: 6:40 PM #1213

None.

K. New Business: 6:40 PM #1218

7) Appointment of Councilor Mitchell to the MCDBP Board.

Councilor Mitchell excused himself from the vote.

Motion by Councilor Hart, second by Councilor Pagurko to appoint Councilor Mitchell to this position.

Vote:

Yeas: 5 (Hinds, Wyman, Hart, Pagurko, Winglass)

Nays: 0

Appointment passed unanimously. 5-0

Councilor Wyman thanked the City Clerk for attending the Senior Citizen Meeting and giving a presentation on the new voting place and procedures to be enacted at the November 2005 Election.

The meeting adjourned at 6:43 PM, motion made by Councilor Wyman and seconded by Councilor Pagurko. All in favor.

Attest:

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.