

REGULAR MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, April 4, 2007 6:00pm
City Council Chambers, Bath City Hall

Present: Councilors Hinds, Omo, Mulligan, Rogers, Eosco, Verville, Pagurko, Winglass, and Chairman Wyman.

Also in attendance was the City Manager – William Giroux, Acting City Solicitor - Michael Therriault and City Clerk - Mary White.

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

The following Proclamation was presented to Robert Gonzalez of the Bath Wastewater Treatment Plant:

PROCLAMATION

WHEREAS, the Bath City Council would like to recognize Robert Gonzalez for his exemplary service to the City of Bath and

WHEREAS, Robert has been employed by the City of Bath for 12 years, displaying outstanding commitment and dedication throughout his tenure; and

WHEREAS, the Treatment Plant had a record of 25 permit violations in 2002 and 2003, requiring problem solving skills and workable recommendations in order to successfully reduce the number of permit violations; and directly due to Robert's efforts, the violations dropped to an acceptable level of 8 permit violations in 2004 and 11 in 2005; and

WHEREAS, remote access to the Plant was installed in 2006 which allows Robert to adjust the plant from home, resulting in the Treatment Plant being able to boast only 2 permit violations in 2006 and achieving no violations in over 13 straight months; and

WHEREAS, Robert achieved the highest possible level in the State of Maine when he was awarded his Grade 5 Wastewater Treatment Plant Operator License; and

WHEREAS, Robert has brought other skills to the City of Bath by earning his Grade 1 Certified Wastewater Laboratory Analyst License for the New England Environment Association, as well as, achieving his Grade 2 Certified Wastewater Collection System Operator License; and

WHEREAS, Robert has continually raised the bar for employee performance and work ethic by never being late for work, by traveling to and from work on his bicycle, by using only eight hours of sick leave in the past five years when both his wife and daughter were sick and when his second daughter was born, for carrying the maximum number of sick leave hours allowed, and donating 250 hours back to the union sick leave pool.

NOW THEREFORE be it proclaimed that the Bath City Council would like to recognize Robert Gonzalez for being an exemplary employee, for optimizing the operations of the Wastewater Treatment Plant and for protecting the environment of the Kennebec River, maintaining the high water quality criteria that enable people and wildlife to enjoy and utilize this natural resource.

This 4th day of April, 2007.

C. Public Hearings: 6:14 PM (Chairman Wyman moved this item to be taken up after Item F6)

1) Ordinance: Chapter 13. Refuse, Article 1. Garbage and Refuse, Section 13-1. Definitions, Section 13-43. Collection requirements (second passage)

Motion by Councilor Rogers, second by Councilor Eosco to waive the reading of the Ordinance. All in favor.

A complete copy of this Ordinance is on file in the Bath City Clerk's Office with the agenda materials for the April 4, 2007 Council Meeting.

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

Motion by Councilor Hinds, second by Councilor Pagurko to amend the Ordinance to set the start date for the "Pay As You Throw" program to October 1, 2007.

ROLL CALL VOTE on Amendment:

YEAS: Hinds, Omo, Mulligan, Rogers, Eosco, Verville, Pagurko

NAYS: Winglass

Amendment Passed. 7-1

Christina Hagan of 449 Middle Street stated that her household recycling has tripled in one week and her regular trash has gone from 1½ trash cans per week to 1 tall kitchen garbage bag a week. Ms. Hagan said she had a couple of concerns with the program, the first one dealing with the holding of recycling on Mondays for two weeks due to Monday Holidays and secondly, the pricing of bags so they are affordable to the low-income citizens.

Heidi Tucker of 33 Edward Street read a statement. Ms. Tucker said she was in support of the "Pay As You Throw" program and urged Council to vote in favor of the program.

Gordon Reed of 15 Mechanic Street addressed the Monday Holiday issue stating that this would need to be worked on. Mr. Reed stated that the Committee had worked very hard to get the program up and started and that the City needs this program to help put a hold on tax increases.

Michael Tucker of 33 Edward Street said that he felt anything that would encourage people to recycle is a good thing and this program would do that. He stated the people from Brunswick that he had talked to praised the program.

Becky Martin, a Brunswick resident, spoke to Council stating her personal experience with the program that has been implemented in Brunswick. Ms. Martin stated that her recycling has quadrupled since she began paying for garbage bags. She shared with Council Brunswick's solution to the increase of volume in recycling and said she uses a large trash can with a recycling sticker on it.

Councilor Pagurko made a motion to table the Ordinance to Workshop to be held Monday, April 9, 2007 at 6:00PM in the Second Floor Conference Room at City Hall. Councilor Hinds seconded the motion.

ROLL CALL VOTE Tabling Motion:

YEAS: Hinds, Omo, Rogers, Eosco, Verville, Pagurko, Winglass

NAYS: Mulligan

Tabling Motion Passed. 7-1

D. Consent Agenda: 6:05 PM

2) Motion by Councilor Hinds, second by Councilor Pagurko to accept the minutes for the March 7 and 14, 2007 Council Meetings. All in favor.

E. Time Devoted to Residents to Address the City Council: 6:06 PM

No residents spoke at this time.

F. Ordinances, Resolutions and Orders: 6:06 PM

3) Establish the National Incident Management System for the City of Bath

A complete copy of the management plan is on file in the Bath City Clerk's Office with the agenda materials for the April 4, 2007 meeting.

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

Stephen Hinds, Fire Chief, explained the history of the National Incident Management System and asked Council to support the Plan.

VOTE:

YEAS: 8

NAYS: 0

Plan Passed. 8-0

4) Order: Lease Addendum with Tri-County Literacy Volunteers

Chairman Wyman read the following Order:

ORDER

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE ADDENDUM TO LEASE WITH TRI-COUNTY LITERACY VOLUNTEERS AS IT RELATES TO THE LEASE OF CERTAIN PORTIONS OF THE BUILDING FORMERLY THE SUPERINTENDENT'S BUILDING BEING 2 SHERIDAN ROAD, AS SET FORTH IN THE ADDENDUM TO LEASE ATTACHED HERETO, BE AND HEREBY IS APPROVED AND THE CITY MANAGER IS AUTHORIZED TO EXECUTE SAID ADDENDUM TO LEASE ON BEHALF OF THE CITY OF BATH.

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

VOTE:

YEAS: 8

NAYS: 0

Order Passed Unanimously. 8-0

5) Order: Lease for the Lambert Park Community Center

Chairman Wyman read the following Order:

ORDER

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE LEASE TO TERRI CROCKER FOR USE OF A PORTION OF THE LAMBERT PARK COMMUNITY CENTER FOR THE CONDUCT OF A DAY CARE PROGRAM AND A BEFORE/AFTER SCHOOL PROGRAM, FOR A PERIOD OF THREE (3) YEARS COMMENCING JULY 1, 2007 AND RUNNING THROUGH JUNE 30, 2010, IN ACCORDANCE WITH TERMS AND CONDITIONS OF 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 Hinds, second made by Councilor Pagurko to put this item on the floor for discussion.

Councilor Hinds stated that this Order had the endorsement of the Recreation Commission.

VOTE:

YEAS: 8

NAYS: 0

Order Passed Unanimously. 8-0

6) Order: School Bond Ordinance for 2.8 million dollars to go to election on June 12, 2007

Chairman Wyman read the following Order:

ORDER

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH THAT, PURSUANT TO THE AUTHORITY OF THE CITY COUNCIL UNDER SECTION 1014 OF THE CHARTER OF THE CITY OF BATH AND IN ACCORDANCE WITH THE PROVISIONS OF SECTION 617 OF THE CHARTER OF THE CITY OF BATH, THE FOLLOWING PROPOSITION FOR THE ENACTMENT OF AN ORDINANCE FUNDING SCHOOL REPAIRS, RENOVATIONS AND IMPROVEMENTS TO THE MORSE HIGH SCHOOL, BATH MIDDLE SCHOOL, FISHER/MITCHELL SCHOOL AND DIKE/NEWELL SCHOOL, SAID BOND ORDINANCE BEING ATTACHED HERETO, BE SUBMITTED TO THE VOTERS OF THE CITY OF BATH AT A MUNICIPAL ELECTION TO BE HELD ON TUESDAY, JUNE 12, 2007:

“SHALL A BOND ORDINANCE BE AUTHORIZED IN AN AMOUNT UP TO, BUT NOT TO EXCEED, \$2,800,000.00 FOR THE PURPOSE OF SCHOOL REPAIRS, RENOVATIONS AND IMPROVEMENTS TO THE MORSE HIGH SCHOOL, BATH MIDDLE SCHOOL, FISHER/MITCHELL SCHOOL AND DIKE/NEWELL SCHOOL?”

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

VOTE:

YEAS: 8

NAYS: 0

Order Passed Unanimously. 8-0

G. Petitions & Communications: 6:13 PM

There were no petitions or communications.

H. City Manager's Report: 6:50 PM

City Manager Giroux reported on the following items:

- Update on Fuel Bid process

It was the consensus of Council for the City Manager to wait a couple of months before going forth with the bid process.

I. Committee Reports: 6:54 PM

Councilor Hinds reported that the SCLC is currently accepting nomination for the annual Main Sail Award.

Councilor Winglass reported that Main Street Bath has hired Sarah Frasier as their new coordinator.

Councilor Omo reported the Board of Education has worked out a 2-year contract with the teachers.

J. Unfinished Business: 6:56 PM

There was no unfinished business.

K. New Business: 6:56 PM

There was no new business.

Motion by Councilor Winglass to go into Executive Session to discuss Legal Matter per 1 MRSA §405(6)(E) and Personnel Matter per 1 MRSA §405(6)(A) at 6:56 PM. Motion was seconded by Councilor Hinds. All in favor.

Motion by Councilor Pagurko to come out of Executive Session at 7:25 PM. Councilor Winglass seconded the motion. All in favor.

The meeting adjourned at 7:26 PM with a motion by Councilor Winglass, seconded by Councilor Pagurko. All in favor.

Attest:

Mary J. White, City Clerk

Please note: These minutes are not recorded verbatim. A DVD recording of the meeting is available for review in the City Clerk's office during regular business hours.