

REGULAR MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, September 2, 2009 6:00pm
City Council Chambers, Bath City Hall

Present: Councilors Cochrane, Omo, Paulhus, Rogers, Eosco, Sinclair, Pagurko, Winglass, and Chairman Wyman.

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

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

C. Public Hearings: 6:01 PM

1) Ordinance: Amendments to Land Use Code - Shoreland Zone (second passage)

Councilor Omo made a motion to waive the reading of this Ordinance with the provision that City Planner, Jim Upham explain the content of the Ordinance. Councilor Rogers seconded the motion. All were in favor of the motion.

A complete copy of this Ordinance is on file in the Bath City Clerk's Office with the September 2, 2009 Agenda Materials.

City Planner, Jim Upham, explained the changes in this Ordinance are mostly definitions and housekeeping changes required by the Department of Environmental Protection. Mr. Upham explained the definition of development was part of the initial draft of all new changes that DEP required. He continued by saying that DEP changed a performance standard that used "definition of development" so the definition was no longer needed. DEP recommended the packet be amended to do away with the definition.

Councilor Pagurko made a motion to put the item on the floor. Councilor Omo seconded the motion.

Councilor Sinclair made a motion to table the Ordinance until the Planning Board meets and reports back to Council regarding the part of the Ordinance dealing with the time limit for residents to rebuild after destruction of their shoreland properties due to fire or catastrophic disasters. Councilor Pagurko seconded the motion.

Vote on tabling the Ordinance:

YEAS: Cochrane, Paulhus, Rogers, Sinclair, Pagurko Winglass

NAYS: Omo, Eosco

Tabling motion passed. 6-2

2) Ordinance: Police Contract (second passage)

Chairman Wyman read the following Ordinance:

ORDINANCE APPROVING POLICE CONTRACT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT, PURSUANT TO THE REQUIREMENTS OF §1102 OF THE CHARTER OF THE CITY OF BATH, THE BARGAINING AGREEMENT BY AND BETWEEN THE CITY OF BATH AND THE BATH POLICE DEPARTMENT UNIT, MAINE ASSOCIATION OF POLICE, COMMENCING JULY 1, 2010 AND EXTENDING THROUGH JUNE 30, 2013, 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

Councilor Pagurko made a motion to put this Ordinance on the floor. Councilor Omo seconded the motion.

ROLL CALL VOTE:

YEAS: Cochrane, Omo, Paulhus, Rogers, Eosco, Sinclair, Pagurko, Winglass

NAYS: 0

Ordinance passed unanimously. 8-0

Chairman Wyman stated this would become effective in 21 days.

3) Ordinance: Fire Contract (second passage)

Chairman Wyman read the following Ordinance:

ORDINANCE APPROVING FIREFIGHTERS CONTRACT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT, PURSUANT TO THE REQUIREMENTS OF §1102 OF THE CHARTER OF THE CITY OF BATH, A BARGAINING AGREEMENT WITH THE MEMBERS OF THE BATH FIREFIGHTERS ASSOCIATION, LOCAL NO. 1611 OF THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, A.F.L. – C.I.O., COMMENCING JULY 1, 2010 AND EXTENDING THROUGH JUNE 30, 2013, 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

Councilor Pagurko made a motion to put this Ordinance on the floor. Councilor Omo seconded the motion.

ROLL CALL VOTE:

YEAS: Cochrane, Omo, Paulhus, Rogers, Eosco, Sinclair, Pagurko, Winglass

NAYS: None

Ordinance passed unanimously. 8-0

Chairman Wyman stated this would become effective in 21 days.

4) Ordinance: Public Works, Cemeteries and Parks and Wastewater Union Contract (second passage)

Chairman Wyman read the following Ordinance:

ORDINANCE APPROVING CONTRACT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT, PURSUANT TO THE REQUIREMENTS OF §1102 OF THE CHARTER OF THE CITY OF BATH, A BARGAINING AGREEMENT WITH THE BATH PUBLIC WORKS EMPLOYEES, BATH CEMETERIES AND PARKS DEPARTMENT EMPLOYEES, AND THE BATH WATER POLLUTION CONTROL FACILITY EMPLOYEES, LOCAL NO. S-89 OF DL-4 THE INDUSTRIAL UNION OF MARINE AND SHIPBUILDING WORKERS OF AMERICA, IAMAW, A.F.L. – C.I.O., COMMENCING JULY 1, 2010 AND EXTENDING THROUGH JUNE 30, 2013, 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

Councilor Rogers made a motion to put this Ordinance on the floor. Councilor Pagurko seconded the motion.

ROLL CALL VOTE:

YEAS: Cochrane, Omo, Paulhus, Rogers, Eosco, Sinclair, Pagurko, Winglass

NAYS: None

Ordinance passed unanimously. 8-0

Chairman Wyman stated this would become effective in 21 days.

D. Consent Agenda: 6:12 PM

***5) Minutes of the previous Council meetings of August 5 and 12, 2009.**

***6) Order: Appointing City Tree Warden**

Motion by Councilor Pagurko, second by Councilor Omo to accept the Consent Agenda as presented. All were in favor of the motion.

E. Time Devoted to Residents to Address the City Council: 6:13 PM

Pamela Wischkaemper of 17 York Street and Shelly Hanna of 1074 Washington Street spoke to Council regarding issues with the Community Garden. The Garden had not been weeded and cared for by Parks and Recreation Department; gardeners' plants had been stolen, a lock had been put on the gate to deter the stealing but not all gardeners were able to access the garden. They felt that if the City was going to run a Community Garden, the City officials should be accessible to gardeners' concerns.

City Manager William Giroux stated that he would look into this matter.

F. Ordinances, Resolutions and Orders: 6:16 PM

7) Ordinance: Amendment to Land Use Article 8, Section 8.20, Subsection H. – Contract Rezoning (first passage)

Chairman Wyman read the following Ordinance:

ORDINANCE

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 8, Section 8.20, Subsection H, as follows:

SECTION 8.20 CONTRACT REZONING

H. Amendments

Any site plan and conditions, which have been approved by the City Council by means of the Contract Rezoning process, may be amended. An amendment to the site plan that qualifies to be approved according to Section 12.13, B, 1 through 6, may be approved per that minor revision process. ~~Such~~ All other amendments requires approval by the Planning Board ~~and the City Council as per Section 8.20, C-G.~~ If an amendment proposes to alter any of the Conditions for Granting Contract Rezoning Approval contained in item D, above, the amendment requires approval from the Planning Board and the City Council as per Section 8.20, C through G, above.

(Note: Additions are underlined, and deletions are ~~crossed-out~~.)

City Planner Jim Upham explained this problem had come to light when a property owner on Route One had wanted to make some minor changes to his building. Mr. Upham stated that this would not affect any revisions to rezoning that had already been approved. He also stated, the amendment would give the appropriate review authority to the people that should be doing the review over minor changes to site plans.

ROLL CALL VOTE:

YEAS: Cochrane, Omo, Paulhus, Rogers, Eosco, Sinclair, Pagurko Winglass

NAYS: None

Ordinance passed unanimously. 8-0

Chairman Wyman set second passage for October 7, 2009 at 6:01 PM.

8) Ordinance: Authorizing Permanent Financing for the purpose of purchasing a Stock Unit Pumper for the Bath Fire Department (first passage)

Chairman Wyman read the following Ordinance:

ORDINANCE AUTHORIZING PERMANENT FINANCING

THE PURPOSE OF THIS ORDINANCE IS TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS/NOTES OR OTHER INDEBTEDNESS FOR THE CITY OF BATH, MAINE, IN AN AMOUNT UP TO, BUT NOT TO EXCEED, \$375,000.00 FOR THE PURPOSE OF FUNDING THE PURCHASE OF A STOCK UNIT PUMPER FOR THE FIRE DEPARTMENT.

IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH, AS FOLLOWS:

Section 1. That a sum up to, but not to exceed, \$375,000.00 is hereby appropriated for the purpose of providing funding for the purchase of a stock unit pumper for the Fire Department.

Section 2. That, for the purpose of financing the aforesaid appropriation, authorization is hereby given to incur indebtedness by the issuance of bonds/notes of the City of Bath, in an amount up to, but not to exceed, \$375,000.00 under, and pursuant to, the Charter of the City of Bath.

Section 3. That any and all bonds/notes issued pursuant to this Ordinance shall be payable in monthly installments.

Section 4. That the term of any bonds/notes or other indebtedness issued under the within Ordinance shall not exceed ten (10) years.

Section 5. That the proceeds of any bonds/notes issued pursuant to this Ordinance shall be used only for those purposes specified in Section 1 above.

Section 6. That any proceeds of the bonds/notes issued not used for the purposes specified in Section 1 shall be applied to repayment of the principal and/or interest of any such bonds/notes.

Section 7. That any suit questioning the validity of this Ordinance shall be barred unless commenced within forty-five (45) days following publication of the Ordinance, said publication in accordance with Section 809 of the Charter of the City of Bath.

Section 8. That the City Treasurer, with the approval of the Chairman of the City Council and the City Manager, shall determine the date or dates, maturities, denominations, interest rate or rates and any other details of each issue of bonds and/or notes issued in anticipation of this permanent financing.

Section 9. That any and all bonds and/or notes issued by the City pursuant to Chapter 8 of the Charter of the City of Bath shall be signed by the City Treasurer and countersigned by the Chairman of the City Council and the City Manager.

Section 10. That any and all bonds and/or notes issued pursuant to Chapter 8 of the Charter of the City of Bath shall be general obligation securities of the said City.

Section 11. The City Treasurer, with the approval of the Chairman of the City Council and the City Manager, is hereby authorized to make any such bonds or notes authorized hereby subject to call for redemption with or without premium at the election of the City before the dates fixed for the final payment thereof. Any notes issued hereunder shall be subject to prepayment without penalty.

Councilor Pagurko made a motion to put this Ordinance on the floor for discussion. Councilor Winglass seconded this motion.

City Manager William Giroux explained the fire truck had been cut from the budget this year to get to the 0% tax increase hoping the engine would last until next year. However, the fire engine failed and the truck is out of service. Mr. Giroux went over the payment allocation.

Fire Chief Stephen Hinds gave a report on the status of service the Department would be able to provide with the purchase of the new engine.

ROLL CALL VOTE:

YEAS: Cochrane, Omo, Paulhus, Rogers, Eosco, Sinclair, Pagurko, Winglass

NAYS: None

Ordinance passed unanimously. 8-0

Chairman Wyman set second passage for October 7, 2009 at 6:02 PM.

9) Resolution: Adoption of the Comprehensive Plan

Chairman Wyman read the following Resolution:

RESOLUTION

Be it resolved by the City Council of the City of Bath that the City of Bath Comprehensive, Action Plan transmitted by the Planning Board to the City Council on June 11, 2009, be and is hereby adopted to take effect as of this date, superseding the Comprehensive Plan adopted by the City Council on August 6, 1997.

Councilor Pagurko motion to put this Resolution on the floor for discussion. Councilor Omo seconded the motion.

City Planner Jim Upham explained this Plan is a guideline that allows the Planning Board to craft ordinances that would be brought to Council for passage. This Plan will preserve rural areas, designate growth areas and will help the City qualify for State Grants and Loans.

Jacqueline Dwinal of 1552 Washington Street gave a brief overview of the history of the Comprehensive Plan Committee's formation and work accomplished.

Dr. Richard J. Krejsa, a City of Bath property owner, expressed concern with the omission of the wetlands, such as the Great Marsh, and vernal pool areas of Bath on the map. He gave his support of the Plan.

Craig Nelson, an attorney for the Plant Home, spoke to Council regarding the section of the Comprehensive Plan that dealt with the Plant Home property. Mr. Nelson stated that the Plan would allow the future development of the property to better serve the community and area people. He complimented the Planning Committee on their excellent job compiling the document.

Charles Small, President of the Board of the Plant Home and a Bath Resident, gave his support of the Comprehensive Plan as it gives the Plant Home the ability to move forward with vision of Thomas Plant and the Home's mission to serve elders regardless of their ability to pay.

Donald Capoldo, Executive Director of the Plant Home, the ability to expand the operations at the Plant Home would mean the creation of more jobs in Bath and urge Council to support the Plan.

David Daggett, Vice Chairman of the Board of Directors of the Plant Home, stated that there was need in the community for elderly housing and the Plan would allow the Home to expand to better serve the public.

Amy Lent, Executive Director of the Maine Maritime Museum, said the Plan would give the Museum the flexibility to continue to serve the community with the resources they have and hoped that Council would support the Plan too.

Charles Orem, member of the Board of Directors of the Maine Maritime Museum, spoke in support of the Plan. He expressed his appreciation to the Comprehensive Plan Committee and the Planning Department for the work they did in putting the Plan together.

Melanie Munsey, member of the Board of Directors for the Plant Home, asked Council to support the Plan as it will help the Home continue to grow and help the elderly community.

Robert Oxton, Chairman of the Bath Planning Board, thanked the Committee for their hard work and congratulated them on the accomplishment of having the Plan be recognized by the State Planning Office as a model for other towns and cities throughout the State. Mr. Oxton recommended the Council adopt the Plan.

Jim Upham, City Planner, stated that the Plan would be updated on a yearly basis to keep it as current as possible.

Councilor Rogers asked that this annual review be stated in a Resolution passed by Council.

William Giroux replied that the Council could direct the City Clerk to put this Resolution on the next Council meeting agenda.

Chairman Wyman said to put a Resolution on the next agenda.

Councilor Omo motion to accept the amendments to the Comprehensive Plan as written in the memo from the City Planner:

In Chapter 4 on pages 17 and 25 the wording of the Action is recommended to read: “Continue the policy of not extending subsidized public sewer or water lines across Whiskeag Creek into North Bath.”

“Two sets of density standards will be used for this area. Where public sewer and water services (water from a non-subsidized system as safe as the service from the Water District’s standpipes) are used, the density will be a medium density. Where both such services are not used, density standards will be the same as in the Low-Density Residential Area.”

Councilor Pagurko seconded the motion.

Councilor Rogers stated that he would like to take the amendments separately.

Councilor Omo withdrew his motion. Councilor Rogers seconded the withdrawal of the motion

Councilor Rogers made a motion to address the amendments separately. Councilor Pagurko seconded the motion. All were in favor of the motion.

Councilor Rogers made a motion to adopt the first listed amendment :

In Chapter 4 on pages 17 and 25 the wording of the Action is recommended to read: “Continue the policy of not extending subsidized public sewer or water lines across Whiskeag Creek into North Bath.”

Councilor Paulhus seconded this motion.

VOTE on amendment to Comprehensive Plan:

YEAS: Cochrane, Omo, Paulhus, Rogers, Eosco, Sinclair, Pagurko, Winglass

NAYS: None

Amendment passed unanimously. 8-0

Councilor Rogers made a motion to make a second amendment to read as:

“Two sets of density standards will be used for this area. Where public sewer and water services (water from a non-subsidized system as safe as the service from the Water District’s standpipes) are

used, the density will be a medium density. Where both such services are not used, density standards will be the same as in the Low-Density Residential Area.”

Councilor Cochrane seconded the motion.

Councilor Omo made a motion to amend the amendment Councilor Rogers had made to read:

“Two sets of density standards will be used for this area. Where public sewer and water services (water from a non-subsidized system as **effective** as the service from the Water District’s standpipes) are used, the density will be a medium density. Where both such services are not used, density standards will be the same as in the Low-Density Residential Area.”

Councilor Pagurko seconded Councilor Omo’s motion.

VOTE on Councilor Omo’s amendment to Councilor Rogers’ amendment to the Comprehensive Plan:

YEAS: Omo

NAYS: Cochrane, Paulhus, Rogers, Eosco, Sinclair, Pagurko, Winglass

Amendment to the amendment failed. 1-7

VOTE on Councilor Rogers’ original second amendment to the Comprehensive Plan:

YEAS: Cochrane, Paulhus, Eosco, Winglass

NAYS: Omo, Rogers, Sinclair, Pagurko, Wyman

Amendment failed. 4-5

VOTE on the Resolution to accept the once amended Comprehensive Plan:

YEAS: Cochrane, Omo, Paulhus, Rogers, Eosco, Sinclair, Pagurko, Winglass

NAYS: None

Amended Resolution passed unanimously. 8-0

City Planner, Jim Upham, thanked Jackie Dwinall for her assistance in creating this Comprehensive Plan which took five years. Mr. Upham also stated that she missed only one meeting during the entire five years.

Chairman Wyman thanked the Comprehensive Planning Committee and the Planning Board for the great job they did in putting this Plan together.

10) Order: Boundary Agreement Powers Estate Property

Chairman Wyman read the following Order:

ORDER

WHEREAS, the City of Bath has received a request from the Estate of Catherine Powers to establish, by agreement, a common boundary line, being the easterly line of the property of the City of Bath and the westerly line of the Powers Estate property; and

WHEREAS, the proposed agreed line is in accordance with a Plan of Property, Estate of Catherine M. Powers, dated April 24, 2009, by Titcomb Associates; and

WHEREAS, the property of the City of Bath was acquired by virtue of unpaid taxes assessed against Carrier E. Wallace;, and

WHEREAS, a Sketch accompanying the Survey Plan also shows the northerly line of the City of Bath at the appropriate distance from High Street, 420 feet, as called for in the Deed from Frank Allegrin to Carrie E. Wallace, dated December 13, 1945, and recorded in the Sagadahoc County Registry of Deeds in Book 242, Page 273.

NOW, THEREFORE, BE IT ORDERED that the City of Bath enter into a Boundary Agreement establishing the boundary line as depicted on the aforesaid Plan by Titcomb Associates and that the City Manager be authorized to execute such documents as are necessary and appropriate to memorialize the Boundary Agreement.

Councilor Pagurko made a motion to put the Order on the floor for discussion. Councilor Omo seconded the motion.

City Solicitor, Roger Therriault, explained the City has researched the line and it is as this agreement states.

VOTE:

YEAS: 8

NAYS: 0

Order passed unanimously. 8-0

11) Ordinance: Amending Zoning Map to add the Resource Protection District to the land within 250 feet horizontal distance, from the wetland associated with the body of water known as Lilly Pond. (first passage)

Chairman Wyman read the following Ordinance:

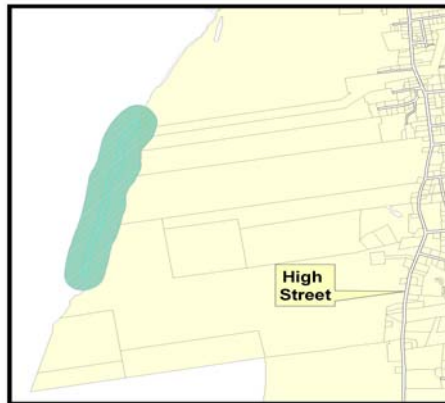
ORDINANCE

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:

To amend the zoning on a portion of parcel 22 on Tax Map 31, a portion of parcel 1 on Tax Map 33, a portion of parcels 4, 13 & 27 on Tax Map 34, and a portion of parcel 6 on Tax Map 37 by adding the Resource Protection District to the land within 250 feet, horizontal distance, from the wetland associated with the body of water known as Lilly Pond.



Proposed for Resource Protection

Councilor Winglass motion to put this Ordinance on the floor for discussion. Councilor Pagurko seconded the motion.

City Planner, Jim Upham, explained these changes are due to a requirement of the Department of Environmental Protection regarding wetlands zoning.

ROLL CALL VOTE:

YEAS: Cochran, Omo, Paulhus, Rogers, Eosco, Sinclair, Pagurko Winglass

NAYS: None

Ordinance passed unanimously. 8-0

Chairman Wyman set second passage for October 7, 2009 at 6:03 PM.

G. Petitions & Communications: 8:01 PM

Chairman Wyman shared a thank you card from the late Councilor John “Jack” Hart’s wife, Fay Hart, for the dedication of the bridge at Oak Grove Cemetery in his name.

Councilor Paulhus thanked Erika Helgerson for getting all of the Councilor’s bios on the Council Web Page. He asked how to go about getting crosswalks on Middle Street. Mr. Giroux told Councilor Paulhus to meet with Peter Owen, Public Work Director and Police Chief Field on site and then it would come to Council for passage as an Ordinance.

Councilor Winglass shared a letter from the Town of West Bath thanking Council, City Manager Giroux and Assistance City Manager Mateosian for their willingness to work together with the citizens of West Bath on the expansion of the Wing Farm Industrial Park.

H. City Manager’s Report: 8:04 PM

Mr. Giroux spoke briefly about these other topics:

- Wing Farm Industrial Park Web Page & Sewer Upgrade Project Update
- Street Paving Status
- Property Maintenance Code Update

I. Committee Reports: 8:06 PM

Councilor Eosco reported that the new parking brochures were in and are being distributed.

J. Unfinished Business: 8:07 PM

There was no unfinished business.

K. New Business: 8:07 PM

12) Appointment 3 members to the Bath Zoning Board of Appeals with terms to expire September 2012.

Councilor Pagurko nominated Pamela Murray, Bruce Goodwin and Harry Story to fill the Bath Zoning Board positions. Councilor Cochrane seconded the nominations. All were in favor of the nominations.

13) Appointment 2 members to the Bath Planning Board with terms to expire September 2012 and 1 member with term to expire September 2011.

Councilor Pagurko nominated Andrew Omo and Amy Fitzpatrick to the positions with term expirations of September 2012. Councilor Omo seconded the nominations. All were in favor of the nominations.

Councilor Pagurko nominated Robin Haynes to the position with an expiration of September 2011. Councilor Cochrane seconded the nomination. All were in favor of the nomination.

Chairman Wyman recessed to a Workshop at 8:10 PM regarding Saturday Landfill Hours.

A motion was made by Councilor Omo at 8:34 PM to go into an Executive Session to discuss a Personnel Matter per 1 MRSA §405(6)(A). Councilor Pagurko seconded the motion. All were in favor of the motion.

Councilor Eosco left the meeting during the Executive Session.

Councilor Omo made a motion to come out of Executive Session at 9:18 PM. Councilor Rogers seconded the motion. All were in favor of the motion

The meeting adjourned at 9:18 PM with a motion from Councilor Pagurko. Councilor Paulhus seconded the motion. All were in favor of the adjournment.

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.