

REGULAR MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, November 4, 2009
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 Deputy City Clerk – Pam Gray.

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

Dan Donovan addressed the City Council on behalf of the Old Bath Customs House and distributed their annual report to the Council. He stated that the other Board members are David Desmond, John Voorhees and Andrew Perry and then introduced Max Dawson. City Manager Bill Giroux expressed appreciation for what they do and pointed out that Max Dawson has basically been acting as Clerk of the Works without pay.

Dan Donovan stated that there is a lot of work to do this year. He said that the ceilings need to be done and added that the windows will be very expensive, which will be a spring project. Mr. Donovan added that they will need help from the Planning Board and SPI. He concluded that they have had a better than average year due to the oil price dropping and being fully rented.

C. Consent Agenda

1) Minutes of the previous Council meeting of October 7, 2009

Motion by Councilor Pagurko, seconded by Councilor Winglass to accept the Consent Agenda as presented. All in favor.

D. Time Devoted to Residents to Address the City Council

There was no public comment.

E. Ordinances, Resolutions and Orders

Approving tabulations of Election Returns for the State of Maine Referendum Election, City of Bath Municipal Election and RSU #1 Election of Tuesday, November 3, 2009

Councilor Pagurko made a motion to approve the tabulations as presented, which was seconded by Councilor Rogers and was passed unanimously.

2) Resolution: Appointment of Representative and Alternate to the Gateway 1 Steering Committee for the Gateway 1 Corridor Coalition 6:10 p.m.

RESOLUTION

WHEREAS, the Bath City Council has voted to sign the Gateway 1 Corridor Coalition Start-Up Agreement; and,

WHEREAS 12 of the corridor municipalities have signed the Start-Up Agreement and the 12-month start-up phase will now begin; and

WHEREAS it is necessary for the City of Bath to appoint a representative and an alternate to the Start-Up Steering Committee; and

WHEREAS Jim Upham, Planning Director, has been representing the City since the beginning of the Gateway 1 planning process and Will Blake has been alternate;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Bath that Jim Upham be appointed as Bath’s representative and Will Blake be appointed as alternate to the Gateway 1 Steering Committee for the Gateway 1 Corridor Coalition start-up phase

Councilor Pagurko made a motion to put the item on the floor for discussion, which was seconded by Councilor Cochrane and passed unanimously.

City Planner Jim Upham reported that three more communities have signed on, bringing the total up to 15 towns. He said that Belfast, Woolwich and Warren have yet to vote, and Wiscasset has voted not to join.

The resolution was unanimously approved, 8-0.

3) Resolution: Landfill Fees

**RESOLUTION
LANDFILL FEES**

WHEREAS, Section 13-32 of the Code of the City of Bath provides for assessing fees for use of the City’s Solid Waste Facility; and

WHEREAS, the City Council of the City of Bath has deemed it appropriate, upon recommendation of Staff, that such fees be adjusted; and

WHEREAS, Section 13-32, above-referenced, provides for the amendment of the fee schedule by Resolution of Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bath that the Solid Waste Facility fees are adjusted as follows:

Add underlined language; delete crossed out language:

Section 13-32. Fee Schedule

Under the Section entitled “RESIDENTS” delete the following:

~~Leaves up to 500 lbs. \$5.00~~

Amend the Section entitled “RESIDENTS & COMMERCIAL HAULERS”, Subsection “Leaves”, as follows:

Residential from Bath Residents
 With first 500 lb. @ \$5 Free \$20.00/ton

Councilor Pagurko made a motion to put the item on the floor for discussion, which was seconded by Councilor Eosco and was passed unanimously.

City Manager Bill Giroux stated that he had distributed Lee Leiner’s memo before the meeting. He said that he temporarily waived the fee until the Council could meet to discuss it. He added that the 5 was changed to 10 during the last budget session. Curbside collection will be on 11/16 and 11.17.

The resolution was unanimously approved 8-0.

5) TIF Budget

BIW TIF PROPOSED BUDGET FY 2010

TIF REVENUE

INCREMENT \$956,584

TOTAL REVENUE \$956,584

EXPENSES

DEBT SERVICE \$621,779

CONTRIBUTION TO BATH LOCAL DEVELOPMENT CORP. \$130,000

CONTRIBUTION TO MAIN STREET BATH \$ 27,000

ECONOMIC DEVELOPMENT PROJECTS ACCOUNT \$100,000

ECONOMIC DEVELOPMENT CITY MANAGER \$ 25,000

HISTORIC MARKER PROGRAM \$ 20,000

TOTAL \$923,779

SURPLUS \$ 32, 805

WING FARM TIF PROPOSED BUDGET FY 2010

REVENUE

INCREMENT \$187,462

TOTAL REVENUE \$187,462

EXPENSES

DEBT SERVICE PAYMENT \$178, 781

TOTAL EXPENSES \$178,781

SURPLUS \$ 8,681

Councilor Pagurko made a motion to put the item on the floor for discussion, which was seconded by Councilor Cochrane and was passed unanimously.

Bill Giroux explained that there are two TIFS here – the Wing Farm TIF and the BIW Ultra Hall. He said the Wing Farm and the Downtown generated \$187,000 this year. The \$8,000 revenue will stay in TIF to use later and will grow because of projects like the hotel.

In regards to the 1996-97 TIF,(the Land Level facility - the original BIW TIF), the majority of this was committed to debt service that previous Councils had built. This TIF will last until 2023. It was noted that salary expenses were moved into TIF to keep them out of property taxes.

There is a \$7,000 one year request (Bath-Brunswick-Topsham) for preparation of marketing for the Base to attract businesses. Included is a new branding effort for Main Street.

The City Manager/Economic Development budget includes such items as new Christmas lights in the downtown, gifts for dignitaries such as the Mayor of Tsugaru City in Japan, bench upgrades and trash cans on Centre Street.

Pertaining to the Marker Program, the Recognition Committee is now in charge of this. It was noted that there could be 20-30 markers. Councilor Omo inquired about Water Street. He was advised that bids went out but they are not all in yet. The Recognition Committee has approved the design.

Councilor Sinclair asked if Art Mayo could give an update regarding BNAS. Art Mayo addressed the Council and said that there are two things that will not be funded – legal situations and promotion. The estimated cost is approximately \$150,000 to promote the

Base over the next few years. A grant from a quasi-state entity and a long-term loan from Brunswick will be utilized if necessary. Re-development is moving forward, but there are no buildings or land until March of 2010. 800 acres (the airfield) will be the first major piece, and all of the Topsham annex will be transferred. Art Mayo concluded that they hope to publicly announce at least one entity coming onto the Base in 2010.

F. Petitions and Communications

There were no Petitions or Communications.

G. City Manager's Report

There was no City Manager's report.

H. Committee Reports

Councilor Paulhus reported for the Recognitions Committee. He said that they have been working on finalizing criteria and types of forms that will be used.

Councilor Eosco reported for Main Street Bath and reminded everyone that the Early Bird Sale is this Saturday, and the Christmas celebration will be held on Thanksgiving week-end as always. Additional information can be obtained from visitbath.com.

Councilor Paulhus also reported that there will be a Comcast meeting tomorrow to go over the franchise agreement. The meeting will be in the City Hall 2nd Floor Conference Room at 11:00.

I. Unfinished Business

There was none.

J. New Business

Appointment of one member to the Bath Water District Board of Directors, term expiration November 2014.

On behalf of the Interview Committee, Councilor Pagurko made a motion to accept the appointment of Julia DeBery as a member of the Bath Water District Board of Directors, term expiration November 2014. The motion was seconded by Councilor Cochrane and was passed unanimously.

Councilor Pagurko made a motion to adjourn at 6:43 p.m., which was seconded by Councilor Cochrane and was passed unanimously.

Attest:

Pamela J. Gray
Deputy City Clerk