

**REGULAR MEETING MINUTES
CITY COUNCIL OF THE CITY OF BATH, MAINE
Wednesday, June 4, 2014 6:00 PM
City Council Chambers, Bath City Hall**

Present: Councilors Brackett, Merrill, Paulhus, Lockwood, Wyman, Sinclair, Mitchell, Winglass and Madame Chair Eosco.

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

Madame Chair Eosco led the Pledge of Allegiance and City Clerk White called the Roll.

Madame Chair Eosco presented Franklin Talbot of the Bath Wastewater Treatment Department with a City Chair and read the following Proclamation:

PROCLAMATION

WHEREAS the City of Bath wishes to recognize the 32 ½ years of service by Franklin Talbot at the Bath Wastewater Treatment Plant, and

WHEREAS Frank was born in Bath, Maine, the son of Franklin and Marcia Talbot, graduating from Morse High School in 1980 and serving in the U.S. Coast Guard Reserves from May 1979 to May 1983, and

WHEREAS Frank became an Operator for the Bath Wastewater Treatment Plant in September 1981 until 1986, was a Pump Station/Collection System Operator from 1986 to 1994, was Chief Operator in addition to his Pump Station Operator duties from 1992 to 1994, and served as a Mechanic/Work Leader from 1994 to 2014, and

WHEREAS Frank was Union President from 1987 to 1991, Union Shop Steward from 1991 to 2005, served on the City of Bath Safety Committee for 25 years, was a Grade 4 Collection System Operator, held a State of Maine Grade 5 Wastewater License and a Supervisor Level Confined Space Certification, and

WHEREAS Frank retired from the Bath Wastewater Treatment Plant on March 21, 2014, seeing numerous accomplishments during his long and productive career of public service to the citizens of Bath, and

WHEREAS Frank has continually raised the bar for employee performance and work ethic;

NOW THEREFORE BE IT PROCLAIMED that the Bath City Council would like to recognize the 32 ½ years of excellent public service by Frank Talbot to the Bath citizenry, 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 enables people and wildlife to enjoy and utilize this natural resource.

Dated this 4th day of June, 2014.

Presentation from the Patten Free Library by Director Lesley Dolinger.

Leslie Dolinger of the Patten Free Library addressed the City Council and thanked them for inviting her to talk about the library. She said that she wanted to talk about what the Library is doing for teens and said she wanted to demonstrate it with a slide show because pictures are worth a thousand words. Ms. Dolinger said that they had re-branded as part of a strategic marketing plan and showed the new logo that represented it with the new tag line “More Than You’ll Ever Know”. She explained that the Board approved a new strategic plan in 2012 and part of this plan involved Teen Services. She said their goal was to serve an active community of young adult patrons, pointing out that they had not been doing a lot for teens due to a small space, a small collection and limited staffing. Ms. Dolinger said that with the Skate Park being razed, they were seeing more and more teens coming into the Library after school desiring a place to work.

She then highlighted the steps of the Strategic Plan, with the first being to allocate staff resources to coordinate Teen Services, which they have done. They are also building their teen collection of resources, including CDs and DVDs. The second step was to establish a Teen Advisory Committee to recommend and promote programs. She said they have six Morse High School students on the Teen Advisory Committee. They had a Teen Art Show and a Teen Writing Contest this year. Ms. Dolinger said that one of the projects that they did was to put a free library in front of the YMCA, which was done by one of the teen's parents. There is now a little free library there, which was all done by the teens. The third step was to establish a partnership with local middle and high schools. She said they have done that and currently do orientations for ninth graders. They also do many in-school and at the library programs working with teens on various topics. They do poetry workshops and Poetry Slams for ninth and eleventh graders working more and more with the teachers to provide the services they need. One of the staff has been working with in-service workshops for teachers at the middle school and high school levels. The fourth and biggest action step is to re-design space devoted to teen services.

In regards to programming, for 2012-2013, they had 561 teens participating in 50 programs. So far this year through May, they have doubled that and had 1,005 teens participating in 105 programs. These have been at the Library and at some of the school partnerships and outreach. Every Friday they have activities for the teens called TGIF, where they do crafts and various projects including making ice cream. There is also a Summer Reading Program for children and adults but there was not one for teens – this group was being left out. They have increased from 17 to 86 participants so are making great strides in teen participation. She then showed slides of the before and after pictures of the teen space at the Library and what they had been able to do with the limited funds and existing resources that they had. She presented slides that show how much this space is being utilized and said that they want to be a destination where teens want to come. She showed slides of a scavenger hunt and various other activities. She reiterated that the space is used heavily after school and said the public has been very gracious about it being a little noisier than usual for regular patrons of the library. Ms. Dolinger pointed out that there are regulars that come in and really need that place to go. She added that they had surveyed some Morse High students to see what they would like in a new teen space. The Board has approved architects who will be designing the new teen space. They have received money from the Davenport Trust to pay for the design work. There is a Committee to look at this design space which includes people from the Teen Library Council members, staff and trustees. The plan is to work through the summer with the architects, using the survey completed by the teens and hope to have a design in place by the end of the year. She said that the real work will begin then because they will then need to secure funding through grants and other sources.

Ms. Dolinger said that one of the things people have been asking for is quiet study spaces for teens and adults for studying and tutoring, or for people who need to work collaboratively, have interviews or for whatever reason. She said they hope to be able to address some of these issues when they re-design the space and said she hopes to be able to come back in 2015 with a new design space. She concluded that the Children's Summer Reading Program will be coming up and they will be reading Mary Poppins and there is a full slate of summer events planned.

C. Public Hearings 6:16 PM

1) Ordinance – LUC Amendment for Contract Zone – Plant Home (Second Passage)

Councilor Mitchell made a motion to waive the reading of the following Ordinance amendment. Councilor Winglass seconded the motion. All were in favor of the motion.

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 16, as follows: (Additional language is identified by being underlined.)

ARTICLE 16: CONTRACT ZONING DISTRICTS

SECTION 16.19 – PLANT HOME CONTRACT ZONE, NUMBER 2 [Section added November 27, 2013.]

A. District Designation

The property designated for this Contract Rezoning is a portion of the property located on Washington Street being identified as a portion of Lot 21 on City of Bath Tax Map 43, dated April 1, 2013.

B. Findings

The property is located in the Plant Home Zone (PH). The City Council makes the following additional specific findings:

1. The building is used for residential purposes.
2. The applicant now proposes to construct an unattached building to the south of the existing facility.
3. Contract Rezoning is allowed on this parcel per Section 8.22(D) of the Land Use Code.
4. The building is proposed to be 52 feet in height.
5. Without the creation of a contract zone, the maximum height allowed in the Plant Home Zone is 35 feet under the provisions of Sections 8.21(B) and 8.22(C) of the Land Use Code.
6. The building is proposed to be setback 3ft from the property line.
7. Without the creation of a contract zone, the required setback in the Plant Home Zone is 20 feet (front, side, and rear) and 75 feet (from a waterbody) under the provisions of Section 8.22(C) of the Land Use Code.
8. The building is proposed to be within the yard area.
9. Without the creation of a contract zone, the required yard area in the Plant Home Zone is 20 feet under the provisions of Section 8.22(C) of the Land Use Code.
10. The applicant has offered the following voluntary, Discretionary Conditions in exchange for the Contract Rezoning:
 - a) Plant Memorial Home owns and undeveloped 1.30 acre parcel of land between Wing Farm Business Park and Ranger Circle in Bath, shown as Tax Map 24, Lot on the City of Bath Tax Map dated April 1, 2013. Plant Memorial Home will convey this parcel to the City or their designee for recreational and open space purposes.
 - b) Plant Memorial Home will construct a bus stop, as depicted on the approved site plan, on Washington Street.
 - c) An existing driveway entrance, as depicted on the approved site plan, will be closed.
 - d) Plant Memorial Home will replace existing light fixtures on the leased parcel with ordinance-compliant fixtures.

C. Zoning Provisions Affected

This Contract Rezoning is intended to modify:

1. The maximum height allowed, under Sections 8.21(B) and 8.22(C) of the Land Use Code, by allowing the construction of the building addition 52 feet in height, depicted on the Site Plan approved by the Bath Planning Board.
2. The minimum setbacks, under Section 8.22(C) of the Land Use Code, by allowing the construction of the building, depicted on the Site Plan approved by the Bath Planning Board.
3. The minimum yard area, under Section 8.22(C) of the Land Use Code, by allowing the construction of the building, depicted on the Site Plan approved by the Bath Planning Board.

D. Conditions of Approval

This Contract Rezoning Ordinance requires full and complete compliance with all conditions of approval, which are part of the Site Plan approval, granted to PMH Real Estate, by the Bath Planning Board on August 20, 2013, including the following:

- 1. The Discretionary Condition listed in Section B (10), above.

Any proposed amendment to the above cited Site Plan Approval, which meets the requirements of Section 12.13 (B) may be approved by the criteria in Section 12.13 (B).

Councilor Lockwood made a motion to put this Ordinance on the floor for discussion. Councilor Wyman seconded the motion.

City Planner Deci gave a brief history of the amendment to the Ordinance.

ROLL CALL VOTE:

YEAS: Brackett, Merrill, Paulhus, Lockwood, Wyman, Sinclair, Mitchell, Winglass

NAYS: None

Ordinance passed unanimously. 8-0

Madame Chair Eosco stated that the Ordinance will become effective in 21 days.

2) Ordinance: LUC Amendment, Article 16: Contract Zoning Districts, Sect. 16.21 – Residence Inn District- 139 Richardson Street property (Second Passage)

Councilor Wyman made a motion to waive the reading of the following Ordinance amendment. Councilor Brackett seconded the motion. All were in favor of the motion.

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 16, Contract Zoning Districts, by adding the following Section:

ARTICLE 16: CONTRACT ZONING DISTRICTS

SECTION 16.21 - RESIDENCE INN DISTRICT

A. District Designation

The property designated for contract rezoning is the property located at 139 Richardson Street; being identified as lot 68 on tax map 31 on the tax maps dated April 1, 2013. The property is known as the former Holiday Inn site.

B. Findings

Bathres, LLC proposes to demolish the extant structures located at 139 Richardson Street and construct a four-story, 103 room long-term stay hotel (“Residence Inn”) and supporting infrastructure. The City Council makes the following additional specific findings:

1. The building is adjacent to Route 1 and is located within the Route 1 Commercial Contract Zoning District (C-4). The purpose of the Route 1 Commercial Contract District is to provide a location for the highway-oriented businesses needed by residents of the City, the region, and the traveling public. The goal of the district is to encourage better appearances and improved highway safety.

2. The proposed use is classified as a ‘Hotel, Motel, Inn, tourist cabins, or similar business providing overnight accommodations.’ The use is allowable within the C-4 zoning district with site plan approval.

3. Contract zoning is enabled in the C-4 zoning district, as identified in §8.20B1 of the Land Use Code.

4. The rezoning is consistent with the Comprehensive Plan of the City of Bath.

C. Zoning Provisions Affected

This contract zone is intended to relax the following space and bulk standards of the Route 1 Commercial Contract Zoning District (C-4):

1. Minimum Front Setback (Reduce the requirement from 50 feet to 27 feet, as depicted on the approved site plan)

2. Minimum Front Yard Area (Reduce the requirement from 20 feet to 12 feet, as depicted on the approved site plan)

3. Maximum Building Height (Increase the maximum height from 40 feet to 55 feet, as depicted on the approved site plan)

D. Conditions of Approval

This contract zone is approved subject to the following conditions:

1. This contract zone is subject to all conditions of approval that are part of the Site Plan approval, granted to the applicant, by the Planning Board on May 20, 2014.

2. The applicant has offered the following voluntary and discretionary conditions in exchange for the contract rezoning:

a. A perpetual restriction of signage size and location on the property, so that signage on the site shall be as shown on the revised signage plan, dated May 14, 2014 on file in the Bath Planning Office.

b. The design and construction of a sidewalk and esplanade along the Route 1 frontage of the property, as indicated on the approved site plan. Completion of the sidewalk and the granting of a public access easement to the City shall be completed prior to the issuance of a certificate of occupancy by the Code Enforcement Officer.

c. The design and construction of a sidewalk and associated improvements along Redlon Road, as indicated on the approved site plan. Completion of the sidewalk shall be completed prior to the issuance of a certificate of occupancy by the Code Enforcement Officer.

d. The contribution of \$65,000 to the City of Bath for the purpose of improving the Route 1 Corridor. Payment is to be made prior to the issuance of building permits by the Code Enforcement Officer.

Councilor Wyman made a motion to put this Ordinance on the floor for discussion. Councilor Mitchell seconded the motion.

City Planner Deci explained the history regarding this amendment.

ROLL CALL VOTE:

YEAS: Winglass, Mitchell, Sinclair, Wyman, Lockwood, Paulhus, Merrill, Brackett,

NAYS: None

Ordinance passed unanimously. 8-0

Madame Chair Eosco stated that the Ordinance will become effective in 21 days.

3) Ordinance: Approving Firefighters' Contract (Second Passage)

Madame Chair Eosco 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, THE BARGAINING AGREEMENT BY AND BETWEEN THE CITY OF BATH AND THE BATH FIREFIGHTERS ASSOCIATION, LOCAL NO. 1611 OF THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, A.F.L. – C.I.O., COMMENCING JULY 1, 2013 AND EXTENDING THROUGH JUNE 30, 2016, 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 Wyman made a motion to put this Ordinance on the floor for discussion. Councilor Mitchell seconded the motion.

ROLL CALL VOTE:

YEAS: Brackett, Merrill, Paulhus, Lockwood, Wyman, Sinclair, Mitchell, Winglass

NAYS: None

Ordinance passed unanimously. 8-0

Madame Chair Eosco stated that the Ordinance will become effective in 21 days.

4) Bond Ordinance: Authorizing issuance of General Obligation Bonds in the amount not to exceed \$675,000 for the purpose of funding certain vehicles, equipment and other public facility improvements. (Second Passage)

Councilor Lockwood made a motion to waive the reading of the following Bond Ordinance. Councilor Mitchell seconded the motion. All were in favor of the motion.

BOND ORDINANCE

AUTHORIZING ISSUANCE OF GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED \$675,000 FOR THE PURPOSE OF FUNDING CERTAIN VEHICLES, EQUIPMENT AND OTHER PUBLIC FACILITY IMPROVEMENTS

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, \$675,000, plus the sale premium of and investment earnings on the bonds/notes authorized in Section 2 below, is hereby appropriated for the purpose of funding the following, including issuance costs therefore:

- Fire Ambulance
- Fire Defibrillator Replacement
- Police Vehicle
- Public Works new Boiler
- Tractor
- Bucket Truck and Chipper

- Recreation Mower
- Public Works Crew Cab
- Sidewalk sander/ snow blower
- Landfill skid-steer, scale deck, bulldozer

- Section 2. That, for the purpose of funding the aforesaid appropriation, the City Treasurer, with the approval of the Chair of the City Council and the City Manager, is hereby authorized, in the name of and on behalf of the City, to issue the City's bonds/notes or notes in anticipation thereof, in the stated principal amount of up to, but not to exceed, \$675,000 under and pursuant the City Charter and 30-A MRSA §5772.
- Section 3. That any and all bonds/notes or notes in anticipation thereof issued pursuant to this Ordinance are issued pursuant to Chapter 8 of the City Charter and shall be signed by the City Treasurer and countersigned by the Chair of the City Council and the City Manager.
- Section 4. That any and all bonds/notes issued pursuant to this Ordinance shall be payable in annual installments, which need not be equal, pursuant to Section 807 of the City Charter.
- Section 5. That the term of any bonds/notes issued pursuant to this Ordinance shall not exceed eleven (11) years.
- Section 6. That the City Treasurer, with the approval of the Chair of the City Council and the City Manager, shall determine the date or dates, maturities (not to exceed the maximum term specified above), denominations, interest rate or rates and any other details of any bonds/notes or any notes in anticipation thereof to be issued pursuant to this Ordinance, such approval to be conclusively evidenced by the execution thereof.
- Section 7. That the City Treasurer, with the approval of the Chair of the City Council and the City Manager, is hereby authorized to make any bonds/notes or notes in anticipation thereof issued pursuant to this Ordinance subject to call for redemption with or without premium prior to the stated maturity date at the election of the City.
- Section 8. That the City Treasurer is hereby authorized to take all such action as may be necessary to designate any bonds/notes or notes in anticipation thereof issued pursuant to this Ordinance (to the extent such designation is available) as qualified tax-exempt obligations for purposes of Section 265(b) of the Code.
- Section 9. That the bonds/notes or notes in anticipation thereof issued pursuant to this Ordinance shall be general obligations of the City, backed by the full faith and credit and taxing power of the City.
- Section 10. That in the event the City Treasurer elects to issue such bonds/notes or notes in anticipation thereof through the Maine Municipal Bond Bank (the "Bond Bank"), that the City Treasurer and the Chair of the City Council and the City Manager be and hereby are authorized, on behalf of the City, to enter into a loan agreement with the Bond Bank in conjunction with the issuance of the bonds or notes, in the aggregate principal amount not to exceed \$675,000 with a term not to exceed the term of the bonds or notes, said loan agreement to be in the usual and ordinary form utilized by the Bond Bank in connection with its General Resolution Program, which is hereby approved, and to contain such other terms and provisions, not contrary to the general tenor hereof, as the Treasurer, the Chair of the City Council and the City Manager may approve, their approval to be conclusively evidenced by the execution thereof.

Section 11. That the City Treasurer is authorized to do or cause to be done all such acts and things, and to execute and deliver any and all contracts, agreements, certificates, and other documents as may be necessary or advisable, including but not limited to an Arbitrage and Use of Proceeds Certificate and a Continuing Disclosure Certificate, to carry out the provisions of this Ordinance in connection with the issuance and delivery by the City of the bonds/notes or notes in anticipation thereof.

Section 12. That if the City Treasurer, Chair of the City Council, City Manager, or Clerk are for any reason unavailable to approve and execute the bonds/notes or notes in anticipation thereof issued pursuant to this Ordinance, any loan agreement or any related financing documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had himself or herself performed such act.

Section 13. That during the term any of the bonds authorized hereby are outstanding, the City Treasurer is hereby authorized, in the name and on behalf of the City, to issue and deliver refunding bonds on either a current or advance refunding basis, to refund some or all of the bonds then outstanding, and to determine the date, form, interest rate, maturities (not to exceed 11 years from the date of issuance of the original bonds) and all other details of such refunding bonds, including the form and manner of their sale and award. The City Treasurer is hereby further authorized to provide that any of such refunding bonds hereinbefore authorized be made callable, with or without premium, prior to their stated date(s) of maturity, and each refunding bond issued hereunder shall be signed by the City Treasurer and countersigned by the Chair of the City Council and the City Manager, sealed with the seal of the City, and attested by its Clerk.

Section 14. That any suit questioning the validity of this Ordinance shall be barred unless commenced within forty-five (45) days following publication of the Ordinance in accordance with Section 805 of the City Charter.

Councilor Merrill made a motion to put this Ordinance on the floor for discussion. Councilor Mitchell seconded the motion.

City Manager Giroux explained this was the funding for the items discussed during budget workshop and agreed on.

ROLL CALL VOTE:

YEAS: Winglass, Mitchell, Sinclair, Wyman, Lockwood, Paulhus, Merrill, Brackett,

NAYS: None

Ordinance passed unanimously. 8-0

Madame Chair Eosco stated that the Bond Ordinance will become effective in 21 days.

5) Ordinance: Supplemental Appropriation in the amount of \$545,000.00. (Second Passage)

Madame Chair Eosco read the following Ordinance:

**ORDINANCE
SUPPLEMENTAL APPROPRIATION**

WHEREAS, the City Council desires to set aside additional funds for unanticipated expenditures; and

WHEREAS, surplus funds in the General Fund Undesignated Fund Balance Account, constituting revenue in excess of those estimated in the Budget for the current fiscal year, are available for this purpose; and

WHEREAS, the sum proposed to be appropriated by this Supplemental Appropriation, totaling Five Hundred Forty Five Thousand Dollars (\$545,000.00), will not exceed the expenditure limits for the current fiscal year pursuant to Section 617 of the Charter of the City of Bath;

NOW THEREFORE, be it ordained by the City Council of the City of Bath that the total sum of Five Hundred Forty Five Thousand Dollars (\$545,000.00) be and hereby is supplementally appropriated from the General Fund Undesignated Fund Balance (Account GF-2500) to the Council Contingency Account (Account 012-402).

Councilor Wyman made a motion to put this Ordinance on the floor for discussion. Councilor Mitchell seconded the motion.

ROLL CALL VOTE:

YEAS: Brackett, Merrill, Paulhus, Lockwood, Wyman, Sinclair, Mitchell, Winglass

NAYS: None

Ordinance passed unanimously. 8-0

Madame Chair Eosco stated that the Ordinance will become effective in 21 days.

D. Consent Agenda 6:26 PM

***6) Minutes of the Regular Council Meeting on May 7, 2014, Public Hearing on City Budget and Special Council Meetings on May 21, 2014. (Motion to Accept as Presented)**

Councilor Mitchell made a motion to accept the Consent Agenda as presented. Councilor Paulhus seconded the motion. All were in favor of the motion.

E. Time Devoted to Residents to Address the City Council 6:27 PM

Jerry Provencher of 15 Winslow Court read the following:

My name is Jerry Provencher. I live at 15 Winslow Court. I made two announcements at last month's Council meeting. One about the formation of a local group, Midcoast Citizens for Sustainable Economies, and the second about a Forum that we are sponsoring along with Vital Connections. The forum is titled **Ships, Shoes, and Submarines**, and it relates to Maine's dependence on military production. I want to follow up on those announcements with some additional information.

Midcoast Citizens was not formed to address a single issue, but rather to be able to help present informed dialog on a variety of issues. The subject of the Forum, set for June 27th, Maine's dependence on military spending, is appropriate, especially in light of the recent in depth discussions, here at the Council regarding, the Tax Increment Financing awarded to BIW. Several factors came up in that discussion relating to the unpredictable nature of Government spending. Just since then, we have seen contracts and labor figures for the Yard go up and down the scale.

The dialog, that we are working to facilitate, is now BIW specific, but it is rather a State-wide issue. Approximately ten per cent of Maine's Gross Domestic Product or five point three billion dollars is derived from military spending. There are about twenty companies and entities across the State that benefit from military spending. With BIW being one of the largest employers in the State, it is of particular interest here.

In 2009, Bath's Planning Board and the City Council agreed with concerns about future development plans and tax revenues relative to BIW. The Comprehensive Plan has fourteen relative references. Eleven of those are specific to BIW. I'd like to quote three of them.

Page 3 – The tax base provided by Bath’s major taxpayers helps keep taxes lower for residential property owners. However, the City’s over-dependence on BIW and BIW’s future – and the belief on the part of City government especially in the past (during times of BIW’s prosperity) that diversifying the local economy was neither possible nor necessary could place the City’s future prosperity at risk.

Page 4 – The multiplier or spin-off effects of further downsizing at BIW coupled with the decision to close Brunswick Naval Air Station (BNAS) in 2011 potentially bodes poorly for the regional economy without active programs to diversify and reduce dependency on the defense industry.

Page 29 – Prepare an economic development plan that includes contingency planning for the possibility of BIW downsizing or closing, a clear and concise business-attraction and business retention process, a staff “go-to” contact, and an economic development committee if appropriate.

It appears that we are all in agreement here. In terms of total dollars derived from military spending, Maine ranks 22nd. In terms of per capita, Maine ranks fourth. This is a serious issue for us. At least seven other states, including Connecticut and Massachusetts have already begun efforts to plan for shrinking spending by the military. We need to generate a state-wide discussion about this issue, and Bath is a good place to start.

The Occupy Movement generated many catch phrases. Two of them have stuck with me. “Democracy is not what governments do, it’s what citizens do.” “You have the right to remain silent, but I wouldn’t recommend it.” I plan to attend the Economic Development Committee’s meeting next week. I have spoken briefly with the City Planner, and members of the Planning Board and the Economic Development Committee. Midcoast Citizens for Sustainable Economics looks forward to working with the City and other regional and stake-holders in the state to address our concerns.

Please join us for Ships, Shoes and Submarines at the Winter Street Church on Friday, June 27th. Pot Luck food from 5:30-6:30, and the Forum from 6:30-8:00. Thank you for your time. I’d be happy to answer any questions.

F. Ordinances, Resolutions and Orders 6:33 PM

7) Authorization to hold Heritage Days

BATH HERITAGE DAYS 2014

F7

May 27, 2014

Ms. Mari Eosco, Chairman
Bath City Council
55 Front Street
Bath, ME 04530

Dear Ms. Eosco:

Main Street Bath, Inc. respectfully requests City Council endorsement for the 42nd Annual Bath Heritage Days Celebration scheduled for Thursday, July 3 – Sunday, July 6, 2014.

Bath Heritage Days: We seek permission to hold the 2014 Bath Heritage Days in downtown Bath, Waterfront Park and City Park from 2 p.m. on July 3 through 11pm on July 6. Events will include a 5K, Independence Day Parade, Boat Parade, BBQ, Firemen’s Muster, Art in the Park a Made-in-Maine Craft Shows, children’s activities, live music on the Waterfront Dock and in the City Park gazebo, Smokeys Greater Shows Carnival, an Antique Car Show, and Fireworks over the Kennebec River.

Carnival: The Carnival provider is Smokey’s Greater Shows. We plan to have the carnival and midway on Commercial Street between Bathport and the Visitor Center parking lot as in recent years. We have written permission from the DOT to use the area under the bridge, and from the Mahoney family to use the Coal Pocket for a parking lot for the duration of Heritage Days. Accommodations will be made for access to other private lots as available. **Operating Hours:** The carnival’s operating hours will begin Thursday, July 3 at 5pm and run daily July 4 through July 7th from 10:00 a.m. until 11pm.

Traffic: Carnival detour traffic will be designated from July 2-8 to allow for setup and breakdown. In addition to the partial closing of the South end of Commercial Street, we ask permission for “no parking” zones on Friday, Saturday and Sunday on the East side of Washington Street and on Linden Street surrounding City Park for additional pedestrian safety. We request the closing of Front Street between Centre and Elm Streets for the Front Street Shuffle on Sunday from 9am-3pm. A portion of Commercial Street will be left open to traffic until 5pm on Thursday to make employee parking accessible at businesses. We also request a total of 4 additional temporary spaces be reserved for handicapped parking on Washington and Commercial Streets in close proximity to activities.

Parade: The 2014 Heritage Days Parade will be held at 10:30am on Friday, July 4th. Line up will be on the old Brunswick Road, parts of North Street, Congress Avenue and Oak Grove Avenue. The parade registration table will be on Congress Avenue near the Lincoln Street intersection. The parade will travel south on Lincoln Street, east on Centre Street, North on Front Street and will disband at Front and North Streets.

Fireworks: We seek permission to have fireworks viewing in the downtown area near Waterfront Park on Sunday July 6th. We will shoot the fireworks display from a barge in the river. We will have the proper license approval from the Maine State Fire Marshal.

Trash: Pine Tree Waste, Inc. will provide trash pickup and toilets. City and Waterfront Parks will be posted as tobacco free zones, with compliance requested but not enforced.

Fees and Licenses and City Services: We seek permission for the Waiver of all City of Bath fees and license requirements for all participants at Bath Heritage Days. Also, permission for the City to absorb all City costs except for Police at the carnival and for services in excess of the level provided in previous years.

We ask that the City Manager be allowed to act on future requests should the need arise between now and July 4th, 2014. With the City Council’s endorsement we look forward to another community celebration of Independence Day and Bath’s rich cultural heritage.

Sincerely,
Jennifer Geiger, Director, Main Street Bath
C. Mary White

Main Street Bath, 15 Commercial Street, Bath, ME 04530 207-442-7291

Main Street Bath Director Jennifer Geiger gave an overview of the upcoming festivities for Heritage Days. She reported that Heritage Days would run from July 3rd - 6th and would have the usual attractions such as the Barbeque in the Park on Thursday, July 3rd, Parade on Friday, July 4th at 10:30 AM, Carnival operating July 3rd-6th, Arts in the Park Sunday, July 6th and the Fireworks will be on Sunday night.

Councilor Lockwood made a motion to put the item on the floor for discussion. Councilor Winglass seconded the motion.

VOTE:

YEAS: 8

NAYS: 0

Passed unanimously. 8-0

8) Resolution: City Operating Budget

Madame Chair Eosco read the following Resolution:

RESOLUTION – CITY OPERATING BUDGET

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE, that the City Operating Budget for the fiscal year commencing on July 1, 2014 and terminating on June 30, 2015, be and hereby is adopted with a total expenditure of **\$ 9,793,454.00**, balanced with an equal amount of estimated revenue. Summary of appropriations is attached on the following page.

The Summary is on file with the agenda materials for the June 4, 2014 meeting in the City Clerk's Office.

Councilor Wyman made a motion to put this Resolution on the floor for discussion. Councilor Mitchell seconded the motion.

VOTE on Resolution:

YEAS: 8

NAYS: 0

Resolution passed unanimously. 8-0

9) Resolution: City Capital Improvement Budget

Madame Chair Eosco read the following Resolution:

RESOLUTION – CITY CAPITAL IMPROVEMENT BUDGET

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE, that the City Capital Improvement Budget as reallocated and/or appropriated for the fiscal year commencing on July 1, 2014 and terminating on June 30, 2015, be and hereby is adopted with a total expenditure of **\$ 1,265,061.00**, balanced with an equal amount of estimated revenue. Summary of appropriations is attached on the following page.

The Summary is on file with the agenda materials for the June 4, 2014 meeting in the City Clerk's Office.

Councilor Mitchell made a motion to put this Resolution on the floor for discussion. Councilor Wyman seconded the motion.

VOTE on Resolution:

YEAS: 8

NAYS: 0

Resolution passed unanimously. 8-0

10) Resolution: Landfill Fund Component

Madame Chair Eosco read the following Resolution:

RESOLUTION – LANDFILL FUND BUDGET

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE, that the Landfill Fund Budget as reallocated and/or appropriated for the fiscal year commencing on July 1, 2014 and terminating on June 30, 2015, be and hereby is adopted with a total expenditure of **\$ 1,925,000.00** balanced with an equal amount of estimated revenue. Summary of appropriations is attached on the following page.

The Summary is on file with the agenda materials for the June 4, 2014 meeting in the City Clerk's Office.

Councilor Mitchell made a motion to put this Resolution on the floor for discussion. Councilor Merrill seconded the motion.

VOTE on Resolution:

YEAS: 8

NAYS: 0

Resolution passed unanimously. 8-0

11) Resolution: Sewer Utility Fund Budget

Madame Chair Eosco read the following Resolution:

RESOLUTION – SEWER UTILITY FUND BUDGET

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE, that the Sewer Utility Fund Budget for the fiscal year commencing on July 1, 2014 and terminating on June 30, 2015, be and is hereby adopted with a total expenditure of **\$ 2,003,274.00**, balanced with an equal amount of estimated revenue. Summary of appropriations is attached to this Resolution on the following page.

The Summary is on file with the agenda materials for the June 4, 2014 meeting in the City Clerk's Office.

Councilor Wyman made a motion to put this Resolution on the floor for discussion. Councilor Mitchell seconded the motion.

VOTE on Resolution:

YEAS: 8

NAYS: 0

Resolution passed unanimously. 8-0

12) Resolution: Bath City Bus Fund Budget

Madame Chair Eosco read the following Resolution:

RESOLUTION – BATH CITY BUS FUND BUDGET

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE, that the Bath City Bus Fund Budget for the fiscal year commencing on July 1, 2014 and terminating on June 30, 2015, be and is hereby adopted with a total expenditure of **\$142,493.00**, balanced with an equal amount of estimated revenue. Summary of appropriations is attached to this Resolution on the following page.

The Summary is on file with the agenda materials for the June 4, 2014 meeting in the City Clerk's Office.

Councilor Paulhus made a motion to put this Resolution on the floor for discussion. Councilor Mitchell seconded the motion.

VOTE on Resolution:

YEAS: 8

NAYS: 0

Resolution passed unanimously. 8-0

13) Resolution: Bath Trolley and Transportation Budget

Madame Chair Eosco read the following Resolution:

RESOLUTION – BATH TROLLEY AND TRANSPORTATION FUND BUDGET

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE, that the Bath Trolley and Transportation Fund Budget for the fiscal year commencing on July 1, 2014 and terminating on June 30, 2015, be and is hereby adopted with a total expenditure of **\$73,455.00**, balanced with an equal amount of estimated revenue. Summary of appropriations is attached to this Resolution on the following page.

The Summary is on file with the agenda materials for the June 4, 2014 meeting in the City Clerk's Office.

Councilor Mitchell made a motion to put this Resolution on the floor for discussion. Councilor Brackett seconded the motion.

VOTE on Resolution:

YEAS: 8

NAYS: 0

Resolution passed unanimously. 8-0

14) Resolution: to Increase the LD1 Tax Levy Limit

Madame Chair Eosco read the following Resolution:

RESOLUTION TO INCREASE THE LD1 TAX LEVY LIMIT

BE IT RESOLVED by the City Council of the City of Bath, to increase the tax levy limit of \$7,438,920.00 by the amount required by the adoption of the 2014-2015 budget (estimated increase \$0).

Councilor Wyman made a motion to put this Resolution on the floor for discussion. Councilor Mitchell seconded the motion.

VOTE on Resolution:

YEAS: 8

NAYS: 0

Resolution passed unanimously. 8-0

15) Order: Establishing Tax Club for the upcoming year

Madame Chair Eosco read the following Order:

ORDER
TAX CLUB FOR 2014 - 2015

BE IT ORDERED by the City Council of the City of Bath, as follows:

That the Finance Director, serving as the appointed Treasurer and Tax Collector, be authorized and empowered to continue a tax payment plan known as the “Bath Tax Club”, making payments in a method, frequency, and manner set by, and in accordance with, the rules of said Tax Club as determined by the Finance Director; and

That membership shall be limited to one property, that being the taxpayer’s primary residence, and specifically not available for commercial, industrial, personal, or rental properties; and

That enrollment in the 2014 Tax Club begins July 1, 2014, and ends August 15, 2014; with the first of twelve payments due in September, 2014.

Councilor Mitchell made a motion to put this Order on the floor for discussion. Councilor Paulhus seconded the motion.

City Manager Giroux explained that this allows tax payers to make 12 equal monthly payments.

VOTE on Order:

YEAS: 8

NAYS: 0

Order passed unanimously. 8-0

16) Resolution: Establishing interest rate on all delinquent taxes at the rate of 7% per annum

Madame Chair Eosco read the following Resolution:

RESOLUTION – ESTABLISHING
INTEREST RATE ON DELINQUENT PROPERTY TAXES

WHEREAS, pursuant to 36 M.R.S.A. Section 505(4), the City of Bath has the authority to specify an interest rate which shall be applied to delinquent taxes; and

WHEREAS, Section 7-101 of the Code of the City of Bath determines that the rate of interest is to be established yearly by Resolution of this Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bath, that the interest rate due and payable for all delinquent taxes shall be set at the rate of 7.0% per annum, for taxes assessed during the 2014-2015 Fiscal Year.

Councilor Mitchell made a motion to put this Resolution on the floor for discussion. Councilor Lockwood seconded the motion.

Councilor Sinclair made a motion to change the wording “the rate of 7.0% per annum” to “the rate of 5.0% per annum”. There was no second to this motion.

City Manager Giroux explained this was the maximum rate set by the State. He said other municipalities tend to set the rate at the State’s maximum rate.

VOTE on Resolution:

YEAS: 7

NAYS: 1 (Sinclair)

Resolution passed unanimously. 7-1

17) Resolution: Establishing interest rate on delinquent sewer bills at the rate of 7% per annum

Madame Chair Eosco read the following Resolution:

**RESOLUTION – ESTABLISHING
INTEREST RATE ON SEWER BILLS**

BE IT RESOLVED by the City Council of the City of Bath, as follows:

That the interest rate due and payable for all delinquent sewer bills shall be set at the rate of 7.0% per annum, for all sewer user fees assessed during the 2014-2015 Fiscal Year.

Councilor Mitchell made a motion to put this Resolution on the floor for discussion. Councilor Lockwood seconded the motion.

Councilor Sinclair made a motion to change the wording “the rate of 7.0% per annum” to “the rate of 5.0% per annum”. There was no second to this motion.

VOTE on Resolution:

YEAS: 7

NAYS: 1 (Sinclair)

Resolution passed unanimously. 7-1

18) Resolution: Establishing interest rate on refunds due to tax abatements at the rate of 3% per annum

Madame Chair Eosco read the following Resolution:

**RESOLUTION – ESTABLISHING
INTEREST RATE ON REFUNDS DUE TO OVERPAYMENT OF TAXES**

BE IT RESOLVED by the City Council of the City of Bath, as follows:

That any taxpayer who pays an amount in excess of what is finally assessed (as in the case of a taxpayer who pays under protest, appeals the assessment, and is granted an abatement; or in the case of accidental overpayment of taxes by a mortgage company, taxpayer, or tax club member) must be repaid the amount of the overpayment, plus interest back to the date of the overpayment, at a rate of 3.0% per annum, from July 1, 2014 to June 30, 2015; and

That property tax payments can be received only for delinquent or currently due taxes; and

That payments resulting in an overpayment will be applied as much as possible to outstanding balances, then remainder repaid only to the payee.

Councilor Mitchell made a motion to put this Resolution on the floor for discussion. Councilor Merrill seconded the motion.

VOTE on Resolution:

YEAS: 8

NAYS: 0

Resolution passed unanimously. 8-0

19) Resolution: City of Bath's Special Purpose Fund Budget

Madame Chair Eosco read the following Resolution:

RESOLUTION – SPECIAL PURPOSE FUND COMPONENT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BATH, MAINE, that the City of Bath's Special Purpose Fund as reallocated and/or appropriated for the fiscal year commencing on July 1, 2014 and terminating on June 30, 2015, be and is adopted for the purpose of funding the accounts attached to this Resolution below:

SPECIAL PURPOSE FUNDS - CITY

As of June 1, 2014

<u>0300 Special Purpose</u>	<u>0306 Forestry</u>	<u>0314 Recreation</u>
350 2Townlanding	310 Forestry – Project Canopy	335 McMann Field Renovation
351 Police K9 Fund	311 Forestry – USDA Interns	336 Rec Scholarship Fund
352 Butler Head Sugarbush	355 Forestry – Green Downtown	337 Community Garden
353 Butler Head Signs & Improvement		338 Soccer
356 Downtown Signs		340 Lacrosse
3935 Assessor Records Preservation	<u>0308 General Assistance</u>	341 Mens Softball League
3722 Bath Clocks Maintenance	307 Almoner Fund	342 Little League Registrations
3964 Efficiency Maine PACE Grant	371 Charitable Contribution Fund	343 Bath Babe Ruth League
3970 Skate Park Campaign Fund		344 Youth Football League
3731 Skate Park Committee	<u>0310 LAMBERT PARK CC</u>	345 Youth Cheerleading
3615 Swimming Pool Fund	330 LPCC03	347 Advertising Signs
3718 Tree Planting		348 McMann Advertising
3729 Workers Comp Reserve	<u>0312 Police Grants</u>	349 Summer Meals Program
<u>0302 Cemetery and Parks</u>	318 Jumpstart	1220 Administration
301 Forestry Trust-Prin & Interest	320 Dare	1230 Maintenance and Grounds
302 Forestry Committee	321 OUI Grant	1245 Programs
303 Druid Park	322 Juvenile Assistance Fund	1325 Youth meeting House
304 Vandalism & Damage	324 PD Bike Safety	3748 Artworks
305 Cemetery Firewood	325 Under Aged Drinking	3720 Lambert Park Com. Center
306 Library Gazebo	326 Seatbelt Safety	

379 BIW South End Park	Program 327 Police Drug Forfeiture 328 Speed
3253 Milled Lumber	Enforcement 3724 Bullet Proof Vest
<u>0304 Fire Department</u>	Program 3750 Chaplain's
315 Fire Department Training	Training
<u>0305 Planning Department</u>	
3652 Comprehensive Planning	
3790 Climate Adaption	

Councilor Wyman made a motion to put this Resolution on the floor for discussion. Councilor Mitchell seconded the motion.

VOTE on Resolution:

YEAS: 8

NAYS: 0

Resolution passed unanimously. 8-0

20) Resolution: Authorizing Borrowing in Anticipation of Taxes for FY 2014-2015

Madame Chair Eosco read the following Resolution:

**RESOLUTION AUTHORIZING BORROWING
IN ANTICIPATION OF TAXES
FOR FISCAL YEAR 2014-2015**

WHEREAS, the City of Bath does not receive substantial income from ad valorem property taxes until approximately the beginning of October of any fiscal year; and

WHEREAS, the City of Bath has certain ongoing financial obligations that must be met including, but not limited to, payroll expenses and debt service payments that come due prior to the receipt of substantial tax revenues; and

WHEREAS, these factors result in cash flow issues within City Budgets; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bath as follows:

THAT Pursuant to 30-A M.R.S.A. Section 5771 and Chapter VI, Section 616 of the Charter of the City of Bath, the Treasurer is hereby authorized and empowered to borrow, at one time or from time to time during the fiscal year ending June 30, 2015, singly or in series, an amount or amounts not exceeding \$3,000,000 in anticipation of the collection of receipts from taxes, such borrowing to be evidenced by the issuance of the City’s tax anticipation notes (the “Notes”).

THAT The Notes shall be issued in the aggregate amounts not to exceed \$3,000,000 and that the interest rate, maturities, and denominations for the Notes shall be established by the Treasurer with the approval of the Chair of the City Council and the City Manager. The Notes, and any extensions, renewals, or replacements thereof, shall be signed by the Treasurer and countersigned by the Chair of the City Council and the City Manager, attested to by the Clerk, and shall be payable on or before June 30, 2015, out of money raised by taxation during the fiscal year ending June 30, 2015, and shall contain such terms and provisions, not inconsistent herewith, and be in such form as shall be approved by the officers and officials signing the same, which approval shall be conclusively evidenced by their execution thereof.

THAT The Treasurer be, and hereby is authorized to prepare and distribute a Notice of Sale of the City, or other suitable document for use in soliciting bids from financial institutions and that any prior similar action taken by the Treasurer be and hereby is ratified and approved.

THAT The Treasurer, Chair of the City Council, and Clerk be and hereby are authorized and empowered on behalf of the City to undertake all such acts and things and execute and deliver all such documents and certificates as may be necessary or convenient in connection with the issuance, sale, execution, and delivery of the Notes.

THAT If the Treasurer, Chair of the City Council, or Clerk are for any reason unavailable to approve and execute the Notes or any related documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had himself/herself performed such act.

Councilor Mitchell made a motion to put this Resolution on the floor for discussion. Councilor Wyman seconded the motion.

VOTE on Resolution:

YEAS: 8

NAYS: 0

Resolution passed unanimously. 8-0

21) Resolution: Establishing Schedule of Rates for Sewer System Fees, Use Charges and Special Assessments

Madame Chair Eosco read the following Resolution:

RESOLUTION ESTABLISHING SCHEDULE OF RATES FOR SEWER SYSTEM FEES, USE CHARGES, AND SPECIAL ASSESSMENTS

WHEREAS, Sections 14-28, 14-30, 14-51(b), 14-52(a), and 14-54 of the Code of the City of Bath specify that the City Council from time to time shall establish by Resolution, upon recommendation from the City Manager, a schedule of rates for the sewer system fees and use charges together with surcharges which may be applicable, as well as special assessments; and

WHEREAS, it is apparent that an increase in the rate structure is necessary in order to fund the wastewater treatment system; and

WHEREAS, such an increase is recommended by the City Manager.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bath, pursuant to their authority under the Code of the City of Bath, that the following rate structure, listed in the attached table, be and hereby is adopted for all fees, charges, and special assessments, to be effective July 1, 2014.

Proposed Sewer Rate Structure Schedule July 1, 2014 is on file with the agenda materials for the June 4, 2014 meeting in the City Clerk's Office.

Councilor Mitchell made a motion to put this Resolution on the floor for discussion. Councilor Winglass seconded the motion.

VOTE on Resolution:

YEAS: 8

NAYS: 0

Resolution passed unanimously. 8-0

22) Order: Approving Year End Expenditure Transfer

Madame Chair Eosco read the following Order:

ORDER
APPROVING YEAR END EXPENDITURE TRANSFERS

Be It Hereby Ordered by the City Council of the City of Bath, pursuant to Section 611 (D) of the Charter of the City of Bath, that the following transfers be hereby approved:

Transfer In	Account	Amount
Legal Specialty	0011-117	\$65,000
Regular Payroll	0000-102	\$48,200
FIRE AMBULANCE		
Overtime	0100-103	\$15,000
Vehicle Maintenance	0100-208	\$10,000
 Transfer Out	 Account	 Amount
Council Contingency	0012-402	\$138,200

Councilor Mitchell made a motion to put this Order on the floor for discussion. Councilor Wyman seconded the motion.

Finance Director Millett explained that this needs to be done because these accounts that are over budget.

VOTE on Order:

YEAS: 8

NAYS: 0

Order passed unanimously. 8-0

G. Petitions & Communications 7:08 PM

Madame Chair Eosco reported that she would be attending a workshop this month regarding breaking the cycle of poverty and hopes to bring back some useful information to share with Council and Bath citizens.

H. City Manager’s Report 7:09 PM

Community Development Director Scott LaFlamme reported on the recently acquired \$400,000 Brownfield Assessment Grant from the EPA. Mr. LaFlamme stated that this grant was split between the assessment of petroleum based hazardous materials and abatement of overall hazardous materials in general. He gave a brief explanation of how the funds might be spent and a history of the grant process and previous uses of such grants.

City Manager Giroux reported that some of the other municipalities that got \$400,000 were Bangor and Boston, MA. He stated that these grants had been used previously to clean up the hotel site and the old YMCA site.

I. Committee Reports 7:14 PM

There were no committee reports.

J. Unfinished Business 7:14 PM

There was no unfinished business.

K. New Business 7:15 PM

23) Appointment one member to the Bath Economic Development Committee with an indefinite term.

Councilor Lockwood nominated on behalf of the Appointments Committee James McGee for this position. All were in favor of the nomination.

L. Councilor Announcements 7:16 PM

Councilor Lockwood reported that the Sagadahoc Preservation Inc.'s 12th annual House and Garden Tour this year would be taking place in Phippsburg this year June 14th from 10Am-3:30PM and there was more information on SPI's web page. She stated that all proceeds would go towards the funding of improvements to the Winter Street Center site.

Madame Chair Eosco gave a welcome to all returning Morse High School alumni as it would be Alumni Reunion Weekend.

M. Comprehensive Plan Discussion 7:17 PM

Councilor Lockwood reporting on Land Use Plan pages 10-19.

Councilor Lockwood: Past documents that contributed to the current land uses in Bath were the 1997 Comprehensive Plan, the 1999 Waterfront and Downtown Action Plan, and the Visioning Plan of 2002. "A Good Place to Live: America's Last Migration" by Terry Pindell was a non-specific, but applicable to Bath, planning study that cited the common important characteristics of successful cities. The 1997 Comprehensive Plan referenced the importance of neighborhoods to the quality of life in Bath. The publication in 2003 prepared by Inland Fisheries & Wildlife, "Beginning with Habitat", and the 1997 Comprehensive Plan, are referenced in regard to the importance of natural habitats and preserving natural areas and wildlife as an integral part of Bath's rich landscape.

Another report, written by MDOT in 2005, completed a study of the Route 1 viaduct. The report was very critical of Route 1 and what it had to offer the City. However, the 1999 Waterfront and Downtown Action Plan report the Rte. 1 viaduct is not representative of Bath. The two reports were not necessarily contradictory, but were two very different views of Rte. 1. Although many good things are happening, there are still many things that need improvement such as sidewalks more amalgamation of north and south sides of Rte. 1.

Finally, the 1997 Comprehensive Plan addresses the working waterfront. Bath is characterized by a unique marine resource not found anywhere else in the state (or New England). Working waterfronts cover a mere 25 miles along Maine's 5,300-mile coastline, yet they supply the lifeblood of many coastal communities. Bath is unique in that the Kennebec River provides the only protected deep-water access in the state, enabling the construction, launching, and docking of ships more than 700 feet long, and is considered a safe haven in periods of foul weather. In Bath, substantial deep-water access remains for future development.

Councilor Lockwood pointed out that Bath has accomplished and/or improved many of these past criticisms in developing a vibrant City today.

The meeting adjourned at 7:22 PM with a motion by Councilor Wyman, seconded by Councilor Mitchell. 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 by appointment.