

REGULAR MEETING MINUTES
CITY COUNCIL OF THE CITY OF BATH, MAINE
October 7, 2015
City Council Chambers, Bath City Hall

Present: Councilors Brackett, Page, Paulhus, Wyman, Bauer, Mitchell, Omo 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.

Presentation of a proclamation and City chair to Firefighter/Paramedic Joseph McCole of the Bath Fire Department for his 27 years of service to the City of Bath.

PROCLAMATION

WHEREAS the City of Bath wishes to recognize the 27 years of service by Firefighter/Paramedic Joseph McCole IV of the Bath Fire Department, and

WHEREAS Joe is from West Bath, the son of Joan and Joseph McCole III and husband of Marianne Vold since 2007, and

WHEREAS Joe graduated from Morse High School in 1983, then attended SMVTI from 1984-1986 for marine biology, then completed Bath Iron Works Welding School advancing to first class welder and shop foreman, and

WHEREAS Joe was hired by the Bath Fire Department in May 1988, acquired EMS licensure as an EMT Basic in November 1988, EMT Intermediate in March 1990, and his Paramedic License in December 2003, and

WHEREAS Joe was named Firefighter of the year in 1997, and

WHEREAS Joe was an active member of Bath Professional Firefighters Local 1611 his entire career, serving on many committees and the executive board as Treasurer, and

WHEREAS Joe received a commendation in November 1989 for helping to deliver a six pound baby boy on Middle St, and

WHEREAS Joe received decorations of valor for rescue operations conducted at 62 South St. on February 20, 2014, rescuing a 4 year old boy and his father from the third floor of their burning home, and

WHEREAS Joe was promoted to the position of Acting Captain in May 2014 until October 2014, and

NOW THEREFORE BE IT PROCLAIMED that Joe McCole's long and productive career of public service to the citizens of Bath has been marked by his integrity and professionalism and that with the thanks of a grateful community, the Bath City Council wishes to thank Joe McCole for his 27 years of dedicated public service to the citizenry of Bath.

C. Public Hearings: 6:06 PM

1) Ordinance: Chapter 3, Advertising, Article 2. Signs, Section 3.205 – General Standards (Second Passage)

Councilor Omo made a motion to waive the reading of the Ordinance. Councilor Brackett seconded the motion. All were in favor of the waiving motion.

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE CODE OF THE CITY OF BATH, ADOPTED FEBRUARY 2, 1977, AND SUBSEQUENTLY AMENDED, BE FURTHER AMENDED AS FOLLOWS:

**CHAPTER 3. ADVERTISING
Article 2. Signs**

Section 3.205 – General Standards.

I. Signs generally:

Amend (F) as follows:

(F) Measurement of sign area. The area of a sign is determined by computing the space within the exterior limits of the face of a sign, whatever the geometrical shape, including the official business name, limited additional information and other associated details such as background, dead space, symbols or trademarks. Such area shall not include supports, posts and the dead space between them, unless the area of the supports and posts exceeds twenty-five percent (25%) of the sign area as defined above. If the supports and posts exceed twenty-five percent (25%) of the defined area of the sign, then only the area in excess of twenty-five percent (25%) shall be included in the total area of the sign. Where a supporting structure bears more than one sign, all signs shall be considered one sign and be so measured.

City Planner Andrew Deci explained this change modifies the sign face area calculation to include the space between the posts.

Madame Chair Eosco opened the Public Hearing. No one spoke; she closed the Public Hearing.

ROLL CALL VOTE:

YEAS: Brackett, Page, Paulhus, Wyman, Bauer, Mitchell and Omo

NAYS: 0

Ordinance passed unanimously. 7-0

Madame Chair Eosco stated this would become law in 21 days.

C. Consent Agenda 6:09 PM

***2) Minutes of the previous meetings of September 2, 2015 and Items F*3, F*4 and F*5. (motion to Accept as Presented)**

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

D. Time Devoted to Residents to Address the City Council 6:10 PM

No one spoke.

E. Orders, Resolutions and Ordinances 6:10 PM

***3 Order - Prepare Election Warrant to notify inhabitants of the City of Bath of a State Referendum Election to be held on Tuesday, November 3, 2015 (motion to pass Order)**

This Item was passed during the Consent Agenda Portion of the Meeting.

ORDER

In City Council
October 7, 2015

BE IT HEREBY ORDERED BY THE CITY COUNCIL, AS FOLLOWS:

That, the Notice of State of Maine Referendum Election be prepared and issued to notify and summons the inhabitants of the City of Bath, qualified to vote, that the Referendum Election will be held at Bath Middle School, 6 Old Brunswick Road, on Tuesday, November 3, 2015 for the purpose of determining the following questions:

Questions To Be Voted On:

Question 1: Citizen Initiative – Maine Clean Election Act/Campaign Finance Law Amendments

Question 2: Bond Issue – Low Income/Senior Housing Bond

Question 3: Bond Issue – Transportation Bond

A person may register to vote and/or enroll in a political party on or before election day. Pursuant to Title 21-A, Section 759(7), absentee ballots will be processed on November 2, 2015 at City Hall Auditorium beginning at 9:00 AM until finished. Any and all remaining absentees received on election day, November 3, 2015, will be processed from 5:00 PM-8:00 PM at the Bath Middle School, 6 Old Brunswick Road.

The polls shall be opened at 8:00am and closed at 8:00pm.

***4) Order - Prepare Election Warrant to notify inhabitants of the City of Bath of a Municipal Election to be held on Tuesday, November 3, 2015 to vote for the following: One Councilor from each: Ward 2, Ward 3 and Ward 4 (three year terms) and One Bond Ordinance Question. (motion to pass Order)**

This Item was passed during the Consent Agenda Portion of the Meeting.

ORDER

In City Council
October 7, 2015

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH, THAT:

Warrants be prepared and issued to notify and summons the inhabitants of the City of Bath, qualified to vote, that the Municipal Candidate/Referendum Election (Wards 1-7) will be held at Bath Middle School, 6 Old Brunswick Road, on the Tuesday following the first Monday of November, the same being the 3rd day of said month, in the year of our Lord Two Thousand Fifteen, at 8 O'clock in the forenoon, then and there, to cast their votes at the Municipal Election in their respective Wards for:

CITY COUNCILORS TO BE ELECTED:

Ward Two	One to be Elected for a three year term
Ward Three	One to be Elected for a three year term
Ward Four	One to be Elected for a three year term

BOND ORDINANCE - QUESTION ONE

“SHALL A BOND ORDINANCE BE APPROVED AUTHORIZING ISSUANCE OF THE CITY’S GENERAL OBLIGATION BONDS IN AN AMOUNT UP TO, BUT NOT TO EXCEED, \$9,800,000.00 FOR THE PURPOSE OF FUNDING WASTEWATER INFRASTRUCTURE IMPROVEMENTS?”

and, be it further ordered, that said polls are to be kept open until eight o’clock in the afternoon of said day and then be closed.

***5) Order - Prepare Election Warrant to notify inhabitants of City of Bath of the RSU #1 Election to be held on Tuesday, November 3, 2015 (motion to pass Order)**

The following Order was passed during the Consent Agenda portion of the Meeting.

ORDER

In City Council
October 7, 2015

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH, THAT:

Warrants be prepared and issued to notify and summons the inhabitants of the City of Bath RSU #1 School District qualified to vote, said Election will be held at Bath Middle School, 6 Old Brunswick Road, on the Tuesday following the first Monday of November, the same being the 3rd day of said month, in the year of our Lord Two Thousand Fifteen, at 8 O’clock in the forenoon, then and there, to cast their votes for:

BOARD OF DIRECTORS FOR RSU #1 TO BE ELECTED:

**Two (2) Unrestricted Residence Positions –
One to be Elected to each position for a three year term**

and, be it further ordered, that said polls are to be kept open until eight o’clock in the afternoon of said day and then be closed.

6) Order - Setting hourly schedule of the Office of Voting Registrar (motion to pass Order)

Madame Chair Eosco read the following Order:

ORDER

Be It Ordered by the City Council of the City of Bath, that the hourly schedule for the office of the Registrar of Voters shall be from 8:30am to 4:30pm Monday through Friday prior to the State of Maine Referendum Election and City of Bath Municipal General Candidate/Referendum Election to be held Tuesday, November 3, 2015 except for Saturday, October 24, 2015 from 11:00am to 2:00pm at the City Clerk’s Office, 55 Front Street.

Voters may register on the Day of the Election from 8:00AM to 8:00PM at the polls at the Bath Middle School, 6 Old Brunswick Road.

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

VOTE on Order:

YEAS: 7

NAYS: 0

Passed unanimously. 7-0

7) Order – Approving Authorization Downtown TIF District Budget (FY 2016)

Madame Chair Eosco read the following Order:

ORDER

**APPROVING AUTHORIZATION
DOWNTOWN TAX INCREMENT FINANCING DISTRICT BUDGET (FY 2016)**

Be It Hereby Ordered By the City Council of the City of Bath that one hundred ten thousand seven hundred seventy-eight dollars and 00/100 (\$110,787) be and hereby is authorized to be spent from the Tax Increment Financing District Development Program Fund Project Costs Accounts from the fiscal year commencing July 1, 2015 and terminating on June 30, 2016 for the following purposes:

REVENUE

INCREMENT	<u>\$156,889</u>
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TOTAL REVENUE	<u>\$156,889</u>
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EXPENSES

DEBT SERVICE PAYMENT	<u>\$110,787</u>
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TOTAL EXPENSES	<u>\$110,787</u>
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SURPLUS	<u>\$46,102</u>
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Councilor Wyman made a motion to put the Order on the floor for discussion. Councilor Mitchell seconded the motion.

City Manager William Giroux explained the only money to be spent out of the TIF would be for debt service.

VOTE on Order:

YEAS: 7

NAYS: 0

Passed unanimously. 7-0

8) Order – Approving Authorization Wing Farm TIF District Budget (FY 2016)

Madame Chair Eosco read the following Order:

ORDER

APPROVING AUTHORIZATION

WING FARM TAX INCREMENT FINANCING DISTRICT BUDGET (FY 2016)

Be It Hereby Ordered By the City Council of the City of Bath that three hundred forty thousand three and 00/100 (\$340,003) be and hereby is authorized to be spent from the Tax Increment Financing District Development Program Fund Project Costs Accounts from the fiscal year commencing July 1, 2015 and terminating on June 30, 2016 for the following purposes:

REVENUE

INCREMENT	<u>\$654,970</u>
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TOTAL REVENUE	<u>\$654,970</u>
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EXPENSES

DEBT SERVICE PAYMENT	\$222,003
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PUBLIC WORKS ALLOC	\$83,000
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ECONOMIC DEVELOPMENT SALARIES	<u>\$35,000</u>
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TOTAL EXPENSES	<u>\$340,003</u>
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SURPLUS	<u>\$314,967</u>
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DESIGNATE SURPLUS TO RESERVES:

WING FARM BALLOON PAYMENT	\$150,000
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ROUTE 1 IMPROVMENTS	<u>\$165,000</u>
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\$315,000

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

City Manager William Giroux explained that part of the new project at BIW was included in this budget. He stated that part of the budget for Economic Development Salaries approved during Budget Session was included in this budget and the Public Works amount is for improvements to streets that are eligible for TIF money to be used.

VOTE on Order:

YEAS: 7

NAYS: 0

Passed unanimously. 7-0

9) Order – Approving Authorization BIW TIF District Budget (FY 2016)

Madame Chair Eosco read the following Order:

ORDER

APPROVING AUTHORIZATION

BIW TAX INCREMENT FINANCING DISTRICT BUDGET (FY 2016)

Be It Hereby Ordered By the City Council of the City of Bath that nine hundred eighty thousand eight hundred twenty-one and 00/100 (\$980,821) be and hereby is authorized to be spent from the Tax Increment Financing District Development Program Fund Project Costs Accounts from the fiscal year commencing July 1, 2015 and terminating on June 30, 2016 for the following purposes:

TIF REVENUE

INCREMENT	<u>\$980,821</u>
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TOTAL REVENUE	<u>\$980,821</u>
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EXPENSES

DEBT SERVICE	\$641,395
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CONTRIBUTION TO BATH LOCAL DEVELOPMENT CORPORATION	\$120,750
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CONTRIBUTION TO MAIN STREET BATH	\$29,500
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ECONOMIC DEVELOPMENT PROJECTS ACCOUNT	\$172,176
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TRAIN STATION/TROLLEY FUNDING-TRANSFER	<u>\$17,000</u>
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TOTAL	<u>\$980,821</u>
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SURPLUS	<u>\$0</u>
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Councilor Mitchell made a motion to put the Order on the floor for discussion. Councilor Omo seconded the motion.

City Manager William Giroux explained this TIF deals with the old land level facility and that funds had been borrowed from it to help with road, sewer and drainage projects which are shown in the debt service amount. He stated that the Bath Local Development Corporation amount deals with paying a portion of the salaries for the Community Development Director, City Planner and City Manager. Mr. Giroux said the Economic Development Projects Account deals with paying for such things as fireworks and Christmas lights, etc.

VOTE on Order:

YEAS: 7

NAYS: 0

Passed unanimously. 7-0

Councilor Mitchell made a motion to increase the fireworks display account within the TIF from \$9,700 to \$15,000. Councilor Omo seconded this motion.

City Manager Giroux explained that the amount would not change for the TIF budget but would be made up somewhere else within the Economic Development Projects Accounts.

After a brief discussion, all were in favor of the motion.

10) Order –Sale of Harbor Master/Public Safety Boat, Trailer and Contents

Madame Chair Eosco read the following Order:

ORDER

WHEREAS, the City Council of the City of Bath has authorized the purchase of a new Harbor Master/Public Safety boat with trailer and equipment; and

WHEREAS, this authorized purchase makes the current boat, trailer and equipment surplus; and

WHEREAS, the value of the surplus boat is thought to exceed Fifteen Hundred Dollars (\$1,500.00); and

WHEREAS, the authorization by Order of the City Council is required for sale of any property that exceeds Fifteen Hundred Dollars (\$1,500.00); and

WHEREAS, the sale procedure is addressed in Section 7-105 where the normal procedure would be to seek competitive bids; and

WHEREAS, Section 7-105, where appropriate, allows for an alternate method by directly soliciting bids from vendors where it is deemed that this method more appropriately suits the nature of the property being sold; and

WHEREAS, there being a limited market for the property being sold by the City of Bath, the alternate method of soliciting bids is deemed to be more appropriate; and

WHEREAS, it has further been determined that the use of a Broker to solicit purchasers for this boat, trailer and equipment will maximize the return to the City.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that the sale of the surplus Harbor Master/Public Safety boat with trailer and equipment be and hereby is authorized and that the City engage a Broker, Midcoast Yacht & Ship Brokerage of Tenants Harbor, Maine, or some other brokerage firm suitable to the City Manager, to solicit offers for the sale of the property, and BE IT FURTHER ORDERED that the City Manager shall have the authority to sign a brokerage agreement and transfer documentation and such other and further documentation as may be necessary, appropriate or convenient to the solicitation of bids and sale of the property.

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

City Manager Giroux explained that going through a broker would help get the sale done quicker and hopefully for more money as they are more experienced with this type of sale and they already have a consumer base.

Police Chief Michael Field stated that he also felt going through a broker would get the City more money for the boat. He also reported that BFC Marine would be building a new 24 foot Seaway with a center console, trailer and 150 Evinrude motor. Chief Field said since the cost came in well within the budget they will be able to outfit it with the fire pump and other fire-fighting equipment to make it a true Public Safety Harbor Master Boat.

VOTE on Order:

YEAS: 7

NAYS: 0

Passed unanimously. 7-0

F. Petitions & Communications 6:36 PM

Councilor Omo stated that he had a request from a constituent as to when “Bath Clean Up Week” was going to be held this month. Madame Chair Eosco announced that “Bath Clean Up Week” would be held October 19-24 at 7:30AM-4:00PM except for Saturday, 24th and that would be from 8:30AM-4:00PM.

G. City Manager's Report 6:39 PM

- Overview of the proposed corner of Vine and Front Streets' Retaining Wall Improvements project presented by City Planner, Andrew Deci.

H. Committee Reports 6:48 PM

Councilor Wyman stated that there would be a meeting of the Finance Committee on October 15th and he would report on it next month.

Madame Chair Eosco gave an update on the Parking Committee Meeting stating that they have planned a couple of neighborhood meetings with some changes in mind and they would be reporting back to Council regarding these meetings.

I. Unfinished Business 6:49 PM

There was no unfinished business.

J. New Business 6:49 PM

Councilor Omo introduced Zachary Lambert, who addressed Council regarding an incident that he was involved with at the Huse School property.

K. Councilor Announcements 6:51 PM

Councilor Paulhus asked Councilors to consider sponsoring a food drive to bring awareness to the problem of hunger, especially child hunger, in the State of Maine as well as in the City of Bath. Madame Chair Eosco added that there were organizations within the community that the Council could help and asked that any Councilors interested in helping with this issue to contact Councilor Paulhus.

Madame Chair Eosco reported that on October 17th Citizen Involvement Day and Autumnfest would be taking place in downtown Bath, on October 8th Bath Fire Department would be holding their Open House, on October 23 in Damariscotta there would be a forum regarding "Solar Powering Your Community" and reminded everyone of the State, City and RSU #1 Elections that would be held on November 3rd at the Middle School Gym.

The meeting adjourned at 6:58 PM with a motion by Councilor Mitchell, seconded by Councilor Wyman. 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.