

**SPECIAL MEETING AGENDA**  
**Bath City Council**  
**Monday, September 18, 2017 6:00**  
Council Chambers  
Bath City Hall

Pledge of Allegiance and Roll Call

I. PUBLIC HEARING: On Proposed Charter Amendments to be put on Municipal Ballot for vote at the November 7, 2017 Municipal Election.

II. ORDER: Approval of Proposed Charter Amendments to be put on Municipal Ballot for vote at the November 7, 2017 Municipal Election.

III. Recommendation of Herman Nichols to be considered for appointment to the Midcoast Regional Redevelopment Authority Board of Trustees

Adjourn

**ITEM I. PUBLIC HEARING**

**ORDER WAS PASSED AT THE REGULAR MEETING  
ON SEPTEMBER 6, 2017.**

**ORDER**

**FOR PUBLIC HEARING  
AND NOTICE OF PUBLIC HEARING**

BE IT HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH, THAT THE CITY COUNCIL, AS MUNICIPAL OFFICERS OF THE CITY, HAVING DETERMINED IN ACCORDANCE WITH THEIR AUTHORITY UNDER 30-A M.R.S. § 2104(1), THAT THERE ARE CERTAIN AMENDMENTS TO THE BATH CITY CHARTER THAT SHOULD BE CONSIDERED, DOES HEREBY PROVIDE BY THIS ORDER FOR NOTICE TO BE GIVEN OF A PUBLIC HEARING RELATING TO THE PROPOSED CHARTER AMENDMENTS, SAID PUBLIC HEARING TO BE HELD ON MONDAY THE 18<sup>TH</sup> DAY OF SEPTEMBER, 2017, AT 6:00 P.M. IN THE CITY COUNCIL CHAMBERS ON THE 3<sup>RD</sup> FLOOR OF THE BATH CITY HALL, 55 FRONT STREET, BATH, MAINE. THE CLERK IS INSTRUCTED TO CAUSE A NOTICE OF THIS PUBLIC HEARING TO BE PUBLISHED IN A NEWSPAPER HAVING A GENERAL CIRCULATION WITHIN THE CITY OF BATH AT LEAST SEVEN (7) DAYS PRIOR TO THE DATE OF THE HEARING. THE NOTICE SHALL CONTAIN THE TEXT OF THE PROPOSED CHARTER AMENDMENT WITH A BRIEF EXPLANATION, ALL IN ACCORDANCE WITH THE PROVISIONS OF 30-A M.R.S. § 2104(5). SUCH NOTICE SHALL ALSO BE POSTED IN THE SAME MANNER AS REQUIRED OF ORDINANCES UNDER § 221 OF THE CHARTER OF THE CITY OF BATH. THE TEXT OF THE PROPOSED CHARTER AMENDMENTS IS ATTACHED TO THIS ORDER AND WILL BE ATTACHED TO THE NOTICE OF PUBLIC HEARING.

**Voter Instructions: A mark in the “For the Charter Amendment” oval means you favor the Amendment. A mark in the “Against the Charter Amendment” oval means that you are opposed to the Amendment.**

**CHARTER CITY OF BATH**

**CHARTER AMENDMENT – QUESTION ONE**

“SHALL THE MUNICIPALITY APPROVE THE CHARTER AMENDMENT SHOWN BELOW?”

(voting oval goes here)

**FOR THE CHARTER AMENDMENT**

(voting oval goes here)

**AGAINST THE CHARTER AMENDMENT**

AMEND AS FOLLOWS:

**CHAPTER IX**

## **NOMINATION & ELECTIONS**

SUMMARY: This proposed Charter amendment brings City elections concerning nomination deadlines for municipal candidates in line with State Law.

### **Sec. 905. Filing of Nomination Petitions.**

For municipal offices scheduled after November 7, 2017, the nomination petitions for any candidate shall be united into one petition and filed with the City Clerk not earlier than the third Tuesday of August, and no later than 5:00 P.M.close of business on the third Tuesday of September. No nomination shall be valid unless the candidate shall file with the City Clerk, no later than 5:00 P.M.close of business the third Tuesday in September his written consent accepting the nomination, agreeing not to withdraw, and if elected, to qualify. (7/02/82)

For municipal elections for candidates for municipal offices scheduled after November 7, 2017, the nomination petitions for any candidate shall be united into one petition and filed with the City Clerk not earlier than the third Tuesday of July, and no later than close of business on the third Tuesday of August. No nomination shall be valid unless the candidate shall file with the City Clerk, no later than close of business the third Tuesday in August a written consent accepting the nomination and agreeing not to withdraw, and if elected, to qualify. Where the municipal officers determine to fill a vacancy pursuant to Section 209 of this Charter and 30-A M.R.S. Section 3602, which must be filled by election, the municipal officers may designate a shorter time frame for the availability of nomination papers, but not less than ten (10) days before the filing deadline, and may designate a shorter time period for the final date for filing nomination papers, but not less than fourteen (14) days before the election. (11/07/17)

### **CHARTER AMENDMENT – QUESTION TWO**

“SHALL THE MUNICIPALITY APPROVE THE CHARTER AMENDMENT SHOWN BELOW?”

(voting oval goes here)  
(voting oval goes here)

**FOR THE CHARTER AMENDMENT**  
**AGAINST THE CHARTER AMENDMENT**

AMEND AS FOLLOWS:

#### **CHAPTER III**

#### **CITY MANAGER**

SUMMARY: This proposed Charter amendment allows the City Manager to reside outside the City limits but only with the specific approval of a majority of the City Council.

### **Sec. 301. Appointment; Qualifications; and Compensation.**

The City Council shall appoint a City Manager for an indefinite term and fix his compensation. The City Manager shall be chosen by the City Council on the basis of his character, executive, and administrative qualifications. At the time of his appointment, he need not be a resident of the City of Bath or the State of Maine, but during his tenure of office he may not reside outside the City of Bath, except where a majority of the City Council approves residence outside the City limits. (11/07/17)

## **ITEM II. ORDER**

### **ORDER**

BE IT HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH, THAT THE SAID CITY COUNCIL, BEING THE MUNICIPAL OFFICERS OF SAID CITY, HAVING HELD A PUBLIC HEARING ON THE PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF BATH, AND HAVING FURTHER DETERMINED THAT THE ELECTORATE SHOULD BE GIVEN THE OPPORTUNITY TO VOTE ON THE PROPOSED AMENDMENTS, DO HEREBY ORDER THAT THE AMENDMENTS, IN SUBSTANTIALLY THE FORM ATTACHED TO THIS ORDER, BE PLACED ON A BALLOT FOR THE NEXT REGULAR MUNICIPAL ELECTION, BEING THE MUNICIPAL ELECTION SCHEDULED FOR NOVEMBER 7, 2017, SAID ELECTION DATE BEING MORE THAN THIRTY (30) DAYS FROM THE DATE OF PASSAGE OF THIS ORDER.

## **ITEM III. RECOMMENDATION FOR APPOINTMENT TO THE MRRA OF HERMAN NICHOLS**