

REGULAR MEETING MINUTES CITY COUNCIL OF THE CITY OF BATH, MAINE

Wednesday, April 5, 2017 6:00 PM
City Council Chambers, Bath City Hall

Present: Councilors Paulhus, Nordmann, Wyman, Comeau, Bauer, Park and Madame Chair Eosco
Excused: Councilors Page, Omo

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 in recognition of the Chocolate Church Arts Center's 40th Anniversary.

PROCLAMATION

WHEREAS the Chocolate Church Arts Center this year celebrates 40 years of presenting visual and performing arts to the people of Bath and communities throughout midcoast Maine; and

WHEREAS the venerable old Gothic building that houses the Arts Center was saved from urban renewal destruction when artists and entrepreneurs led by Jack Doepp, a New York theater designer, acquired the old building. Built in 1847 and formerly known as Central Church, it soon became the Performing Arts Center of Bath (PACB). At that point with an all-volunteer staff, PACB began presenting concerts and plays for mid-coast audiences; and

WHEREAS the Chocolate Church is a part of Bath's Historic District, recognized on the Register of Historic Places, and a prominent feature of the City's skyline; and

WHEREAS the Chocolate Church Art Center adds to the sense of place that makes the City of Bath unique because residents can walk or travel a short distance to experience quality live music, theatre and variety shows; and

WHEREAS the Chocolate Church Arts Center entertains over 6,000 patrons during its performance season September to June, and more than 1,000 attendees to its summer waterfront concerts on the waterfront, bringing economic impact to the City of Bath; and

WHEREAS the Chocolate Church Arts Center intersects with the community through diverse creative programming, by supporting several local fundraising efforts, and by offering complimentary tickets to its holiday production to those who otherwise might not be able to attend and experience live theatre; and

WHEREAS the Chocolate Church Arts Center offers live theatre productions to entertain the community and attract seasoned local actors as well as children and students to perform onstage and experience what only live theatre can provide; and

WHEREAS the Chocolate Church Arts Center is sustained by hard-working and dedicated volunteers who donate countless hours of their time to implement the dual missions of fostering the arts and preserving their historic structure;

NOW THEREFORE BE IT PROCLAIMED that the City of Bath recognizes and congratulates the Chocolate Church Arts Center on its 40th Anniversary and acknowledges the sense of community that it has created and maintained here and in our surrounding communities.

Presentation of a Certificate of Achievement and a \$250 Visa Gift Card to Emma Beauregard of Bath, winner of the Maine Municipal Association's 7th Grade Essay Contest – “If I Led My Community”.

Emma Beauregard, resident of Bath
Teacher: Samantha Mehlhorn
Damariscotta Montessori School, Nobleboro

If I led my community of Bath, I would apply for a grant from the state to build more parks and playgrounds, also to repave the sidewalks. I would also want to put up more historical signs around town, so tourists could walk around and enjoy the city with the choice of learning the history of Bath. I would try to distribute more maps of Bath, paper, so you can carry them, and a couple signs on some of the main streets, so if you were walking around you could look at one to know where you are. On the maps there would be restaurants, historical landmarks, art galleries, schools, parks, playgrounds, and shopping centers.

The parks would have plenty of trees, but also enough grassy areas so that picnics and activities could be done. At the playgrounds I would make sure that all of the structures and swings were up to date, and safe for people of all ages. The history signs would be about who founded Bath, who helped, different places with a historical landmark, and anything else that you could learn about the beautiful city of ships. On the signs, I would put a map of Bath, with the historical places highlighted, that way people could go to one if they choose. Bath is a beautiful city, and in late Spring, Summer, and early Autumn it is always the perfect temperature to walk around, or ride your bike to sightsee. But almost all of the sidewalks are cracked, and have cement missing. So I either want to redo them, or repave them. That way people will be outside more, enjoying the sunshine, and getting exercise by walking around.

Bath is a beautiful place, and deserves to be recognized more for that. I believe that it can become even better than it is now, if we can try to accomplish these goals. Even if we can only do a couple of my ideas, I'm sure it will make everything so much better, for citizens and for the community itself.

C. Public Hearing: 6:07 PM

Approval of a Liquor License for:

MidCoast Pizza and More, Inc.
737 Washington Street
John Brigance, Contact Person

Madame Chair Eosco opened the public hearing. Seeing no comments from the public or Council, she closed the Public Hearing.

The City Council unanimously approved the Liquor License.

2) Application to obtain a loan/grant in the amount of \$8,500,000 from the USDA, Rural Development for the purposes of completing a wastewater system upgrade.

Madame Chair Eosco opened the public hearing.

Public Works Director Peter Owen stated that at the November 2015 Election, a bond for wastewater infrastructure was passed. He reported that about \$1 million had been spent on the pump station at Bridge Street and Riverview Lane. Mr. Owen explained the majority of the bond money would be spent on technical equipment upgrades at the wastewater treatment plant and to implement 12 Combined Sewer Overflow Projects throughout the City. He explained that the City would be going out for a loan through Rural Development because they offer a grant program which could possibly get the City up to \$1 million in extra money to put towards these projects and the Public Hearing is part of the grant application process.

Seeing no comments from the public or Council, Madame Chair Eosco closed the Public Hearing.

VOTE on Proceeding with Application Process:

YEAS: 6

NAYS: 0

Passed Unanimously. 6-0

Mr. Owen invited the Council and the public to come and tour the wastewater treatment plant to see what was being done there.

D. Consent Agenda 6:12 PM

***3) Minutes of the previous Council Meeting of March 1, 2017 and F4. (Motion to Accept as Presented)**

Councilor Wyman made a motion to accept the Consent Agenda. Councilor Bauer seconded the motion. All were in favor of the motion.

E. Time Devoted to Residents to Address The City Council 6:14 PM

Pamela Cox of 1080 Washington Street addressed Council on behalf of the Chocolate Church Board Members stating they were very grateful for the Council's recognition of their 40th Anniversary and they were proud to be contributing to the economics of the City of Bath by bringing in patrons to spend money in the City as well as at the Chocolate Church and they planned to be around another 40 years.

Carla Whitehead, a resident of Bath and Board Member of the Chocolate Church, thanked the Council for their recognition of the 40th Anniversary and said that she was very happy to have the Chocolate Church as a part of her community.

Jennifer DeChant, a resident of Middle Street, stated that she believes in the relevancy of the Chocolate Church Arts Center to the community and that the Board operates on three principles: 1. Do what they say they are going to do, 2. Buy what they can pay for, and 3. Rise to the level of support from the donor community. As State Representative for Bath, she stated that she was always available for feedback from the Council and residents of the City on issues or concerns.

F. Ordinances, Orders and Resolutions 6:16 PM

***4) Annual Appointments to Committees by Council Nominees:**

The Council appointed Councilor Park as their representative to the Sidewalk Vending Committee.

This item was passed on the Consent Agenda.

5) Acceptance of Hazardous Mitigation Plan

Sagadahoc County Hazard Mitigation Plan – 2016 Update

2. PREREQUISITES

RESOLUTION

Whereas, natural and man-made disasters may occur at any time, we recognize that to lessen the impacts of these disasters we will save resources, property, and lives in Sagadahoc County;

And whereas the creation of a multi-jurisdictional Hazard Mitigation Plan is necessary for the development of a risk assessment and effective mitigation strategy;

And whereas, this multi-jurisdictional county of cities, towns, and a portion of Maine's Unorganized Territory is committed to the mitigation goals and measures as presented in this plan;

Therefore the City Councils and Boards of Selectmen adopt the Sagadahoc County Hazard Mitigation Plan – 2016 Update; and

Therefore, the Sagadahoc County Commissioners, acting on behalf of the county and its portion of the Unorganized Territory hereby adopt the Sagadahoc County Hazard Mitigation Plan – 2016 Update.

Councilor Wyman made a motion to put this Item on the floor for discussion. Councilor Park seconded the motion.

Police Chief Michael Field stated he was there on behalf of himself and Fire Chief Renaud to asked Council to approve the Sagadahoc County Hazardous Mitigation Plan and explained some of the points of the plan.

VOTE on Plan:

YEAS: 6

NAYS: 0

Order passed unanimously. 6-0

6) Drug Forfeiture



CITY OF BATH POLICE DEPARTMENT

File
MICHAEL W. FIELD
CHIEF of POLICE

250 Water Street

Bath, Maine 04530

(207) 443-5563

Memorandum

To: Members of the City Council
From: Michael W. Field, Chief of Police *MF*
Date: March 28th, 2017
Ref: Drug Forfeiture

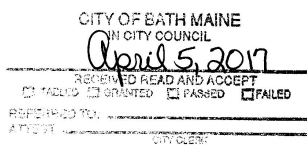
Please see the attached letter from the Maine Attorney General's Office in regards to a drug forfeiture case. The letter explains the process of the forfeiture, which requires your approval.

This is different than past forfeitures, as this is a seized vehicle rather than cash. The vehicle through Kelly Blue book is worth approximately \$3,000 dollars.

The defendant, Tracie Towe, was arrested for Unlawful Trafficking in Scheduled W Drugs, Heroin, a Class B felony. This occurred in July of 2016. She used her vehicle while selling drugs, which allowed the forfeiture.

Based on our Drug Detective investigating this case, we are hopeful to receive this forfeiture vehicle, if approved by the Court.

I respectfully ask the City Council to accept the attached Approval of Transfer. I am also asking for your approval to sell the vehicle once forfeited. This is a requirement per the City of Bath Purchase Ordinance, Chapter 7, Article 1: Purchase and Sale of Property; section 7.114.A: which states that any City property that is valued at \$1,500 dollars or more must have City Council approval.



Administration/Records
443-8339

Criminal Investigations
443-8367

Fax
443-8343

Emergency
911

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

VOTE:

YEAS: 6

NAYS: 0

Passed unanimously. 6-0

7) Ordinance: Chapter 17. Vehicles and Traffic, Article 6. Stopping , Standing and Parking, Section 17-259. Parking Restrictions, Washington Street, East Side. (first passage)

Madame Chair Eosco read the following Ordinance:

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 17. VEHICLES AND TRAFFIC

Article 6. Stopping, Standing and Parking

Section 17-259. Parking Restrictions

Washington Street East Side

Delete the following:

From a point across from the north side of Bath Street and running 60 feet northerly, 6:00 a.m. to 1:00 a.m., fifteen-minute parking. From a point across from the north side of Bath Street and running 60 feet northerly, 6:00 a.m. to 1:00 a.m., fifteen-minute parking. From a point 60 feet north of Bath Street to South Street, 2 hour parking. From South Street running northerly to a point 100 feet north of the southerly entrance to the BIW Panel Shop, 2 hour parking. From a point 100 feet north of the southerly entrance to the BIW Panel Shop to a point 195 feet south of the northerly entrance to the BIW Panel Shop, No Restrictions. From South Street to a point 195 feet south of the south side of the northerly entrance to the BIW Panel Shop, No Restrictions. From a point 195 feet south of the southerly side of the northerly entrance of the BIW panel shop for a distance of 185 feet, 6:00 a.m. to 5:00 p.m., Bus Parking; From 5:00 p.m. to 2:00 a.m. no restrictions; from 2:00 a.m. to 6:00 a.m., No Parking. From a point which is the northerly terminus of the bus parking area to Union Street, 2 hour parking.

Replace with the following:

From a point across from the northerly side of South Street and running northerly 480 feet, permit Parking; From a point 480 feet northerly from a point across from the northerly side of South Street and running northerly 250 feet to the southerly side of Union Street, 2 hour parking.

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

Police Chief Michael Field explained this Ordinance change had been worked on since 2015 to clean up the parking zone between South and Union Streets. He stated that this change will allow about 20 permitted spaces for the City.

ROLL CALL VOTE:

YEAS: Paulhus, Nordmann, Wyman, Comeau, Bauer, Park

NAYS: None

Ordinance passed unanimously. 6-0

Madame Chair Eosco stated second passage of this Ordinance would be on May 3, 2017 at 6:01 PM.

8) Ordinance: Chapter 17. Vehicles and Traffic, Article 4. Pedestrians, Section 17-154. Crosswalks – Richardson Street (first passage)

Madame Chair Eosco read the following Ordinance:

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 17. VEHICLES AND TRAFFIC
Article 4. Pedestrians**

Section 17-154. Crosswalks.

Add:

“Crosswalk across Richardson Street, at the intersection of Western/Redlon and Richardson Streets.”

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

City Planner Andrew Deci explained the Hyde School had asked that a crosswalk be striped at the intersection of Redlon Road and Richardson Street and the Bike and Pedestrian and the Transportation Committees also were recommending this be done.

ROLL CALL VOTE:

YEAS: Park, Bauer, Comeau, Wyman, Nordmann, Paulhus

NAYS: None

Ordinance passed unanimously. 6-0

Madame Chair Eosco stated second passage of this Ordinance would be on May 3, 2017 at 6:02 PM.

9) Ordinance: Land Use Code Amendment - Article 8: District Regulations and Article 9: Uses (first passage)

Madame Chair Eosco 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 new official Zoning Map of the City of Bath, affixed hereto and made a part hereof and a part of the Land Use Code. The specific adjustments are as follows:

Rezoning of property located under and around the following facilities, to a new zoning district (“S” - School) for public and private school facilities:

- a. Bath Middle School and McMann Athletic Complex, located at 6 Old Brunswick Road, Tax Map 22, Lot 17
- b. Wing Farm Business Park, Phase II, located at the northern terminus of Wing Farm Parkway, Tax Map 24, Lots 15, 16, 17, 18, 19, 20, and portions of 4

Councilor Paulhus made a motion to put this Ordinance on the floor for discussion. Councilor Park seconded the motion.

City Planner Andrew Deci explained that the present zoning at the proposed site of the new high school is under the C3 Business Park Zoning District, which does not allow schools. He stated that the Planning Board has proposed establishing a new School Zoning District which would include the proposed site of the new school, Bath Middle School and McMann Field.

ROLL CALL VOTE:

YEAS: Paulhus, Nordmann, Wyman, Comeau, Bauer, Park

NAYS: None

Ordinance passed unanimously. 6-0

Madame Chair Eosco stated second passage of this Ordinance would be on May 3, 2017 at 6:03 PM.

Madame Chair Eosco 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:

ARTICLE 8: DISTRICT REGULATIONS

Add a new Section 8.25 as follows:

SECTION 8.25 School District – S

A. Purpose

The School District provides for the location and establishment of public and private school facilities and their ancillary needs.

B. Uses Allowed

Uses allowed are as indicated in the Land Use Table (see Section 9.02).

C. Space and Bulk Regulations

MINIMUM LOT AREA	
1. All single uses	6,000 square feet
2. Mixed or multiple uses	6,000 square feet for each use
MINIMUM LOT WIDTH PER LOT	
1. All uses	60 feet
MINIMUM SETBACK	
1. Front	10 feet
2. Side	10 feet
3. Rear	15 feet
4. From waterbodies	25 feet
MINIMUM YARD AREAS	
1. Front	6 feet
2. Side	6 feet
3. Rear	6 feet
4. From waterbodies	25 feet
MAXIMUM LOT COVERAGE	
All uses	80 percent
MAXIMUM BUILDING HEIGHT	
1. All uses	75 feet

ARTICLE 9: USES

Amend Section 9.02 by inserting the underlined text, as follows:

SECTION 9.02 LAND USE TABLE

The following Land Use Table indicates which uses of land or structures are allowed with no review, allowed with review by only the CEO, allowed after Site Plan Approval, or not allowed in the various zones. The most specific land use category always controls. It is the responsibility of the CEO to determine the land use category of any new or existing use.

KEY:

R1 - High-density Residential District

R2 - Medium-density Residential District R3 - Low-density Residential District

R4 - Waterfront High-density Residential District [amended May 16, 2001]

R5 - Waterfront Activity District

R6 – Waterfront Medium-density Residential District [added May 16, 2001]

C1 - Downtown Commercial District
C2 - Mixed Commercial and Residential District [amended September 22, 2010]
Neighborhood Commercial District – NC [added May 26, 2010]
C3 - Business Park District
C4 - Route 1 Commercial Contract District C5 - Marine
Business District
I - Industrial/Shipyard District GC - Golf
Course District
PH – Plant Home District [added March 24, 2010]
M – Museum District [added August 25, 2010]
RP - Resource Protection District
NRPO - Natural Resource Preservation Overlay District TMC - Trufant
Marsh Contract District
S – School District

“A” = the use is allowed with no review

“C” = the use is allowed with review by and approval from the CEO “S” = the use may
require Site Plan Approval. See Article 12.

“N” = the use is not permitted; therefore, prohibited in that zone

*A copy of the SECTION 9.02 LAND USE TABLE is on file in the City Clerk’s Office at 55 Front Street,
Bath, Maine with the Agenda Materials for the April 5, 2017 Regular Council Meeting.*

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

ROLL CALL VOTE:

YEAS: Park, Bauer, Comeau, Wyman, Nordmann, Paulhus

NAYS: None

Ordinance passed unanimously. 6-0

Madame Chair Eosco stated second passage of this Ordinance would be on May 3, 2017 at 6:04 PM.

10) Order: Approving Bid and Contract for Landfill Construction

Madame Chair Eosco read the following Order:

**ORDER
APPROVING BID AND CONTRACT**

BE IT HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH, THAT THE
BID OF SARGENT CORPORATION FOR THE 2017 BATH LANDFILL PHASE 3 PROJECT IN THE
AMOUNT OF \$3,142,421.00 IS ACCEPTED, IT BEING THE LOWEST QUALIFIED BID
SUBMITTED, AND A CONTRACT BY AND BETWEEN THE CITY OF BATH AND SARGENT
CORPORATION IS HEREBY APPROVED AND THE MANAGER IS AUTHORIZED TO EXECUTE
THE CONTRACT AND ANY OTHER DOCUMENTS NECESSARY TO ITS IMPLEMENTATION,
INCLUDING ANY CHANGE ORDERS, ON BEHALF OF THE CITY OF BATH. THE PROJECT
SHALL BE FUNDED FROM LANDFILL (FUND 6) ACCOUNT 06-0665-573.

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

Deputy Public Works Director Lee Leiner stated this would be the final phase of landfill construction with a timeline of May 1, 2017 to September 2017. He reported that the expected lifetime would be 11 to 12 years but could be extended if the rate of waste going in is lowered. Mr. Leiner said that during this construction there could be some odors due to the movement of waste that is already there.

VOTE on ORDER:

YEAS: 6

NAYS: 0

Order passed unanimously. 6-0

11) Order: Approving Conveyance of Ferry Street

Madame Chair Eosco read the following Order:

**ORDER
APPROVING CONVEYANCE**

WHEREAS, the City of Bath is the owner of a six foot strip of land running from Front Street easterly to Commercial Street; and

WHEREAS, by virtue of the approval of the Notice of Abandonment with respect to Ferry Street, the city becomes the owner of the northerly half of Ferry Street; and

WHEREAS, the City has no beneficial interest in retaining ownership of the northerly half of Ferry Street and the six foot strip.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that the conveyance of the City's interest in the six foot strip and the northerly half of Ferry Street be conveyed to the abutter to the North, Sagadahock Real Estate Association, that the City Manager be authorized to execute a Deed, substantially in the form attached hereto, for the purpose of conveyance of this property, and such other and further documents as may be necessary, appropriate, or convenient to the transfer.

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

City Solicitor Roger Therriault explained that the Notice of Determination of Discontinuance had to be approved first in order to proceed with action on the Order. He gave a summary of the history of this issue and what needed to be done to complete the process.

**NOTICE OF DETERMINATION OF
DISCONTINUANCE BY PRESUMPTION OF ABANDONMENT
23 M.R.S. § 3028**

At its meeting on April 5, 2017, the City Council determined by adoption of this Notice that Ferry Street, as is more particularly described below, is presumed abandoned pursuant to 23 M.R.S. § 3028 based on the following findings:

1. Ferry Street was accepted as a City Street on or about October 14, 1863. See City records of Council action Volume 3, Page 393.

2. Ferry Street is described as follows:

Bounded on the South side by a line extending eastward from Front Street through a point nine inches north of the North West corner of the brick block of William M. Rogers and a point twenty inches North of the North East corner of the same block to Commercial Street, the street to be thirty two and one half feet wide on the North side of said line.

3. On August 14, 1967, the City adopted an Order conditionally discontinuing Ferry Street "...as a public street as of the date when development forces closure of said street."

4. On June 5, 1968, the Council adopted an Order stating "[t]hat said Ferry Street, as described in City of Bath Street Record Volume 3, Page 393, is herewith discontinued as a public street in said Bath as of this date, June 5, 1968." There being no record that the conditions of the August 14, 1967 Order having been satisfied, the June 5, 1968 Order is problematical.

5. 23 M.R.S. § 3028(1) provides that "[a] proceeding to discontinue a town or county way may not prevent or estop a municipality from asserting a presumption of abandonment."

6. Based on available City documents and observations of City Staff and others, the City Street known as Ferry Street has not been kept passable for the use of motor vehicles at the expense of the City of Bath. There is no evidence to indicate that any funds were spent on the maintenance or repair of the street since June 5, 1968, nor have there been any maintenance or repair activities conducted by the City of Bath, its agents or employees since that date and running through the date of this Notice. During this period of time, Ferry Street has been part of a parking lot and access ways servicing the businesses located to the South and to the North of Ferry Street and used exclusively for those purposes.

7. The abutter to the North of Ferry Street is the City of Bath (reference may be made to Deed from Justus H. Miller to the City of Bath for a six (6) foot strip of land running along the northerly side of Ferry Street from Front Street to Commercial Street, said Deed being dated May 13, 1960, and recorded in the Sagadahoc County Registry of Deeds in Book 314, Page 154); the abutter to the South of Ferry Street is 149 Front Street LLC (reference is made to Deed from Jayne P. Welcome (formerly Jayne L. Patten), being the Trustee of the Patten Realty Trust, said Deed being dated August 4, 2014, and recorded in the Sagadahoc County Registry of Deeds in Book 3619, Page 1).

8. Pursuant to the provisions of 23 M.R.S. § 3024 and § 3028, a way that is determined to have been abandoned in accordance with Statutory provisions, creates a discontinuance of the way and the title to the way reverts to the abutters to the center line of the way. With regard to the status of any remaining rights in the road, the City is specifically not reserving any public right or public easement in the way so that full title reverts to the abutters.

Councilor Paulhus made a motion to adopt the Notice. Councilor Comeau seconded the motion.

VOTE on Adoption of Notice of Determination of Discontinuance by Presumption of Abandonment:

YEAS: 6

NAYS: 0

Notice passed unanimously. 6-0

VOTE on ORDER:

YEAS: 6

NAYS: 0

Order passed unanimously. 6-0

G. Petitions & Communications 7:02 PM

There were no petitions or communications.

H. City Manager's Report 7:02 PM

- Discussion of possible establishment of a Facilities Committee

City Manager William Giroux suggested the Council form a long term Council Facilities Committee. He explained the Committee and City Staff would work together looking at older City buildings and create a long term master maintenance plan so that the City would not have to do these updates on a number of buildings in a short period of time. Mr. Giroux stated that he would like feedback from Councilors and if there weren't any objections, he would have City Staff start drafting a mission statement and possible committee membership and bring it back to Council at the May 3rd Regular Council Meeting for possible establishment of the Committee. The Council was in agreement.

I. Committee Reports 7:13 PM

Councilor Bauer reported the Solid Waste and Recycling Committee had met and were working on their goals, such as the issue of plastic bag use. She urged the public to contact her about composting suggestions as composting was the best way to prolong the life of the landfill. She announced that the Patten Free Library would be holding their Annual Dinner entitled "The Secret Garden" on May 4th and urged everyone that could to attend.

Councilor Paulhus reported the Transportation Committee was working on the procedure on how to have the Committee process the public comments on different transportation issues that arise.

Councilor Comeau reported the Bicycle and Pedestrian Committee was working on revisions to their Plan adopted in 2011.

Madame Chair Eosco stated that she had attended the SCLC meeting and they are now requesting nominations for the annual Main Sail Award coming up soon. She also reported that the Main St Bath "Front Street Feud" program was a smash and "May Fair" information is available at Visit Bath.com.

J. Unfinished Business 7:21PM

There was no unfinished business.

K. New Business 7:21PM

12) Appointment 1 member to the Bath Forestry Committee for an indefinite term with a 3-year commitment.

Councilor Wyman nominated Cheri Brunault for this position on behalf of the Appointment Interview Committee. All were in favor of the appointment.

L. Councilor Announcements 7:21 PM

Councilor Paulhus encouraged the Councilors and citizens to make plans to tour the Food Pantry.

Madame Chair Eosco reported that the Council Budget Workshops with City Department would be taking place on April 24, 26 and 27 in the Basement Conference Room at City Hall starting at 5PM. She stated that the Vessel Mary E. will be coming home to Bath on April 23 and mooring at the Maine Maritime Museum.

The meeting adjourned at 7:25 PM with a motion by Councilor Wyman, seconded by Councilor Paulhus. 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.