

SPECIAL MEETING MINUTES
City Council of the City of Bath, Maine
Monday, September 18, 2017 6:00 PM
Council Chambers
Bath City Hall

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

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

Madame Chair Eosco asked to have a motion to amend the agenda to add the following Item:

ADDED ITEM: Letter of Approval to operate a Game of Chance and/or Beano Games for the Columbian Club Inc. of Bath, Maine.

Councilor Omo made a motion to add this item. Councilor Park seconded the motion.

VOTE on Motion:

YEAS: 7

NAYS: 0

ABSTAIN: 1 (Wyman)

Passed. 7-0-1

I. PUBLIC HEARING – Proposed Charter Amendments to go on the Ballot on November 7, 2018

Madame Chair Eosco called the Hearing to order at 6:02 PM. She explained why these changes were being proposed and asked for any public comment.

CHARTER CITY OF BATH

CHARTER AMENDMENT – QUESTION ONE

“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 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)

Seeing no comments or questions, Madame Chair Eosco closed the Public Hearing at 6:03 PM.

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

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.

Councilor Omo made a motion to put this item on the floor for discussion. Councilor Bauer seconded the motion.

CHARTER CITY OF BATH

CHARTER AMENDMENT – QUESTION ONE

“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 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)

VOTE on Order:

YEAS: 8

NAYS: 0

Order passed unanimously. 8-0

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

Madame Chair explained that this was to fill a vacancy on the MRRA Board and Mr. Nichols had shown interest in serving in that position. She stated that the last time the Council had recommended someone to serve on that Board was back in 2007 and since there were no Bath residents presently on the Board it would be great to have Mr. Nichols serve.

Councilor Omo made a motion to put this item on the floor for discussion. Councilor Comeau seconded the motion.

City Solicitor Roger Therriault explained that back last December when Council approved the Blanket Letter of Approval for Games of Chance, the name of the organization was Knights of Columbus but is now under the name of Columbian Club. He stated that there had been no change in the organization itself and this approval would help to catch the change in name paperwork up with the State and make them happy.

VOTE to Approve:

YEAS: 7

NAYS: 0

ABSTAIN: 1 (Wyman)

Passed. 7-0-1

Councilor Page made a motion to adjourn at 6:09 PM and Councilor Bauer seconded the motion. 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