

REGULAR MEETING MINUTES
CITY COUNCIL OF THE CITY OF BATH, MAINE
October 3, 2018
City Council Chambers, Bath City Hall

Present: Councilors Bailey, Paulhus, Nordmann, Wyman, Comeau, Bauer, Park, Ambrosino and Madame Chair Eosco

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

Madame Chair Eosco led the Pledge of Allegiance.

City Clerk White called the Roll.

Presentation of a Proclamation in Honor of the late Beverly Henrikson, City Clerk of Bath to her family.

PROCLAMATION

WHEREAS Beverly Anne White Henrikson, was born in Bath the grateful daughter of Harry and Carrie White, wife of her beloved Henry Henrikson for over 48 years, and dedicated mother of Kris, Kerry, and Kimberly, and

WHEREAS, Beverly grew up in Bath and attended Bath schools graduating from Morse High School in the class of 1952 and was an honorary member of the class of 1951, and

WHEREAS, Beverly began employment with the City of Bath in the City Clerk's Office soon after graduation in 1952 and became the first female City Clerk for Bath in December 1976 and continued in that role until her retirement in November of 1996, and

WHEREAS Beverly was known for her astonishing recollection of Bath history, compassion for the people she served, dedication to the profession of being a City Clerk, and endearing herself to her fellow City employees for instituting the "Henrikson Holiday Order", which she diligently encouraged the City Council to pass so that City employees would get the Monday or Friday off when a holiday would fall on a Tuesday or Thursday, and

WHEREAS the citizens of Bath demonstrated their love for Beverly by honoring her life and recognizing her accomplishments by bestowing on her the Citizen of the Year award in 1996, the Bath Rotary's Paul Harris Fellow award and Maine Municipal's Ethel Kelley award, and

WHEREAS Beverly was a member of the Maine, New England and International Town & City Clerk's Association (RET), AARP, Maine Association of Retirees, Inc., the United Methodist Church, honorary Co-Chair with Bill Reed for the annual Morse High Blue & White Classic Golf Tournament to benefit Morse scholarships, Chairman for the Dorothy Shorette Scholarship Committee for many years, Secretary to the Bath Personnel Service Commission for 40 years, and Secretary to the Old Bath Customs House Board of Directors from 1978 to the present, and

WHEREAS Beverly was a "people person" who cared enough to know every detail about all who crossed her path, was a cheerleader for and compassionate friend to those who were less fortunate, a trusted confidante to her co-workers, a mentor who was always there for her fellow clerks, and an ever-present and faithful support to her City Council and her beloved community;

NOW THEREFORE BE IT PROCLAIMED that the City of Bath wishes to honor the memory of Beverly Henrikson and with the thanks of a grateful community, to recognize this native daughter for her selfless and tireless commitment to the citizenry of the community she loved, to pay tribute to her life and to acknowledge that we are a community in mourning as we have lost a friend and a person who was the heart of this City, and we know that her light will continue to shine here in our city through everyone and everything she has touched.

Presentation of a Proclamation and City Chair to Sgt. Michael Lathrop of the Bath Police Department for his 21½ years of service to the citizenry of Bath.

PROCLAMATION

WHEREAS, the City of Bath wishes to recognize the 21½ years of service by Sgt. Michael S. Lathrop of the Bath Police Department, and,

WHEREAS, Michael is the son of Douglas and Elaine Lathrop, and attended schools in Topsham graduating from Mt. Ararat High School, the University of Augusta with a BS in Administration of Justice in 2009, served in the United States Army 1988-1992 and the United States Army Reserves from 1995-2011 and graduated from the Maine Criminal Justice Academy 1997 and,

WHEREAS, Michael was hired and appointed by the Bath Police Department to the position of Patrol Officer in February 1997, promoted to Cpl. in September 2002 and Sgt. in October 2006 and,

WHEREAS, Michael retired from the Bath Police Department on August 30, 2018, seeing numerous duties and accomplishments, including:

Served as/on: Bath Middle School SRO, DARE Officer, Honor Guard, MCJA Cadre/Instructor, Morse High School – Sophomore Awareness Drunk Driving Panel, Juvenile Assistance Fundraiser/Auction, Cruiser Installation - of new cruisers' equipment, Worked with Grant Management, Spear Headed "NO SHAVE NOVEMBER" – raising several thousands of dollars for needy families, delivered Thanksgiving Baskets to families in need and met with the Boys Scouts – speaking and giving tours of the Bath Police Department Station and,

WHEREAS, Michael received many commendations for his outstanding performance of duties, including:

Apprehending and Arresting Armed Robber, Handling of Fatal Accident, Going above and beyond solving multiple crimes, Peaceful resolution to a life threatening situation, Solving a Fraud case for Midcoast Credit Union and,

WHEREAS, Michael Lathrop's long and productive career of public service to the citizens of Bath was marked by his integrity and professionalism,

NOW, THEREFORE, be it proclaimed by the City Council of the City of Bath that the City recognizes the 21½ years of excellent public service by Sgt. Michael S. Lathrop to the Bath citizenry.

C. Public Hearings: 6:11

1) Ordinance – LUC Contract Rezoning, Article 16, Add Section 16.26 137 Leeman Highway District (second passage)

Councilor Wyman made a motion to waive the reading of the following Ordinance. Councilor Park 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 LAND USE CODE OF THE CITY OF BATH ADOPTED JULY 19, 2000, AND SUBSEQUENTLY AMENDED, BE HEREBY FURTHER AMENDED AS FOLLOWS:

Amend Article 16, by adding Section 16.26, as follows:

SECTION 16.26 137 LEEMAN HIGHWAY CONTRACT ZONE

District Designation

The property designated for contract rezoning is the property located on Leeman Highway, being identified as Lot 54-1, on City of Bath Tax Map 28 dated April 1, 2016.

Findings

The property is located in the Route 1 Commercial Contract Zone (C-4) Zoning District. The City Council makes the following additional findings:

1. Contract Rezoning is allowed in the Route 1 Commercial Contract Zone.
2. The project consists of a proposed 790 square foot structure situated on the 0.35 acre parcel. The proposed structure includes an Aroma Joe's coffee operation with both a drive-through and walk-up window.
3. Without the creation of a contract zone, the minimum yard area is 20 feet from the side, front, and rear of the parcel. Due to the size of the parcel and configuration of the site the drive through queuing lane as well as the parking area are proposed to be constructed in the yard area, necessitating contract zoning.
4. Contract rezoning is allowed on the parcel per section 8.10 (D) of the Land Use Code.
5. The project is consistent with the mandatory conditions set forth in Land Use Code Section 18.20 paragraph D, 1.
6. The applicant is proposing the following voluntary, discretionary conditions in exchange for Contract Rezoning. For the Contract Rezoning the applicant will:
 - Increase pedestrian and motor vehicle safety by narrowing Quimby Street and closing off multiple access points from the parcel to Leeman Highway.
 - In addition to applicable zoning requirements the applicant will incorporate enhanced streetscape elements including a sidewalk and bike rack to encourage pedestrian activity on the site.
 - Improve the appearance of the Route 1 gateway by installing decorative lighting along the Route 1 corridor to match the lighting installed along Leeman Highway.

Zoning Provision Affected

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

- 1.Minimum front setback requirement (Reduced from 50 feet to 10 feet pursuant to Section 8.10 of the Land Use Code as depicted on the Site Plan approved, with conditions, by the Bath Planning Board on July 10, 2018.)
- 2.Minimum lot line setback requirement (Reduced from 50 feet to 10 feet pursuant to Section 8.10 of the Land Use Code as depicted on the Site Plan approved, with conditions, by the Bath Planning Board on July 10, 2018)
- 3.Minimum side setback requirement (Reduced from 30 feet to 10 feet pursuant to Section 8.10 of the Land Use Code as depicted on the Site Plan approved, with conditions, by the Bath Planning Board on July 10, 2018.

4. Minimum yard area requirement (Reduced from 20 feet to 10 feet pursuant to Section 8.10 of the Land Use Code as depicted on the Site Plan approved, with conditions, by the Bath Planning Board on July 10, 2018)

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 Integrity Holdings, LLC, by the Bath Planning Board on July 10, 2018, including the following conditions:

- The applicant shall complete the purchase of town-owned land to the satisfaction of the City Solicitor
- The applicant shall submit to the city planner satisfactory state approval for infrastructure improvements upon Route 1.
- The applicant shall submit for approval and install crosswalk signage to the approval of the chief of police
- The spotlight will be eliminated
- The final plans are submitted to the City Planner
- The proposed public benefits submitted by the applicant be accepted by the City Council.

Additionally, the applicant is proposing the following voluntary, discretionary conditions in exchange for approval of the Contract Rezoning. For the Contract Rezoning the applicant will:

- Increase pedestrian and motor vehicle safety by narrowing Quimby Street and closing off multiple access points from the parcel to Leeman Highway.
- In addition to applicable zoning requirements the applicant will incorporate enhanced streetscape elements including a sidewalk and bike rack to encourage pedestrian activity on the site.
- Improve the appearance of the Route 1 gateway by installing decorative lighting along the Route 1 corridor to match the lighting installed along Leeman Highway.

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

City Planner and Development Coordinator Benjamin Averill gave details on the project and stated the project had gone through the Planning Board process and they recommended passage of the Ordinance.

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

ROLL CALL VOTE:

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

NAYS: None

Ordinance passed unanimously 8-0

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

2) Ordinance – Chapter 8. Fire Prevention, Article III. Outdoor Boilers and Outdoor Furnaces, Section 8-201. Prohibition of Outdoor Wood Boiler and Outdoor Furnaces. (second passage)

Councilor Ambrosino made a motion to waive the reading of the following Ordinance. Councilor Bauer seconded the motion. All were in favor of the waiving motion.

**ORDINANCE
CHAPTER 8. FIRE PREVENTION**

Add the following:

ARTICLE III. OUTDOOR WOOD BOILERS AND OUTDOOR FURNACES

Sec. 8-201. Prohibition of Outdoor Wood Boilers and Outdoor Furnaces.

(1) Purpose

Studies have been done indicating that outdoor furnaces and outdoor wood boilers pose environmental and health risks well beyond any public or private benefit. The smoke from these heating devices cause noxious, offensive odors and the emissions are detrimental to the public health. The purpose of this Section is to prohibit the use, construction, maintenance, or operation of outdoor furnaces and outdoor wood boilers in the City of Bath.

(2) Outdoor furnaces and outdoor wood boilers prohibited

The use, construction, maintenance, or operation of an outdoor furnace or outdoor wood boiler, other than those legally in existence and operation as of January 23, 2007, is prohibited in the City of Bath.

(3) Outdoor furnaces or outdoor wood boilers defined

“Outdoor furnace” or “outdoor wood boiler” means any equipment, device, or apparatus, or any part thereof, which is installed, affixed, or situated outdoors, for the purpose of combustion of solid fuel to produce heat or energy.

(4) Penalties

Penalties for violation of this prohibition shall be as set forth in Section 8-105.

Councilor Nordmann made a motion to put this Ordinance on the floor for discussion. Councilor Comeau seconded the motion.

Codes Officer Scott Davis explained there was an issue with some of the wording being deleted the first time the Ordinance was put through Council in 2007, so it was being redone with the text being put back in the Code. He stated these boilers were a health problem in densely populated areas such as the City of Bath.

ROLL CALL VOTE ON THE AMENDED ORDINANCE:

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

NAYS: None

Ordinance passed unanimously 8-0

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

D. Consent Agenda 6:17

***1) Minutes of the previous Council Meeting of September 5, 2018 and Items F4, F5 and F6. (motion to Accept as Presented)**

Councilor Park 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 6:18 PM

John James IV of 30 Garden Street spoke to Council regarding the recently passed Rubbish Ordinance pertaining to apartment buildings. He felt the Council should reconsider, stating if apartment building tenants participated in the “Pay As You Throw” and recycling programs this would cut down on garbage entering the landfill and help with cost savings for the City. He felt that senior citizen housing should be allowed to use a dumpster.

A letter to Council from Mr. James dated 10/17/18 is on file with the agenda materials 10/3/18 regarding this matter.

F. Orders, Resolutions and Ordinances 6:25 PM

***4) Order - Prepare Election Warrant to notify inhabitants of the City of Bath of a State General/Referendum Election to be held on Tuesday, November 6, 2018 to vote on: One each – United States Senator, Governor, Representative to Congress- District 1, State Senator - District 23, State Representative - District 52, County Treasurer, Register of Deeds, District Attorney, County Commissioner - District 2 and One Citizens Initiative and Four Bond Issue Questions. (motion to pass Order)**

ORDER

In City Council
October 3, 2018

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

That, the Notice of State of Maine General/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 6, 2018 for the purpose of determining the following:

Federal and State Offices to Be Voted On:

United States Senator
Governor
Representative to Congress, District 1
State Senator, District 23
State Representative, District 52

County Offices to Be Voted On:

County Treasurer
Registrar of Deeds
District Attorney
County Commissioner, District 2

Questions To Be Voted On:

Question 1: Citizen Initiative – Establish Universal Home Care for Seniors and Persons with Disabilities
Question 2: Bond Issue – Fund Wastewater Infrastructure Projects
Question 3: Bond Issue – Improve Multimodal Facilities, Highways and Bridges and Municipal Culverts
Question 4: Bond Issue – Modernize and Improve Maine’s Public Universities

Question 5: Bond Issue – Upgrade Facilities at Maine’s Community Colleges

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 5, 2018 at City Hall Auditorium beginning at 9:00 AM until finished. Any and all remaining absentees received on election day, November 6, 2018, will be processed at 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.

This was passed on the Consent Agenda.

***5) Order - Prepare Election Warrant to notify inhabitants of the City of Bath of a Municipal Election to be held on Tuesday, November 6, 2018 to vote for the following: One Councilor for a 3-year term from each: Ward 2, Ward 3 and Ward 4. (motion to pass Order)**

ORDER

In City Council
October 3, 2018

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 Candidates Election (Wards 2, 3 & 4) will be held at Bath Middle School, 6 Old Brunswick Road, on the Tuesday following the first Monday of November, the same being the 6th day of said month, in the year of our Lord Two Thousand Eighteen, 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 TwoOne to be Elected for a three year term
Ward ThreeOne to be Elected for a three year term
Ward FourOne to be Elected 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.

This was passed on the Consent Agenda.

***6) Order - Prepare Election Warrant to notify inhabitants of City of Bath of the RSU #1 Election to be held on Tuesday, November 6, 2018 for the following Board of Directors: Two Unrestricted-Residence Position for 3-yr terms.**

ORDER

In City Council
October 3, 2018

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 6th day of said month,

in the year of our Lord Two Thousand Eighteen, 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 for three-year terms

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.

This was passed on the Consent Agenda.

7) Order – Registrar's Hours for the November 6, 2018 Elections.

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 General/Referendum Election, City of Bath Municipal Candidate and RSU #1 Candidate Election to be held Tuesday, November 6, 2018 except for Monday, October 29, 2018 from 0p8:3am to 7:00pm 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.

City Clerk White reiterated that these hours include evening hours for Monday, October 29th.

VOTE on Order:

YEAS: 8

NAYS: 0

Passed unanimously. 8-0

8) Order – Appointing Benjamin Averill as Director of Planning and Development

Madame Chair read the following Order:

ORDER

PURSUANT TO SECTION 404 OF THE CHARTER OF THE CITY OF BATH, THE CITY COUNCIL OF THE CITY OF BATH HEREBY CONFIRMS THE CITY MANAGER'S APPOINTMENT OF BENJAMIN AVERILL, AS THE DIRECTOR OF PLANNING AND DEVELOPMENT OF THE CITY OF BATH, SAID APPOINTMENT TO BE EFFECTIVE OCTOBER 4, 2018.

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

VOTE on Order:

YEAS: 8

NAYS: 0

Passed unanimously. 8-0

9) Order – Purchase New Dump Truck for the Collection of Sewer.

Madame Chair Eosco read the following Order:

**ORDER
AUTHORIZING PURCHASE**

WHEREAS, the City of Bath Public Works Department intends to purchase a new dump truck; and

WHEREAS, the City has gone out to bid for this equipment; and

WHEREAS, the City has received and opened a number of bids relative to the equipment purchase; and

WHEREAS, the most qualified bid was provided by Freightliner of Maine for a 2019 Freightliner Model # 108SD at a bid price of \$149,174.00.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that the bid price provided by Freightliner of Maine of \$149,174.00 for the purchase of a 2019 Freightliner Model # 108SD, be and hereby is accepted and the City Manager is authorized to execute any and all documentation necessary to finalize the purchase of the equipment. The funds for this purchase are designated in the City's 2018/2019 Fiscal Year Budget in Public Works Sewer Capital Fund Replacement Account 07-0703-551.

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

Public Works Director Lee Leiner spoke

VOTE on Order:

YEAS: 8

NAYS: 0

Passed unanimously. 8-0

10) Order – Accepting Donation from Bath Rotary Club of (1) One NOPITIC Camera for Bath Police Department and (2) Two FLIR K-2 Thermal Imaging Cameras for the Bath Fire Department.

Madame Chair Eosco read the following Order:

**ORDER OF ACCEPTANCE OF GIFT
BATH ROTARY CLUB**

WHEREAS, the City of Bath has been advised by the Bath Rotary Club that they have designated the City of Bath as the public safety beneficiary of proceeds of their annual Golf Tournament to be used for public safety purposes; and

WHEREAS, it has been determined that the funds donated by the Bath Rotary Club will be used to purchase an NOPTIC camera for a police vehicle at an estimated cost of \$3,700.00; and

WHEREAS, additional funding is being provided for two (2) FLIR K-2 Thermal Imaging Cameras for use by the Fire Department at an estimated cost for both cameras of \$3,484.00; and

WHEREAS, Title 30-A M.R.S. Section 5652 authorizes and requires the Municipal Officers of a City to accept a donation of money in order to supplement a specific appropriation already made, in this case, appropriations for municipal Police and Fire Departments capital expenditures; and

WHEREAS, Title 30-A M.R.S. Section 5654 further authorizes municipalities to accept conditional gifts for any specific public purpose, the City having received notice from officials from the Bath Rotary Club of the donation of a conditional gift for the purpose of purchasing public safety equipment as outlined above.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that the funds for the three (3) cameras be and hereby are accepted and the City Manager is authorized to execute such documentation as may be necessary, appropriate and convenient to the acceptance of the conditional gift. The City Council thanks the Bath Rotary Club for their generosity in providing the funding for this equipment.

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

Police Chief Michael Field gave details regarding the equipment the departments would be receiving as a gift from the Bath Rotary Club. He asked City Council to respectfully accept the gift and thanked the Rotary on behalf of the Police and Fire Departments for their very generous gift of safety equipment.

Robert Warren, President of the Bath Rotary Club stated that this was a great honor for the Rotarians to be able to give this gift to the City and that if the equipment saves just one person it is well worth it. He gave a brief history of the Rotary and they are there to do "Service Above Self".

VOTE on Order:

YEAS: 8

NAYS: 0

Passed unanimously. 8-0

11) Order – Approving Authorization BIW TIF District Budget (FY 2019).

Madame Chair Eosco read the following Order:

**ORDER
APPROVING AUTHORIZATION
BIW TAX INCREMENT FINANCING DISTRICT BUDGET (FY 2019)**

Be It Hereby Ordered By the City Council of the City of Bath that one million seven hundred thirty-seven thousand two hundred fifty-nine and 00/100 (\$1,737,259) 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, 2018 and terminating on June 30, 2019 for the following purposes:

TIF REVENUE

INCREMENT	<u>\$1,739,804</u>
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TOTAL REVENUE	<u>\$1,739,804</u>
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EXPENSES

DEBT SERVICE	\$849,259
CONTRIBUTION TO BATH LOCAL DEVELOPMENT CORPORATION	\$172,800

CONTRIBUTION TO MAIN STREET BATH	\$32,500
ECONOMIC DEVELOPMENT PROJECTS ACCOUNT	\$668,500
TRAIN STATION/TROLLEY FUNDING-TRANSFER	<u>\$14,200</u>

TOTAL	<u>\$1,737,259</u>
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SURPLUS	<u>\$2,545</u>
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Councilor Bailey made a motion to put the Order on the floor for discussion. Councilor Ambrosino seconded the motion.

Finance Director Juli Millett explained that these TIFs are taken up at this time because assessment has been completed so that the increment is known and what monies are available for projects. She gave a more detailed explanation on some of the expenses.

Madame Chair Eosco stated that should the vote come to a tie, she would be recusing herself from the vote.

VOTE on Order:

YEAS: 8

NAYS: 0

Passed unanimously. 8-0

12) Order – Approving Authorization Wing Farm TIF District Budget (FY 2019).

Madame Chair Eosco read the following Order:

**ORDER
APPROVING AUTHORIZATION
WING FARM TAX INCREMENT FINANCING DISTRICT BUDGET (FY 2019)**

Be It Hereby Ordered By the City Council of the City of Bath that one hundred nineteen thousand six hundred ninety-eight and 00/100 (\$119,698) 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, 2018 and terminating on June 30, 2019 for the following purposes:

REVENUE

INCREMENT	<u>\$108,215</u>
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TOTAL REVENUE	<u>\$108,215</u>
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EXPENSES

PUBLIC WORKS ALLOC**	\$11,483
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STREET BOND DEBT PAYMENT	\$41,698
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PUBLIC WORKS ALLOC	\$66,517
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TOTAL EXPENSES	<u>\$119,698</u>
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SURPLUS

\$(11,483)

**From previous year's surplus

Councilor Bauer made a motion to put the Order on the floor for discussion. Councilor Ambrosino seconded the motion.

Finance Director Juli Millett explained that this TIF has a surplus and the TIF attorney had stated that if there was a plan for the surplus it could be kept and not go into the General Fund. She stated the plan for this surplus would be to spend a certain percentage of the Public Works allocation would be used to work on roads that lead to BIW.

VOTE on Order:

YEAS: 8

NAYS: 0

Passed unanimously. 8-0

13) Order – Approving Authorization Downtown TIF District Budget (FY 2019).

Madame Chair Eosco read the following Order:

ORDER APPROVING AUTHORIZATION DOWNTOWN TAX INCREMENT FINANCING DISTRICT BUDGET (FY 2019)

Be It Hereby Ordered By the City Council of the City of Bath that one hundred four thousand six hundred fifty-eight dollars and 00/100 (\$104,658) 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, 2018 and terminating on June 30, 2019 for the following purposes:

REVENUE

INCREMENT	<u>\$185,913</u>
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TOTAL REVENUE	<u>\$185,913</u>
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EXPENSES

DEBT SERVICE PAYMENT	<u>\$104,658</u>
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TOTAL EXPENSES	<u>\$104,658</u>
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SURPLUS	<u>\$81,255</u>
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Councilor Ambrosino made a motion to put the Order on the floor for discussion. Councilor Bailey seconded the motion.

Finance Director Juli Millett explained that this TIF surplus would be used in the future for downtown road improvements.

City Manager Peter Owen gave more details on what the future road improvements might entail.

VOTE on Order:
YEAS: 8
NAYS: 0
Passed unanimously. 8-0

14) Ordinance: Chapter 8A. General Assistance Maximums for October 1, 2018 to September 30, 2019 (first passage)

Madame Chair read the following Ordinance:

GENERAL ASSISTANCE ORDINANCE
2018-2019
Ordinance: Chapter 8A. General Assistance Maximums
for October 1, 2018 to September 30, 2019 (first passage)

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 8A. GENERAL ASSISTANCE

Amend the City's General Assistance Ordinance in accordance with the amended portions attached hereto. Deletion's are shown in red (or crossed out), addition's are shown in blue (or underlined.)

Also delete appendices to the ordinance dealing with maximums allowances and adopt the MMA Model Ordinance GA Appendices (A-D) for the period of Oct. 1, 2018 - September 30, 2019. These appendices are filed with the Department of Health and Human Services (DHHS) in compliance with Title 22 M.R.S.A. §4305(4).

A complete copy of this Ordinance is on file in the City Clerk's Office with the agenda materials for the 10/3/2018 meeting.

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

Finance Director Juli Millett explained this is an annual order of business of Council to approve these State maximums. She stated that the City is reimbursed by the State as long as these amendments are passed.

ROLL CALL VOTE on Ordinance:
YEAS: Bailey, Paulhus, Nordmann, Wyman, Comeau, Bauer, Park, Ambrosino
NAYS: 0
Passed unanimously. 8-0

Madame Chair Eosco stated second passage of this Ordinance would be held on November 7, 2018 at 6:01PM.

G. Petitions & Communications 7:01PM

There were no petitions or communications.

H. City Manager's Report 7:01PM

The City Manager Peter Owen spoke regarding the following topics:

- Citizen Involvement Day and AutumnFest to be held on Saturday, October 6th.
- City had begun the hiring process for a Marketing and Communication Specialist.
- Landfill would be closed for Columbus Day and Fall Clean up 15th-20th and City leaf collection would be held on October 22nd and 23rd.

I. Committee Reports 7:04 PM

Councilor Park reported that the Forestry Committee would like to remind everyone this is the time of year to wrap your trees for winter moths and that BCTV would be televising the Winter Moth Workshop tape.

Councilor Ambrosino reported the Parks and Recreation Commission would be sending out their survey on programming very soon and encouraged the public to participate.

Councilor Bailey reported the Transportation Committee met and had a good discussion regarding parking fines, winter parking and some other issues and more will be coming regarding those matters. She reported that the Community Development Committee met and discussed some ways to use Community Block Grant Funds.

Councilor Comeau reported the Bicycle and Pedestrian Committee met and worked on the flyer that they will be getting out to the public soon.

Councilor Bailey urged everyone to go and see the new reference space at the Patten Free Library. She reported the Solid Waste and Recycling Committee met and are working on making some changes to that Committee and the Economic Development Committee had met for the first time and went over what they would be doing.

J. Unfinished Business 7:09 PM

There was no unfinished business.

K. New Business 7:09 PM

15) Appointment of Slate of Committee Members for the Bath Economic Development Commission:

Sally Johnstone - Main Street Bath representative - 1yr Term
Karla Gagnon - Business representative - 2yr Term
Sean Ireland - Development representative - 2yr Term
Jon Fitzgerald - BIW representative - 3yr Term
Amy Lent - Maine Maritime Museum representative - 3yr Term

Councilor Bailey nominated the above slate of people to the Bath Economic Development Commission. Councilor Bauer seconded the nomination. All were in favor of the nominations.

16) Appointment of J. Scott Davis as the Local Health Officer for the City of Bath for a term of 3 years with Term Expiration November 4, 2021.

Councilor Wyman made a motion to put this appointment on the floor for discussion. Councilor Bauer seconded the motion. All were in favor of appointing J. Scott Davis as Local Health Officer.

17) Appointment 1 member to the Bath Water District Board of Trustees with Term Expiration in September 2023.

Councilor Wyman nominated Clarence Stilphen to fill the position. All were in favor of the nomination.

18) Appointment 1 member to the Bath Recreation Commission with Term Expiration in November 2021.

Councilor Wyman nominated William Palmer to fill the position. All were in favor of the nomination.

L. Councilor Announcements 7:13 PM

Councilor Bailey- Thanked the Recreation Department and Public Works for the lovely new bench at the South End boat launch; also encouraged citizens to come to Citizen Involvement Day. Thanked the citizens who participated in the South End traffic study meeting; reminded citizens the Age Friendly Livability Community Survey to be available in November. And reminded everyone to get out and vote.

Councilor Paulhus- Commented that the meeting was a great representation of the spirit of the City with the remembrance and presentation for Beverly Henrikson, as well as the recognition of Michael Lathrop. Expressed excitement and anticipation of the Maine Bicentennial, the website is up and running at Maine200.org, encouraged the Council to begin planning and create a committee. He mentioned that the city was home to many important government officials over Bath's history offering a few ideas for Bath 2020 and has more to share. Madame Eosco reiterated the excitement for the Bicentennial and would like to see Bath 2020 really shine.

Councilor Ambrosino- Announced the Rotary 4-way 5K race on October 6th with all proceeds to benefit Midcoast Community Alliance. Councilor Paulhus interjected appreciation to the Rotarians for the generosity and support for the City, Madame Eosco agreed.

Councilor Park- Reported on the RSU #1 site visit, expressed astonishment at the amount of rock being moved and work being done six days a week, which will allow building to start in March.

Madame Chair Eosco- Encouraged citizens to join in the 5K race and Citizen Involvement Day and AutumnFest going on downtown on October 6th and reminded all to get out and vote November 6th.

The meeting adjourned at 7:24 PM with a motion by Councilor Bauer seconded by Councilor Ambrosino. 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.