

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

Wednesday, January 8, 2020 6:00 PM
City Council Chambers, Bath City Hall

Present: Councilor Bailey, Councilor Paulhus, Councilor Nordmann was excused, Councilor Leonard, Councilor DeChant, Councilor Bauer, Councilor Park, Councilor Ambrosino and Madame Chair, Eosco.

Also in attendance, the City Manager – Peter Owen, Assistant City Manager – Marc Meyers, City Solicitor - Roger Therriault, City Clerk, pro tempore - Darci Wheeler, Finance Director – Juli Millett,

Madame Chair Eosco led the Pledge of Allegiance Darci Wheeler called the Roll.

ROLL CALL:

Councilor Bailey, Councilor Paulhus, Councilor Nordmann was excused, Councilor Leonard, Councilor DeChant, Councilor Bauer, Councilor Park, Councilor Ambrosino and Madame Chair, Eosco.

Madame Chair Eosco announced changes to the agenda with Item 3 moved to the end of the meeting following Executive Session. Madame Chair Eosco also announced that she will not be leading committee assignments this evening.

Madame Chair Eosco then went on to recognize Rabbi Lisa Vinikoor of Beth Israel Congregation to offer the 2020 Invocation. Rabbi Vinikoor went on to say a prayer for the City Council.

C. Public Hearing

D. Consent Agenda 6:05 PM

(Items as marked with an asterisk (*) on the agenda shall be considered routine matters not requiring debate. In the case of items marked with an asterisk, the motion as stated in parenthesis following the items on the agenda shall be considered to have been passed by the City Council as part of the Consent Agenda. Any Councilor wishing to have any item so marked with an asterisk removed from the Consent Agenda shall have the unlimited right to do so at any time prior to the vote by Council on the Consent Agenda. If such an item is removed from the Consent Agenda, it shall be dealt with in the normal course of the meeting.)

*1) Minutes of the previous Council Organizational/Regular Meetings of December 4, 2019 and Items K7 and K8 (Motion to Accept as Presented)

Motion made by Councilor Paulhus to accept as presented, seconded by Councilor Ambrosino.

Councilor Bauer noted some corrections to the minutes on page 2 order is misspelled under item 4, on page 5 under the second order “energy us” should be spelled “energy use”.

Motion made by Councilor DeChant to accept the minutes as amended, seconded by Councilor Paulhus.

VOTE ON MOTION:

YEAS: 8

NAYS: 0

Passed unanimously, 8-0

E. Time Devoted to Residents to Address City Council

F. Resolutions, Orders and Ordinances 6:08 PM

- 2) Order to appoint Registrar of Voters with term ending December 2020

Madame Chair Eosco read the following:

**ORDER TO APPOINT REGISTRAR OF VOTERS
WITH TERM ENDING DECEMBER 2020**

WHEREAS, the incumbent Registrar of Voters has resigned; and

WHEREAS, Title 21-A §1018 requires municipal officers to appoint a Registrar of Voters to fill the vacancy for the remainder of the term of office.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that Darci Wheeler be and hereby is appointed the Registrar of Voters for the City of Bath for the balance of the current term to expire December 31st of 2020.

Motion made by Councilor Leonard, seconded by Councilor Bailey.

VOTE ON MOTION:

YEAS: 8

NAYS: 0

Passed unanimously, 8-0

- 4) Resolution to accept Davenport Trust Grant of \$5000 to purchase 2 Gas Meters

Madame Chair Eosco read the following:

**ORDER OF ACCEPTANCE OF GIFT AND AWARD
DAVENPORT FOUNDATION**

WHEREAS, the City of Bath has been advised by the Trustees of the Davenport Foundation that they have approved a gift/award for the benefit of the City of Bath Fire Department to be used for public safety purposes; and

WHEREAS, it has been designated by the Davenport Foundation that the funds will be used to purchase gas detection meters for the benefit of the Bath Fire Department; and

WHEREAS, the amount designated for the purchase has been determined as Five Thousand Dollars (\$5,000.00); 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 the purchase of capital equipment for the Bath Fire Department; 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 the Trustees of the Davenport Foundation of the donation of a conditional gift/award for the purpose of purchasing the public safety equipment as outlined above.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that the funds, in the amount of Five Thousand Dollars (\$5,000.00) designed for the purchase of gas detection meters for the benefit of the Bath Fire Department 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 Trustees of the Davenport Foundation for their generosity in providing the funding for this equipment.

Motion made by Councilor Paulhus, seconded by Councilor Park.

Finance Director Julie Millet reviewed the proposal by the Davenport Trustees to donate the equipment which will detect HCN levels following a fire as well as oxygen, carbon monoxide, and hydrogen sulfite which will warn the department of the risk of explosion. These meters are identical to those already owned by the department in order to increase the current supply.

Madame Chair Eosco observed that this is an important tool for the department following the recent explosion in Farmington, Maine, reiterating the thoughtfulness of the Davenport Trustees.

Councilor Ambrosino asked if current equipment would be retired, to which staff confirmed that this is simply additional equipment for department use and not replacement equipment.

VOTE ON MOTION:

YEAS: 8

NAYS: 0

Passed unanimously, 8-0

5) Resolution to accept grant of \$10,000 from Efficiency Maine to install and operate 2-Electric Vehicle Charging Stations

**ORDER OF ACCEPTANCE OF PROGRAM INCENTIVE AWARD
EFFICIENCY MAINE**

WHEREAS, the City of Bath has been advised by Efficiency Maine that they have approved a program incentive award to offset final project costs for the installation and operation of Level 2 chargers within the City of Bath; and

WHEREAS, the award has been determined to be Ten Thousand Dollars (\$10,000.00) or Fifty Percent (50%) of the final project costs, whichever is less, for the installation and operation of the chargers; and

WHEREAS, the City of Bath will assume the responsibility for funding any remaining costs for the installation and operation of the chargers; and

WHEREAS, Title 30-A M.R.S. Section 5652 authorizes and requires the Municipal Officers of the City to accept awards of funds in order to supplement specific appropriations already made, in this case, appropriations for capital expenditures for the train station facility; 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 the officials of Efficiency Maine of the donation of a conditional gift/award for the installation and operation of Level 2 chargers.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that the City accepts the program incentive award in the amount of Ten Thousand Dollars (\$10,000.00) or Fifty Percent (50%) of the final project costs, whichever is less, designed for the purpose of installation and operation of charging stations for the benefit of the City of Bath 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 Efficiency Maine for its generosity in providing the funding for this equipment.

Motion made by Councilor Bauer, seconded by Councilor Paulhus.

Assistant City Manager Marc Meyers reviewed the grant as encouraged by the Economic Development Committee, who last year developed the initiative to bring electric vehicle charging stations to Bath to encourage tourism as well as encourage the use of electric vehicles. Stations are slated to be installed at the train station given its proximity to Route One as well as the Visitor Center. Mr. Meyers reminded the Council that the matching funds for the grant had been approved at a previous meeting of the City Council.

Councilor Ambrosino reviewed the total cost, which is \$39,000.

Councilor Leonard asked how many vehicles may be charged at any time (4 vehicles – 2 per station). Mr. Meyers went on to note that this will not reduce or complicate parking due to the flexibility of the stations, further noting that a portion of the expense includes alterations to the parking area.

Madame Chair Eosco stressed that the addition of charging stations is becoming a sought-after accommodation for tourists throughout the country in choosing a vacation destination.

VOTE ON MOTION:

YEAS: 8

NAYS: 0

Passed unanimously, 8-0

6) Resolution on William King Square

**City of Bath Resolution
on William King Square**

WHEREAS, William King, a resident of Bath for more than 50 years, served as the State of Maine’s First Governor, State Senator, State Representative, Militia General during War of 1812, Custom Collector for Bath, Superintendent of Public Buildings and Commissioner for Settling Spanish Claims, appointed by President James Monroe; and

WHEREAS, Governor King’s residence once overlooked the Kennebec River at the location where the Customs House now stands at 1 Front Street; and

WHEREAS, the State of Maine is celebrating its bicentennial of statehood in 2020 and King was leading the way in 1820 as supporter of Maine’s statehood and served as President of the Maine Constitutional Convention; and

WHEREAS, the City's Recognition Committee, on April 16, 2019, reviewed and approved an application to acknowledge the Customs House property as William King Square in recognition of his contributions to the City of Bath, the State of Maine and the United States of America.

NOW, THEREFORE, BE IT RESOLVED that the City of Bath recognizes and designates the Customs House Property as William King Square.

Motion made by Councilor Paulhus, seconded by Councilor Park.

Councilor Paulhus reviewed articles distributed to Council from 1911 and 1915 referencing William King Square up until Mr. Kings house was torn down in the 1920's while building the Carleton Bridge. This house was the headquarters of statehood during the movement. Councilor Paulhus went on to list Mr. King's many contributions to the City of Bath worthy of earning this recognition and recommended that everyone take the time to research the tedious path to statehood.

Madame Chair Eosco further highlighted Bath's significance to the State of Maine as a center for information and leadership.

VOTE ON MOTION:

YEAS: 8

NAYS: 0

Passed unanimously, 8-0

H. Petitions & Communications

H. City Manager's Report 6:30 PM

City Manager Peter Owen reviewed the current state of the City regarding rabies. Mr. Owen went on to review a public meeting held regarding rabies as well as a letter sent to the State requesting assistance. There is a group at the State level that will be meeting to review this epidemic and the City is awaiting further direction from the State on how best to proceed.

Council DeChant asked Mr. Owen for the time frame of this meeting.

Councilor Paulhus noted that a meeting of the Maine Department of Inland Fisheries and Wildlife is currently slated for January 21st at which point they will discuss the City of Bath and what processes to use moving forward.

Mr. Owen went on to review improvements currently being made to Route One, which has included the removal of the fence between north- and south-bound lanes. This will be replaced by a retaining wall. Mr. Owen noted that the State did not contact the City of this improvement as discovered by Public Works. The State Representative for the project has been contacted and stated that at this point the project has been finalized. After discussion on the possibility of improving the façade at a cost to the City, the State

has conceded to cost-sharing on improvements. Mr. Owen further expressed his dissatisfaction with the wall, acknowledging that the City has little control over the final result.

Councilor Bauer asked how long the waiting list is the Bath City Bus for BIW Employees. Mr. Owen did not know exactly but resolved to get Councilor Bauer the information.

Mr. Meyers reviewed the City Bus loops and noted that the waiting list is a recent development that the City is working to resolve.

I. Committee Reports 6:37 PM

Councilor Bailey reviewed discussion by Transportation Committee in regards to the BIW transportation crisis as well as parking issues at BIW. Councilor Bailey expressed her satisfaction that the buses are being utilized reducing traffic within the City. Regional transportation is being researched on an exploratory level.

The Community Development Committee did not meet, however Councilor Bailey did review a meeting by the sub-committee on housing did meet to review opportunities on the horizon involving funding from Bath Housing, with more to come on that in the future, as well as the possibility of Air BNB proposals as well.

Councilor Bailey went on to review The Board Appointment Review Committee which will reconvene later in January to review a backlog of applications.

Councilor Leonard noted that the Superintendent Trevor Hunt of the Bath Water District is in the process of retiring. Councilor Leonard spoke to the scope of the Water District and Mr. Hunt's tremendous responsibilities. He has currently made an offer to hire an Assistant Superintendent in order to prepare for the transition throughout the next year.

Councilor Ambrosino reviewed activity by the Forestry Committee which met recently with intentions to host a workshop in May for a walk in Butler Head with more information to come.

Councilor Ambrosino went on to note that the Parks and Recreation Department met in the past weeks to discuss the need to recruit volunteers. Councilor Ambrosino encouraged residents to consider volunteering their time once or twice a month to assist.

J. Unfinished Business (none)

K. New Business 6:44 PM

- 9) Reappointment of George Sprague to the Community Forestry Committee with term to expire 10/2021

Councilor Bailey noted that Mr. Sprague was out of town last month and unable to take his oath.

VOTE ON MOTION:

YEAS: 8

NAYS: 0

Passed unanimously, 8-0

L. Councilor Announcements 6:44 PM

Councilor Bauer acknowledged Jamie Dorr and the MidCoast Community Alliance for being recognized by the New England Patriots and Mrs. Dorr's support of the City's youth.

Councilor Leonard announced that the Merrymeeting Adult Education will be hosting and informational meeting at the Bath Skate Park in order to promote "Skate and Learn" which is a program encouraging participants to earn their high school diploma or otherwise earn their GED on January 21st at 6pm with dinner being served. College transition and other programs will also be offered as courses.

Councilor Bailey thanked the Maine Maritime Museum for their announcement of free admission in January and February provided through grants as a wonderful opportunity to the community.

Councilor Baily further noted that the Aging Communities of the Lower Kennebec has partnered with the YMCA to host community walks that will be open to the public Tuesdays and Thursdays 1pm to 2pm. Reports are generated and currently awaiting distribution.

Councilor Paulhus announced that today starts the second legislative session which proves to be busy.

Madame Chair Eosco apologized that the Council appears to be disorganized, stressing that the Council should create goals including review of the City Charter and possibly improving the City Seal. She further encouraged Councilmembers to bring their goals forward.

EXECUTIVE SESSION: 6:49 PM

Discuss Personnel Matter per 1 MRS §405(6)(A)

Motion made by Councilor Paulhus to enter executive session, seconded by Councilor Bauer.

VOTE ON MOTION:

YEAS: 8

NAYS: 0

Passed unanimously, 8-0

Motion made by Councilor Park to exit executive session at 7:06 PM, seconded by Councilor Bailey.

- 3) Order to Elect City Clerk, Pursuant to the Provisions of Section 220 of the Charter of the City of Bath

Madame Chair Eosco read the following:

ORDER TO ELECT A CITY CLERK

Pursuant to the Provisions of Section 220 of the Charter of the City of Bath, Darci Wheeler is hereby elected to serve the City as its City Clerk for an indefinite term.

Motion made by Councilor Park, seconded by Councilor Leonard.

Mr. Owen reviewed the procedure by which the City asked for applications to the position of City Clerk including that by Ms. Wheeler and the committee review of those applications. The decision to support Ms. Wheeler was unanimous as Mr. Owen complimented her on her leadership and finesse in running the November Election.

Councilor Bailey further complimented Ms. Wheeler on her performance.

Madame Chair Eosco further complimented Ms. Wheeler on her performance and personality.

VOTE ON MOTION:

YEAS: 8

NAYS: 0

Passed unanimously, 8-0

Madame Chair Eosco asked for a motion to adjourn the meeting.

Councilor Park motioned to adjourn, seconded by Councilor Bailey

VOTE ON MOTION:

YEAS: 8

NAYS: 0

Passed unanimously, 8-0

Meeting adjourned at 7:10 pm.

Attest:

Karly A. Perry

Karly A. Perry

Recording Secretary