

**SPECIAL MEETING MINUTES**  
**City Council of the City of Bath, Maine**  
**Wednesday, April 21st, 6:00 pm**  
**Remote Zoom Meeting**

Present: Councilors Ambrosino, Bailey, Paulhus, Nordmann arrived at 6:09pm, Leonard, DeChant, Bauer, Dingley, and Chairperson Park

Also, in attendance, the City Manager, Peter Owen, City Solicitor, Roger Therriault and City Clerk, Darci Wheeler.

City Clerk Wheeler called the Roll.

1) Ordinance: Outdoor Wood Boiler Ordinance Amendment (*2nd Passage*)6:01pm

Chairperson Park read the following.

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 8. FIRE PREVENTION

ARTICLE III. OUTDOOR WOOD BOILERS AND OUTDOOR FURNACES

Amend as follows:

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) Replacement of legally existing furnaces and boilers. Where it is expedient and desirous to replace a legally existing outdoor furnace or outdoor wood boiler (grandfathered unit), it may be replaced with a unit with at least the same or greater operating efficiency as the unit being replaced. A permit from the Codes

Enforcement Officer is required prior to replacement. Maintenance is permitted on grandfathered units in order to minimize detrimental emissions.

- (4) 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.

- (5) Penalties

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

Councilor DeChant made motion to waive the second reading of the ordinance, Councilor Bauer made second.

**ROLL CALL VOTE:**

**YEAS: Councilors Ambrosino, Bailey, Paulhus, Leonard, DeChant, Bauer, and Dingley**

**NAYS: NONE**

**Passed unanimously, 7-0**

Councilor Bauer made motion. Councilor DeChant second.

Codes Enforcement Officer Scott Davis gave background on the ordinance. This amendment would allow existing wood boilers to be replaced for more efficient units.

Chairperson Park asked if there were any public comment. Seeing none, he asks for final council comments.

**ROLL CALL VOTE:**

**YEAS: Councilors Dingley, Bauer, DeChant, Leonard, Paulhus, Bailey, and Ambrosino**

**NAYS: None**

**Passed unanimously, 7-0**

- 2) Ordinance: Chapter 17, Article 6, 17-260 Municipal Parking Lots Amendment (*2nd 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 17. VEHICLES AND TRAFFIC

Article 6. Stopping, Standing and Parking

Section 17-260. Municipal Parking Lots.

Add the following:

(h) Castine Avenue Parking Facility – The Castine Avenue Parking Facility parking area shall be designated as permit parking only. Permits shall be issued on a month-to-month basis at an initial cost of Forty-Five Dollars (\$45.00) per month. The parking fee may, from time to time, be amended and adjusted by Resolution of the City Council.

Councilor DeChant made motion to waive the second reading of the ordinance, Councilor Leonard made second.

**ROLL CALL VOTE:**

**YEAS: Councilors Ambrosino, Bailey, Paulhus, Leonard, DeChant, Bauer, and Dingley**

**NAYS: NONE**

**Passed unanimously, 7-0**

Councilor Ambrosino made motion. Councilor Bailey second.

Police Chief, Michael Field, explained that the City had regained control of the Castine Ave parking facility on April 2<sup>nd</sup>, 2021. The lot will be designated as a municipal parking lot and permits can be purchased at the police station for \$45.

Chairperson Park asked if there were any public comment. Seeing none, he asks for final council comments.

**ROLL CALL VOTE:**

**YEAS: Councilors Dingley, Bauer, DeChant, Leonard, Paulhus, Bailey, and Ambrosino**

**NAYS: None**

**Passed unanimously, 7-0**

3) Order: To approve Midcoast Hospital Lease

**ORDER APPROVING LEASE**

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE LEASE BY AND BETWEEN THE CITY OF BATH, REGIONAL SCHOOL UNIT 1 AND MIDCOAST HOSPITAL, FOR 800 HIGH STREET, FOR A PERIOD OF SIX (6) MONTHS COMMENCING JULY 1, 2021, AND RUNNING THROUGH DECEMBER 31, 2021, SAID LEASE BEING ATTACHED HERETO, BE AND HEREBY IS APPROVED AND THE CITY MANAGER IS AUTHORIZED TO EXECUTE THE LEASE AND

ANY OTHER DOCUMENTS NECESSARY TO ITS IMPLEMENTATION ON BEHALF OF THE CITY OF BATH.

Councilor Leonard made motion. Councilor DeChant second.

Assistant City Manager Marc Meyers spoke regarding the Order. Michael Pinkham, Facilities Manager and Joe Grant, Chief Operating Officer of Midcoast Hospital were in attendance to speak about their training program and the use of the space.

Councilor Bauer questions if they trainees will be using the downtown areas for delivery of food items.

Councilor Bailey questions the use of the parking and the impact on residents.

Chairperson Park asks if Merrymeeting Adult Ed is still operating in there with Councilor Leonard affirming. Parking will not be a conflict with both operations.

Chairperson Park asked if there were any public comment. Seeing none, he asks for final council comments.

**ROLL CALL VOTE:**

**YEAS: Councilors Ambrosino, Bailey, Paulhus, Nordmann, Leonard, DeChant, Bauer, and Dingley**

**NAYS: NONE**

**Passed unanimously, 8-0**

Chairperson Park asked for a motion to enter into Executive Session at 6:24pm regarding a Legal Matter.

Councilor Ambrosino motioned to enter Executive Session, seconded by Councilor Paulus.

**ROLL CALL VOTE:**

**YEAS: Councilors Dingley, Bauer, DeChant, Leonard, Nordmann, Paulhus, Bailey, and Ambrosino**

**NAYS: None**

**Passed unanimously, 8-0**

Executive Session

Discuss Legal Matter per 1 MRSA §405(6)(E) 6:28pm

Councilor DeChant motioned to enter back into Regular Session, seconded by Councilor Nordmann.

Chairperson Park asked for a motion to move into the Workshop at 7:39pm.

Councilor Paulhus motioned, seconded by Councilor Ambrosino.

**ROLL CALL VOTE:**

**YEAS: Councilors Ambrosino, Bailey, Paulhus, Nordmann, Leonard, DeChant, Bauer, and Dingley**

**NAYS: None**

**Passed, 8-0**

Meeting adjourned at 7:39pm.

Attest:

Darci L. Wheeler, City Clerk