

AGENDA
CITY COUNCIL OF THE CITY OF BATH, MAINE

Regular Meeting

Wednesday, August 2, 2023, 6:00 PM

Council Chambers

City Hall

Hybrid Meeting

A. Pledge of Allegiance

B. Roll Call

Proclamation recognizing "Kindness Day", Saturday, August 19, 2023

Presentation from Brenda Cummings, City Assessor, regarding valuation update

C. Public Hearing

- 1) **PUBLIC HEARING:** Chapter 12 Personnel Ordinance (*second passage*)
- 2) **PUBLIC HEARING:** General Obligation Bonds in the Amount of \$5,000,000 to finance street, road, and sidewalk reconstruction to be put on Municipal Ballot for vote at the November 7, 2023, Election
- 3) **PUBLIC HEARING:** General Obligation Bonds in the Amount of \$24,653,000 to finance Upgrades to the Water Pollution Control Facility, Pump Stations, Wastewater Collection System, and removal of Combined Sewer Overflows to be put on Municipal Ballot for vote at the November 7, 2023, Election
- 4) **PUBLIC HEARING:** Proposed amendments to the City Charter to be put on Municipal Ballot for vote at the November 7, 2023, Election

D. Consent Agenda

(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.)*

*5) Minutes of the previous Regular Meeting of July 5, 2023, Council Meeting, and Item F8. (*Motion to Accept as Presented*)

E. Time Devoted to Residents to Address the City Council

F. Resolutions, Orders and Ordinances

6) **APPROVAL:** Letter to Governor Mills requesting proclamation for a Special Election for House District 52

7) **ORDER:** Accepting Coastal Community Grant

8)***ORDER:** Approving ballot for Maine Municipal Association’s Election of Vice President and Executive Committee Members

9) **ORDER:** Authorizing Bond Ordinance General Obligation Bonds in the Amount of \$5,000,000 to finance street, road, and sidewalk reconstruction to be put on Municipal Ballot for vote at the November 7, 2023, Election

10) **ORDER:** Authorizing Bond Ordinance General Obligation Bonds in the Amount of \$24,653,000 to finance Upgrades to the Water Pollution Control Facility, Pump Stations, Wastewater Collection System, and removal of Combined Sewer Overflows to be put on Municipal Ballot for vote at the November 7, 2023, Election

11) **ORDER:** Approving proposed amendments to the City Charter to be put on the Municipal Ballot at the November 7, 2023, Election

12) **ORDINANCE:** Amendment to Chapter 17, Vehicles and Traffic, Parking Appendix, Washington Street, East Side (*first passage*)

13) **ORDINANCE:** LUC Amendment Article 8 District Regulations, Housing Density Allowances (*first passage*)

14) **ORDINANCE:** LUC Amendment Article 11 Performance Standards, Specific Activities and Land Uses, Accessory Dwelling Units (*first passage*)

15) **ORDINANCE:** LUC Amendment Article 16 Section 16.32, 520 Centre Street Contract Zone (*first passage*)

16) **ORDINANCE:** LUC Amendment Article 2, Section 2.02, Definitions (*first passage*)

17) **ORDINANCE:** LUC Amendment Article 8, Section 8.01, High-Density Residential District – R1 (*first passage*)

18) **ORDINANCE:** LUC Amendment Article 10, Section 10.06, Parking and Loading, Section 10.34, R1 Setback Plan (*first passage*)

19) **ORDINANCE:** LUC Amendment Article 11, Section 11.42, Supportive Transitional Housing (*first passage*)

G. Petitions & Communications

H. City Manager’s Report

I. Committee Reports

J. Unfinished Business

20) Bath Area Family YMCA childcare facility discussion

K. New Business

21) Appointments and Reappointments

- ~Reappointment of Laura Walters to Climate Action Committee for a term to expire June 2026
- ~Reappointment of Mara Pennell to Community Development Committee for a term to expire July 2026
- ~Reappointment of Paul Perkins to Solid Waste Advisory Committee for a term to expire July 2026
- ~Appointment of Betsey Greene Glazier to Bath Housing Authority Board of Directors, Housing Rep. term to expire February 2028

L. Councilor Announcements

EXECUTIVE SESSION:

Real Estate Matters per 1 MRS §405(6)(C)

ADJOURN



PROCLAMATION

WHEREAS Kindness Day is the dream of Morse High Senior Bryanna Ringrose, which evolved from a conversation with her best friend Taylor Bisson, and

WHEREAS the desire was to have a day in Bath where everyone could just focus on doing small acts of kindness for each other, and

WHEREAS this event is coordinated by Jennifer McDorr with the help and support from the community of merchants, organizations, area non-profits, and a number of individuals participating to make this dream a reality, and

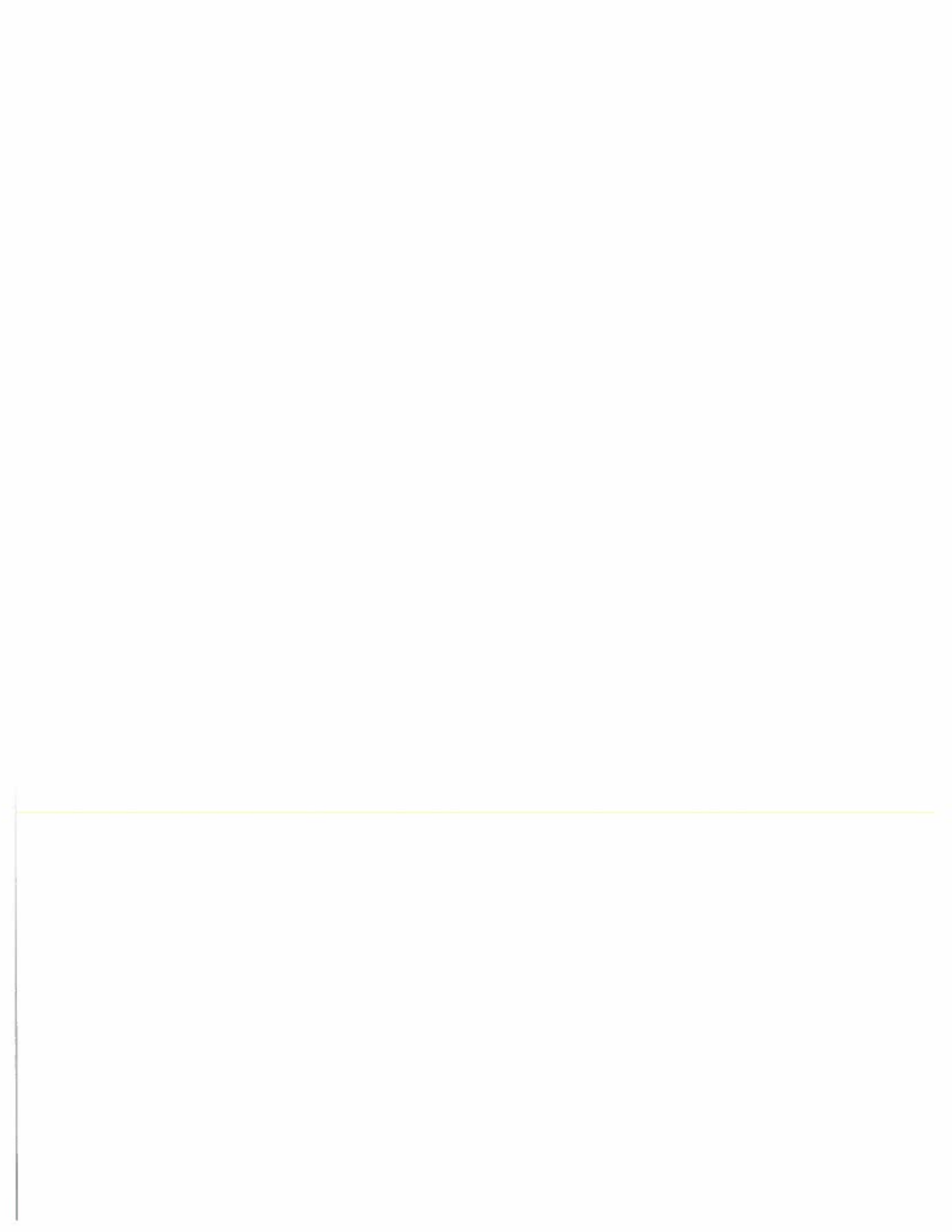
WHEREAS the power of kindness lies in every individual and by recognizing, understanding and actually using this power, we have the ability to send out a positive ripple that may travel for miles, and

WHEREAS no one, no matter how young or how small, is too little to make a difference in our own community and our world and through random acts of kindness, we can promote healthy behaviors and positive dynamics within our community, nourishing and strengthening our community with a celebration of simple kindness that encourages people to tap into their own human spirit;

NOW THEREFORE BE IT PROCLAIMED that **August 19, 2023**, shall be recognized as **Bath Kindness Day** remembering that simple day-to-day acts of kindness enable our community to be a kinder, safer and more secure place to live, work and play and to urge all citizens to participate in spreading kindness, and practicing respect, generosity, patience and consideration of others not just this day, but every day of the year.

Dated this 2nd day of August 2023.

Mary Ellen Bell, Chairperson
Bath City Council





BATH
MAINE *City of Ships*

OFFICE of the CITY MANAGER

Marc Meyers
City Manager
mmeyers@cityofbath.com

Memorandum

To: Chair Bell, Vice Chair Ambrosino and Members of the City Council
Date: June 28, 2023
From: Marc Meyers, City Manager
CC: Juli Millett, Assistant City Manager/Finance Director; Erika Helgerson, Executive Assistant to the City Manager/Director of Human Resources
RE: Personnel Ordinance

The City Council will be considering a rewrite of the Personnel Ordinance, Chapter 12 of the City Ordinances. First passage of this item was tabled at City Council’s June 7 meeting so staff could incorporate City Council feedback into the feedback. Staff also received additional feedback from Council Chair Mary Ellen Bell via e-mail.

Changes from the original draft:

- Added Section 12.206.4, Remote Work
- Amended Section 12.207.5, Elected Officials
- Amended Section 12.208, Probation
- Amended Section 12.409, Political Activity
- Amended Section 12.504.4, Cannabis
- Amended Section 12.800, Employee Discipline
- Amended Section 12.801, Grounds for Discipling
- Amended Section 12.802, Disciplinary Actions

Note: Staff also took the opportunity to address typos and grammar changes that were caught during review.

There was no change regarding comp/flex time as Section 12.206.1, Work Schedule, acknowledges that *“Hours of work, starting and quitting time, or scheduled lunch periods may be changed by mutual agreement of the Department Head and department employees, subject to approval by the City Manager.”*

As a reminder, the City Charter (§402.D) requires the City Manager's personnel rules be *submitted to the City Council for adoption by ordinance in order to provide for the practices and procedures necessary to the administration of the City personnel system*. This document will replace the City's current Personnel Ordinance, which was last updated in 2000. The goal of the update is to establish policy in compliance with State and Federal laws and City of Bath employee policies and procedures. It includes the subject matter of and replaces the current Personnel Ordinance as well as the Drug and Alcohol, Ethics and Conflict of Interest, Harassment, and Maine Earned Paid Leave policies.

The ordinance was written and edited by a team of Executive Assistant to the Manager/Director of Human Resources Erika Helgerson, Assistant City Manager/Finance Director Juli Millett and myself. Attorney Ann Freeman at Bernstein Shur reviewed and approved it for legal compliance. Personnel Service Commission Chair Karla Gagnon reviewed and approved the Personnel Services Commission section. City Department Heads have reviewed the ordinance and we have incorporated their comments and edits.

This ordinance will apply to all City employees. There are places where it refers readers back to Collective Bargaining Agreements or department-specific policies, to allow for differences in those contracts. The final approved ordinance will be shared with staff before implementation, to answer questions and ensure understanding of any changes in employee procedures.

If City Council advances first passage at its July 5 meeting, then a public hearing and second passage would be scheduled for August 2.



City of Bath, Maine
Personnel Ordinance

Updated 2023

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1 INTRODUCTION

The general purpose of this chapter is to establish a uniform system of personnel administration for the City of Bath that ensures fair and equitable personnel policy and promotes the efficient and economical delivery of public services. This policy includes policies and procedures for employee hiring and advancement, benefits, retirement, discipline, and other related activities. These policies and procedures are not intended to and do not constitute a binding employment contract with any individual or group of employees.

The City Manager or their appointee shall promulgate personnel rules, which shall be submitted to the City Council for adoption by ordinance in order to provide for the practices and procedures necessary to the administration of the City personnel system.

The City reserves the right to amend, delete, modify, or change these policies. The City Manager shall have the exclusive and final authority to interpret these policies.

2 GENERAL PROVISIONS

2.1 APPLICABILITY

This Policy shall apply to all employees of the City , unless otherwise provided in collective bargaining agreements, or a different standard or procedure is established by Council Order, the Code of Ordinances, the Charter, or State or Federal law.

2.2 MANAGEMENT RIGHTS

Except as explicitly limited by a specific provision of this policy, a relevant collective bargaining agreement, or law, the City Manager shall have authority to take appropriate action in the operation of City departments, in the implementation of the directives of the City Council and in the direction of the

work of employees under the City Manager's appointing authority. The City Manager may modify the application of these policies when deemed to be in the best interest of the City.

2.3 SEVERABILITY

If any provision of this policy, or the application hereof to any person or circumstances, is held invalid this invalidity does not affect other provisions or applications of this policy which can be given effect without the invalid provision or application, and for this purpose the provisions of this policy are severable.

2.4 EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the City not to discriminate against any applicant or employee on the basis of race, color, age, sex, sexual orientation, gender identity or expression, national origin or ancestry, religion, genetic information, physical or mental disability, workers' compensation history, retaliation or whistleblower status, or any other legally protected category. The City is committed to providing equal employment opportunities (EEO) to all persons in the selection, placement, compensation, access to benefits, training and advancement of employees.

2.5 RECRUITMENT PROCESS

The City is committed to the recruitment, selection, retention and promotion of employees on the basis of their relative abilities, knowledge and skills, with open consideration of all qualified applicants.

The character of the recruitment and selection process for all City vacancies will vary with the position. Within the limits of time during which a position must be filled, there shall be as wide a search for qualified candidates as is practicable, which may include internal posting, external advertising, open competitive examination, contact with state and other employment offices, and/or contact with special sources of information. It shall be the duty of the City Manager, Department Head, or designee to seek to fill vacancies with the most qualified employees possible on the basis of relative knowledge, skills, abilities, experience, and overall performance during the selection process and/or during prior service to the City. Applications will be accepted only for positions for which a posted vacancy exists. Applications for individuals not hired will be retained in a secure file for the minimum period required by law, after which records will be destroyed in a confidential manner.

Offers of employment shall be in writing and may be conditioned on the applicant passing a background check, employment verification, post job offer physical exam by a medical provider of the City's choice, a drug and alcohol test, motor vehicle and license record check, or any other lawful pre-employment screenings that are determined by state law to be appropriate for the position. The City shall assume the expense of any fee-based examinations.

2.5.1 Personnel Service Commission

The Personnel Service Commission (PSC) is used in the hiring and promotion of Union positions, also referred to in City Ordinances as the "Competitive Class." The Personnel Service Commission ensures hiring and internal promotion based on competition and merit principles so as to promote efficient personnel practices. Rules and process pertaining to the PSC can be found in Chapter 12 of the City's Ordinances and in Chapter 10 of this Manual.

2.6 HOURS OF WORK

Department Heads are responsible for ensuring that hourly employees that are considered non-exempt by the Fair Labor Standards Act maintain a true and accurate record of hours worked and that all breaks and lunch periods, as required by law, have been taken. The method by which this is accomplished may vary by department but may include electronic or paper format. Supervisors are prohibited from coercing an employee to inaccurately report or not report time worked. An employee who knowingly submits hours they did not work and collects payment for them will be subject to disciplinary action, up to and including termination.

2.6.1 Work Schedule

Due to the requirements of the different services provided by the City, it is necessary to have variations in work schedules. Work schedules may be addressed in collective bargaining agreements for union employees.

The hours of work, the starting and quitting time, or the scheduling of lunch periods may generally be changed by mutual agreement of the Department Head and department employees, subject to approval by the City Manager. Department operating days and hours are subject to change without the agreement of employees and upon approval of the City Manager. In such cases employees will be provided with as much advance notice as is practicable under the circumstances.

2.6.2 Attendance and Lateness

Effective and efficient City operations and service delivery takes cooperation and commitment from all employees. Unnecessary absences and tardiness are disruptive and place an undue burden on fellow employees and supervisors who may have to perform the extra work, and adversely affects the City's ability to provide necessary services to the public. Employees are expected to be reliable and punctual in reporting for work each day and to complete the full workday. Employees shall be at their respective places of work in accordance with the general or departmental regulations.

Absences include all time lost from the work schedule, whether avoidable or unavoidable, voluntary, or involuntary. The City recognizes there are times when unplanned absences are unavoidable. In such instances, it is the responsibility of employees to notify their Department Head or designee as early as possible prior to the start of the workday using normal department procedures. Notification from another employee or relative is not acceptable, except under emergency conditions.

2.6.3 Unexcused Leave

Unexcused leave is any absence from work where the employee has not properly notified or otherwise communicated with their supervisor. Unexcused absences include excessive tardiness, leaving early, or not showing up to work. Unexcused absences may be subject to discipline, including termination.

2.7 TYPES OF EMPLOYMENT

Employees of the following classifications are subject to all personnel rules and regulations, except where specifically excluded.

2.7.1 Regular Full time

A regular full-time position shall be year-round in nature with no predetermined end date and scheduled to work no less than 30 hours per week. Regular full-time employees shall be required to work the standard workweek of their respective department. They are eligible for all benefits and rights as provided by these rules, except where otherwise provided for in a collective bargaining agreement.

They are eligible to participate in health, dental, vision, life, and income protection. Full time employees are required to participate in the Maine Public Employee Retirement System (MEPERS) in lieu of Social Security.

2.7.2 Union Positions

Union positions are defined in their respective Collective Bargaining Agreements. Union positions are generally regular, full time positions within the following departments: Police Department (Officers, Corporals, Sergeants and Detectives), Fire and Rescue Department (Firefighters/EMTs and Firefighter/Paramedics, and Captains), Cemeteries and Parks (Operator) and Public Works, Wastewater, and the Landfill (Laborers, Truck Drivers, Operators, and Mechanics). Union positions are covered by this manual and may have additional or specialized agreements written into their Collective Bargaining Agreements/Union Contracts.

2.7.3 Part time

A regular part-time position is generally year-round in nature with no predetermined end date and is scheduled to work less than 30 hours a week. Part-time employees are not eligible for sick or vacation leave, city-sponsored insurance benefits, or MEPERS retirement. They pay into Social Security. They may be eligible for Maine Earned Paid Leave Act and/or Family Medical Leave.

2.7.4 Temporary and Seasonal

Temporary and Seasonal positions work a standard workweek or less on a regular basis but for a limited period of time, usually with a predetermined end-date. Extensions may be granted by the City Manager or their designee. Employees in this classification must be rehired for each separate period of employment. Temporary and Seasonal employees are paid for hours worked. They are not eligible for sick or vacation leave, city-sponsored insurance benefits, or MEPERS retirement. They pay into Social Security. They may be eligible for Maine Earned Paid Leave Act and Maine Family Medical Leave.

2.7.5 Elected Officials

An elected official is elected by the citizens of Bath to serve in a particular role, often with a predetermined end-date for their elected term. They are not considered employees, unless deemed otherwise by Maine law. Some elected positions receive a stipend as compensation. City Councilors are eligible for health, dental, and life insurances but must pay the full cost of their selected coverage (premiums are not subsidized by the City).

2.7.6 Volunteers, Committee Members, and Board Appointees

Committee members and board appointees provide an essential service to the Bath community and democratic process. They are considered volunteers. Volunteers are not employees, offer their services without expectation of pay or compensation, and are not entitled to benefits.

2.8 PROBATION

Upon appointment or promotion, all employees will have a six-month period of probation and follow Maine law Title 30-A S. 2701.

The objective of the probationary period is to determine the ability of the employee to adhere to required work standards through a period of observation and review by the Department Head. During the probationary period, an employee may be dismissed, suspended or otherwise disciplined without cause. Dismissal, suspension or any other disciplinary action against an employee during the probationary period is not subject to the grievance and arbitration provision of the

collective bargaining agreement. Removal will be in writing and will not be subject to review or appeal.

2.9 TRANSFERS AND PROMOTIONS

Any person shall be considered for a position if they have filed an application and meet the requirements for the position. Whenever a promotional examination is given, the examination shall be subject to all of the provisions of the rules and regulations governing open competitive examinations. Promotions from within a department are preferred as long as the candidate has the required qualifications for the position, is determined to be the best candidate for the position, and the promotion is in the best interest of the Public, City, and Department. Upon transfer of employment from one department to another, the employee gives up all rights and privileges pertaining to the position they are vacating and shall be entitled to all benefits existing within the department transferred to, based on years of continuous service to the City, or as outlined in the respective collective bargaining agreement.

2.10 LAYOFFS

Whenever it becomes necessary to reduce the number of employees in a given department, the City Manager shall notify Department Head and state the names of the members to be laid off. Layoff decisions shall be made on a basis of seniority. The City Manager shall notify the employees, stating the reason for the layoff and whether it is temporary or permanent.

A temporary layoff refers to a situation where, due to temporary discontinuation of service or a falling off in the volume of work, it becomes necessary to reduce personnel, but where it is expected that within ninety (90) days the work will be resumed. A temporary layoff shall not exceed ninety (90) days.

A permanent layoff means that a situation where, because a service is to be discontinued indefinitely, or where, due to reduced volume of work or revenue, the City is obliged to layoff an employee or employees indefinitely, and where it is expected that the service will not be resumed within ninety (90) days.

When an employee has been laid off on a temporary basis and it is not possible to reemploy them within ninety (90) days, the City Manager shall notify the Department Head that the layoff has been changed from a temporary to permanent status.

When the City Manager proposes to fill a vacancy created by a layoff, either temporary or permanent, or where a position has been abolished and subsequently recreated within two (2) years, the Manager shall re-employ the person laid off from the class or position in the reverse order of the layoff; the person laid off last shall be re-employed first.

The employee shall have five (5) working days to respond to whether they will accept the position. Returning employees shall have fifteen (15) working days from the date of notice to return to work.

2.11 DISABILITY ACCOMMODATIONS

The City is committed to complying fully with the Americans with Disabilities Act (ADA) and the Maine Human Rights Act, and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

Whenever possible, requests for accommodation under the ADA should be submitted in writing to the Human Resources Director. Upon receiving a request for accommodation, the City will collaborate with the individual based on the advice of the employee's health care provider to determine what (if any) accommodation may be needed. As part of the process, the individual will be asked to provide medical certification from their health care provider regarding the nature of any impairment(s), severity, duration, activities limited by the impairment(s) and the extent to which the impairment(s) limits the individual's ability to perform the essential functions of the position.

After a decision has been made, the Human Resources Director or designee will notify the individual in writing that their requested accommodation has been approved or denied. Details of the accommodation and the anticipated start date, if applicable, will be included. Human Resources will maintain all copies of accommodation requests, supporting medical information and documentation, including denials, in a file separate from employee personnel files.

2.12 GRIEVANCE PROCEDURE

The term "grievance" under this section means any dispute between an employee and management concerning the effect, interpretation, application, or claim of breach of violation of City of Bath policies.

If, due to some condition of employment, an employee feels aggrieved, then the employee shall have the right, and shall be expected to appeal, in writing, within ten (10) working days from the date the alleged grievance occurred, to the Department Head for the purpose of adjusting or resolving the grievance. The Department Head shall render a decision, in writing, to all parties, within seven (7) calendar days from the date the grievance was submitted. If the decision of the Department Head does not resolve the grievance to the satisfaction of all parties, a written appeal may be taken to the City Manager, and such appeal must be submitted within seven (7) calendar days from the date the Department Head rendered his/her decision. The City Manager shall render a decision to all parties, in writing, within seven (7) calendar days from his/her receipt of the appeal. The decision of the City Manager shall be final and binding upon all parties.

3 EMPLOYEE COMPENSATION

The City is committed to the compensation of employees on an adequate and equitable basis commensurate with wages and benefits for comparable work in similar sized municipalities and the area labor market. The City will strive to maintain a competitive compensation package that will attract and retain well-qualified employees.

3.1.1 Pay Plan

The City Manager will maintain a Pay Plan for regular, non-union employees allocating positions according to the knowledge, skills, abilities and responsibilities of each position. Pay schedules for Union employees will be designated by their collective bargaining agreements. Information about the plans can be requested through the City Manager's Office.

3.1.2 Payroll

Employees are paid on a weekly basis via direct deposit, with the pay week from Friday through Thursday. Deductions are taken out each week, with insurance premiums deducted based on a 4-payweek month. Premiums are paid a month in advance.

3.1.3 Overtime

Positions defined in the FLSA as "non-exempt" employees shall be considered hourly positions. These employees will be entitled to overtime pay for hours worked in excess of forty (40) hours per week, at the rate of one and one-half times the employee's regular rate. Overtime must have prior authorization from a supervisor. For purposes of overtime eligibility, unless otherwise covered by collective bargaining agreement, "hours worked" shall include hours actually worked for the City, paid holidays, and paid leave such as sick and vacation time.

3.2 PERFORMANCE EVALUATION

Performance management is for the benefit of the department and the employee. The purpose is to communicate what an employee is doing well, set goals for what can be done better, and determine actions to achieve those goals.

Departments may develop and utilize their own evaluation forms and processes. These forms and process will be reviewed and approved by the City Manager. Evaluation forms should clearly provide ratings on essential job duties and responsibilities of the position and performance, such as work ethic, punctuality, attendance, communication, efficiency and accuracy. A standard evaluation form is also available through the City Manager's Office.

Department Heads or designees shall complete annual evaluations of employees under their supervision. The City Manager shall complete annual evaluations of all Department Heads. Employee evaluations will be kept in personnel files.

Probationary employees shall be formally evaluated, in writing, bi-monthly and at the end of their probationary period by the employee's immediate supervisor. A successful evaluation will result in the employee achieving permanent status.

3.2.1 Merit Increases

Merit increases may be granted by the City Manager, at the recommendation of a Department Head, and based within the Pay Plan. The Pay Plan may also be utilized to ensure an equitable decision. The procedure for consideration of merit increase is as follows:

- A request for merit increase may be requested by the employee or Department Head.
- The Department Head conducts a performance evaluation of the employee and submits a recommendation to the City Manager. A merit increase will only be considered if an evaluation has been conducted in the past 6 months.
- The City Manager reviews the performance evaluation and Pay Plan. Merit increases may be approved or denied, or a lesser amount may be approved, based on the City or Department's budget and the Pay Plan.

3.3 TRAINING AND CERTIFICATIONS

Recognizing the mutual benefits derived from professional development and increased work competence, the City will provide job-related educational opportunities for its employees for which provisions have been made in the budget. Department Heads, with support of the City Manager, will provide their employees with reasonable professional development opportunities, such as in-service

training, job-related certifications, and attendance at institutes or conferences. Additional provisions may be agreed to in collective bargaining agreements.

3.4 TRAVEL AND MEETING REIMBURSEMENTS

Employees who have been authorized by the City Manager or their Department Head to participate in in state or out-of-state conferences, official meetings, training programs, examinations and institutes directly related to the employee's work shall be reimbursed for reasonable expenses incurred in connection with such participation including fees, transportation, mileage, tolls, parking, meals and lodging, upon submission of proper documentation of such expenses.

Reimbursement for an employee's use of his/her personal vehicle for City authorized business shall be paid at the appropriate rate indicated in the Internal Revenue Service's Standard Milage Rate for Business Use. The City shall reimburse employees for business travel based on the distance between their workplace and the destination. Reimbursement for parking fees and tolls must be accompanied by receipts. The City will not reimburse employees for parking tickets and/or motor vehicle violations or infractions.

Actual work-related expenses incurred away from the office or job site shall be reimbursed only when accompanied by a detailed receipt and when demonstrated to be necessary and incidental to the actual performance of work. There shall be no reimbursement for alcoholic beverages, movies, admissions and personal incidental expenses that may be incurred while traveling for work-related purposes but are not otherwise related to or necessary for the performance of work.

4 EMPLOYEE CONDUCT AND CONFLICTS OF INTEREST

Employees of the City of Bath are expected to ensure the efficient operation of City business and services to its residents, as well as to create a safe and productive environment for all employees. Employees shall exhibit ethical, professional, and respectful conduct. They will avoid actions that reflect poorly on the City. They will comply with all laws, regulations, policies and procedures that govern City activities, including maintaining licenses and certifications as required for their position.

This section also encompasses sexual harassment, unlawful discrimination, and other types of harassment. The City of Bath takes any accusation of harassment seriously. It is important that staff feel safe from harassment and discrimination at their worksite. If an employee encounters harassment by either an employee or a non-employee while at work or at the worksite, they should utilize the complaint procedure below. Also, the expectation of non-discrimination and harassment between City employees follows in and out of the worksite. Harassment that takes place between employees during off hours may still be illegal if it impacts the working conditions for the victim(s).

If you experience or witness bullying or harassment between employees or at worksites, please follow the Complaint Procedure below and bring it to the immediate attention of either 1) your Department Head, 2) the Human Resources Director, or 3) the City Manager. All complaints to the City will be

investigated promptly and fairly. If an employee is determined to have engaged in harassment, they may be subject to the appropriate disciplinary action, up to and including termination.

4.1 BULLYING AND HARASSMENT

The City will not tolerate bullying or harassment. Workplace bullying is against the City's policy and can result in discipline up to and including termination, based on the severity of the situation. Employees should note that accusations of bullying and harassment will be taken seriously, but that making unfounded claims against someone could be slanderous or construed as bullying in itself. In addition, if bullying is related to a legally protected status, it may also be illegal.

Bullying or other harassment is a pattern of incidents involving written, verbal, or electronic communications, or physical acts or gestures, or any combination thereof, directed at another employee or group of employees which intimidates, degrades, or humiliates. Such behavior may be covert, overt, or both. It may include:

- Repeated actions by an individual or group intending to intimidate, harass, degrade, or offend.
- Abuse of authority.
- Constant and harsh displays of disrespect.
- Ignoring or showing hostility toward an employee seeking information or assistance, or deliberately denying access to information or resources necessary to complete a task.
- Using confidential information to publicly humiliate an employee.
- Constant and unreasonable criticism that is not part of a typical evaluation process.

Bullying or harassment is not:

- Enforcing policies and procedures, evaluating or measuring performance, providing constructive feedback, denying training or leave when there is a good reason, or discussing disciplinary action confidentially.
- Dismissing, suspending, demoting, or reprimanding an employee when there is just cause.

4.2 SEXUAL HARASSMENT

Maine Human Rights Act (Title 5 MSRA Chapter 337) defines sexual harassment as unwelcome advances, touching, requests for sexual favors, or verbal or physical conduct that is sexual in nature. It is illegal when it involves a term or condition of employment, if submission to or rejection of the advancements is the basis for employment decisions, has the purpose of interfering with an individual's performance, or creates an intimidating, hostile, or offensive work environment. Actions and behaviors can be considered sexual harassment if they are construed as degrading or if they undermine the employment relationship. Other related behaviors may be subject to discipline or criminal charges as deemed appropriate for the situation:

- Comments or actions that are sexually oriented or about sexuality or sexual experience and are directed at, or made in the presence of, any employee that has expressed that such conduct is unwelcome.
- Displaying or bringing into the workplace any materials that are sexually suggestive.
- Subjecting or threatening to subject an employee to unwelcome sexual attention or making job performance more difficult because of that employee's sex, gender, or sexual preferences.
- Preferential treatment or the promise thereof, to an employee for submitting to any kind of sexual conduct.
- Intentional physical conduct that may be construed as sexual in nature.
- Physical assaults.

4.3 DISCRIMINATION

Maine Human Rights Act (Title 5 MSRA Chapter 337) protects employees against discrimination for their race, color, national origin, religion, sex (including pregnancy, childbirth, and related medical conditions), physical or mental disability, age, genetic information, sexual orientation, gender identity or gender expression. The law also protects employees from discrimination from a past worker's compensation claim, have made a complaint about or filed a harassment or discrimination claim, or who have whistle-blower status.

Conduct is illegal when it is based on a victim's protected status and is unwelcome, subjectively abusive to the person affected, and objectively severe enough to create a work environment that a reasonable person would find hostile or abusive. It may include offensive jokes, slurs, epithets, name calling, assaults, threats, intimidation, ridicule, mockery, or insults. It also includes offensive objects or images and written or spoken comments indicating a bias against a protected class.

Illegal conduct can be:

- Overt Discrimination (intentional and purposeful),
- Unequal and Disparate Treatment (treating members of a protected class in a different and less favorable manner than members of the similarly situated majority group. Proof of discriminatory motive is required) or,
- Disparate Impact (conduct which, although applied equally to all, has an adverse effect on members of a protected class as compared to members of the majority class. Intent or motive is of no consequence).

4.4 INTERNAL COMPLAINT PROCEDURE

If you experience or witness sexual harassment or discrimination of a protected class, please bring it to the immediate attention of either 1) your Department Head, 2) the Human Resources Director, or 3) the City Manager. Employees also have the right to file a complaint with the Maine Human Rights Commission and/or the U.S. EEOC.

Employees who observe or have information related to unlawful or unethical conduct of City business, misuse of official authority which harms the public interest, or any activity that calls the integrity of the City into question shall report this information to their supervisor or the City manager. Employees may report violations without fear of retaliation. Departments may establish additional regulations to supplement this policy with regard to the conduct of its employees. In the case of a conflict between this and department policies, the more restrictive provision shall apply.

All complaints to the City will be investigated promptly and fairly. Each employee will be requested, but not required, to put his or her complaint in writing. All information will be kept confidential and only discussed with those who need to investigate or resolve the complaint. The City Manager will review and determine the resolution or discipline of situations related to conduct and conflicts of interest as needed. After a review of the situation, the City Manager has the right to implement a written plan to mitigate potential or current conflicts in order to do what is best for the City, relevant department, and employees.

Employees and supervisors who engage in harassment of any kind will be thoroughly investigated and subject to discipline up to and including termination. Depending on conduct or accusations, they may also be subject to criminal charges or complaints with the Maine Human Rights Commission (MHRC) or

the Equal Employment Opportunity Commission (EEOC). Any of these entities have the right to make judgements involving fines or other legal penalties.

4.4.1 Reporting Policy and Anti-Retaliation

Under the law, employees who report or complain about unlawful harassment or discrimination, or who participate in an investigation regarding these claims, may not be retaliated against. If an employee feels there is retaliation, please utilize the Internal Complaint Procedure above.

4.5 WORKPLACE VIOLENCE

It is against City policy to engage in violence or the threat of violence by its employees, customers and the general public and/or anyone who conducts business with the City. It is the intent of the City to maintain a safe work environment free from intimidation, threats, physical attacks, harassment, domestic violence, property crimes, or any other violent attacks. This includes but is not limited to intimidating, threatening or hostile behaviors, physical abuse, vandalism, use of weapons, or any other act, which in management's opinion, is inappropriate to the workplace. In addition, bizarre or offensive comments regarding violent events and/or behavior will not be tolerated.

Threats or concerns of this nature should be reported to the Department head and the City Manager. Acts that are or may be illegal (including physical attacks, theft, vandalism, stalking) should also be reported to the Police Department.

4.6 OFF-DUTY CONDUCT

The City respects its employees' right to privacy with regard to activities and conduct outside the workplace and regular working hours. However, violations of the City's policies regarding inappropriate behavior such as harassment, misuse of city equipment, or other unethical conduct that reflects negatively on the City may be cause for discipline or termination. Off-duty conduct of employees that is illegal may be cause for discipline or termination if the conduct impacts the employee's ability to meet the essential functions and other requirements of their job. Similarly, the conduct or consequences that directly affect working conditions, required licenses, normal business operations, or the reputation of the City may be cause for discipline or termination.

4.7 SECONDARY EMPLOYMENT

Employees will not be engaged in additional employment or enterprise that is in conflict with their duties, functions and responsibilities with the City. All full-time City employees who engage in secondary employment shall do so only with the understanding and acceptance that their primary duty, obligation and responsibility is to the City.

A conflict of interest exists when an employee's personal relationship or financial interest influences the employee's responsibility to act in the best interest of the City. A conflict of interest may make it difficult for an employee to perform his or her work objectively and effectively and in the best interest of the City.

- Employees are expected to treat everyone they serve with impartiality and respect and are prohibited from using their official position for personal profit or the profit of friends and family.
- No soliciting clients or customers at work.
- No employee shall sell goods or services to the City unless it is through a public bid process.

- No employee authorized to make purchases shall have any direct or indirect interest in any contract with the City.
- Outside employment which involves reviews or permits by the City as part of its regulatory or reviewing authority requires that employees disclose to their customers their status as a City employee, and to indicate their work for the customer is independent of the City of Bath except for necessary reviews or permits.
- Outside employment is prohibited if it has the potential to interfere with the proper, safe, and effective, and timely performance of the duties of the employee's position with the City.

Notify your Department Head regarding any secondary employment that could result in a conflict or the appearance of a conflict. When necessary, the City Manager may review the situation and propose a memorandum of understanding to mitigate potential conflicts.

4.8 EMPLOYEE RELATIONSHIPS

The City discourages the employment of individuals from working in a direct or indirect line of supervision with an employee who is a member of the individual's immediate family. "Direct or indirect supervision" includes the authority to assign and evaluate work, grant benefits such as vacation leave, hear grievances and/or discipline an employee, or the authority to review such situations. "Immediate family" shall include spouse, domestic partner, parents, children, siblings, grandparents, and grandchildren whether by heritage or law. The provisions of this section also apply when a relationship is formed after the date of hire, such as marriage or domestic partnership.

The City prohibits officers or employees of the City from using their official position to advance, advocate, hire, or promote the employment of their immediate family in any position. No officer or employee of the City shall be involved with the hiring process for any position if it involves a member of their immediate family. Employees must disclose to the City Manager any employment relationship that may be conflict of interest.

The City respects the private relationships of its employees. However, in an effort to avoid actual or potential conflicts, favoritism, sexual harassment, and other adverse impacts on the work environment that may result from romantic and/or physical relationships within the workplace, the City prohibits supervisory employees from becoming romantically or physically involved with employees in their direct or indirect supervision. Any romantic, physical relationship that adversely impacts either the employee's ability to perform their job or the general productivity and environment of the workplace may be addressed by reassignment and/or discipline, up to and including termination from employment.

4.9 POLITICAL ACTIVITY

If elected to a political office that is incompatible with duties of employment, the employee shall terminate employment with the City prior to the assumption of said elected office. City employees may not hold elected office in Bath.

No person shall seek or attempt to use any political endorsement in connection with any appointment, disciplinary action, demotion or removal from City employment. City employees shall refrain from using influence in any way for or against a candidate for an elective office in the City government, such as City Council. This is not construed to prevent City employees from exercising their rights as private citizens in

becoming or continuing to be members of political organizations, expressing views on political matters, or voting with complete freedom in any election.

4.10 BRIBES, INFLUENCE, AND GIFTS

No employee shall directly or indirectly, give, render, pay, offer, solicit or accept any money, service or other valuable consideration for, or on account of any appointment, proposed appointment, promotion, or proposed promotion to, or any advantage in a position in any City department.

City personnel shall not solicit a gift or accept a significant gift from any vendor or prospective vendor. A significant gift is defined as any item, service, favor, monies, credits, or discounts not available to others which could influence purchasing and sale decisions.

Acceptance of social invitations to occasional business meals, entertainment, and hospitality will be subject to prudent judgement as to whether the invitation places or appears to place the City personnel under any obligations. Questions about the value of a gift or the appropriateness of an invitation should be referred to the City Manager and/or City Attorney.

City personnel are obligated to disclose any potential conflicts of interest and must recuse themselves from participating in making a decision for the City.

4.11 USE OF CITY RESOURCES

Employees shall use City vehicles, equipment, tools, supplies and other municipal property for City work, and not to promote any financial or personal interest. The Police Department and Fire and Rescue Department may create department-specific policies regarding use of City vehicles.

4.12 DRESS CODE

The appearance of employees affects the way that members of the public view City government. It is important for employees to project an air of professionalism both in their dress and in their manner. Members of the public expect the people who work for them to be neatly groomed and appropriately dressed for a work environment. This policy relies to a great extent upon the good judgment of employees. If a question arises about the appropriateness of particular items of clothing, these should be resolved by employees and their supervisors or Department Heads. The City Manager's Office will provide guidance to employees and managers about the appropriateness of work attire. In the event that a Department Head finds clothing to be unacceptable, an employee will be sent home to change into appropriate attire.

4.13 PETS

The City of Bath is responsible for assuring the health and safety of all employees. In keeping with this objective, the City has formulated a policy balancing these concerns with the desire to promote a positive employment experience by allowing appropriate pets in the office. A pet may be allowed in the office if its health and behavior are acceptable within an office setting, and if it does not adversely affect office operations. A pet owner wishing to bring a pet to the office should first obtain written permission from his or her immediate supervisor. Any decision to allow a pet to come to the office, or to exclude a pet from the office, will be made by the owner's immediate supervisor. That decision will be final, except in cases involving service animals, which should be referred to the City Manager's Office

An employee who requires the help of a service animal (as defined by the Maine Human Rights Act) will be permitted to bring a service animal to the office, provided that the animal's presence does not create a danger to others and does not impose an undue hardship upon the company.

Animals that have not been spayed or neutered will not be permitted to come to the office in season. Dogs must always be leashed or under voice command. Animals should be in the physical presence of the owner, in the owner's office, or in the space around the owner's desk at all times. Owners are expected to clean up, completely and immediately, after their animals. An employee who brings an animal to the office is completely and solely liable for any injuries or any damage to personal property caused by the animal. Any repair or cleaning/maintenance costs incurred by an animal will be charged in full to the owner. The City may, at its discretion, require animal owners to maintain a liability insurance policy covering damage or injuries caused by the animal while at the office. The City may specify minimum coverage amounts under such a policy, and may require the owner to pay for such coverage. The City shall not be liable for the loss of, or injury to, any animal brought to the office.

5 SAFETY

The City of Bath takes safety seriously. We strive to ensure proper training, provide safe equipment, and respond effectively to safety complaints. All employees shall conduct themselves in a professional manner to assure the safety of all persons and property affected by their actions. This includes activities and behaviors at worksites and at any locations where work is taking place.

Each employee of the City shall be required to know, to understand and to follow the safety regulations which apply to the work they are performing for the City. Employees shall notify the City, through appropriate supervisors, of any unsafe working condition(s) encountered on the job. If the working conditions pose an imminent danger to an employee's health, then the employee should review the situation with their supervisor immediately. There are certain tasks performed by City personnel during emergency situations to protect the public's welfare (i.e., police and fire protection, natural disasters, chemical leaks, etc.). Personnel required to respond to such situations shall be trained to a response level appropriate for the hazard level.

5.1 SAFETY COMMITTEE

The City has a combined management/labor Safety Committee comprised of salaried and hourly employees representing the City's various departments. The Committee meets at least every other month and more frequently, if necessary. The Committee membership will consist of Department Heads or one member of each department appointed by the Department Head. If a member cannot attend due to unusual circumstances, the Department Head is required to assign an alternate. The City Manager will appoint a Chair.

The Committee's duties include the review of accident investigations, monitoring of losses, and the development and/or review of safety policies, safety equipment, etc. The Committee also has the authority to make recommendations on safety policies, training methods, and safety equipment and to discuss unsafe conditions, practices, or equipment. The Committee may also coordinate or recommend informational training programs, such as, poster programs, safety contests and training programs, which can help promote safer operations.

Minutes of Safety Committee meetings are distributed to all Committee members and are made available for any City employee upon request. Recommendations developed by this Committee will be presented to the City Manager for his/her review and consideration. The primary function of the committee is to guide the various City departments toward the singular goal of a coordinated Citywide loss prevention program. The Committee does not have the authority to directly overrule decisions made by the supervisory management.

5.2 SAFETY POLICIES

In addition to a Citywide Safety policy, there are several safety-related policies that apply to all City of Bath employees and are regularly reviewed by the Safety Committee. This includes and is not limited to: Blood Borne Pathogens; Ergonomics; Hazard Communication; and Slips, Trips, and Falls.

Departments also have their own safety policies and trainings, which are managed by that department and specific to the type of work done by each department or position. This may include and is not limited to topics such as: operating equipment, confined spaces, motor vehicles and driving, hazardous materials, lockout tagout, traffic control, hearing conservation, and respiratory protection.

5.3 SAFETY TRAINING

Employees will attend all required safety trainings. Management shall provide safety training for all operations and tasks as well as the proper use of safety equipment needed to perform such tasks. Training will be accomplished through supervisors, qualified City employees, outside consultants or training firms. Written documentation shall be kept on file at each department. The documentation should include the title, the time and date, a short description of the training, the instructor, and a sign-in sheet. Required training should be scheduled as determined by the City and as required by State and Federal law. The Safety Committee, Department Heads, and risk management representative will jointly create a yearly plan for periodic training sessions for each department.

5.4 SUBSTANCE USE

The City of Bath is committed to providing a safe and productive work environment and to fostering the well-being and health of its employees. Use of intoxicating substances and substances that inhibit the mental or physical abilities of an employee are prohibited at the worksite and during working hours. Employees who violate this policy may be subject to discipline including termination of employment.

While the City takes seriously the need to maintain a safe and productive working environment for employees by prohibiting substance use at work, they also recognize that substance use can be a challenge for employees outside of work. The City provides an Employee Assistance Program to all employees and their families, which can assist with challenges that arise from alcohol and substance use. If there are concerns from an employee themselves, or by a supervisor or colleague, please bring it to the attention of the Department Head and/or the Human Resources Director.

5.4.1 Smoking and Tobacco

There is No Smoking in City building and on City property in accordance with the Maine Laws and Rules related to Secondhand Smoke. Smoking is prohibited within 20 feet of entryways, doorways,

vents, and in any location where smoke could circulate back into an enclosed area. This law regulates smoking including but not limited to cigarettes, pipes, cigars, and vapor pens or vaporizers. When smoking in designated areas, employees must dispose of cigarette butts and ignition sources in approved non-combustible containers.

5.4.2 Alcohol

It is a violation of City policy for any employee to drink alcohol on the job or report to work under the influence of alcohol. Not only is this activity likely to result in disciplinary action up to and including termination, but it may also lead to criminal charges if the employee has put the public or other employees at risk due to driving or using mechanical equipment while under the influence of alcohol.

5.4.3 Drugs and Controlled Substances

It is a violation of City policy for any employee to possess, sell, trade, or offer for sale illegal drugs, report to work under the influence of illegal drugs, or use prescription drugs illegally at the work site or during their working hours. Not only is this activity likely to result in disciplinary action up to and including termination, but it may also lead to criminal charges. This is increased if the employee has put the public or other employees at risk due to driving or using mechanical equipment while under the influence of drugs.

5.4.4 Marijuana

The City abides by the Maine Medical Use of Marijuana Act, as may be amended from time to time, and will not discriminate against an employee or applicant solely on the basis of their status as a qualifying patient or primary caregiver. However, the City may refuse to employ any person who uses marijuana if doing so would cause the City to be in violation of federal law or to lose a federal contract or funding. Pursuant to the Maine Medical Use of Marijuana Act, the City prohibits the smoking of marijuana on all City property, including public transportation, and prohibits possession and use of marijuana unless otherwise expressly permitted by the Maine Medical Use of Marijuana Act.

Employees shall not possess, smoke, ingest or be under the influence of marijuana in the workplace, on or within any City property, or at any time during which the employee is working, expected to work, and/or on duty. The prohibitions in this paragraph apply to all marijuana usage, medicinal and recreational, whether or not lawful under Maine law.

5.4.5 Other Forms of Intoxication

Any employee under a doctor's care and required to take prescribed medication that may affect his ability to safely perform their normal duties, may report for work with the prior approval of their supervisor and be assigned alternative work duties.

5.5 CDL TESTING

Some City positions are required to maintain a Commercial Driver's License (CDL). CDLs are guided by federal law, and employees are subject to drug and alcohol testing pre-employment, post-accident, when there is reasonable suspicion, after returning from a substance abuse program, and randomly. Testing includes alcohol, amphetamines, cocaine, opiates, phencyclidine (PCP), and marijuana. Please refer to your department's Drug and Alcohol testing policy for more information.

6 EMPLOYEE LEAVE

Regular full-time employees, both Union and Non-Union, are eligible for the employee leave options in this section. Union positions may have additional or specialized agreements for holidays and leave accruals written into their Collective Bargaining Agreements that take precedence over this section. Part-time, temporary, and seasonal employees may be eligible for some leave benefits, depending on the type of leave needed and the circumstances.

6.1 HOLIDAYS

City administrative offices will be closed on public holidays, as established under State and Federal law. Most non-union city employees work on a Monday through Friday schedule. For these employees, when a holiday falls on a non-workday -- Saturday or Sunday -- the holiday usually is observed on Monday (if the holiday falls on Sunday) or Friday (if the holiday falls on Saturday). Holidays for Union employees are addressed in their Collective Bargaining Agreements.

6.2 VACATION

Each employee of permanent standing shall be awarded vacation time with pay for personal use including vacations, emergencies, family needs, extended bereavement or sick leave, or any other reason. For new employees, vacation is accrued monthly, and available after the first month of employment.

Vacation accrual will increase with length of employment with the City, in accordance with the following schedule:

- Employment to 5 years – 3 weeks/year
- 6 to 10 years – 3.5 weeks/year
- 11 to 15 years – 4 weeks/year
- 16 to 20 years – 4.5 weeks/year
- 20+ years – 5 weeks/year

Unused vacation leave may be carried forward up to the amount accrued during the preceding year. Accrued vacation leaves shall be paid to employees upon separation from service or to his/her beneficiary or estate upon death. The scheduling of vacation shall be done by the Department Head, in accordance with the operational needs of the department, and as much as possible, with the employee's wishes. Holidays that fall within an employee's period of vacation leave will be paid as holiday time. Vacation leave, official leaves of absence, or absence from duty for which sick leave is paid shall not constitute a break in the employee's service record. Employees working and supervising special shifts or hours shall be subject to the same standards that apply to the employees they supervise at the discretion of the City Manager.

6.3 SICK LEAVE

Sick leave can be used for medical appointments, illness, and injury. Sick leave for full-time permanent employees is earned at the rate of one (1) day per month. Sick leave may be accumulated to, but not exceeding, one hundred twenty (120) days of unused sick leave. Forty hours of sick leave may be granted to an employee to care for a member of the employee's immediate family. Additional time may be used at the discretion of the Department Head.

The employee shall follow the protocols set forth by their department for notification of absence, request for sick leave, and expected time out of work. Supervisors may require a certificate from a

medical provider certifying that the condition of the employee justifies the absence. Absences longer than 3 days of for serious, chronic, or recurring health issues may be eligible for unpaid, job protected leave under the state and/or federal Family Medical Leave Acts (see section below).

6.3.1 Sick Leave Pools

The City has a non-union sick leave pool. After a non-union employee has accrued the maximum one hundred twenty (120) days, additional earned hours will be credited to the City's non-union sick leave pool. Any City Non-Union employee who, because of serious or extended illness or other extenuating circumstances, is without sick leave, may request sick leave from this pool. The leave shall be drawn at the discretion of the City Manager, after reviewing the employee's previous use of sick time and the reasonableness of the request. Sick pools for union employees are addressed in their collective bargaining agreement.

6.4 FAMILY MEDICAL LEAVE

The City of Bath is covered by both Maine and Federal Family Medical Leave laws. Both laws provide unpaid, job protected leave to employees, and have different rules for eligibility and length of leave. For employees eligible for both types of FML, the City of Bath runs them concurrently along with available paid leave. To be eligible for Family Medical Leave through City of Bath, a person must be employed by the City of Bath and have worked for at least 12 consecutive months, and request leave for a qualified reason. The City retains the ability to transfer the employee to a temporary alternative position that better accommodates the situation.

Family Medical Leave covers:

- a serious health condition of the employee birth or adoption caring for a dependent with a serious health condition
- donation of an organ for a human organ transplant (Maine FML only)
- death or serious health condition of a dependent if that individual is a member of the state military forces and dies or incurs the health condition while on active duty.

Employees are required to give at least 30 days' notice of the intended leave, unless prevented by medical emergency. The City of Bath will require certification from a physician and other documentation before approving the leave. Family Medical Leave is unpaid, but you will be required to take accrued sick and vacation time congruently with FML. If you have health insurance through the City, that coverage will continue through your absence, but you must pay for your portion of those benefits if on unpaid leave.

6.4.1 Extended Leave

An extension of Family Medical Leave beyond 12 weeks can be requested. Requests must be made to the Department Head, with notice to the Human Resource Director. Approval of extended FML may be granted by the City Manager and is dependent on review of the City's needs and circumstances of the medical situation.

6.5 LEAVE FOR VICTIMS OF VIOLENCE

Pursuant to Maine law (26 MRSA. 850), the City will grant leave upon request if an employee (or a child, parent or spouse of an employee) is a victim of violence, assault, sexual assault or stalking or any act that would support an order for protection under Title 19-A M.R.S.A., c. 101 and the employee needs the time to prepare for and attend court proceedings, receive medical treatment, or obtain necessary

services to remedy crisis. Such leave will be granted without pay; however, the employee is entitled to use accrued paid leave.

6.6 BEREAVEMENT LEAVE

Leave with pay shall be granted regular employees for up to and including three (3) working days for absence caused by the death of a member of the immediate family. Immediate family shall mean spouse, domestic partner, parents, children, siblings, grandparents, and grandchildren whether by heritage or law. For other relatives, one (1) day may be allowed. Additional time for bereavement leave may be granted at the discretion of the City Manager.

6.7 MAINE EARNED PAID LEAVE

The Maine Earned Paid Leave Act (26 MRSA 637) provides paid leave to employees. Under the MEPLA and starting January 1, 2021, an employee is entitled to earn one hour of paid leave for every 40 hours worked, up to 40 hours in one year of employment. Accrual of leave begins at the start of employment, and leave can be used after the first 120 days of employment. Leave can be used for personal illness or injury, care for an immediate family member with an illness or injury, emergencies, or vacation.

6.7.1 Earned Paid Leave for Full-Time Probationary and Permanent Employees

Full-time probationary and full-time permanent employees do not get additional earned paid leave under this law. They accrue paid leave as sick and vacation at a greater rate than the law requires.

6.7.2 Earned Paid Leave for Seasonal, Temporary, and Part-Time Employees

Seasonal, temporary, and part-time employees accrue 1 hour for each 40 hours worked and may begin taking accrued leave 120 days after employment. Leave can be taken in 1-hour increments. Leave for sickness and emergencies requires notice as soon as possible. Vacation must be requested 4 weeks in advance and may be denied by the supervisor if the time off negatively impacts the department's work schedule. Use of leave is at the Department Head's discretion, but requests will not be unreasonably denied. A maximum of up to 40 hours of leave may be carried over from the previous year if temporary staff are re-hired. MEPLA leave is not paid out at the end of employment.

6.8 COURT LEAVE

City employees called upon for jury service will receive their regular salary from the City during jury service, minus the amount received for serving on a jury. Any employee summonsed as a witness on the behalf of any local, county, state, or national government shall be granted court leave, and will receive their regular salary from the City during such service less the amount received for serving as a witness. The payment of regular salary, less any fees received, for service concerning a summons for non-governmental purposes shall be left up to the discretion of the City Manager.

6.9 MILITARY LEAVE

Shall be granted in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and other applicable laws.

7 EMPLOYEE BENEFITS

Regular full-time employees, both Union and Non-Union, are eligible for all benefits and rights as provided by these rules, except where otherwise provided for in a collective bargaining agreement. They are eligible to participate in health, dental, vision, life, and income protection. Full time employees are required to participate in the Maine Public Employee Retirement System (MEPERS) in lieu of Social Security. Union positions may have additional or specialized agreements written into their Collective Bargaining Agreements.

Information about these benefits can be found by contacting the Human Resources Director in the City Manager's Office. If you experience any major life changes such as marriage, divorce, birth, adoption, or death, please contact the HR Director to review your benefits and beneficiaries.

7.1 HEALTH INSURANCE

The City's optional health insurance plan is with the Maine Municipal Employees Health Trust (MMEHT). The City pays 85% of the health insurance monthly premium, and the employee pays 15%. Employee's portion of their premium will be deducted weekly from their paycheck. This plan is accompanied by a Health Reimbursement Arrangement (HRA) Medical Insurance Buy-Back Plan.

When an employee chooses coverage by a different entity or chooses a lesser level of coverage through the City than that for which they are eligible, they can request a "Buy-back". The City will compensate the employee with 25% of what the City saved on health premiums by not covering the employee or their dependents. The Buy-back request must be made annually, and the City compensates employees quarterly. This "Buy-back" is considered earned compensation and taxed accordingly.

7.2 DENTAL INSURANCE

MMEHT provides an optional dental insurance plan which covers preventative, basic, and major dental care. The employee pays 100% of the monthly premium, and the amount will be deducted weekly from their paycheck.

7.3 VISION INSURANCE

MMEHT provides an optional vision insurance plan which provides discounted prices on contact lenses, eyeglass frames, lenses, and lens upgrades. The employee pays 100% of the monthly premium, and the amount will be deducted weekly from their paycheck.

7.4 FLEXIBLE SPENDING ACCOUNT (FSA)/ SECTION 125 PLAN

This is an optional plan, where an employee can have money deducted pre-tax from their wages into accounts dedicated to medical or dependent care. Employees can choose how much to put in the account annually up to a pre-set maximum determined by the IRS.

7.4.1 Medical FSA

A Medical FSA is used to pay for certain types of out-of-pocket medical expenses as determined by the IRS. When an employee deposits money into a medical FSA, they can use those pre-tax funds to pay for eligible medical expenses. If you are enrolled in the City's health plan, the City will put \$100 into your FSA for your use.

7.4.2 Dependent Care FSA

A Dependent Care FSA is an account that can be used to pay for the daily care of an eligible child or adult dependent as defined by the IRS. This allows an employee to use those pre-tax funds for eligible childcare expenses that enable the employee and their spouse to be gainfully employed.

7.5 LIFE INSURANCE

The City offers optional Life Insurance from multiple vendors:

7.5.1 Maine Municipal Employees Health Trust

MMEHT provides life insurance. Basic insurance at 1x annual salary is provided at no charge if the employee has medical coverage with MMEHT. Supplemental coverage gives options of one, two, or three times the employee's annual salary. Dependent insurance is also available.

7.5.2 Maine Public Employees Retirement System Life Insurance

Basic coverage is equal to your annual gross compensation rounded up to the next one thousand dollars. Supplemental coverage is available at one, two or three times your basic coverage. Dependent insurance is also available.

7.5.3 Additional Term and Universal Life Policies

Policies available through Colonial Life and AFLAC are optional and entirely employee paid. Rates are set by the respective company, and premiums can be deducted directly from the employee's paycheck.

7.6 SUPPLEMENTAL INSURANCES

AFLAC or Colonial Life Insurances are optional and entirely employee paid. Enrollment is handled by the respective company, and premiums can be deducted directly from the employee's paycheck.

7.7 RETIREMENT

Full time city employees are enrolled in the Maine Public Employee Retirement System (Maine PERS) instead of Social Security. Vestment in the MainePERS system is 5 years. Before vestment, employees are entitled to your personal contributions. After vestment, they are eligible for a retirement benefit or to their own contributions. Maine PERS is a Defined Benefit Plan and determines retirement compensation with a formula based on the three highest years of earnings, your creditable years of service, and your age at retirement. City contribution percentages are dictated by State law.

Public Safety employees as defined by MEPERS (Police, Fire and Rescue) are enrolled in the "3C Special Plan" which provides 66.6% averaged salary of the three highest earning years and a no age-limit retirement after 25 years of service. All of the full-time employees are enrolled in the "2C Special Plan" which provides 50% averaged salary of the three highest earning years and a no age-limit retirement after 25 years of service. Employees who don't meet the requirements of the plan (such as leaving before 25 years) retire following guidelines of the MEPERS "Regular Plan."

7.8 457 DEFERRED COMPENSATION PLAN

A 457 Deferred Compensation Plan is a supplemental retirement savings program that allows you to make contributions on a pre-tax basis. This benefit is offered to employees via two 457 plans: Mission Square and MaineSTART.

7.9 WORKERS' COMPENSATION

The City of Bath provides Worker's Compensation coverage for all employees. Workers' compensation benefits are governed by State law and the City provides such benefits as are mandated under the Maine Workers' Compensation Act of 1992. The City will follow all state and federal laws and the procedures and policies directed by the workers' compensation insurer. An employee may elect in writing to use his/her accumulated paid leave to pay for or offset the cost of benefit deductions and union dues.

For work-related injuries that result in an absence of three or more days from work, employees will be placed on Family Medical Leave.

7.10 INCOME PROTECTION PLAN/SHORT TERM DISABILITY

The Income Protection Plan (IPP) is the city's Short Term Disability plan through MMEHT. If an employee becomes disabled as the result of a non-work-related illness or injury, he/she may be eligible to receive IPP benefits for up to 52 weeks per period of disability. This insurance is voluntary and totally employee paid.

7.11 LONG TERM DISABILITY

Long-term Disability is provided through the Maine Public Employee Retirement System (Maine PERS). There is mandatory participation in this program and costs are included in MPERS contributions.

7.12 EMPLOYEE ASSISTANCE PROGRAM

MMEHT provides an Employee Assistance Program (EAP). Employment assistance is designed as a means of helping employees access resources and seek the necessary treatment to alleviate a variety of problems affecting job performance and personal well-being. The service is confidential, in accordance with federal and state law, and professional ethical standards. EAP covers all employees and the household family members of all employees.

7.13 WELLNESS PROGRAM

The City of Bath provides several options to encourage employees to be healthy and maintain their physical fitness.

7.13.1 Wellness Committee

The City's Wellness Committee arranges classes and events throughout the year for optional employee participation. The committee is made up of employees who volunteer to support, organize, and communicate wellness initiatives.

8 EMPLOYEE DISCIPLINE

All employees – full-time, part-time, regular, temporary, union and non-union, can be subject to disciplinary action outlined in this section. Collective Bargaining Agreements may have additional process and timelines, especially for Grievance Procedures. No disciplinary action of any nature shall be taken without just cause.

8.1 GROUNDS FOR DISCIPLINE

When, in the judgment of the Department Head, an employee's work performance or conduct justifies disciplinary action, the Department Head may take appropriate disciplinary action which shall include verbal reprimand, written reprimand, or suspension with pay. The disciplinary action taken by the Department Head shall be at a level appropriate to deal with the severity of the situation and take into consideration the employee's past disciplinary record.

In instances where the work performance or conduct justifying discipline is of a serious nature, the City Manager shall have the authority to suspend without pay for more than three (3) days or discharge an employee.

8.2 DISCIPLINARY ACTIONS

The City uses progressive discipline where warranted, including verbal warnings, written warnings, unpaid suspension and/or demotion, and termination for cause. Depending upon the attendant circumstances, the City reserves the right to use non-progressive discipline and bypass any or all of these steps and proceed directly to greater discipline, up to and including termination from employment, even for first offenses.

One or more of the following disciplinary actions may be taken by the Department Head or City Manager depending on the totality of circumstances, such as the nature, severity and frequency of problems, and any previous discipline imposed. These actions do not need to be followed in order.

Verbal reprimand: A verbal communication from the Department Head to the employee indicating the cause for the reprimand, the fact that the communication constitutes a verbal reprimand, and, if appropriate, corrective action that needs to be taken by the employee. A written confirmation of the oral reprimand may be placed in the employee's personnel file and, if so, will clearly indicate that it does refer to a verbal reprimand. A copy of such shall be provided to the employee.

Written reprimand: A communication from the Department Head to the employee indicating the cause for the reprimand, the fact that the communication constitutes a written reprimand, and, if appropriate, corrective action that needs to be taken by the employee.

Suspension: A period of time during which the employee will not be permitted at the job site. Notice of suspension indicating the cause, the duration of the suspension, and its effective date, shall be placed in the employee's personnel file with a copy to the employee.

Disciplinary Probation: A period of time, not to exceed one year, during which the employee shall be considered a probationary employee to the extent of any other new hire. Any further disciplinary action during this period will be cause for discharge. The cause of the disciplinary probation shall be noted together with its effective dates, and shall be placed in the employee's personnel file with a copy to the employee.

Discharge: Termination of employment with the City. This decision will be made by the City Manager after review of the situation.

8.3 DOCUMENTATION

All discipline, including verbal warnings, must be documented appropriately. All final disciplinary notices shall specify the action taken, the reason(s) therefore, and the extent and duration of the penalty. This notice shall be given to the employee at the time of the disciplinary action. Final written decisions of discipline are considered public records; therefore, details of a workplace investigation should be placed in a confidential file and should not be included on the notice of final discipline.

8.4 APPEALS

In the case of any disciplinary action, the employee shall have the right to file an appeal with the City Manager in writing within ten (10) days of the determination of disciplinary action. The employee will be entitled to a conference with the City Manager and to present such evidence and witnesses at that conference as they deem appropriate. Upon appeal, the City Manager shall have full power to affirm, modify, or reverse the disciplinary determination.

8.5 PAID ADMINISTRATIVE LEAVE

An employee recommended for an unpaid suspension or termination by his or her Department Head may be initially placed on paid administrative leave. The Department Head will forward the recommendation to the Human Resources Director and City Manager. The City Manager will give notice to the employee of the recommendation and conduct a hearing to provide the employee with an opportunity to be heard before any disciplinary decision is made to impose unpaid suspension or termination of employment.

8.6 PRE-DISCIPLINARY HEARING

A pre-disciplinary hearing to ensure due process will be held before any discipline involving unpaid suspension or discharge from employment. This is an opportunity for the employee to present additional information and refute any factual mistakes. The employee will be notified of the time and location of the scheduled hearing. The hearing will include the Department Head, Human Resources Director, and City Manager or designees. After the hearing, the City Manager will decide whether or not to suspend or terminate employment. The employee will be notified of the decision in writing.

9 PERSONNEL SERVICE COMMISSION

9.1 PURPOSE

The duty and purpose of the Personnel Service Commission is to assist Department Heads in the process of interviewing and recommending candidates who apply for Union positions. Selection of City employees is based on competition and merit principles to promote efficient personnel practices in the public interests and to prevent unlawful discrimination in City personnel administration. Hiring processes and Commission assistance may vary based on the needs of each department.

Personnel Service Commission assists with all Unionized positions now existing, or hereafter created, in the Police Department, Fire and Rescue Department, Public Works Department, Landfill Division, and Wastewater Treatment Facility, and Cemetery and Parks Division. Non-union positions, elected officials, and volunteers are exempt from PSC processes.

9.2 COMMISSION APPOINTMENT

The City Council will appoint three members to the Personnel Service Commission. Members must be residents of the City of Bath. Commission members serve without pay. Commission members will be sworn in by the City Clerk, a Notary Public, or a Justice of the Peace. If sworn in by a Notary or Justice, a certificate of swearing in will be filed with the Clerk's Office. Each member will serve a three-year term, with terms expiring on December 31. Members will be appointed to staggered terms so that one term of office expires each year.

9.3 MEMBER LIMITATIONS AND COMMISSION VACANCIES

If there is a vacancy on the commission, the Council will appoint a registered voter of the City, who is not an employee or elected official, to serve for the unexpired term. Commission members are not eligible for appointment or hiring to any full time staff position of the City of Bath. Members may run for elected office or be appointed to other boards or commissions.

The council may remove a member from the Commission for the good of the public, after notice to the member and providing an opportunity for the member to be heard.

9.4 COMMISSION ORGANIZATION

At the first meeting of each calendar year, the Personnel Service Commission shall elect a Chair, and notify the City Manager and City Clerk of the selection. Meetings may be called at any time by the Chair, City Manager, or two (2) members of the Commission. Two members constitute a quorum of the Commission. The Commission shall determine its methods of rules and procedure.

9.5 GENERAL DUTIES OF THE COMMISSION

The Commission will assist departments to ensure the following:

- The City of Bath is an Equal Opportunity employer. It is the policy of the City not to discriminate against any applicant or employee on the basis of race, color, age, sex, sexual orientation, gender identity or expression, national origin or ancestry, religion, genetic information, physical or mental disability, workers' compensation history, retaliation or whistleblower status, or any other legally protected category. The City is committed to providing equal employment opportunities (EEO) to all persons in the selection, placement, compensation, access to benefits, training and advancement of employees.
- Any person shall be considered for a position if they have filed an application and meet the requirements for the position.
- The City will advertise job opportunities publicly in multiple media sources including publications, websites, electronic job boards, and/or social media.
- The advertisement will include the title, purpose, necessary qualifications, and pay for the position. It will also inform applicants how to apply for the position. Union contracts may require a job to be preliminarily posted within the department for a period of time before advertising to the public.
- All examinations shall be practical for the job, and designed to fairly test the knowledge, skills, abilities, and general suitability for the position for which an applicant is applying. Examinations may consist of any combination of interviews, essays, written tests, oral tests, fitness tests, or demonstration of skills.
- Vacancies in higher union positions shall first be advertised within the department, before advertising to the public. Whenever a promotional examination is given, the examination shall

be subject to all of the provisions of the rules and regulations governing open competitive examinations. Promotions from within a department are preferred as long as the candidate has the required qualifications for the position, is determined to be the best candidate for the position, and the promotion is in the best interest of the Public, City, and Department.

- Department hiring processes and Commission involvement will be determined by the Department Administration, with approval of the Commission and the City Manager.
- The final decision to hire an applicant will be made by the Department Head, with approval from the City Manager.

C2
+
C3

NOTICE OF PUBLIC HEARING
BATH CITY COUNCIL

The City Council of the City of Bath will hold a public hearing to consider the following:

1. Proposed Order Authorizing Bond Ordinance General Obligation Bonds in the Amount of \$5,000,000 to finance street, road and sidewalk reconstruction to be put on Municipal Ballot for vote at the November 7, 2023, Election (public hearing); and
2. Proposed Order Authorizing Bond Ordinance General Obligation Bonds in the Amount of \$24,653,000 to finance Upgrades to the Water Pollution Control Facility, Pump Stations, Wastewater Collection System, and removal of Combined Sewer Overflows to be put on Municipal Ballot for vote at the November 7, 2023, Election (public hearing).

The City Council will hold a public hearing on the proposed Orders as follows:

Wednesday, August 2, 2023
6:00 p.m.
Council Chambers, City Hall

Attested:

Darci L. Wheeler

Darci L. Wheeler
City Clerk

NOTICE OF PUBLIC HEARING
BATH CITY COUNCIL

The City Council of the City of Bath will hold a public hearing on proposed amendments to the Charter of the City of Bath on August 2, 2023 in the Council Chambers on the third floor of the Bath City Hall. The proposed amendment to the charter of the City of Bath will be in substantially the form below:

CHARTER AMENDMENT – QUESTION 1

“SHALL THE MUNICIPALITY APPROVE THE CHARTER AMENDMENT SHOWN BELOW?”

[] YES [] NO

SUMMARY: This proposed Charter amendment amends the City’s notice of publication and public hearing requirements and removes inconsistencies in the Charter.

AMEND AS FOLLOWS:

Sec.609. Council Action on Budget.

~~_____ A. Budget Presentation. As soon as practicable but no later than seven (7) days after the budget, in written form, has been submitted to the Council at a public meeting, the City Manager shall publish in one or more newspapers of general circulation in the City of Bath a general summary of the budget and the time and place where copies of the message and budget are available for inspection by the public. [Reserved]~~

B. Public Hearing and Notice. The City Council shall set the time and place, not later than the seventh (7th) day of the last month of the fiscal year, for a public hearing on each of the budget components, ~~i.e. the operating budget component, the sewer utility fund budget component, the capital improvements budget component and such other components as may be contained in the budget.~~ The Council at its discretion may set the same date for hearing on each budget component or may set different dates for such hearings. Notice of such hearings shall be published in a newspaper of general circulation in the City of Bath not less than seven (7) days prior to any such hearing and shall contain the date, time, and place of any such hearing. Hearings occurring on the same date may be combined in one notice. (11/4/86)

~~Sec. 805. Publication. Within ten (10) days after its final enactment, an ordinance authorizing the issuance of serial bonds or notes shall be published in a newspaper having a general circulation in the City and posted in at least one public place. [Reserved]~~

Sec. 806. Effective Date. An ordinance enacted pursuant to this Chapter shall become effective twenty-one (21) days after its publication ~~in accordance with Section 805~~ final passage in accordance with Section 221.

Sec. 809. Period of Limitations.

All suits questioning the validity of an ordinance enacted under this Chapter shall be barred unless commenced within forty-five (45) days following ~~publication in accordance with Section 805~~ the Effective Date.

Sec. 1007. Consideration by Council. Whenever the City Council receives a certified initiative or referendum petition from the City Clerk, it shall proceed at once to consider such petition. A proposed initiative ordinance shall be read by title and provision shall be made for a public hearing upon the proposed ordinance in accordance with the notice and hearing provisions of Section 221 of this Charter. The City Council shall take final action on the initiative ordinance not later than sixty (60) days after the date on which such ordinance was submitted to the Council by the City Clerk. A referred ordinance shall be reconsidered by the Council and its final vote upon such reconsideration which shall be not later than sixty (60) days after the date on which such certified referendum petition was submitted to the City Council by the City Clerk shall be upon the question " Shall the ordinance specified in the referendum petition be repealed?" In the case of the referendum the entire repeal of the ordinance sought to be referred, and in the

case of the initiative, the passage by the City Council of the desired ordinance shall put an end to all proceedings under said petition.

~~Sec. 1009. Publication. Whenever any ordinance is required by the provisions of this Chapter to be submitted to the voters of the City at any election, the City Council must order one (1) publication of the complete text thereof to be made in one or more should the City Council deem it best, of the newspapers published or having a general circulation in the City of Bath, such publication to be made not less than ten (10) days, nor more than fifteen (15) days prior to the election, or in lieu thereof, the City Council may cause the ordinance to be printed and mailed to each voter at five (5) days prior to the election. [Reserved]~~

Sec. 1014. Ordinance Submitted to Popular Vote. The City Council may submit, on its own initiative, a proposition for the enactment, repeal or amendment of any ordinance except as herein otherwise provided, to be voted upon at any municipal election, and should such proposition receive a majority of the votes cast thereon at such election, such ordinance shall be enacted, repealed or amended accordingly. Prior to a vote to submit to an election, the ordinance shall be read by title and provision shall be made for a public hearing upon the proposed ordinance in accordance with the notice and hearing provisions of Section 221 of this Charter.

CHARTER AMENDMENT – QUESTION 2

“SHALL THE MUNICIPALITY APPROVE THE CHARTER AMENDMENT SUMMARIZED BELOW?”

YES

NO

SUMMARY: This amendment removes gender specific and binary pronouns throughout the City Charter without changing the meaning of the amended Charter provisions. When possible, gender specific and binary pronouns will be replaced with the noun, title or position from the same sentence, paragraph or section. Where using a pronoun is necessary, the pronouns “they” or “their” are used as the singular non-gender specific pronoun.

Section in Charter	Current	Proposed
Table of Contents	Chairman	Chair
Section 103	his (x3)	their/remove(x2)
Section 208	his	their
Section 209	his (x11)	their (x10)/ remove (1)
	He (x4) was (x2)	They (x3) were (1) remove (1)
Section 210	He was	They were
Section 212	Chairman (X10)	Chair (X10)
	He	The Chair
Section 213	His	Their
Section 215	Chairman	Chair
	His	their
Section 224	His	their
Section 225	Chairman	Chair
Section 301	His (x4)	Their (x4)
	He (x2)	The Manager/ they
Section 302	He (X8)	The Manager (x7) delete (x1)
	His (x3)	Their (x3)
	To him/ of him	Delete
Section 303	His (x2)	Their (x2)

	He	The manager
Section 304	His (x4)	Their (x4)
	That he deems	deemed
Section 402	His (x2)	Their (x2)
Section 611	Chairman	Chair
	He shall report	It shall be reported
	By him	Delete
	His	their
Section 613	He	The Manager
	He deems it	Deemed
	His	their
Section 616	Chairman	Chair
Section 810	Chairman	Chair
Section 811	Chairman (x2)	Chair (x2)
Section 904	His	their

Copies of the proposed amendments are available in the City Clerk's Office.

CHARTER AMENDMENT – QUESTION 3

“SHALL THE MUNICIPALITY APPROVE THE CHARTER AMENDMENT SHOWN BELOW?”

YES NO

SUMMARY: This amendment clarifies wardens and ward clerks for the city instead of for each ward.

Section 901 Elections

~~B).— There shall be a warden and ward clerk for each City ward to be appointed by City Council. The appointment shall be made on the first Wednesday in December of each year and the term of the appointment shall run for three (3) years concurrent with the Council term for that ward. Council shall appoint on the first Wednesday in December of each year, up to fifteen (15) alternate wardens and ward clerks to serve in the absence or disability of the appointed wardens and ward clerks. The wardens and ward clerks and their alternates shall have the duties and powers as prescribed by State Law. The City Council shall, by the first Wednesday in December each year, appoint a warden and a clerk for each voting place for a term of one year. No elected official of the City may serve as warden or warden clerk. Election clerks shall be appointed under the provisions in State Law. The wardens, ward clerks and election clerks shall have the duties and powers as prescribed by State Law.~~

CHARTER AMENDMENT – QUESTION 4

“SHALL THE MUNICIPALITY APPROVE THE CHARTER AMENDMENT SHOWN BELOW?”

YES NO

SUMMARY: This amendment revises the provision for forms for petitions for nominations, initiatives and referendums and makes the forms available in the City Clerk's Office.

Sec. 904. Nomination Papers, Signatures to: Form of Petition.

The signatures to nomination papers need not all be affixed to one (1) petition, but to each separate petition there shall be attached an affidavit of the circulator hereof stating the number of signers on each petition and that each signature of the person whose name it purports to be. With each signature shall be stated the place of residence of the signer giving the street and number of the street or other description sufficient to identify the same. The form of the nomination petition shall be substantially as follows: provided by the City Clerk's Office.

"To the City Clerk of the City of Bath, We, the undersigned voters of Ward _____ of the City of Bath hereby nominate _____, whose residence is _____ for the office of _____, to be voted for at the election to be held in the City of Bath on the _____ day of _____, 19____, and we individually certify that we are qualified to vote for a candidate for the above office.

Name _____ Street and Number _____ being duly sworn deposes and says that he is the circulator of the foregoing nomination petition containing _____ signatures and that the signatures appended thereto were made in their presence and are the signatures of the persons whose name they purport to be.

Signed _____
Subscribed and sworn to, before me, this _____ day of _____, 1920____

Sec. 1003. Form of Petitions.

The petitions used to invoke the initiative or the referendum shall be on a form provided by the City Clerk's Office, substantially in the following form:

PETITION TO THE BATH CITY COUNCIL

For the Submission to the People of the

QUESTION

_____ Shall the proposed ordinance, a copy of which is hereto attached, be adopted?

We, the undersigned, under oath, deposed and say that we are duly qualified voters of the City of Bath, residing respectively at the address placed opposite our names, and we hereby petition the City Council to submit the foregoing question to the voters of the City of Bath:

_____ NAMES _____ RESIDENCES _____ DATE

Name _____
Street and Number _____
Being duly sworn deposes and says that ~~his~~ ~~their~~ ~~her~~ ~~they~~ ~~is~~ ~~are~~ the circulator of the foregoing petition containing _____ signatures and that the signatures appended thereto were made in their presence and are the signatures of the persons whose names they purport to be.

Signed _____
Subscribed and sworn to, before me, this _____ day of _____, 19____.

Attested:

Darci L. Wheeler

Darci L. Wheeler
City Clerk

**REGULAR MEETING MINUTES
CITY COUNCIL OF THE CITY OF BATH, MAINE
Wednesday, July 5, 2023, 6:00 PM**

Councilors Present: Julie Ambrosino, Phyllis Bailey, Mary Ellen Bell, Roo Dunn, Jennifer DeChant, Susan Bauer, Miriam Johnson, and Elizabeth Dingley

Councilors Absent: Terry Nordmann

City Staff Present: Marc Meyers, City Manager; Darci Wheeler, City Clerk; Juli Millett, Finance Director; Jenn Curtis, Director of Planning; Emily Ruger, Community and Economic Director; Erika Helgerson, Director of Human Resources, and Pete Compagna, BCTV

A. Pledge of Allegiance

B. Roll Call

Chairperson Bell led the Pledge of Allegiance, and Darci Wheeler, City Clerk, called the Roll.

C. Public Hearing: 6:01pm

1) **ORDINANCE:** Shoreland Zoning Map LUC amendment (*second passage*)

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:

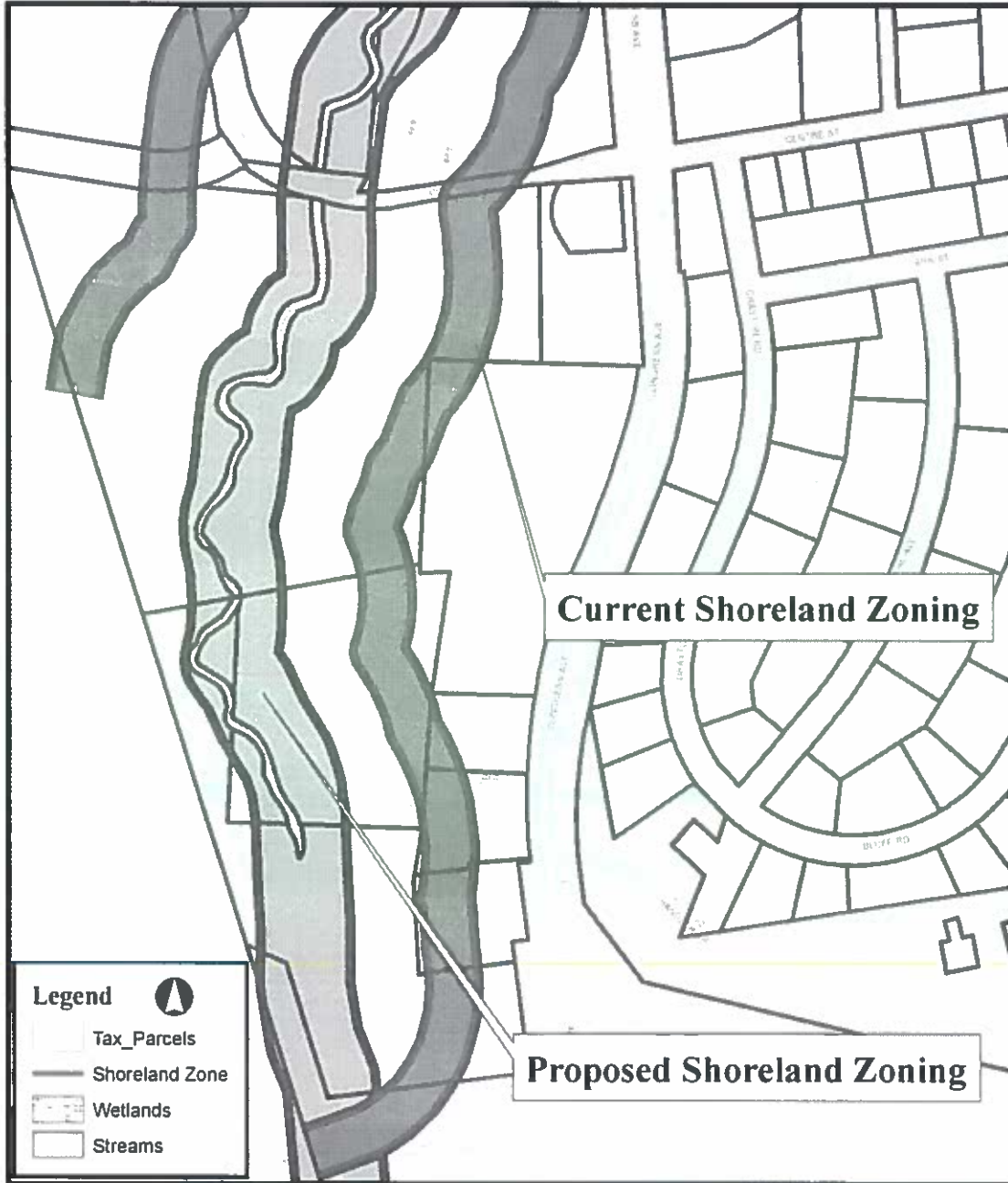
BY ORDER OF THE CITY COUNCIL OF THE CITY OF BATH, MAINE



Map prepared by Bath Planning Office
on 5 22 23

Shoreland Zoning - Centre St

Source Maine Beginning with Habitat 2023
Bath Planning Office 2023



Jenn Curtis, Director of Planning, gave background on the ordinance and responded to comments from Councilor Bell.

No public comment.

Councilor Bauer moved, Councilor Ambrosino seconded, to approve as presented. Chairperson Bell called for a roll call vote. The ordinance passed with seven (7) yeas and zero (0) nays.

YEAS: Councilors Ambrosino, Bailey, Dunn, DeChant, Bauer, Johnson, and Dingley

NAYS: None

Law in 21 days.

D. Consent Agenda

(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.)*

***2) Minutes of the previous Regular Meeting of June 7, 2023, Public Hearing on City Budget, and Special Council Meeting on June 14, 2023. (Motion to Accept as Presented)**

Councilor Ambrosino moved, Councilor Bauer seconded, to approve as presented. The motion carried with seven (7) yeas and zero (0) nays.

E. Time Devoted to Residents to Address the City Council: 6:06pm

William Nethercote, 50 Elm Street Bath spoke regarding the decibel levels of the bell in the church.

F. Resolutions, Orders and Ordinances: 6:07pm

3) ORDER: Appointment of City Solicitor

APPOINTMENT OF CITY SOLICITOR
PURSUANT TO THE PROVISIONS OF SECTION 403 OF THE CHARTER OF THE CITY OF BATH, THE FIRM OF BERNSTEIN SHUR SAWYER & NELSON P.A. BE AND
HEREBY IS APPOINTED AS CITY SOLICITOR JOINTLY BY THE CITY COUNCIL AND THE CITY MANAGER AND THE CITY MANAGER IS AUTHORIZED TO EXECUTE ANY AND ALL DOCUMENTS RELATED TO THE APPOINTMENT.

Marc Meyers, City Manager, gave background on the item and responded to questions and comments from Councilors Bailey, Dunn, Bauer, and Bell.

Councilor Dunn moved, Councilor Ambrosino seconded, to approve as presented. The motion was carried with six (6) yeas and zero (0) nays and one (1) abstention.

4) ORDER: Approving Contract for Asbestos Abatement of Former Morse High School-Fire Station Project

ORDER APPROVING CONTRACT FOR ASBESTOS ABATEMENT OF 1941 AND 1968 WINGS OF THE FORMER MORSE HIGH SCHOOL.

WHEREAS, the City of Bath has identified the need for abatement of environmental contaminants within the 1941 and 1968 wings of the former Morse High School at 826 High Street in order to proceed with the construction of the new fire and EMS station on the north end of the property.

WHEREAS, Ransom Consulting, LLC, an environmental consulting firm, completed environmental assessments on the site, which detailed the specifics of environmental contaminants present on the site.

WHEREAS, The City released a Request for Proposals for abatement contractors on June 16, 2023.

WHEREAS, the City received proposals from contractors in response to the Request for Proposals on Friday, June 30, 2023 and staff reviewed and recommend the most advantageous bid, with consideration to timeline, cost, and experience.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath to approve the contract with Lakeside Concrete Cutting for two-hundred forty-eight thousand four hundred and fifty dollars (\$248,450) for asbestos abatement of the 1941 and 1968 wings of the former Morse High School at 826 High Street in Bath, Maine.

Emily Ruger, Community and Economic Development Director, spoke regarding the Order and responded to questions and comments from Councilors Ambrosino, Bailey, and Dunn.

Councilor Bailey moved, Councilor Dunn seconded, to approve as presented. The motion was carried with seven (7) yeas and zero (0) nays.

5) **ORDINANCE:** Chapter 12 Personnel Ordinance (*first passage*)

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE CHAPTER 12 PERSONNEL ORDINANCE OF THE CITY OF BATH ADOPTED JULY 7, 1989, AND

SUBSEQUENTLY AMENDED, BE HEREBY REPLACED AS FOLLOWS:
CHAPTER 12: PERSONNEL ORDINANCE

A complete copy of this Ordinance is available through the Bath City Clerk's Office.

The City Charter (§402.D) requires the City Manager's personnel rules be *submitted to the City Council for adoption by ordinance in order to provide for the practices and procedures necessary to the administration of the City personnel system.*

This document will replace the City's current Personnel Ordinance, which was last updated in 2000. The goal of the update is to establish policy in compliance with State and Federal laws and City of Bath employee policies and procedures. It includes the subject matter of and replaces the current Personnel Ordinance as well as the Drug and Alcohol, Ethics and Conflict of Interest, Harassment, and Maine Earned Paid Leave policies.

This ordinance will apply to all City employees. There are places where it refers readers back to Collective Bargaining Agreements or department-specific policies, to allow for differences in those contracts.

Marc Meyers, City Manager, gave background on the Ordinance and responded to questions and comments from Councilors Dunn, DeChant, and Bauer.

Councilor Bailey moved, Councilor Bauer seconded, to approve as presented. The motion was carried with seven (7) yeas and zero (0) nays.

YEAS: Councilors Ambrosino, Bailey, Nordmann, Dunn, DeChant, Bauer, Johnson, and Dingley

NAYS: None

Second passage will be on August 2, 2023.

G. Petitions & Communications: None

H. City Manager's Report: 6:32pm

John Carpenter, Facilities Director
Starting July 17
Worked 9 years for the Town of Cumberland
Heritage Days
Thanks to City Staff
Thanks to Main Street Bath Staff
City Hall Hours
Starting July 7
Mon Thurs 7:30-5:30
4-day work week
Trial

I. Committee Reports: 6:36pm

Councilor DeChant
Main St Bath
Heritage Days
Concerts in the Park
Music at Library Park
Movies in the Park
Sponsorship

J. Unfinished Business: 6:38pm

6) Bath YMCA Discussion

Marc Meyers, City Manager, opened the discussion and responded to questions and comments from Councilors. Johnson. Dunn. Bell. DeChant. Bauer. Bailey. Ambrosino. and

Dingley. Bill Haggett and Rob Gray from the YMCA spoke as well as Juli Millett, Finance Director.

Councilor DeChant made a motion to ask the City Manager to research ARPA funds, what the draw entails and what the reporting would look like for the August Regular meeting. Councilor Ambrosino seconded the motion. All in favor.

Conversation continues among Councilors Johnson, Bailey, Dingley, DeChant, Bauer, Dunn, and Bell. Councilor DeChant made a motion to table the discussion until the next meeting. Councilor Dingley seconded. All in favor.

7) Elm Street Clock Discussion

Conversation began amongst Councilors DeChant, and Bell. Councilor DeChant requested more information. Councilor Bell requested that the City Manager pursue this.

Councilor Dunn made motion to ask City Manager to measure the sound levels at different times of days, revisit vendor last used to see if the any information has changed since the last review, seek alternate vendors and then seek alternate proposals. Seconded by Councilor DeChant. All in favor. Motion to reconsider the vote by Councilor Bauer, seconded by Councilor Ambrosino. All in favor. Conversation continued among Councilors Bailey and Ambrosino.

Councilor Dunn restated his motion as outlined above adding to be done in 60 days, October meeting. Councilor DeChant seconded. Councilor Bell stated that her support of the motion. All in favor.

K. New Business: 7:51pm

Councilor Ambrosino
Sustainability
Climate Action Plan Update
Energy Savings Funds
Workshop- Sustainability Project

Councilor Bauer
One policy
Guiding principle

Councilor Dunn
Development of a policy on what materials should be used
Providing guidance to vendors

Councilor DeChant
Clarification of action requested

8) Appointments and Reappointments

~Reappointment of Rick Bisson to Community Development Committee for a term to expire July 2026

~Reappointment of Michael Walton to Economic Development Committee for a term to expire July 2026

Councilor Dunn moved, Councilor Bailey seconded, to approve as presented. The motion carried with seven (7) yeas and zero (0) nays.

L. Councilor Announcements

Councilor Bauer

Not seeking reelection

Invite residents of Ward 6 to reach out to her for information regarding the position

Staff respect for all they do

Councilor Dingley

Predicted Surge of Rabies outbreak

No steps to vaccinate

30 cases of rabid animals reported

Marc Meyers

Response to Councilor Dingley

No reported cases in Bath

One confirmed in West Bath but none in Bath

Councilor Bell

Cybersecurity

Training

8:07pm Chairperson Bell asked for a motion to adjourn to Executive Session. Councilor Bauer made the motion, which was seconded by Councilor Dunn. All in favor.

EXECUTIVE SESSION:

Personnel Matters per 1 MRS §405(6)(A)

Real Estate Matters per 1 MRS §405(6)(C)

8:17pm A motion to adjourn from Executive Session was made by Councilor Bauer and seconded by Councilor Bailey. All in favor.

Meeting adjourned at 8:17pm.

Motioned by Councilor Bauer and seconded by Councilor Ambrosino.

Attested:

Darci L. Wheeler, City Clerk

Please note: These minutes are action minutes. The entire meeting can be viewed at www.cityofbath.com

ADJOURN



BATH
MAINE *City of Ships*

OFFICE of the CITY CLERK

Darci Wheeler
City Clerk
dwheeler@cityofbath.com

August 2, 2023

Governor Janet T. Mills
1 State House Station
Augusta, ME 04333

Dear Governor Mills,

Please prepare a proclamation for a Special Election due to the resignation of Sean Paulhus who resigned from House District 52 on July 21, 2023. The Bath City Council respectfully requests that you officially declare the seat vacant so the process to select a new representative can begin immediately for House District 52.

Sincerely,

Mary Ellen Bell, Chairperson – Ward Two

Phyllis Bailey, Councilor – Ward One

Susan Bauer, Councilor – Ward Six

Terry Nordmann, Councilor – Ward Three

Miriam Johnson, Councilor – Ward Seven

Roo Dunn, Councilor – Ward Four

Elizabeth Dingley, Councilor – at Large

Jennifer DeChant, Councilor – Ward Five

Julie Ambrosino, Councilor – at Large



Sustainability & Environment

55 Front Street
Bath, Maine 04530
(207) 443-8363

July 26, 2023

To: Marc Meyers – City of Bath Manager
City Councilors
From: Rod Melanson – Director of Sustainability & Environment

RE: City of Bath's FY24 Coastal Community Grant - Coastal Resiliency Community and Stakeholder Engagement

Background

The City of Bath successfully applied for funding through the Maine Coastal Program's Coastal Community Grant of \$44,414.

Project

Attached you will find the award letter and accompanying grant submission. The submission of this grant proposal is aligned with the City's adopted Climate Resolution.

Summary

This grant award advances the flood vulnerability risk assessment and adaptation project from the Vulnerability Assessment stage through conceptual design of a pilot project for flood adaptation. The funds from this project will be spent on creating an ArcGIS StoryMap and a community survey to convey flood risk and gather input on preferred adaptation methods, holding community and stakeholder engagement sessions to review the results of the Vulnerability Assessment project and further discuss preferred adaptation methods and project locations, and deciding on a pilot project and bringing it to conceptual design. We will be working with partnering organizations in Bath to broaden engagement to vulnerable populations within the city and utilize their input in our planning recommendations and scenarios. This project will incorporate climate change scenarios by using "commit to manage" and "prepare to manage" sea level rise scenarios and increased precipitation amounts.

We are seeking approval to accept the grant award and authorize the City Manager to enter into the grant acceptance agreement with the State of Maine.

ORDER
ACCEPTANCE OF COASTAL COMMUNITY GRANT

BE IT HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE COASTAL COMMUNITY GRANT PROPOSAL FOR COASTAL RESILIENCY COMMUNITY AND STAKEHOLDER ENGAGEMENT ISSUED BY THE STATE OF MAINE DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY, BUREAU OF RESOURCE INFORMATION AND LAND USE PLANNING, IN THE AMOUNT OF \$44,414.00 IS ACCEPTED, AND THE CITY MANAGER IS AUTHORIZED TO EXECUTE ALL NECESSARY DOCUMENTS IN FURTHERANCE OF THE GRANT ACCEPTANCE.



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
BUREAU OF RESOURCE INFORMATION & LAND USE PLANNING
93 STATE HOUSE STATION
AUGUSTA, MAINE 04333

JANET T. MILLS
GOVERNOR

AMANDA E. BEAL
COMMISSIONER

July 10, 2023

Mr. Rod Melanson, Director of Sustainability & Environment
City of Bath
55 Front Street
Bath, ME 04530

RE: FY24 Coastal Community Grant Proposal: Coastal Resiliency Community and Stakeholder Engagement – City of Bath

Dear Mr. Melanson,

I am pleased to announce that the City of Bath's FY24 Coastal Community Grant proposal for Coastal Resiliency Community and Stakeholder Engagement has been approved and will be funded!

The review team concluded that the town is an eligible applicant for FY24 Coastal Community Grant funding, the proposal meets the qualifications specified in the Program Statement, and this is an important project that is worthy of funding.

Please remember that the Municipal Planning Assistance Program is not liable for any cost incurred by the grantee or any subcontractor(s) prior to the effective date of the contract. The Municipal Planning Assistance Program cannot authorize any payments for work completed prior to the effective date of a fully executed contract.

I will be contacting you soon to develop the scope of work and to get you formally under contract but for now I want to congratulate you and tell you that I look forward to working with you on this project.

Please feel free to contact me at 419-8661 or joan.walton@maine.gov if you have any questions.

Sincerely,

Joan A. Walton, AICP, Senior Planner

MUNICIPAL PLANNING ASSISTANCE PROGRAM
22 STATE HOUSE STATION
18 ELKINS LANE, HARLOW BUILDING
AUGUSTA, ME 04333



PHONE: (207) 287-8061
WWW.MAINE.GOV/DACF/MUNICIPALPLANNING

Municipal Planning Assistance Program

Coastal Communities Grant Application

Coastal Resiliency Community and Stakeholder Engagement

City of Bath, Maine

Project Summary: The City of Bath is seeking a Coastal Community Grant to advance their flood vulnerability risk assessment and adaptation project from the Vulnerability Assessment stage through conceptual design of a pilot project for flood adaptation. The funds from this project will be spent on creating an ArcGIS StoryMap and a community survey to convey flood risk and gather input on preferred adaptation methods, holding community and stakeholder engagement sessions to review the results of the Vulnerability Assessment project and further discuss preferred adaptation methods and project locations, and deciding on a pilot project and bringing it to conceptual design. We will be working with partnering organizations in Bath to broaden engagement to vulnerable populations within the city and utilize their input in our planning recommendations and scenarios. This project will incorporate climate change scenarios by using "commit to manage" and "prepare to manage" sea level rise scenarios and increased precipitation amounts.

Total Project Cost: \$67,864

Grant Request Amount: \$44,414

Total Match Proposed and Source: \$5,000 in cash match from the City of Bath; \$3,500 from the GOPIF CRP City of Bath Vulnerability Assessment, \$3,000 from the Gulf of Maine Research Institute, Climate Finance Specialist, and \$14,950 donated contractual labor.

Project Manager:

Rod Melanson
55 Front Street
Bath, ME 04530
207-443-8363

Project Partners:

KELT, BIW, Bath Housing Authority, Habitat for Humanity

Project Start and End Dates:

August 28, 2023 to December 31, 2024.

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1.2	Project Goals	3
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2.	Project Budget	8

Tables

1. Budget by Task
2. Budget Estimates by Cost Category
3. Source & Types of Match

Appendices

- A. Resumes
- B. Letters of Support
- C. Vulnerability Assessment Scope of Work
- D. Cultural Non Governmental Organizations

1. Project Description

1.1 Introduction

The City of Bath is seeking a Coastal Communities Grant to expand the scope of the existing flood vulnerability assessment that is being completed by GEI Consultants, Inc. (GEI) and funded through a Governor’s Office of Policy Innovation and the Future (GOPIF) Community Action Grant. GEI is completing in-depth hydraulic modeling of the Kennebec River to evaluate flood levels for coastal storms, sea level rise, and riverine events for present-day sea level conditions as well as for conditions anticipated in 2050 and 2100 under the “commit to manage” and “prepare to manage” scenarios as identified by the Maine Climate Council. GEI’s approach, including the scope of work, for the Vulnerability Assessment project is attached to this application and provides more details on the goals for the project that is underway.

The City of Bath is seeking to enhance the current Vulnerability Assessment project by diving deeper into the results of the Vulnerability Assessment, anticipated to be available in August 2023, with the public, local officials, and stakeholders to increase knowledge of flood risk and home in on desired next steps for flood adaptation. If this project is awarded, it will be a portion of the larger overall project goal of increasing climate change resilience in the City of Bath by implementing flood adaptation projects. The current Vulnerability Assessment seeks to understand the risk and identify when and where adaptation should occur. This project would fund community, stakeholder, and local official engagement to make informed decisions about priority adaptation projects and methods.

The Bath Climate Action Commission will provide citizen based steering committee guidance for this effort. This project dovetails with their ongoing community engagement efforts, their Resilient Bath Initiative, and their successful Climate Conversation Community Forum series.

Future work will include bringing design plans to final design and implementing flood adaptation projects.

The three Maine Coastal Program goals that this project aims to address are:

1. Building community resiliency to adapt to a changing climate.
2. Planning for green infrastructure.
3. Preparing for flooding, sea level rise, coastal storms and storm surge, and shoreline erosion.

The current Vulnerability Assessment has had a successful public meeting co-hosted by the Kennebec Estuary Land Trust (KELT) and the Patten Free Library. A recording of the event is available to view on the KELT website, here: <https://www.kennebecestuary.org/virtual-learning-library>

KELT works with the community of Bath on land conservation and stewardship projects. KELT has deep roots in the community and has worked to connect people to nature for over thirty years. The Land Trust will provide project support as a partner on this grant to engage the community in communication and outreach strategies.

Bath is fortunate to have an abundance of environmental, cultural, and non-governmental organizations¹ that have a working relationship with City Hall. According to the Miane Social Vulnerability Index we are a medium social vulnerability level community. While inclusion of vulnerable populations is a desired outcome for municipal planning efforts, it is critical to have a network of partnering organizations.

For this effort, we want to focus on providing complex climate planning scenarios in a user friendly manner that is able to reach multiple audiences. We anticipate utilizing identified organizations as a tool to reach vulnerable/ underserved populations within the City for conveying this information, and receiving valuable input for final planning recommendations.

For this next phase of the project, the City of Bath has focused additional support from Bath Iron Works (BIW), Habitat for Humanity, and Bath Housing. These organizations have been identified as major partners for this effort due to their overall involvement in the City day to day activities, and their ability to reach targeted audiences for this effort. These organizations offer differing and unique angles to issues that will be faced with a changing climate. Bath Housing and Habitat for Humanity offer expertise in all things related to affordable housing, and may assist in identifying issues that directly impact this demographic (with expansive and differing audiences), while Bath Iron Works is anticipated to provide guidance on how major industrial working waterfront issues are identified and their employment base is preserved under future sea level rise scenarios.

¹ Appendix D – Environmental Cultural Non Governmental Organizations – City of Bath Draft Comp Plan 2023 (attached)

1.2 Project Goals

There are three main goals for this project:

1. Enhance community education, participation, and stakeholder engagement in flood risk by reviewing the Vulnerability Assessment results, participating in a community science project, and deciding on next steps for flood adaptation.
2. Engage with local officials to complete the Maine Flood Resilience Checklist.
3. Decide on a pilot project for flood adaptation for the City of Bath, bring the pilot project through conceptual design, and identify next steps for project completion.

A robust community, stakeholder, and local official engagement process will be part of this project and will serve to identify the vulnerable assets that are priorities for adaptation. The current Vulnerability Assessment project that is underway will identify which assets are at risk of flooding for each timeframe (present day, 2050, and 2100). This proposed project will continue on the existing efforts by identifying which of the vulnerable assets should be prioritized and the preferred adaptation methods based on engagement with the community, stakeholders, and local officials. Project prioritization will consider assets that are critical for disadvantaged community members. These assets will be identified during the current Vulnerability Assessment and further refined through the community and municipal staff engagement process as part of this study.

At the end of this project, we anticipate having an online, interactive ArcGIS StoryMap that conveys the results of the Vulnerability Assessment data to the public in an easy-to-understand format. The website will include narratives that support community members in not just using the website to explore the vulnerabilities of the place-specific locations they are interested in, but in considering the complex impacts of flooding to their community as a whole. The website will be used as a means of collecting input from community members about which at-risk community assets they most value and what climate actions they would like to see in their community.

As an outcome of this project, we also plan on joining the GMRI Coastal Flood Community Science project. Here, coastal communities engage their residents in making observations of high water, or evidence of high water, and contribute photographs, weather observations, impacts to their community and personal narrative about changes they have observed over time. This process builds community awareness of past and current flood impacts, provides the City with local data and community input to inform decisions, and is used by the National Weather Service to ground truth flood models and provide more timely flood alerts. This will work to address the Maine Coastal Program goal of building community resilience.

Additionally, municipal staff will be engaged in the project to complete the Maine Flood Resilience Checklist. This will help identify gaps and priorities when it comes to municipal flood resilience and preparedness. We will use the results from this exercise as input for adaptation prioritization projects.

The final goal of this project will be to decide upon a pilot adaptation project to move forward with for the City of Bath. The project will be decided upon using the results of the Vulnerability Assessment and through the community, municipal, and stakeholder engagement process as part of this study. The pilot project will be taken through conceptual design and with cost estimates for completion. Next steps for project implementation will be identified, such as grant funding to bring the project through the next phase of design, permitting, and to completion.

It is the City's desire to be transparent with the project goals, methods, and outcomes so that the process from vulnerability assessment to project identification and completion can be replicated by surrounding municipalities. To this effort, public engagement events and project products will be advertised throughout the region and state with neighboring communities invited to join and participate.

1.3 Methods

To complete this project, the City will expand the scope of their existing project with GEI. GEI will bring on GMRI as a subconsultant and the two firms will work together to address the project goals. The two firms will meet the goals of this project by performing the following scope of work:

- 1. Create an ArcGIS StoryMap.**
GMRI will create an online, interactive, ArcGIS StoryMap as a means for easy, but detailed, conveyance of information to the public. The ArcGIS StoryMap will initially include the results of the Vulnerability Assessment and will be updated to include community-contributed data of flood observations and geo-located narratives of the climate adaptation option provided by GEI.
- 2. Develop a community survey.**
GMRI will develop a community survey for community members to inform climate action planning. The survey will seek to determine preferred areas, assets, and/or infrastructure to focus on for flood adaptation in the City of Bath. The survey will also allow participants to share preferred adaptation methods, such as retreat, fortify, or do-nothing.
- 3. Host a hybrid public event.**
GEI and GMRI will co-present the Vulnerability Assessment results and share the ArcGIS StoryMap at a September 2023 public event. The community survey and the Coastal Flood Community Science Project will be introduced at this event.
- 4. Participate in the Coastal Flood Community Science Project.**
GMRI will include the City of Bath in their Coastal Flood Community Science Project. This

community science project will be introduced at the public event and community members will be able to participate immediately.

5. Complete the Maine Flood Resilience Checklist.

An outcome of this project will be completion of the Maine Flood Resilience Checklist. Municipal staff will be engaged to complete the checklist, with guidance and input from the Vulnerability Assessment and results.

6. Hold stakeholder meetings.

The City of Bath, GEI, and GMRI, will hold stakeholder meetings with municipal staff, residents, businesses, and industries identified as at-risk to flooding from the results of the Vulnerability Assessment. These meetings will be used to look at the vulnerability assessment results in-depth and begin the conversation around next steps in terms of flood adaptation. Stakeholders will be encouraged to participate in the community survey.

7. Prepare a project report.

GEI will work with the City to prepare a report that summarizes the community, local official, and stakeholder engagement process. The report will identify a sequence of next steps and action items for adaptation projects and/or policy implementation, to include the identification of possible federal or state funding to advance the adaptation project.

8. Introduce a Pilot Project.

The final task will be to decide on a pilot project for flood adaptation for the City of Bath and advance the project through conceptual design and provide clear next steps for final design and adoption. The decision for the pilot project will be based on the Vulnerability Assessment results, the community survey, the stakeholder engagement process, and the completed Maine Flood Resilience checklist. The City will engage with GEI for preparation of conceptual designs. The final product will be conceptual designs with clear next steps for bringing the project to completion, such as identifying grant funding and required permit applications.

1.4 Climate Change Considerations

The current Vulnerability Assessment underway is evaluating the risk of flooding due to storm surge, sea level rise, and extreme riverine events. There are a total of 15 flooding scenarios being examined, which cover a range of scenarios from present-day sea level conditions to sea level conditions expected in 2050 and 2100 under the “commit to manage” and “prepare to manage” scenarios. In addition to sea level rise, the Vulnerability Assessment is evaluating 100-yr coastal storm surge events and 100-yr riverine flow events, with estimated increases in the 100-yr riverine flow rates due to future precipitation trends. The 15 scenarios being studied are summarized in the figure below:

Coastal Communities Grant Application
 Coastal Resiliency Community and Stakeholder
 Engagement
 City of Bath, Maine

	Timeframe	SLR Amount (ft)	Tidal Conditions	Riverine Flows	Mapping Scenario
	Present Day	0	Average	Average	1
			100-yr	Average	2
			100-yr	100-yr	3
" Commit to Manage"	2050	1.5	Average	Average	4
			100-yr	Average	5
			100-yr	100-yr ¹	6
	2100	3	Average	Average	7
			100-yr	Average	8
			100-yr	100-yr ²	9
" Prepare to Manage"	2050	4	Average	Average	10
			100-yr	Average	11
			100-yr	100-yr ¹	12
	2100	8.8	Average	Average	13
			100-yr	Average	14
			100-yr	100-yr ²	15

¹ river flows increased by 25%

² river flows increased by 50%

1.5 Project Tasks and Schedule

Please refer to Section 1.3 for a detailed description of the Scope of Work and project tasks for this project. Provided below is a summary table of each task, the responsible party, and the start dates and completion dates. This schedule assumes that work can begin by August 28, 2023.

Project Task	Responsible Party	Start Date	Completion Date
1. Create an ArcGIS StoryMap	GMRI	August 28, 2023	September 29, 2023
2. Develop a community survey	GMRI	August 28, 2023	September 29, 2023
3. Host a hybrid public event	GMRI/GEI/City of Bath	August 28, 2023	September 29, 2023
4. Participate in the Coastal Flood Community Science Project	GMRI	August 28, 2023	December 31, 2024*
5. Complete the Maine Flood Resilience Checklist	GMRI/GEI/City of Bath	August 28, 2023	March 11, 2023
6. Hold stakeholder meetings	GMRI/GEI/City of Bath	September 29, 2023	March 11, 2023
7. Prepare a project report	GMRI/GEI	March 11, 2023	July 22, 2023
8. Introduce a Pilot Project	GEI/City of Bath	July 22, 2023	December 31, 2024

* Note: The City's participation in the Coastal Flood Community Science Project will continue beyond the length of this project

2. Project Budget

Table 1. Cost breakdown estimates for the Coastal Communities Grant Application.

Table 1 Budget by Task

Task	Task Description	Deliverables	Task to be Completed By	Federal Funds Requested	Non-Federal Match	Total Cost
1	Create an ArcGIS StoryMap	ArcGIS StoryMap	GMRI	\$1,730	\$800 (in kind) \$2775 (cash)	\$5,305
2	Develop a community survey	Survey Results	GMRI	\$1,384	\$1,500	\$2,884
3	Host a hybrid public event	Presentation Recording	GMRI/GEI/City of Bath	\$0	\$4,225	\$4,225
4	Participate in the Coastal Flood Community Science Project	City of Bath joining the Coastal Flood Community Science Project	GMRI	\$5,722	\$1,200	\$6,922
5	Complete the Maine Flood Resilience Checklist	Completed Maine Flood Resilience Checklist for the City of Bath	GMRI/GEI/City of Bath	\$2,828	\$3,500	\$6,328
6	Hold stakeholder meetings	Attendance list, meeting minutes	GMRI/GEI/City of Bath	\$11,942	\$2,200	\$14,142
7	Prepare a project report	Project Report	GMRI/GEI	\$5,808	\$800	\$6,608
8	Introduce a Pilot Project	Conceptual Designs and Memo	GEI/City of Bath	\$15,000	\$6,450	\$21,450
Totals:				\$44,414	\$23,450	\$67,864

Table 2. Budget Estimate by Cost Category

Table 2 Budget Estimates by Cost Category

Cost Category	Fund Source		Total Cost
	CCG Grant	Non-Federal Match	
Personell (Applicant & Partners)	\$ 43,797	\$ 22,700	\$ 66,497
Fringe Benefits (only applicable to applicants personell to be funded by CCG grant)			\$ -
Indirect (only applicable to applicants personell to be funded by CCG grant)		\$ 750	\$ 750
Travel	\$ 417		\$ 417
Equipment			\$ -
supplies	\$ 200		\$ 200
Contractual			\$ -
Other (specify)			
Total	\$ 44,414	\$ 23,450	\$ 67,864

Coastal Communities Grant Application
 Coastal Resiliency Community and Stakeholder
 Engagement
 City of Bath, Maine

Table 3. Types & Sources of Match

Table 3		Source and Types of Match		
Source of Match	Cash	In-Kind	Total	
City of Bath	\$5,000	\$11,950	\$16,950	
Maine GOPIF CRP	\$3,500		\$3,500	
GMRI		\$3,000	\$3,000	
Totals	\$8,500	\$14,950	\$23,450	

Coastal Communities Grant Application
Coastal Resiliency Community and Stakeholder
Engagement
City of Bath, Maine

Appendix A

Resumes

Coastal Communities Grant Application
Coastal Resiliency Community and Stakeholder
Engagement
City of Bath, Maine

Appendix B

Letters of Support

Coastal Communities Grant Application
Coastal Resiliency Community and Stakeholder
Engagement
City of Bath, Maine

Appendix C

GEI Vulnerability Assessment Scope and Methods

Coastal Communities Grant Application
Coastal Resiliency Community and Stakeholder
Engagement
City of Bath, Maine

Appendix D

Environmental Cultural Non Governmental Organizations

ORDER

THE CITY COUNCIL OF THE CITY OF BATH VOTE TO ELECT A VICE PRESIDENT AND THREE EXECUTIVE COMMITTEE MEMBERS TO THE MAINE MUNICIPAL ASSOCIATION'S EXECUTIVE COMMITTEE.



MAINE MUNICIPAL ASSOCIATION SINCE 1936

60 Community Drive | Augusta, ME 04330-9486
1-800-452-8786 (in state) | (t) 207-623-8428

TO: Key Municipal Officials of MMA Member Cities, Towns and Plantations

FROM: Catherine Conlow, MMA Executive Director

DATE: July 7, 2023

SUBJECT: MMA Annual Election - Vice President and Executive Committee Members

Deadline: Friday, August 18, 2023, by 12:00 noon

Nomination Process – Each year member municipalities have an opportunity to vote in the election of the proposed MMA Vice President and municipal officials to serve on the MMA Executive Committee. A five-member Nominating Committee was appointed in March to review nominations submitted by municipal officials and conduct interviews with those municipal officials qualifying for and interested in serving as the MMA Vice President and on the MMA Executive Committee. The MMA Nominating Committee completed its task in May and put forth the 2024 Proposed Slate of Nominees to member municipalities.

Petition Process – As part of the May mailing, information was also provided on the MMA Petition Process. Pursuant to the MMA Bylaws, nominations may also be made by Petition signed by a majority of the municipal officers in each of at least 5 member municipalities. The deadline for receipt of nominations by petition was Friday, July 7, by 4:30 pm. There were no municipal officials nominated by petition.

It is now time for each member municipality to cast its official vote.

Election Process – Enclosed you will find the MMA Voting Ballot which includes the proposed Slate of Nominees to serve on the MMA Executive Committee as selected by the MMA Nominating Committee. A brief biographical sketch on each nominee listed on the MMA Voting Ballot is enclosed for your reference. You will note that unlike municipal elections, MMA does not provide for “*Write-in Candidates*” since our process includes an opportunity to nominate a candidate by petition, as noted above.

The MMA Voting Ballot must be signed by a majority of the municipal officers or a municipal official designated by a majority of the municipal officers, and received by the Maine Municipal Association by 12:00 noon on Friday, August 18, 2023. We have enclosed a self-addressed self-stamped envelope for your convenience. MMA Voting Ballots will be counted that afternoon and the election results confirmed under the direction of MMA President Elaine Aloes, Chair of the Selectboard, Town of Solon.

Election results will be available by contacting the MMA Executive Office or by visiting the MMA website at www.memun.org the following Monday. A formal announcement of the election results will be made at the MMA Annual Business Meeting being held on Wednesday, October 4. Newly elected Executive Committee members will be introduced at the MMA Awards Luncheon as well as the MMA Annual Business Meeting and will officially take office on January 1, 2024.

If you have any questions on the Election Process, please contact me or Theresa Chavarie at 1-800-452-8786 or in the Augusta area at 623-8428, or by e-mail at tchavarie@memun.org. Thank you.

2





MAINE MUNICIPAL ASSOCIATION

VOTING BALLOT

Election of MMA Vice President and Executive Committee Members

Deadline for Receipt of Voting Ballots – 12:00 noon on Friday, August 18, 2023

VICE-PRESIDENT - 1 YEAR TERM

Vote for One

Proposed by MMA Nominating Committee:

Melissa Doane, Town Manager, Town of Bradley

EXECUTIVE COMMITTEE MEMBERS - 3 YEAR TERM

Vote for Three

Proposed by MMA Nominating Committee:

Shiloh LaFreniere, Town Manager, Town of Jay

Nathaniel Rudy, Town Manager, Town of Gray

Dina Walker, Selectperson, Town of Weld

Please note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since our process includes an opportunity to nominate a candidate by petition.

The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers of each Municipal member.

Date: _____

Municipality: _____

Signed by a Municipal Official designated by a majority of Municipal Officers:

Print Name: _____

Signature: _____

Position: _____

OR Signed by a Majority of Municipal Officers

Current # of Municipal Officers: _____

Print Names:

Signatures:

Return To:

*MMA Annual Election
Maine Municipal Association
60 Community Drive
Augusta, Maine 04330
Email: chava@teammunicipal.org*

**MAINE MUNICIPAL ASSOCIATION
BIOGRAPHICAL SKETCH OF
PROPOSED SLATE OF NOMINEES FOR 2024 EXECUTIVE COMMITTEE**

**MMA VICE PRESIDENT
(1-Year Term)**

MELISSA DOANE (TOWN MANAGER, TOWN OF BRADLEY)

Professional & Municipal Experience:

- Town Manager, Clerk, Treasurer, Tax Collector, General Assistance Administrator, Registrar of Voters and Road Commissions, Town of Bradley, Maine (2005 – present)
- Membership Coordinator, GrowSmart of Maine (2016 – 2020)
- Secretary/Administrative Assistant, Roy Associates, CPAs (2004 – 2005)
- Administrative Assistant/Town Agent, Town of Bradley, Maine (1998 – 2004)
- Coor, Clinical Operations/Secretary/Patient Accounts/Registrations, Neurology Associates, (1994 – 1998)
- Secretary/Receptionist, Dr. James Iannetta Medical Office (1991 – 1994)

Other Experience, Committees and Affiliations:

- Member, MMA Executive Committee (2019 – present)
- Member, MMA Property & Casualty Pool Board of Directors (2019 – present)
- Member, MMA Workers Compensation Fund Board of Trustees, (2019 – present)
- Member, MMA Strategic & Finance Committee (2019 – present)
- Member, Executive Board, Municipal Review Committee (2021 – present)
- Member, Executive Board, Maine Town, City & County Management Association (2016 – present)
- Co-Chair Membership Committee, Maine Town, City & County Management Association (2016 – 2020)
- Chair, Sponsorship Committee, Maine Town, City & County Management Association (2020)
- Member, Maine Town, City & County Management Association (2005 – present)
- Member, Maine Town & City Clerks Association
- Member, Maine Municipal Tax Collectors & Treasurer Association
- Member, Maine Welfare Directors Association
- President, Executive Board, Living History Museum, Maine Forest and Logging Museum

Education:

- Business Management Studies, Husson College
- Associate degree, Business Management, Beal College
- Associate degree, Office Management, Beal College
- Associate College Preparation, Foxcroft Academy

Awards and Certifications:

- Certified Municipal Manager, Maine Town, City & County Management Association
- Rookie of the Year Award, Maine Town, City & County Management Association (2009)
- State of Maine Notary
- State of Maine Dedimus Justice

MMA EXECUTIVE COMMITTEE MEMBERS
(3-Year Terms)

SHILOH LaFRENIERE (TOWN MANAGER, TOWN OF JAY)

Professional & Municipal Experience:

- Town Manager, Town of Jay (2014 - present)
- Treasurer, North Jay and Jay Village Water District (2005 - 2022)
- Code Enforcement Officer, Town of Jay (1997 - 2014)
- Environmental Cod Administrator, Town of Jay (1997 - 2010)
- Wellness Coordinator, Town of Jay (2005 - 2014)
- E911 Addressing Officer, Town of Jay (2010 - 2014)
- Deputy Finance Director, Town of Jay (2012 - 2014)

Other Experience, Committees and Affiliations:

- Institute for Civic Leadership, Maine Development Foundation (2022)
- Member, Maine Town, City & County Management Association (2014 - present)
- Maine Town, City and County Management Association, Ethics Committee (2020 - present) and Membership Services Committee (2021 - present)
- Androscoggin Valley Council of Governments, Vice President (2022 - present); Executive Committee (2019 - present)
- Past Member of the State of Maine Technical Building Codes and Standards Boards (2008 - 2014)
- NorthStar Ambulance Advisory Board (2014 - present)
- Member, Jay-Livermore-Livermore Falls Chamber of Commerce (2014 - present)

Education:

- BS in Business Management, Liberty university, Lynchburg, VA (December 1996)

Awards and Certifications:

- Rising Star Award, Maine Town, City & County Management Association (2017)
- State of Maine Notary

NATHANIEL RUDY (TOWN MANAGER, TOWN OF GRAY)

Professional & Municipal Experience:

- Town Manager, Town of Gray (2021 - present)
- City Manager, City of Hallowell (2016 - 2021)
- Executive Director, Waterville Creates (2014 - 2016)
- Director of Planning and Development, City of Gardiner (2011 - 2014)
- Business Development Specialist (2010 - 2011)

Other Experience, Committees and Affiliations:

- Member, Maine Municipal Association Legislative Policy Committee (2018 - 2021; 2022 - present)
- Member, Governor's Commission on Volunteerism aka Volunteer Maine (2020 - 2023)
- Board of Directors, Maine Council on Aging (2019 - 2023)
- Program Advisory Committee, University of Maine School of Architecture (2016 - present)
- Board of Directors, EcoMaine (2021 - 2022)
- Board of Directors and Treasurer, Kennebec Valley Humane Society (2019 - 2021)
- Board of Directors, Delta Ambulance (2017 - 2021); Vice President (2020 - 2021); Finance Committee (2019 - 2021)
- General Assembly, Kennebec Valley Council of Governments (2016 - 2017 and 2020 - 2021); Secretary of Executive Committee (2016 - 2017)
- Board of Directors, Independent Retailers Shared Services Collaborative (2012 - 2021); Treasurer (2012 - 2021)
- Board of Directors, Maine Craft Association (2012 - 2018; Vice President, 2014 - 2018)

NATHANIEL RUDY (TOWN MANAGER, TOWN OF GRAY) (continued)

- Executive Director and Board Secretary, Gardiner Board of Trade (2011 - 2014)
- International City / County Managers Association
- Maine Town / City / County Managers Association
- Maine Association of Realtors (2013 to 2020)

Education:

- Master of Business Administration, 4.0 GPA, Thomas College, Waterville, Maine
- B.S., Environmental Science and Engineering, Cum Laude, 3.5 GPA
- Virginia Polytechnic Institute and State University (Virginia Tech), Blacksburg, Virginia
- Harvard Kennedy School Executive Education Program, Negotiation Strategies (2023)
- Harvard Kennedy School Executive Education Program, State and Local Government (2019)
- New England Economic Development Course, Thomas College (2010)
- Graduate studies in Civil and Environmental Engineering, Virginia Tech

Awards and Certifications:

- Certified Manager, International City / County Managers Association (2023)
- Certified Manager, Maine Town / City / County Manager Association (2019 - 2025)
- Community Development Block Grant Administrator (2018)
- Build Maine Conference Team, Lewiston, Maine (2017 - 2021)
- CityWorks(X)po Conference Fellow, Roanoke, Virginia (2017)
- Maine Licensed Real Estate Broker (2013 - 2020)
- Lead on several Grant Awards (*e.g.*, *US Environmental Protection Agency Brownfields Assessment grant; Maine Bureau of Parks and Lands Submerged Lands Program, Harbor Management and Access Grant Program; Maine Centers for Disease Control and Prevention, Keep ME Healthy grant; Hallowell Fire Station construction grant, private and donation; American Association of Retired People Age-Friendly Community Assessment grant; Harold Alford Foundation grant; Orton Family Foundation Heart & Soul Community Planning grant; National Park Service Preserve America grant, etc.*)

DINA WALKER (SELECTPERSON, TOWN OF WELD)

Professional & Municipal Experience:

- Selectperson, Assessor and Overseer of the Poor, Town of Weld (2021 – current)
- Election Day Volunteer, Town of Weld (2019 – current)
- Partner, Jones Day (Law Firm), Beijing, China (2016 – 2018)
- International Partner, King & Wood Mallesons (Law Firm), Beijing, China (2012 – 2016)
- Managing Associate, Linklaters LLP (Law Firm), Beijing, China (2011 – 2012)
- Senior Associate, Dewy & LeBoeuf LLP (Law Firm), Beijing, China and Houston, Texas (2009 – 2011)
- Associate, Baker & Daniels, LLP (Law Firm), Indianapolis, Indiana (2005 – 2009)
- Judicial Law Clerk, the Honorable Richard K. Eaton, US Court of International Trade (2004 – 2005)

Other Experience, Committees and Affiliations:

- *Rutgers Law Review*, Editor-in-Chief (2003 – 2004)
- Founder and Organizer, Women's International Forum on Energy (2013 -2016)

Education:

- Rutgers University School of Law, Newark, New Jersey, J.D. (2004)
- University of Pennsylvania, Philadelphia, Pennsylvania, B.A., International Relations (2000)

Awards and Certifications:

- *The Legal 500 (2016)*: “Highly Recommended” Lawyer In the Areas of Projects and Energy (China)
- State of New York, Bar Admission (retired)
- State of Indiana, Bar Admission (inactive)



BATH
MAINE *City of Ships*

FINANCE DEPARTMENT

Juli Millett
Finance Director/Asst. City Manager
jmillett@cityofbath.com

July 24, 2023

TO: Chair Bell and Bath City Council
FROM: Juli Millett, Finance Director and Assistant City Manager

RE: Proposed Order Authorizing Bond Ordinance General Obligation Bonds in the Amount of \$5,000,000 to finance street, road and sidewalk reconstruction to be put on Municipal Ballot for vote at the November 7, 2023 Election

CC: Marc Meyers, City Manager

The City is proposing a bond in the amount of \$5 million be put to the voters in November 2023 to fund street and sidewalk improvements for the next 4-6 years. A bond is an appropriate vehicle to fund these long term, long-life, capital expenses. A voter-accepted bond has the benefit of indicating the public's acceptance and support of the importance of continued investment in the City's infrastructure and includes some financial benefits not available to a council-approved bond expenditure plan.

The bond will be used to fund street and sidewalk improvements including safety upgrades throughout the city. Staff has done preliminary investigation to generate a broad cost estimate for sizing the bond request. If the bond is approved by the voters, more detailed investigations and planning will be necessary to identify a list of streets and sidewalks for improvements.

An approved bond also provides a funding source for the City to leverage additional funds available through grant programs with other entities such as the Maine Department of Transportation. There are already two projects in the Route 1 corridor that will require the City to provide matching funds.

There is extensive precedent for the City to fund these types of infrastructure improvements through voter-approved bonds.

Proposed Order Authorizing Bond Ordinance General Obligation Bonds in the Amount of \$5,000,000 to finance street, road and sidewalk reconstruction to be put on Municipal Ballot for vote at the November 7, 2023, Election (public hearing)

ORDER

Be it ORDERED by the City Council of the City of Bath as follows:

Pursuant to and in accordance with Chapter VIII, Section 1002, Section 1014, and Section 617 of the Bath City Charter, the following proposition for the enactment of an Ordinance funding street, road and sidewalk reconstruction, said Ordinance being attached hereto or included with the minutes of this meeting as Attachment A, be submitted to the voters of the City of Bath at a municipal referendum election to be held on Tuesday, November 7, 2023:

“Shall a Bond Ordinance be Enacted Authorizing General Obligation Bonds in the Amount of \$5,000,000 to finance street, road and sidewalk reconstruction?”

The Bond question shall also contain a Treasurer’s Statement as required under 30-A M.R.S. § 5772(2-A).

BOND ORDINANCE

Authorizing General Obligation Bonds in the Amount of \$5,000,000 to finance street, road and sidewalk reconstruction

Be it ORDAINED by the City of Bath as follows:

- Section 1. That the City Treasurer is hereby authorized, in the name of and on behalf of the City, to borrow up to \$5,000,000 for the purpose of funding street, road and sidewalk reconstruction, (the "Project").
- Section 2. That under and pursuant the City Charter and 30-A M.R.S. § 5772 and all other authority thereto enabling, to evidence such borrowing, there is hereby authorized the issuance and sale of the City's general obligation bonds, at one time and from time to time, in an amount not to exceed \$5,000,000, plus additional premium, the proceeds of which, including premium, if any, and investment earnings thereon, may be used and are hereby appropriated to pay the costs of the Project.
- Section 3. That the City Treasurer is hereby authorized to issue temporary notes of the City in anticipation of the forgoing bond issue.
- Section 4. That any and all bonds or notes in anticipation thereof issued pursuant to this Ordinance are issued pursuant to Section 1014 and Chapter 8 of the City Charter and shall be signed by the City Treasurer and countersigned by the Chair of the City Council and the City Manager, sealed with the seal of the City, and attested by its Clerk.
- Section 5. That any and all bonds issued pursuant to this Ordinance shall be payable in annual installments, which need not be equal, pursuant to Section 807 of the City Charter.
- Section 6. That the term of any bonds issued pursuant to this Ordinance shall not exceed 21 years.
- Section 7. That the City Treasurer shall determine the date or dates, maturities (not to exceed the maximum term specified above), denominations, interest rate or rates and any other details of any bonds or any notes in anticipation thereof to be issued pursuant to this Ordinance, such approval to be conclusively evidenced by her execution thereof.
- Section 8. That the bonds or notes in anticipation thereof issued pursuant to this Ordinance shall be general obligations of the City, backed by the full faith and credit and taxing power of the City.
- Section 9. That pursuant to 30-A M.R.S. § 5772(6), the City Treasurer is hereby authorized to make any bonds or notes in anticipation thereof issued pursuant to this Ordinance

subject to call for redemption with or without premium prior to the stated maturity date at the election of the City.

- Section 10. That the City Treasurer be and hereby is authorized and directed to covenant and certify in the name of and on behalf of the City that no part of the proceeds of the issuance and sale of the bonds or notes authorized to be issued hereunder or the Project financed therewith shall be used directly or indirectly in a manner that would cause such bonds or notes to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 141 and 148 of the Internal Revenue Code of 1986, as amended (the "Code").
- Section 11. That the City Treasurer is hereby authorized to take all such action as may be necessary to designate any bonds or notes in anticipation thereof issued pursuant to this Ordinance (to the extent such designation is available) as qualified tax-exempt obligations for purposes of Section 265(b) of the Code.
- Section 12. That the term "cost" or "costs" as used herein and applied to the Project, or any portion thereof, includes, but is not limited to: (1) the cost to design, construct, renovate, refurbish, improve, acquire, replace, furnish and equip the Projects; (2) the cost of land, easements and other real property interests, landscaping and site preparation, utility extensions, all appurtenances and other fixtures, facilities, buildings and structures either on, above, or under the ground which are used or usable in connection with the Projects; (3) the cost of feasibility studies, surveys, environmental studies and assessments, engineering, plans and specifications, legal and other professional services associated with the Projects; (4) issuance costs, including premiums for insurance, capitalized interest and other financing charges, fees and expenses relating to the financing transaction.
- Section 13. That in the event the City Treasurer elects to issue such bonds through the Maine Municipal Bond Bank (the "Bond Bank"), that the City Treasurer and the Chair of the City Council and the City Manager be and hereby are authorized, on behalf of the City, to enter into a loan agreement with the Bond Bank in conjunction with the issuance of the bonds, in the aggregate principal amount not to exceed \$5,000,000 with a term not to exceed the term of the bonds, said loan agreement to be in the usual and ordinary form utilized by the Bond Bank in connection with the applicable loan program, which is hereby approved, and to contain such other terms and provisions, not contrary to the general tenor hereof, as the City Treasurer may approve, her approval to be conclusively evidenced by the execution thereof.
- Section 14. That the City Treasurer is authorized to do or cause to be done all such acts and things, and to execute and deliver any and all contracts, agreements, certificates, and other documents as may be necessary or advisable, including but not limited to an Arbitrage and Use of Proceeds Certificate and a Continuing Disclosure Agreement, to carry out the provisions of this Ordinance in connection with the issuance and delivery by the City of the bonds or notes in anticipation thereof.

- Section 15. That if the City Treasurer, Chair of the City Council, City Manager, or Clerk are for any reason unavailable to approve, execute and deliver the bonds or notes in anticipation thereof issued pursuant to this Ordinance, any loan agreement or any related financing documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had himself or herself performed such act.
- Section 16. That if any of the officers or officials of the City who have signed or sealed the bonds or notes hereinbefore authorized shall cease to be such officers or officials before the bonds or notes so signed and sealed shall have been actually authenticated or delivered by the City, such bonds or notes nevertheless may be authenticated, issued, and delivered with the same force and effect as though the person or persons who signed or sealed such bonds notes had not ceased to be such officer or official; and also any such bonds or notes may be signed and sealed in the name of and on behalf of the City by those persons who, at the actual date of the execution of such bonds or notes, shall be the proper officers and officials of the City, although at the nominal date of such bonds or notes any such person shall not have been such officer or official.
- Section 17. That during the term any of the bonds authorized hereby are outstanding, the City Treasurer is hereby authorized, in the name and on behalf of the City, to issue and deliver refunding bonds on either a current or advance refunding basis, to refund some or all of the bonds then outstanding, and to determine the date, form, interest rate, maturities (not to exceed the maturity of the original bonds to be refunded) and all other details of such refunding bonds, including the form and manner of their sale and award. The City Treasurer is hereby further authorized to provide that any of such refunding bonds hereinbefore authorized be made callable, with or without premium, prior to their stated date(s) of maturity, and each refunding bond issued hereunder shall be signed by the City Treasurer and countersigned by the Chair of the City Council and the City Manager, sealed with the seal of the City, and attested by its Clerk.
- Section 18. That in accordance with Sections 221 and 1014 of the City Charter, this Ordinance shall become effective upon a favorable vote of a majority of those voting thereon at a referendum election to be called by the City Council.



BATH

MAINE *City of Ships*

FINANCE DEPARTMENT

Juli Millett
Finance Director/Asst. City Manager
jmilllett@cityofbath.com

July 24, 2023

TO: Chair Bell and Bath City Council
FROM: Juli Millett, Finance Director and Assistant City Manager

RE: Proposed Order Authorizing Bond Ordinance General Obligation Bonds in the Amount of \$24,653,000 to finance Upgrades to the Water Pollution Control Facility, Pump Stations, Wastewater Collection System, and removal of Combined Sewer Overflows to be put on Municipal Ballot for vote at the November 7, 2023, Election

CC: Marc Meyers, City Manager

The City Council will be voting on sending a proposed bond ordinance to the voters on November 7, 2023, in the amount of \$24,653,000 to cover sewer related projects over the next five years.

Wright Piece has presented to council on both the CSO Master Plan Study and the Fiscal Sustainability Plan (copy attached). There is a lot of work to do for both. The CSO Master Plan alone is more than \$15 Million. A funding plan was presented to council in budget workshops and is before you for approval to send to the voters. Sewer fees were increased 10% on July 1, 2023, to begin to cover the costs of these upgrades and replacements and the fees are planned to increase over the next five years.

In 2022, voters approved charter amendments and council approved TIF amendments that will allow more than \$9M of TIF revenue support for these projects. With a \$4M grant and TIF funding, the five-year need of \$37.803,000 is reduced to the bond amount of \$24,653,000 (See table below).

Year	Year 1	Year 2	Year 3	Year 4	Year 5	TOTAL
WPCF	\$ -	\$ 1,808,000	\$ 485,000	\$ 2,967,000	\$ 594,000	\$ 5,854,000
Pump Stations	\$ 249,000	\$ 718,000	\$ 2,025,000	\$ 1,110,000	\$ 3,442,000	\$ 7,544,000
Collection System	\$ 808,000	\$ 3,264,000	\$ 915,000	\$ 3,795,000	\$ -	\$ 8,782,000
CSO MP Projects	\$ 982,000	\$ 4,316,000	\$ 7,543,000	\$ 2,782,000	\$ -	\$ 15,623,000
TOTAL	\$ 2,039,000	\$ 10,106,000	\$ 10,968,000	\$ 10,654,000	\$ 4,036,000	\$ 37,803,000

	Year	Total	Grants	TIF	Bond
SHORT-TERM (0-5 years)	Year 1-5	\$ 37,803,000	\$ 4,000,000	\$ 9,150,000	\$ 24,653,000
MEDIUM-TERM (5-10 years)	Year 6-10	\$ 13,249,000			
LONG-TERM (10-15 years)	Year 10-15	\$ 7,504,000			
TOTAL		\$ 58,556,000			

Proposed Order Authorizing Bond Ordinance General Obligation Bonds in the Amount of \$24,653,000 to finance Upgrades to the Water Pollution Control Facility, Pump Stations, Wastewater Collection System, and removal of Combined Sewer Overflows to be put on Municipal Ballot for vote at the November 7, 2023, Election (public hearing)

ORDER

Be it ORDERED by the City Council of the City of Bath as follows:

Pursuant to and in accordance with Chapter VIII, Section 1002, Section 1014, and Section 617 of the Bath City Charter, the following proposition for the enactment of an Ordinance funding Upgrades to the Water Pollution Control Facility, Pump Stations, Wastewater Collection System, and removal of Combined Sewer Overflows, said Ordinance being attached hereto or included with the minutes of this meeting as Attachment A, be submitted to the voters of the City of Bath at a municipal referendum election to be held on Tuesday, November 7, 2023:

“Shall a Bond Ordinance be Enacted Authorizing General Obligation Bonds in the Amount of \$24,653,000 to finance Upgrades to the Water Pollution Control Facility, Pump Stations, Wastewater Collection System, and removal of Combined Sewer Overflows?”

The Bond question shall also contain a Treasurer’s Statement as required under 30-A M.R.S. § 5772(2-A).

BOND ORDINANCE

Authorizing Bond Ordinance General Obligation Bonds in the Amount of \$24,653,000 to finance Upgrades to the Water Pollution Control Facility, Pump Stations, Wastewater Collection System, and removal of Combined Sewer Overflows.

Be it ORDAINED by the City of Bath as follows:

- Section 1. That the City Treasurer is hereby authorized, in the name of and on behalf of the City, to borrow up to \$24,653,000, plus additional premium, for the purpose of Upgrades to the Water Pollution Control Facility, Pump Stations, Wastewater Collection System, and removal of Combined Sewer Overflows, (the "Project").
- Section 2. That under and pursuant to the City Charter and 30-A M.R.S. § 5772 and all other authority thereto enabling, to evidence such borrowing, there is hereby authorized the issuance and sale of the City's general obligation bonds, at one time and from time to time, in an amount not to exceed \$24,653,000, plus additional premium, the proceeds of which, including premium, if any, and investment earnings thereon, may be used and are hereby appropriated to pay the costs of the Project.
- Section 3. That the City Treasurer is hereby authorized to issue temporary notes of the City in anticipation of the forgoing bond issue.
- Section 4. That any and all bonds or notes in anticipation thereof issued pursuant to this Ordinance are issued pursuant to Section 1014 and Chapter 8 of the City Charter and shall be signed by the City Treasurer and countersigned by the Chair of the City Council and the City Manager, sealed with the seal of the City, and attested by its Clerk.
- Section 5. That any and all bonds issued pursuant to this Ordinance shall be payable in annual installments, which need not be equal, pursuant to Section 807 of the City Charter.
- Section 6. That the term of any bonds issued pursuant to this Ordinance shall not exceed 26 years.
- Section 7. That the City Treasurer shall determine the date or dates, maturities (not to exceed the maximum term specified above), denominations, interest rate or rates and any other details of any bonds or any notes in anticipation thereof to be issued pursuant to this Ordinance, such approval to be conclusively evidenced by her execution thereof.
- Section 8. That the bonds or notes in anticipation thereof issued pursuant to this Ordinance shall be general obligations of the City, backed by the full faith and credit and taxing power of the City.

- Section 9. That pursuant to 30-A M.R.S. §5772(6), the City Treasurer is hereby authorized to make any bonds or notes in anticipation thereof issued pursuant to this Ordinance subject to call(s) for redemption, with or without premium, prior to the stated maturity date at the election of the City.
- Section 10. That the City Treasurer be and hereby is authorized and directed to covenant and certify in the name of and on behalf of the City that no part of the proceeds of the issuance and sale of the bonds or notes authorized to be issued hereunder or the Project financed therewith shall be used directly or indirectly in a manner that would cause such bonds or notes to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 141 and 148 of the Internal Revenue Code of 1986, as amended (the "Code").
- Section 11. That the City Treasurer is hereby authorized to take all such action as may be necessary to designate any bonds or notes in anticipation thereof issued pursuant to this Ordinance (to the extent such designation is available) as qualified tax-exempt obligations for purposes of Section 265(b) of the Code.
- Section 12. That the term "cost" or "costs" as used herein and applied to the Project, or any portion thereof, includes, but is not limited to: (1) the cost to design, construct, renovate, refurbish, improve, acquire, replace, furnish and equip the Projects; (2) the cost of land, easements and other real property interests, landscaping and site preparation, utility extensions, all appurtenances and other fixtures, facilities, buildings and structures either on, above, or under the ground which are used or usable in connection with the Projects; (3) the cost of feasibility studies, surveys, environmental studies and assessments, engineering, plans and specifications, legal and other professional services associated with the Projects; (4) issuance costs, including premiums for insurance, capitalized interest and other financing charges, fees and expenses relating to the financing transaction.
- Section 13. That in the event the City Treasurer elects to issue such bonds through the Maine Municipal Bond Bank (the "Bond Bank"), that the City Treasurer and the Chair of the City Council and the City Manager be and hereby are authorized, on behalf of the City, to enter into a loan agreement with the Bond Bank in conjunction with the issuance of the bonds, in the aggregate principal amount not to exceed \$5,000,000 with a term not to exceed the term of the bonds, said loan agreement to be in the usual and ordinary form utilized by the Bond Bank in connection with the applicable loan program, which is hereby approved, and to contain such other terms and provisions, not contrary to the general tenor hereof, as the City Treasurer may approve, her approval to be conclusively evidenced by the execution thereof.
- Section 14. That the City Treasurer is authorized to do or cause to be done all such acts and things, and to execute and deliver any and all contracts, agreements, certificates, and other documents as may be necessary or advisable, including but not limited to an Arbitrage and Use of Proceeds Certificate and a Continuing Disclosure Agreement, to carry out the provisions of this Ordinance in connection with the issuance and delivery by the City of the bonds or notes in anticipation thereof.

- Section 15. That if the City Treasurer, Chair of the City Council, City Manager, or Clerk are for any reason unavailable to approve, execute and deliver the bonds or notes in anticipation thereof issued pursuant to this Ordinance, any loan agreement or any related financing documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had himself or herself performed such act.
- Section 16. That if any of the officers or officials of the City who have signed or sealed the bonds or notes hereinbefore authorized shall cease to be such officers or officials before the bonds or notes so signed and sealed shall have been actually authenticated or delivered by the City, such bonds or notes nevertheless may be authenticated, issued, and delivered with the same force and effect as though the person or persons who signed or sealed such bonds notes had not ceased to be such officer or official; and also any such bonds or notes may be signed and sealed in the name of and on behalf of the City by those persons who, at the actual date of the execution of such bonds or notes, shall be the proper officers and officials of the City, although at the nominal date of such bonds or notes any such person shall not have been such officer or official.
- Section 17. That during the term any of the bonds authorized hereby are outstanding, the City Treasurer is hereby authorized, in the name and on behalf of the City, to issue and deliver refunding bonds on either a current or advance refunding basis, to refund some or all of the bonds then outstanding, and to determine the date, form, interest rate, maturities (not to exceed the maturity of the original bonds to be refunded) and all other details of such refunding bonds, including the form and manner of their sale and award. The City Treasurer is hereby further authorized to provide that any of such refunding bonds hereinbefore authorized be made callable, with or without premium, prior to their stated date(s) of maturity, and each refunding bond issued hereunder shall be signed by the City Treasurer and countersigned by the Chair of the City Council and the City Manager, sealed with the seal of the City, and attested by its Clerk.
- Section 18. That in accordance with Sections 221 and 1014 of the City Charter, this Ordinance shall become effective upon a favorable vote of a majority of those voting thereon at a referendum election to be called by the City Council.

Fiscal Sustainability Plan

Bath, Maine



June 14th, 2023

Matthew Burns, PE
Maeve Carlson, EI



Presentation Overview



- What is a Fiscal Sustainability Plan (FSP)
- Reason for FSP
- Connections with Bath planning documents
- Findings from City of Bath FSP

Who We Are – Meet Our Team



Matthew Burns, PE
Project Manager

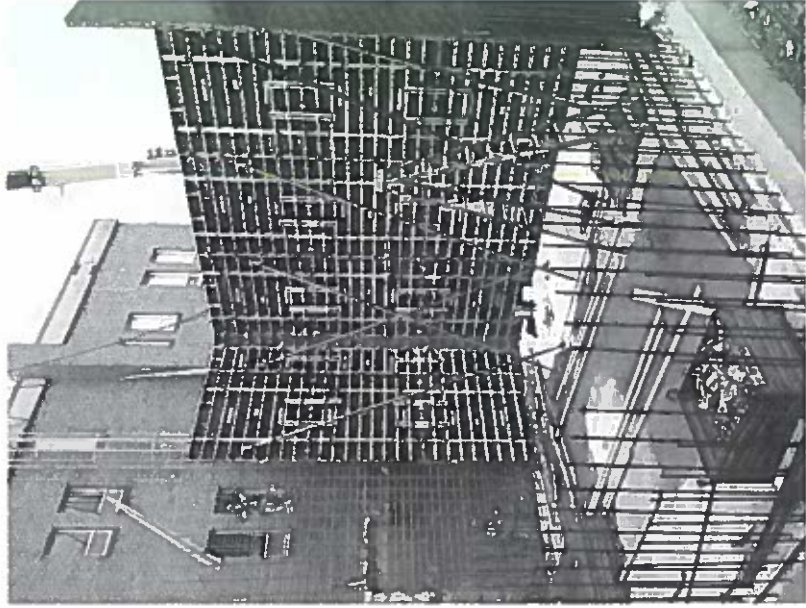


Maeve Carlson, EI
Project Engineer



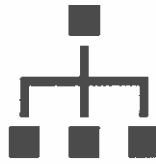
Kendra Thomas, PE
Project Engineer

What is a Fiscal Sustainability Plan?



- Inventory of assets
- Evaluation and Prioritization of Assets
- Asset Management and Funding Plan
- Project Planning

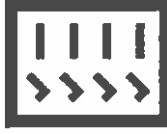
Reason for preparing an FSP



Helps Bath get organized and plan path forward



Deeper understanding of systems
(communicate what is in Lee and Bryan's brains!)



Helps Bath look organized in the eyes of regulators and funding opportunities

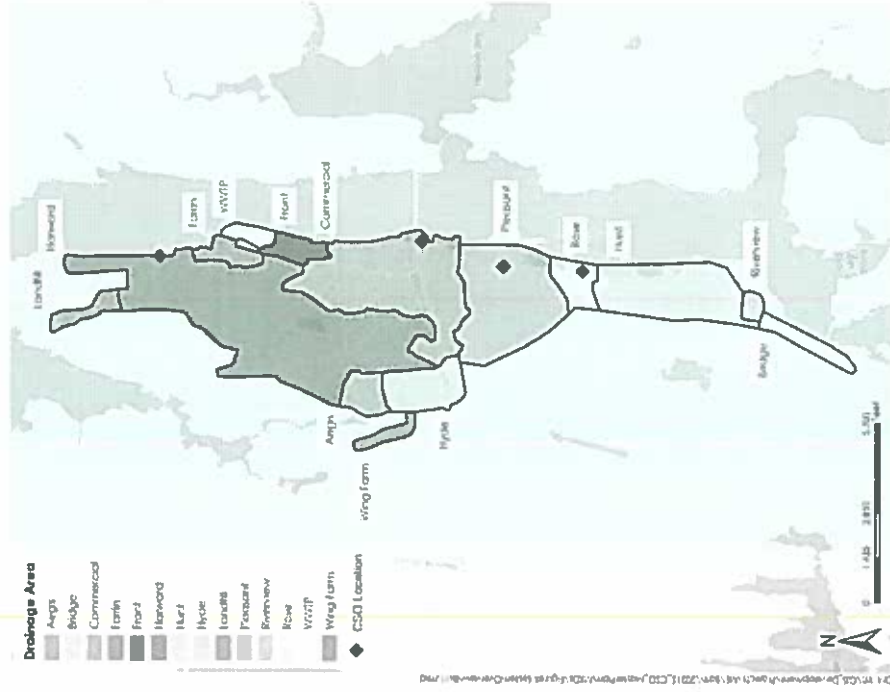


Cost effective with DEP 50% match

City of Bath System

Areas Included in FSP:

1. WPCF
2. Pump Stations
3. Collection System



Methodology



City of Bath involvement throughout project: Information, Meetings, More Information, Reviews

High Priority Projects

WPCF Projects

Name of Project & Location	Cost	Date of Design & Construction Start
Sludge Tank Mixing Upgrade	\$0.5 Million	Design: 2024 Construction: 2024
Headworks Upgrade	\$2.6 Million	Design: 2025 Construction: 2026
Primary Clarifier Upgrade	\$1.3 Million	Design: 2024 Construction: 2024
Generator Upgrade	\$0.8 Million	Design: 2026 Construction: 2026
Plant Water Upgrade	\$0.6 Million	Design: 2027 Construction: 2027

High Priority Projects

Pump Station Projects

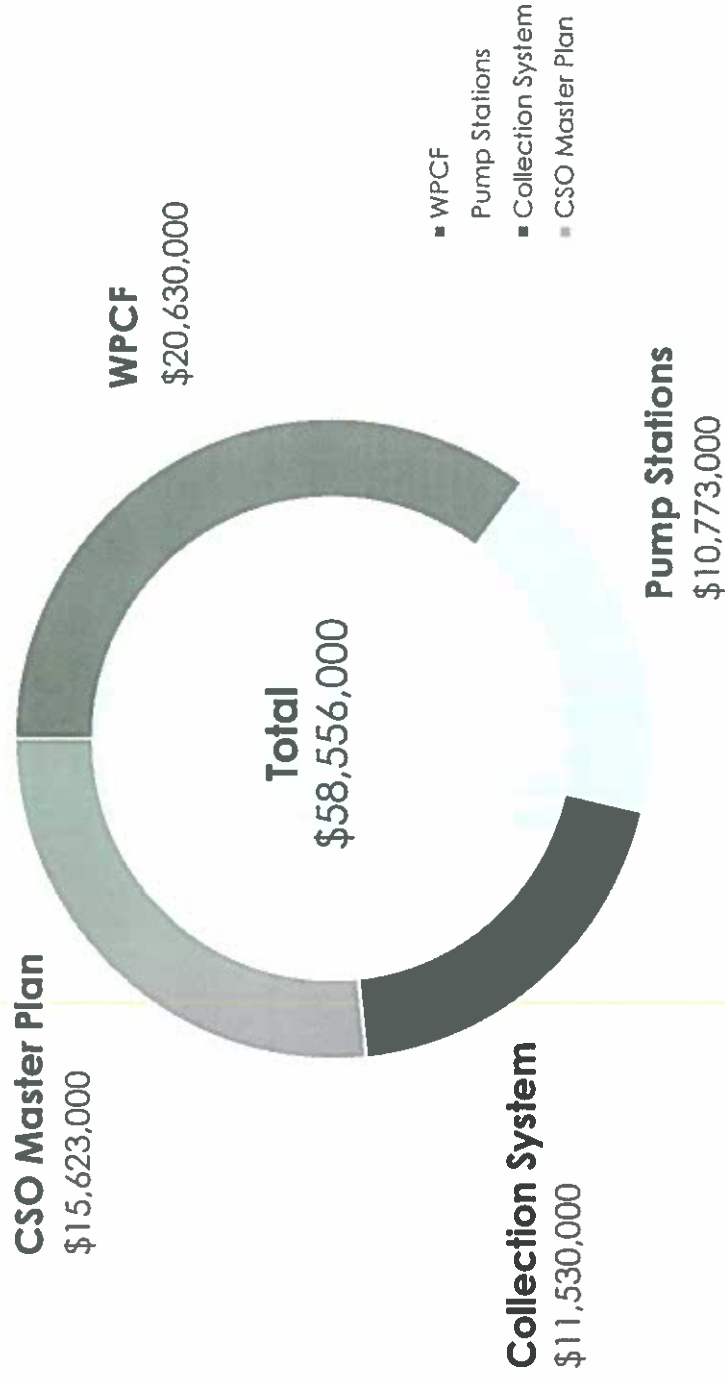
Name of Project & Location	Cost	Date of Design & Construction Start
Harward Street PS Upgrade	\$2.5 Million	Design: 2024 Construction: 2025
Hunt Steet CSO Upgrade	\$6.4 Million	Design: 2024 Construction: 2025
Commercial Street PS Upgrade	\$3.4 Million	Design: 2026 Construction: 2027
Farrin Place PS Upgrade	\$1.1 Million	Design: 2026 Construction: 2027

High Priority Projects

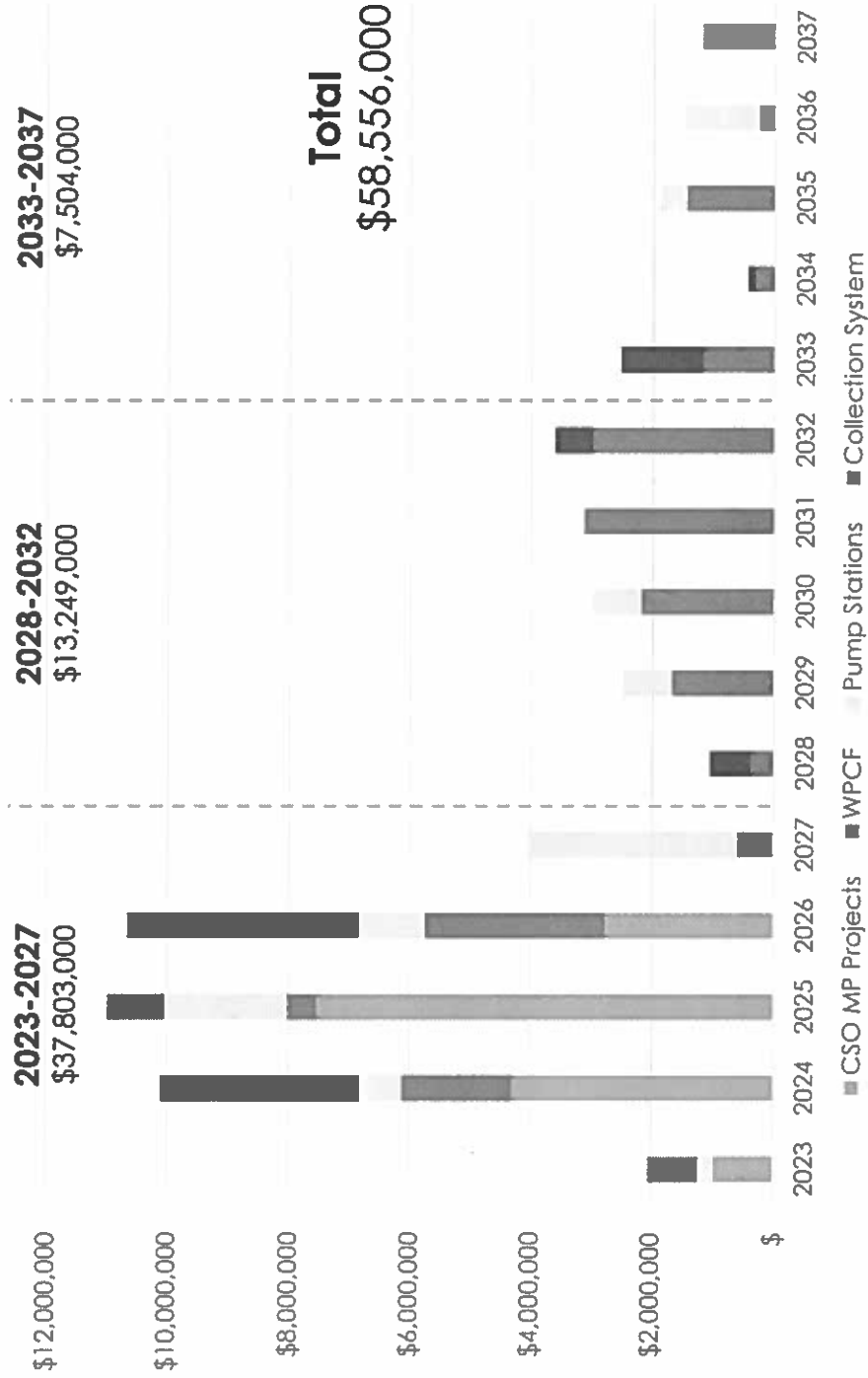
Collection System Projects

Name of Project & Location	Cost	Date of Design & Construction Start
Harward Interceptor	\$2.7 Million	Design: 2023 Construction: 2024
CCTV of South End	\$40,000	Design: 2023 Construction: 2023
Gross Country Interceptor Replacement	\$4.7 Million	Design: 2025 Construction: 2026
Commercial Sireet Forcemain Replacement	\$4 Million	Design: 2023 Construction: 2024

Summary of 15-Year Wastewater Infrastructure Needs



Distribution of ESP and CSO MP Costs



**“one of the best FSP documents we’ve reviewed to date... easy for the City to use as the go-to reference on all wastewater planning decisions”
-DEP Review**

Contact Information



Matthew Burns

matthew.burns@wright-pierce.com
207.798.3718



Maeve Carlson

maeve.carlson@wright-pierce.com
207.319.1511

CHARTER AMENDMENT – QUESTION 3

“SHALL THE MUNICIPALITY APPROVE THE CHARTER AMENDMENT SHOWN BELOW?”

YES NO

SUMMARY: This amendment clarifies wardens and ward clerks for the city instead of for each ward.

CHARTER AMENDMENT – QUESTION 4

“SHALL THE MUNICIPALITY APPROVE THE CHARTER AMENDMENT SHOWN BELOW?”

YES NO

SUMMARY: This amendment revises the provision for forms for petitions for nominations, initiatives and referendums and makes the forms available in the City Clerk’s Office.

ORDER

BE IT HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE CITY COUNCIL, AS MUNICIPAL OFFICERS OF THE 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, 2023, SAID ELECTION DATE BEING MORE THAN THIRTY (30) DAYS FROM THE DATE OF PASSAGE OF THIS ORDER.



**CITY OF BATH
POLICE DEPARTMENT**

ANDREW M. BOOTH
CHIEF of POLICE
MICHELLE D. SMALL
DEPUTY CHIEF

250 Water Street

Bath, Maine 04530

(207) 443-5563

Memorandum to: City Council

From: Chief Andrew Booth

Re: 1200 block Washington Street traffic and parking issues, proposed ordinance changes

Date: 7/18/23

1. The purpose of this memorandum is to explain the need to update the Parking Appendix to Chapter 17, "Vehicles and Traffic," of the City Ordinances.
2. Over the last year we have had two complaints about the parking situation near 1168 Washington and the intersection with Somerset Place. Last year and earlier this year Mr. Steven Hollenbeck complained about the curve at 1168 Washington Street being too narrow for both lanes to pass head on, due to parking on both sides of the street. This complaint resulted after public works painted fog lines last year in an attempt to slow traffic to address the perception of speeding traffic (which was after a signed citizen petition/complaint about perceived speeding problems). The travel lanes are in fact adequate in width for passing cars but when vehicles park on both sides of the road, it does increase the risk of a collision if drivers aren't paying attention and yielding appropriately.
3. The other complaint, sent to us by Mr. William Fritzmeier of 13 Somerset Place, was a signed letter/petition by him and several of his neighbors, asking if we could eliminate parking on the east side of Washington Street between Somerset Pl. and Cummings St. due to visibility issues when pulling out of Somerset Place. They said there is adequate off-street parking in driveways eliminating the need for on-street parking here.
4. I reviewed the current parking appendix as well as inspected the area of concern and agree with Fritzmeier's take on the situation.
5. Restricting parking on the east side of Washington Street from where the sidewalk ends (1149 Washington St) all the way up to Harward Street, where it becomes no restrictions, will address current citizen complaints of collision risk and visibility restrictions specifically around the 1200 block and at the hill and curve near 1168 Washington St.
6. Making this section no parking should have limited impact as there have not been a lot of cars parked on the east shoulder of the road. There is no sidewalk here or other indication that it is a legal parking area, and in fact, most of this stretch of Washington Street, up to Harward St, is already marked and ordinance for no parking.
7. This matter has been discussed at Transportation Committee and agreed upon.

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 HEREBY FURTHER AMENDED AS FOLLOWS:

CHAPTER 17. VEHICLES AND TRAFFIC

Parking Appendix

Washington Street, East Side

Current Language:

“...From a point 40 feet north of the northerly side of North Street to a point which is 225 feet north of northerly side of Cummings Street, No restrictions. From a point 225 feet north of the northerly side of Cummings Street to Bowery Street, No Parking. From Bowery Street to Curtis Place, No Restrictions. From Curtis Place to Harward Street, No Parking.”

Change to:

“From a point 40 feet north of the northerly side of North Street to a point 195’ north of the southern terminus of Bowery Street (just south of 1149 Washington Street), no restrictions. From this point north to Harward Street, No Parking.”



BATH
MAINE *City of Ships*

OFFICE of PLANNING & DEVELOPMENT

Jennifer Curtis
Director of City Planning
jcurtis@cityofbath.com

Date: July 26, 2023

To: City of Bath Planning Board

From: Jenn Curtis, Director of Planning, and Scott Davis, Code Enforcement Officer

Re: Code Amendment Request, Land Use Code (LUC) Article 8 District Regulations and Article 11 Performance Standards, Specific Activities and Land Uses

Requested Action:

Based on §1.07 of the City of Bath LUC, and the City Charter, where the City Council has found the proposal has merit to be considered by the Planning Board, and the Planning Board reviewed the proposed amendment, held a public hearing on it, and unanimously recommended to the City Council that the proposed amendment be approved as proposed, staff are requesting that the City Council approve the proposed amendment for adoption into the land use ordinance (first passage).

Basis Statement:

At the advice of the Midcoast Council of Government, Maine DECD, the Maine Municipal Association, and Legal Counsel from Bernstein Shur, the Code Enforcement Officer and Director of Planning propose this amendment to incorporate required elements from LD2003 and associated rules to be compliant with the State law, which will go into effect for the City of Bath on January 1, 2024.

History:

The City Manager, Code Enforcement Officer, and Planning Director discussed the needs to protect the City against successful appeals of development review actions which may occur if the State law is enforced without it being reflected in our LUC; the need to protect the City against lawsuits that could arise from enforcing our ordinance but not the State Law; and the inefficiency of making a significant amendment to the ordinance just months before we plan to engage in a significant LUC rezoning update. It was decided that a patch approach to the existing ordinance would be best at this time, to allow the city to functionally enforce the state law at the local level, without spending a great deal of time amending an ordinance we anticipate overhauling in the near future.

- On June 8, staff sent the proposed draft ordinance amendment to Maine DECD, the State rulemaking authority for the law, for comments. Their comments and recommendations have been considered, with the assistance of legal counsel from

Bernstein Shur over a phonecall on Monday, June 26, and then incorporated where appropriate.

- On June 28, 2023, a copy of the updated draft language was shared with the Maine DEP staff overseeing shoreland zoning compliance, to request their review and comment by July 11th. Comments were received on July 29, proposing to clarify that shoreland zoning will still apply to residential dwellings developed under the section.
- On June 28, 2023, a copy of the updated draft language was shared with legal counsel to request review and comment by July 11th. Comments were received on July 11, that were clarifications of intended language, including an update to the statement that shoreland zoning will still apply to residential dwellings developed under the section.
- At their meeting on July 11, 2023 the Planning Board reviewed the proposed amendment, held a public hearing on it where there were no comments received, and recommended to the City Council that the proposed amendment be approved as proposed.
- Staff incorporated the clarifying edits from legal counsel, and sent the updated version to DEP on July 26, 2023 to confirm that the issue they had previously proposed to fix, had been resolved by the edits proposed by legal counsel.
- On July 26, 2023 DEP reviewed the proposed clarifying edit at issue and confirmed that, "This would work to ensure compliance to the local regs and State Laws."

Consistency (with plans, policies, and/or past practices):

The proposed amendment would make the City LUC consistent with State Law, LD 2003, which will go into effect for the City of Bath on January 1, 2024.

Possible impacts of the change:

Reduced likelihood of successful legal challenges to development review actions, due to compliance with the State law.

Staff Comments:

- Staff are proposing to insert language from key portions of LD2003 into the City's LUC in Article 8, District Regulations and Some required as well as recommended changes to the Article 11 Performance Standards Specific Activities and Land Uses section for Accessory Dwelling Units (ADUs). The rules for LD2003 prohibit the parking standards that are currently part of it. Additionally, since the ADU section has been in the ordinance, it has come to attention that there was a conflict with shoreland zoning requirements, some setback requirements need to be clarified, and that the level of review required in some cases did not seem congruent with other similar uses.

Planning Board Recommendation(s):

- At their meeting on July 11, 2023 the Planning Board reviewed the proposed amendment, held a public hearing on it where there were no comments received, and recommended to the City Council that the proposed amendment be approved as proposed.

Jenn Curtis

From: Clark, Colin A <Colin.A.Clark@maine.gov>
Sent: Wednesday, June 28, 2023 3:20 PM
To: Jenn Curtis
Cc: Scott Davis; Debby Labrecque
Subject: RE: LD2003 Ordinance Language - Including SZ Compliance Fix

This looks pretty good over all the only comment I would have would be in regards to SECTION 8.26 HOUSING DENSITY ALLOWANCES B. Extra Dwelling Units Allowance 1.A. it appears this section could be interpreted based on the following to mean any property can have multiple dwellings even those in the shoreland

1. A. On a property in any zoning district that allows housing, that does not have a dwelling unit on it, up to two dwelling units can be added to the property.
 - a. Up to four dwelling units can be added to a property that has no dwelling units on it in the R1, R2, R4, R6, C1, and C2 zones, or if the property is served by public, special district, or other centrally managed water system, and public, special district, or other comparable sewer system.
 - b. Up to two dwelling units can be added to a property that has one dwelling unit on it. One of the new units can be within or attached to the original dwelling unit, and one of the new units can be detached from the original dwelling unit.

I would suggest adding a little c. stating

- c. For lots located within the Shoreland Zone, housing developments must comply with shoreland zoning requirements established by the Department of Environmental Protection under Title 38, chapter 3 and municipal shoreland zoning ordinances

Other than that it looks good to me

Take care

Colin A. Clark
Shoreland Zoning Coordinator in the Bureau of Land Resources
Maine Department of Environmental Protection
Tel (207) 441-7419
www.maine.gov/dep

From: Jenn Curtis <jcurtis@cityofbath.com>
Sent: Wednesday, June 28, 2023 11:18 AM
To: Clark, Colin A <Colin.A.Clark@maine.gov>
Cc: Scott Davis <SDAVIS@CityofBath.com>; Debby Labrecque <dlabrecque@CityofBath.com>
Subject: LD2003 Ordinance Language - Including SZ Compliance Fix

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

The City of Bath is proposing a land use code amendment to address compliance with LD2003 and shoreland zoning requirements. The full proposed amendment is attached. Below are the excerpted portions that would affect shoreland zoning requirements. This proposal is going to the Bath Planning Board for review and public hearing on July 11th. If you could please provide review comments by then, it would be greatly appreciated.

8.26,A,4:

4. Shoreland zoning requirements. An affordable housing development must comply with shoreland zoning requirements established by the Department of Environmental Protection under Title 38, chapter 3 and municipal shoreland zoning ordinances

11.40,A,5.:

5. Accessory dwelling units shall comply with all dimensional requirements of the underlying zone except for lot coverage and lot area per dwelling unit requirements. All ADUs shall comply with all dimensional requirements of the underlying zone, except that ADUs located entirely outside of the shoreland zone are not required to meet dimensional requirements for lot coverage and lot area per dwelling unit.

Thank you,

Jenn Curtis
Director of Planning
City of Bath
Phone: 207-443-8363
jcurtis@cityofbath.com

Jenn Curtis

From: Clark, Colin A <Colin.A.Clark@maine.gov>
Sent: Wednesday, July 26, 2023 10:22 AM
To: Jenn Curtis
Cc: Scott Davis; Debby Labrecque; Philip Saucier
Subject: RE: LD2003 Ordinance Language - Including SZ Compliance Fix

Good Morning

This would work to ensure compliance to the local regs and State Laws.

Take care

Colin A. Clark
Shoreland Zoning Coordinator in the Bureau of Land Resources
Maine Department of Environmental Protection
Tel (207) 441-7419
www.maine.gov/dep

News Alert: The Bureau of Land Resources now has a new lookup tool on the Department's website for permit inquiries - https://www.maine.gov/dep/gis/datamaps/LAWB_Permits/index.html

From: Jenn Curtis <jcurtis@cityofbath.com>
Sent: Wednesday, July 26, 2023 8:10 AM
To: Clark, Colin A <Colin.A.Clark@maine.gov>
Cc: Scott Davis <SDAVIS@CityofBath.com>; Debby Labrecque <dlabrecque@CityofBath.com>; Philip Saucier <psaucier@bernsteinshur.com>
Subject: RE: LD2003 Ordinance Language - Including SZ Compliance Fix

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Colin,

Thank you very much for your feedback. I also received similar feedback from our legal counsel at Bernstein Shur, and they proposed this language, which would similarly be subtext to 1.A that you proposed in the email below:

8. A housing structure developed under this section must comply with shoreland zoning requirements established by the Department of Environmental Protection under Title 38, chapter 3 and municipal shoreland zoning ordinances.

See attached for the complete updated proposed ordinance amendment. Would you agree that this resolves the issue you described in the email below?

Jenn Curtis
Director of Planning
City of Bath
Phone: 207-443-8363
jcurtis@cityofbath.com

[Sections that are underlined are intended to be added.
Sections that are ~~struck through~~ are intended to be deleted.
Sections represented by ellipsis, "..." are to remain unchanged.
Sections in brackets are explanatory notes]

ARTICLE 8: DISTRICT REGULATIONS

...

SECTION 8.26 HOUSING DENSITY ALLOWANCES

Notwithstanding other requirements of this Code, the following requirements apply to certain housing projects.

A. Affordable housing density

1. Definition. For the purposes of this section, "affordable housing development" means:

A. For rental housing, a development in which a household whose income does not exceed 80% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford a majority of the units that the developer designates as affordable without spending more than 30% of the household's monthly income on housing costs.

B. For owned housing, a development in which a household whose income does not exceed 120% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford a majority of the units that the developer designates as affordable without spending more than 30% of the household's monthly income on housing costs.

2. Density bonus. In the R-1, R-2, C-1, and C-2 zoning districts, an affordable housing development is allowed to have a unit density of 2 1/2 times the density that is otherwise allowed in that location, and the minimum on site parking requirement for affordable housing developments is 2/3 of a parking space per dwelling unit, rounded down to whole spaces. The development must be served by a public, special district or other centrally managed water system and a public, special district or other comparable sewer system. The development must comply with minimum lot size requirements in accordance with Title 12, chapter 423-A of the Maine Revised Statutes, as applicable.

Commented [PS1]: I assume these are the only districts that allow multifamily dwellings and in a designated growth area or served by public water/sewer?

3. Long-term affordability. Before approving an affordable housing development, the City shall require that the owner of the affordable housing development have executed a restrictive covenant, recorded in the appropriate registry of deeds, for

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Sections that are ~~struck-through~~ are intended to be deleted.
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the benefit of and enforceable by a party acceptable to the City, to ensure that for at least 30 years after completion of construction:

A. For rental housing, occupancy of all of the units designated affordable in the development must remain limited to households at or below 80% of the local area median income at the time of initial occupancy.

B. For owned housing, occupancy of all of the units designated affordable in the development must remain limited to households at or below 120% of the local area median income at the time of initial occupancy.

4. Shoreland zoning requirements. An affordable housing development must comply with shoreland zoning requirements established by the Department of Environmental Protection under Title 38, chapter 3 of the Maine Revised Statutes and municipal shoreland zoning ordinances.

5. Minimum lot size requirements. Affordable housing developments must meet the water and sewer requirements applicable to all development, including 12 M.R.S. ~~42, section~~ § 423-A (the minimum lot size law).

Commented [PS2]: While this subsection is labeled "minimum lot size requirements" it only refers to sewer/water requirements under the state minimum lot size law. Should this also include reference to compliance with the lot size requirements in the underlying zone?

6. Subdivision requirements. This section may not be construed to exempt a subdivider from the requirements for division of a tract or parcel of land in accordance with State subdivision law.

B. Extra Dwelling Units Allowance

1. A. On a property in any zoning district that allows housing and does not contain that does not have an existing dwelling unit on it, up to two dwelling units can be added to the property—, except as follows:

a. Up to four dwelling units can be added to a property that has ~~no~~ does not contain an existing dwelling units ~~on it~~ in the R1, R2, R4, R6, C1, and C2 zones, or if the property is served by public, special district, or other centrally managed water system, and public, special district, or other comparable sewer system.

b. 2. Up to two dwelling units can be added to a property that has one dwelling unit on it. One of the new units can be within or attached to the original dwelling unit, and one of the new units can be detached from the original dwelling unit.

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2-3. If more than one dwelling unit has been constructed on a lot as a result of the allowance under this section or as an accessory dwelling unit (see section 11.40), the lot is not eligible for any additional increases in density not allowed by this Code.

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3.4. If a dwelling unit that was in existence after July 1, 2023 is demolished, resulting in a vacant lot, the lot is eligible to be developed per this section of the Code.

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4.5. Dwelling units created under this code section must meet the water and sewer requirements applicable to all development, including 12 M.R.S. 12, section 423-A (the minimum lot size law).

Commented [PS3]: You are likely aware this is optional and a municipality can decide to make such lots eligible only for the number of units that would be allowed if the dwelling unit were still in existence. This is a policy decision for the City to decide.

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6.6. The setback requirements for dwelling units created under this section are the same as for single family houses.

6.7. For dwelling units created under this code section that are served by a well, the water must be documented to be potable, and acceptable for domestic use, either before or after being put through a water treatment system, prior to the unit being occupied.

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7.8. An affordable housing development structure developed under this section must comply with shoreland zoning requirements established by the Department of Environmental Protection under Title 38, chapter 3 and municipal shoreland zoning ordinances.

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8.9. This section may not be construed to interfere with, abrogate or annul the validity or enforceability of any valid and enforceable easement, covenant, deed restriction or other agreement or instrument between private parties that imposes greater restrictions than those provided in this section, as long as the agreement does not abrogate rights under the United States Constitution or the Constitution of Maine.

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...

ARTICLE 11 PERFORMANCE STANDARDS: SPECIFIC ACTIVITIES AND LAND USES

[Below are our Accessory Dwelling Unit requirements, with amendments to make them consistent with LD 2003.]

SECTION 11.40 ACCESSORY DWELLING UNIT [added March 23, 2022]

In addition to all other requirements of the Code, [add "and MRS 12, chapter 423-A, the Minimum Lot Size law,] accessory dwelling units are subject to the following standards:

A. General Requirements for Accessory Dwelling Units

[Sections that are underlined are intended to be added.
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1. One accessory dwelling unit shall be permitted per parcel that has a single-family dwelling or two-family dwelling, in the primary building or as an accessory building. An accessory dwelling unit must be clearly accessory to the principal dwelling unit(s) on the parcel. The accessory dwelling unit is exempt from density calculations for the property.
2. The size of an accessory dwelling unit must meet the minimum size for a dwelling unit as set by the City's ~~adopted building code~~ State Building Code standards of at least 190 square feet in area, and be no larger than 850 square feet. For principal dwelling units 1,000 square feet or smaller, an accessory dwelling unit may be no greater than 80% of the size of the principal dwelling unit, as measured in square feet. An accessory dwelling unit may have no more than two bedrooms.
3. An accessory dwelling unit must meet one or more of the following conditions:
 - a. Be fully constructed within the existing footprint of any legal primary residence or accessory building; or
 - b. Share a common wall with the principal residence, providing yard setbacks; or
 - c. Be constructed as a new accessory building (detached) containing an accessory dwelling unit, providing yard area and lot setback requirements can be met for the zone.
 - d. If an accessory dwelling unit is added to a two family dwelling, the setbacks for the new construction are the same as for a single family dwelling.
4. When an ADU is significantly visible from one or more public ways, the building design shall:
 - a. Be clearly subordinate to the principal structure(s) in scale and position in relationship with the street and principal structure(s), including locating the entrance to the ADU in a primary structure in such a subordination position through locating it farther from the street, inside a common foyer, or on the side or rear of the primary building.

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- b. Not include outside stairways or fire escapes above the ground floor unless required by life and safety codes.
5. ~~Accessory dwelling units shall comply with all dimensional requirements of the underlying zone except for lot coverage and lot area per dwelling unit requirements. All ADUs shall comply with all dimensional requirements of the underlying zone, except that ADUs located entirely outside of the shoreland zone are not required to meet dimensional requirements for lot coverage and lot area per dwelling unit.~~
6. ~~Each accessory dwelling unit shall have one on-site parking space in addition to the parking required for the principle dwelling. Tandem parking is permitted. The additional parking space can be located off-site if there is an approved shared parking agreement in accordance with Article 11.34.~~
6. For an accessory dwelling unit constructed on a lot with a single-family dwelling unit on it, no additional on-site parking is required for the accessory dwelling unit.
7. Shoreland zoning. An accessory dwelling unit must comply with shoreland zoning requirements established by the Department of Environmental Protection under Title 38, chapter 3 and municipal shoreland zoning ordinances.
8. An accessory dwelling unit must meet the water and sewer requirements applicable to all development, including MRS 12, section 423-A, (the minimum lot size law).
9. For accessory dwelling units that are served by a well, the water must be documented to be potable, and acceptable for domestic use, either before or after being put through a water treatment system, prior to the unit being occupied.
10. Subdivision requirements. This section may not be construed to exempt a subdivider from the requirements for division of a tract or parcel of land in accordance with the State subdivision law.
11. An accessory dwelling unit may be located within a preexisting non-conforming primary or accessory structure provided that the structure meets the requirements in Article 6 of this code. The design of an accessory dwelling unit located in a non-conforming primary or accessory structure shall take into consideration to the extent practicable the privacy of adjacent properties as

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determined by the physical characteristics surrounding the accessory dwelling unit, including landscape screening, fencing, and window and door placement.

12. The height of a detached accessory dwelling unit shall not exceed the height of the primary structure.
13. An accessory dwelling unit shall not be used as rental property for less than 90 days.
14. Accessory dwelling units require a permit from the Codes Enforcement Officer. If the creation of an accessory dwelling unit creates a subdivision, the project will require subdivision approval before the building permit can be issued.

~~B. Approval of Attached Accessory Dwelling Unit~~

~~An attached accessory dwelling unit is allowed, as per the Land Use Table in Section 9.1.8.1, only if it has received a permit from the Code Enforcement Office. An attached accessory dwelling unit must meet the requirements of Article 11.40 A in accordance with the requirements of this section.~~

C. Approval of Detached Accessory Dwelling Unit A detached accessory dwelling unit is allowed as per the Land Use table in Section 9.1.8.2 only after site plan approval from the Planning Board, and it must meet the requirements contained in Section 11.40 A.

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ARTICLE 8: DISTRICT REGULATIONS

...

SECTION 8.26 HOUSING DENSITY ALLOWANCES

Notwithstanding other requirements of this Code, the following requirements apply to certain housing projects.

A. Affordable housing density

1. **Definition.** For the purposes of this section, "affordable housing development" means:

A. For rental housing, a development in which a household whose income does not exceed 80% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford a majority of the units that the developer designates as affordable without spending more than 30% of the household's monthly income on housing costs.

B. For owned housing, a development in which a household whose income does not exceed 120% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford a majority of the units that the developer designates as affordable without spending more than 30% of the household's monthly income on housing costs.

2. **Density bonus.** In the R-1, R-2, C-1, and C-2 zoning districts, an affordable housing development is allowed to have a unit density of 2 1/2 times the density that is otherwise allowed in that location, and the minimum on site parking requirement for affordable housing developments is 2/3 of a parking space per dwelling unit, rounded down to whole spaces. The development must be served by a public, special district or other centrally managed water system and a public, special district or other comparable sewer system. The development must comply with minimum lot size requirements in accordance with Title 12, chapter 423-A of the Maine Revised Statutes, as applicable.

3. **Long-term affordability.** Before approving an affordable housing development, the City shall require that the owner of the affordable housing development have executed a restrictive covenant, recorded in the appropriate registry of deeds, for

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the benefit of and enforceable by a party acceptable to the City, to ensure that for at least 30 years after completion of construction:

A. For rental housing, occupancy of all of the units designated affordable in the development must remain limited to households at or below 80% of the local area median income at the time of initial occupancy.

B. For owned housing, occupancy of all of the units designated affordable in the development must remain limited to households at or below 120% of the local area median income at the time of initial occupancy.

4. Shoreland zoning requirements. An affordable housing development must comply with shoreland zoning requirements established by the Department of Environmental Protection under Title 38, chapter 3 of the Maine Revised Statutes and municipal shoreland zoning ordinances

5. Subdivision requirements. This section may not be construed to exempt a subdivider from the requirements for division of a tract or parcel of land in accordance with State subdivision law.

B. Extra Dwelling Units Allowance

1. A. On a property in any zoning district that allows housing and does not contain an existing dwelling unit on it, up to two dwelling units can be added to the property, except as follows:

a. Up to four dwelling units can be added to a property that does not contain an existing dwelling in the R1, R2, R4, R6, C1, and C2 zones, or if the property is served by public, special district, or other centrally managed water system, and public, special district, or other comparable sewer system.

2. Up to two dwelling units can be added to a property that has one dwelling unit on it. One of the new units can be within or attached to the original dwelling unit, and one of the new units can be detached from the original dwelling unit.

3. If more than one dwelling unit has been constructed on a lot as a result of the allowance under this section or as an accessory dwelling unit (see section 11.40), the lot is not eligible for any additional increases in density not allowed by this Code.

4. If a dwelling unit that was in existence after July 1, 2023 is demolished, resulting in a vacant lot, the lot is eligible to be developed per this section of the Code.

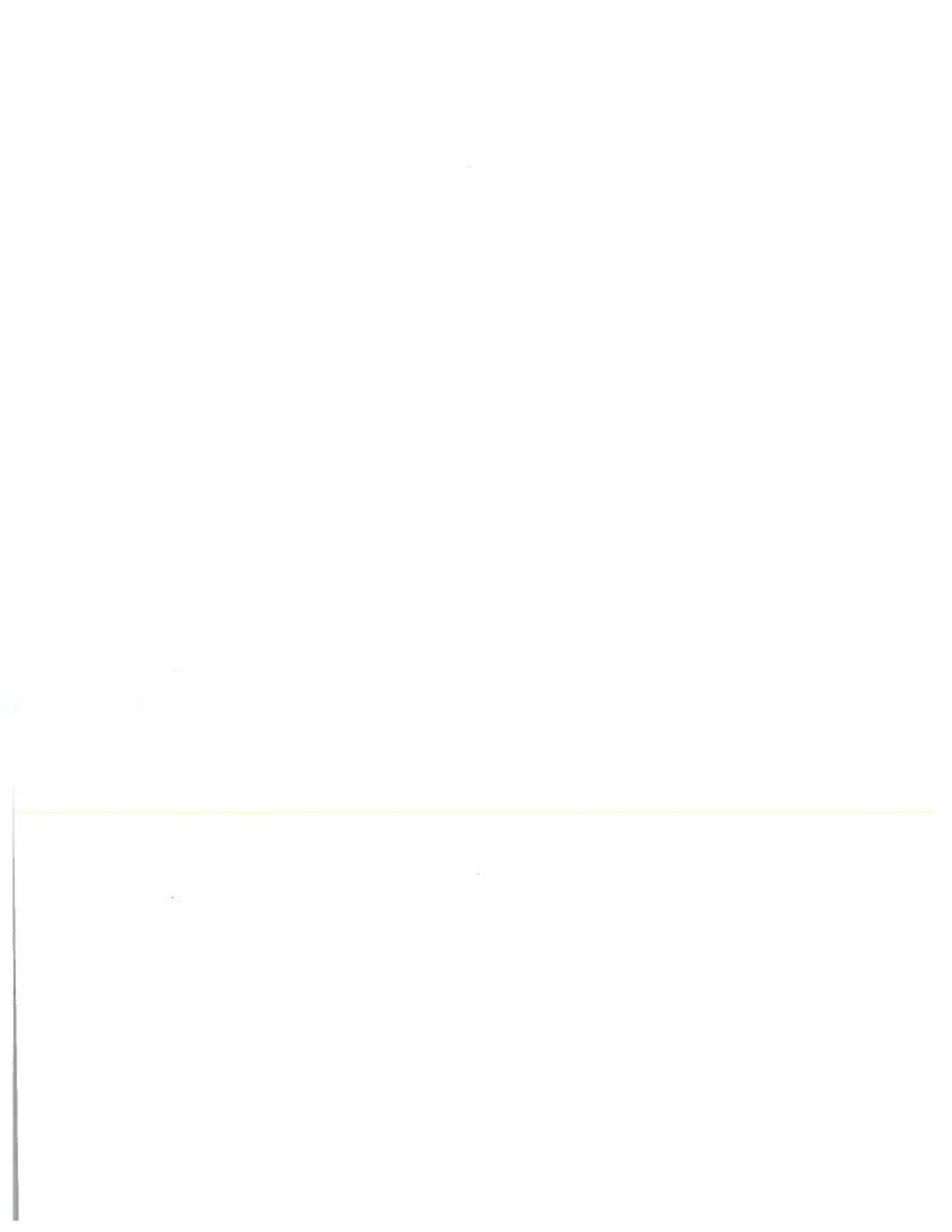
[Sections that are underlined are intended to be added.

Sections that are ~~struck through~~ are intended to be deleted.

Sections represented by ellipsis, "... " are to remain unchanged.

Sections in brackets are explanatory notes]

5. Dwelling units created under this code section must meet the water and sewer requirements applicable to all development, including 12 M.R.S. §423-A (the minimum lot size law).
6. The setback requirements for dwelling units created under this section are the same as for single family houses.
7. For dwelling units created under this code section that are served by a well, the water must be documented to be potable, and acceptable for domestic use, either before or after being put through a water treatment system, prior to the unit being occupied.
8. A housing structure developed under this section must comply with shoreland zoning requirements established by the Department of Environmental Protection under Title 38, chapter 3 and municipal shoreland zoning ordinances.
9. This section may not be construed to interfere with, abrogate or annul the validity or enforceability of any valid and enforceable easement, covenant, deed restriction or other agreement or instrument between private parties that imposes greater restrictions than those provided in this section, as long as the agreement does not abrogate rights under the United States Constitution or the Constitution of Maine.



[Sections that are underlined are intended to be added.
Sections that are ~~struck through~~ are intended to be deleted.
Sections represented by ellipsis, "..." are to remain unchanged.
Sections in brackets are explanatory notes]

ARTICLE 11 PERFORMANCE STANDARDS; SPECIFIC ACTIVITIES AND LAND USES

[Below are our Accessory Dwelling Unit requirements, with amendments to make them consistent with LD 2003.]

SECTION 11.40 ACESSORY DWELLING UNIT [added March 23, 2022]

In addition to all other requirements of the Code, [add "and MRS 12, chapter 423-A, the Minimum Lot Size law,] accessory dwelling units are subject to the following standards:

A. General Requirements for Accessory Dwelling Units

1. One accessory dwelling unit shall be permitted per parcel that has a single-family dwelling or two-family dwelling, in the primary building or as an accessory building. An accessory dwelling unit must be clearly accessory to the principal dwelling unit(s) on the parcel. The accessory dwelling unit is exempt from density calculations for the property.
2. The size of an accessory dwelling unit must meet the minimum size for a dwelling unit as set by the ~~City's adopted building code~~ State Building Code standards of at least 190 square feet in area, and be no larger than 850 square feet. For principal dwelling units 1,000 square feet or smaller, an accessory dwelling unit may be no greater than 80% of the size of the principal dwelling unit, as measured in square feet. An accessory dwelling unit may have no more than two bedrooms.
3. An accessory dwelling unit must meet one or more of the following conditions:
 - a. Be fully constructed within the existing footprint of any legal primary residence or accessory building; or
 - b. Share a common wall with the principal residence, providing yard setbacks; or
 - c. Be constructed as a new accessory building (detached) containing an accessory dwelling unit, providing yard area and lot setback requirements can be met for the zone.

[Sections that are underlined are intended to be added.
Sections that are ~~struck through~~ are intended to be deleted.
Sections represented by ellipsis, "... " are to remain unchanged.
Sections in brackets are explanatory notes]

d. If an accessory dwelling unit is added to a two family dwelling, the setbacks for the new construction are the same as for a single family dwelling.

4. When an ADU is significantly visible from one or more public ways, the building design shall:
 - a. Be clearly subordinate to the principal structure(s) in scale and position in relationship with the street and principal structure(s), including locating the entrance to the ADU in a primary structure in such a subordinate position through locating it farther from the street, inside a common foyer, or on the side or rear of the primary building.
 - b. Not include outside stairways or fire escapes above the ground floor unless required by life and safety codes.
5. ~~Accessory dwelling units shall comply with all dimensional requirements of the underlying zone except for lot coverage and lot area per dwelling unit requirements.~~ All ADUs shall comply with all dimensional requirements of the underlying zone, except that ADUs located entirely outside of the shoreland zone are not required to meet dimensional requirements for lot coverage and lot area per dwelling unit.
6. ~~Each accessory dwelling unit shall have one on-site parking space in addition to the parking required for the principle dwelling. Tandem parking is permitted. The additional parking space can be located off-site if there is an approved shared parking agreement in accordance with Article 11.34.~~
6. For an accessory dwelling unit constructed on a lot with a single-family dwelling unit on it, no additional on-site parking is required for the accessory dwelling unit.
7. Shoreland zoning. An accessory dwelling unit must comply with shoreland zoning requirements established by the Department of Environmental Protection under Title 38, chapter 3 and municipal shoreland zoning ordinances.
8. An accessory dwelling unit must meet the water and sewer requirements applicable to all development, including MRS 12, section 423-A, (the minimum lot size law).
9. For accessory dwelling units that are served by a well, the water must be documented to be potable, and acceptable for domestic use, either before or

[Sections that are underlined are intended to be added.
Sections that are ~~struck through~~ are intended to be deleted.
Sections represented by ellipsis, "... " are to remain unchanged.
Sections in brackets are explanatory notes]

after being put through a water treatment system, prior to the unit being occupied.

10. Subdivision requirements. This section may not be construed to exempt a subdivider from the requirements for division of a tract or parcel of land in accordance with the State subdivision law.
11. An accessory dwelling unit may be located within a preexisting non-conforming primary or accessory structure provided that the structure meets the requirements in Article 6 of this code. The design of an accessory dwelling unit located in a non-conforming primary or accessory structure shall take into consideration to the extent practicable the privacy of adjacent properties as determined by the physical characteristics surrounding the accessory dwelling unit, including landscape screening, fencing, and window and door placement.
12. The height of a detached accessory dwelling unit shall not exceed the height of the primary structure.
13. An accessory dwelling unit shall not be used as rental property for less than 90 days.
14. Accessory dwelling units require a permit from the Codes Enforcement Officer. If the creation of an accessory dwelling unit creates a subdivision, the project will require subdivision approval before the building permit can be issued.

~~B. Approval of Attached Accessory Dwelling Unit~~

~~An attached accessory dwelling unit is allowed, as per the Land Use Table in Section 9.1.8.1, only if it has received a permit from the Code Enforcement Office. An attached accessory dwelling unit must meet the requirements of Article 11.40 A in accordance with the requirements of this section.~~

C. Approval of Detached Accessory Dwelling Unit

~~A detached accessory dwelling unit is allowed as per the Land Use table in Section 9.1.8.2 only after site plan approval from the Planning Board, and it must meet the requirements contained in Section 11.40 A.~~



BATH
MAINE *City of Ships*

OFFICE of PLANNING & DEVELOPMENT

Jennifer Curtis
Director of City Planning
jcurtis@cityofbath.com

MEMO

To: Marc Meyers, City Manager

From: Jenn Curtis, Director of Planning

Date: July 26, 2023

Re: Bath Housing Development Corporation at 520 Centre Street (Map 29, Lot 8) Application for Contract Rezoning

Requested Action:

In accordance with Land Use Code §8.20,F,1 which reads, "The scope of the review by the City Council in granting contract rezoning is limited to the Conditions contained in D, herein above, and only if these conditions are not otherwise required for Historic District Approval, Site Plan Approval, or Subdivision Approval." Staff are requesting City Council review, and if found accurate, approval of conditions contained in D, as laid out under findings of fact below.

Overview:

Description existing/proposed: The applicant is being represented by Tom Saucer of Site Design Associates. The site is currently occupied by two houses and two garages which will be demolished to make way for the new phased development. The applicant proposes to erect a four-story building which will contain 18 two-bedroom apartments and an office for Bath Housing. The applicant is also proposing 23 parking spaces.

District conformance: The parcel is in the C4 - Route 1 Commercial Contract District. This district allows multi-family buildings and has no density restrictions. The setbacks and building height, as shown in the conceptual drawings, do not align with the space and bulk regulations. The applicant addresses this with the Contract Rezoning proposal under review. Contract Rezoning is allowed by Maine statute under 30-A M.R.S.A. § 4352(8) and is delegated to certain zones within the City of Bath as a provision of §8.20. The Route 1 Commercial Contract District (C4) is included in the areas where contract rezoning is allowed. Detailed findings for the request are below, under findings of fact and conclusions.

Review history: The applicant came before the Planning Board on May 2, 2023 for Pre-Application Site Plan Review and Subdivision Sketch Plan Review.

A public meeting for a site walk at the proposed project location was held on May 19th

Applications for Final Subdivision Approval, Site Plan Approval, and Contract Rezoning were received by the Planning Office on June 6, 2023.

The applicant requested review of the classification of the waterbody nearby the site for Shoreland Zoning purposes. DEP visited the site and reviewed the best available data and issued a letter to the City recommending that the waterbody be classified as a stream for the purposes of shoreland zoning (it was assigned a 250' shoreland zoning overlay – reclassification changes that to a 75' stream overlay.) This would allow the applicant to develop more of the site without being subject to the restrictive frontage-per-unit shoreland zoning restrictions and 35' maximum height limit. The reclassification to the 75' stream overlay was unanimously approved by second passage of the City Council at the July 5th City Council meeting.

The Site Plan and Subdivision Application was approved with conditions by the City of Bath Planning Board at their regular meeting on July 11, 2023.

Public Hearing: A public hearing for the Contract Rezoning was held on July 11, 2023 at the Planning Board meeting.

Findings of Fact

30-A M.R.S.A. Section 4352(8) and Article 8: §8.20 Contract Rezoning

Contract rezoning request:

The applicant is proposing a contract rezoning for the site to accommodate reduced setbacks and additional building height.

The state statutory requirements for rezoning at 30-A M.R.S.A. Section 4352(8) are:

A. Be consistent with the growth management program adopted under this chapter;

Staff note that the C4 is in an identified growth area, so the proposal is in accordance with the growth management program.

B. Establish rezoned areas that are consistent with the existing and permitted uses within the original zones; and

Staff note that the applicant is proposing a use that is consistent with existing and permitted uses within the original zone.

C. Only include conditions and restrictions that relate to the physical development or operation of the property.

Staff find that the conditions proposed relate to the physical development of the property.

Bath Land Use Code 8.20:

D.1 Mandatory Conditions:

The applicant proposes the following Mandatory Conditions:

“Reduction in front setback from 50 ft to 15 ft.
Reduction in front yard from 20 ft to 15 ft.
Reduction in side yard from 20 ft to 10 ft.
Increase in height from 40 ft to 50 ft.”

Staff note that all rezoning under this Section must,

“(a) be consistent with the Comprehensive Plan of the City of Bath and any other supporting documents pertinent to the Plan”

Staff find that the proposal is consistent with the Actions recommended by the 2009 City of Bath Comprehensive Action Plan (Plan). The Plan states as an issue that, “It is important that Bath have a mix of ages, income levels, and ethnic groups. This mix contributes to the community energy, friendliness, and the overall sense of community.” The proposed corresponding action under both the demographics and housing sections is to encourage housing development different than what exists: for example, housing attractive to young professionals, loft space, and senior housing, and allow and encourage mixed-use, mixed-income, and mixed-age housing developments.

“(b) includes only conditions and/or restrictions that relate to the physical development or operation of the property”

The applicant is proposing only conditions that relate to the physical development of the property.

D.2 2. Discretionary Conditions

The Planning Board did not recommend any discretionary conditions.

8.20, E. Planning Board Recommendation to the City Council and Findings of Fact

Staff note that in accordance with 8.20,E, when recommending contract rezoning approval to the City Council, the Planning Board must make findings of fact consistent with Site Plan and Subdivision Approval criteria of this Code, and that the following criteria are met:

1. The approval is consistent with the mandatory conditions set forth in Paragraph D 1 herein above.

Finding: Complies with D,1

2. The applicant is willing to meet certain community objectives contained in the Comprehensive Plan due to additional flexibility being allowed, the applicant has employed innovative design, or that there exists an unusual nature, condition, or location relative to the property being considered for rezoning.

Finding: The applicant is proposing to create housing that encourages a mix of income-type housing.

3. In addition to compatibility with the neighborhood, the building must be consistent in terms of colors, materials, and other design items with the Gateway or Downtown goals of the City, if applicable.

Finding: There are no applicable Gateway or Downtown goals of the City.

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 16.32, as follows:

SECTION 16.32 520 CENTRE STREET CONTRACT ZONE

A. District Designation

The property designated for contract rezoning is located at 520 Centre Street, identified as Lot 8, on City of Bath Tax Map 29 dated April 1, 2021.

B. Findings

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

1. Contract Rezoning is allowed in the Route 1 Commercial Contract District (C4)
2. The project consists of a proposal to develop a four-story building which will contain 18 two-bedroom apartments and an office. Future phases could contain additional multi-family housing dwelling units.
3. Contract rezoning is allowed on the parcel per section 8.10 (D) of the Land Use Code.
4. Without the creation of a contract zone, the minimum front setback is 50 feet, the minimum yard area is 20 feet, and the maximum building height is 40 feet.
5. The proposed structure would encroach into the minimum front setback and the minimum front and side yard areas, and the maximum building height requirements would be exceeded without contract rezoning.
6. The rezoning of the parcel is consistent with the Comprehensive Plan and there are no other applicable City plans.
7. The project is consistent with the mandatory conditions set forth in Land Use Code Section 8.20 paragraph D. 1.
8. The applicant states that they feel the project itself is a discretionary enhancement to the City "...as it helps the City move toward its comprehensive plan goals encouraging housing development different than what exists, including housing

attractive to young professionals and encouraging and promoting affordable, decent housing opportunities in Bath” offered in exchange for Contract Rezoning.

9. The Planning Board did not require any discretionary enhancements.

C. Zoning Provision Affected

This contract zoning amendment is intended to relax the minimum setback, yard area, and height requirements pursuant to Section 8.10 of the Land Use Code, by allowing the construction of the structures and other site improvements depicted on the Site Plan approved with conditions, by the Bath Planning Board on July 11, 2023.

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

1. Minimum Front Setback (reduce the requirement from 50 feet to 15 feet as depicted on the approved site plan).
2. Minimum Front Yard Area (reduce the requirement from 20 feet to 15 feet, as depicted on the approved site plan).
3. Minimum Side Yard Area (reduce the requirement from 20 feet to 10 feet as depicted on the approved site plan)
4. Maximum height (increase from 40 feet to 50 feet)

D. Conditions of Approval

This Contract Rezoning Ordinance requires full and complete compliance with all conditions of approval, which are part of the Site Plan and Subdivision approval, granted to Bath Housing Development Corporation, by the Bath Planning Board on July 11, 2023, including the following conditions:

- That the crosswalk location be approved by the City Planner with input from the Director of Public Works and the Bike and Pedestrian Committee.
- That the snow storage area be indicated on the Site Plan and the Subdivision Plan.



OFFICE of PLANNING & DEVELOPMENT

Jennifer Curtis
Director of City Planning
jcurtis@cityofbath.com

Date: July 27, 2023

To: Marc Meyers, City Manager
From: Jenn Curtis, Director of Planning
Re: Proposed Supportive Housing Land Use Code Amendments

Consistency (with plans, policies, and/or past practices):

The proposal is consistent with the Actions recommended by the 2009 City of Bath Comprehensive Action Plan (Plan). The Plan states as an issue that, "It is important that Bath have a mix of ages, income levels, and ethnic groups. This mix contributes to the community energy, friendliness, and the overall sense of community."

The proposed corresponding action under both the demographics and housing sections is: "• Encourage housing development different than what exists: for example, housing attractive to young professionals, loft space, and senior housing, and allow and encourage mixed-use, mixed-income, and mixed-age housing developments"

The proposal is consistent with existing policies and practices in that

- The use is being proposed in an area of the City that is designed to accommodate high-density residential uses. The proposed minimum lot area is the same or similar to existing.
- The level of review being proposed is consistent with previously approved similar uses.
- The districts, R1, and C2, where it is proposed to be an allowed-use, is an area that has similar residential uses with support services, such as Tedford Housing, and Elmhurst

Review History

- On June 6, 2023, the Council found that the proposal had merit to be reviewed by the Planning Board
- On July 11, 2023, the Planning Board discussed the proposal and voted to move it to workshop on August 1, 2023, and to continue the public hearing scheduled for July 11, 2023, to the August 1, 2023 meeting.

Likely impacts of the change:

Improved short and long-term housing situations for vulnerable community members.

Other Staff Comments:

It should be clarified how the development review process would work for projects of less than 4 sleeping units, as the proposal is for both a use allowed by review and approval of the Code

Enforcement Officer, and a use-specific performance standard requirement that needs Planning Board approval. This should be discussed and clarified during Planning Board review.

Planning Board Recommendation(s):

As of the date of this memo the Planning Board has not made a recommendation. They reviewed it on July 11, 2023, and are scheduled to workshop it and hold a public hearing on it on August 1, 2023.

ORDINANCE

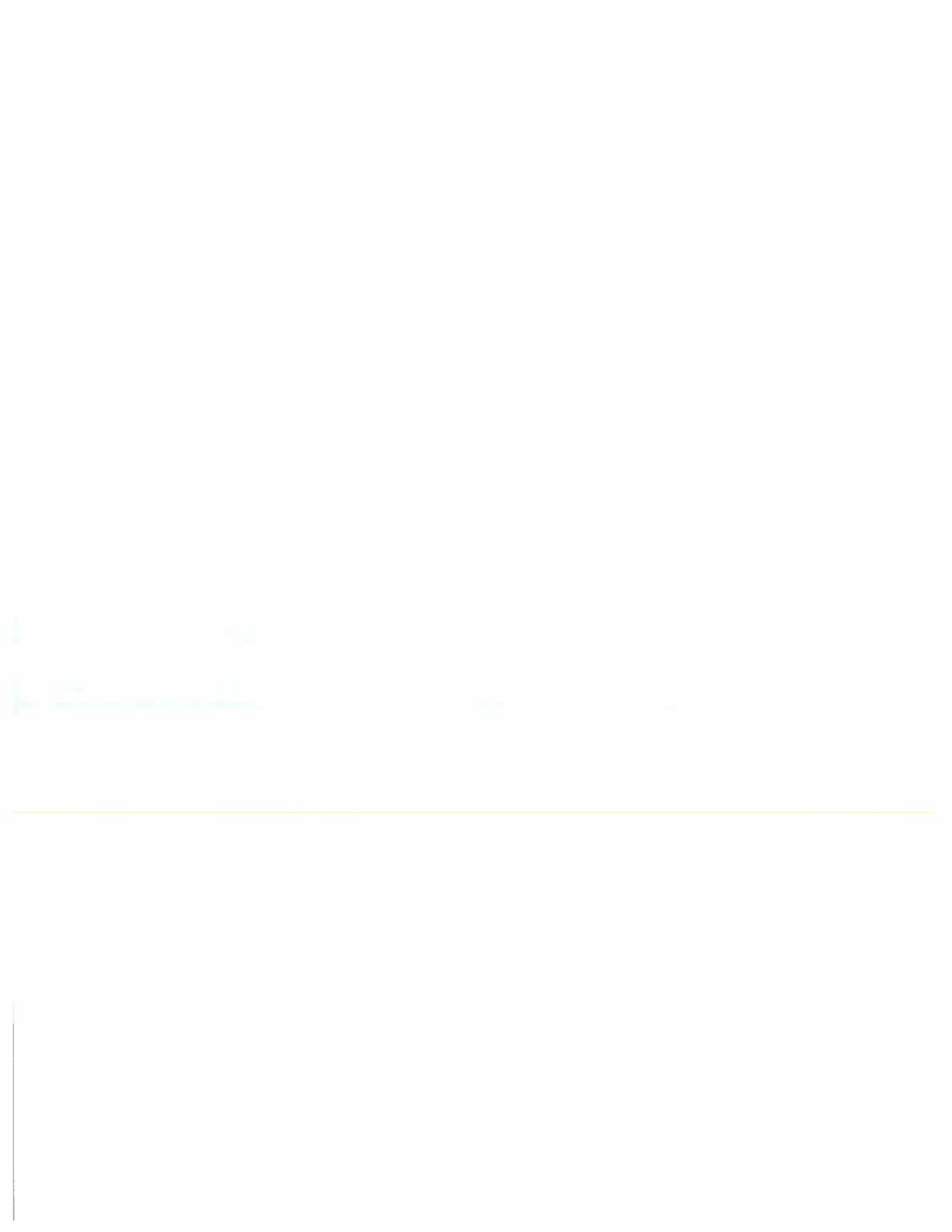
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE LAND USE CODE OF THE CITY OF BATH ADOPTED JULY 19, 2000, AND SUBSEQUENTLY AMENDED, BE HEREBY FURTHER AMENDED AS FOLLOWS:

ARTICLE 2: DEFINITIONS

SECTION 2.02 DEFINITIONS

Sleeping Unit. A bedroom contained within a Supportive Housing facility with sleeping beds for of a maximum of two occupants.

Supportive Housing. Housing that facilitates the movement of a target population to permanent housing within a period not to exceed 24 months following initial occupancy, and that is linked to on-site or off-site services that assist the supportive housing occupant in retaining other long-term housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Supportive Housing shall include spaces in a building where group sleeping accommodations are provided in one room, or in a series of closely associated rooms, for persons not members of the same family group, under joint occupancy and single management.



ORDINANCE

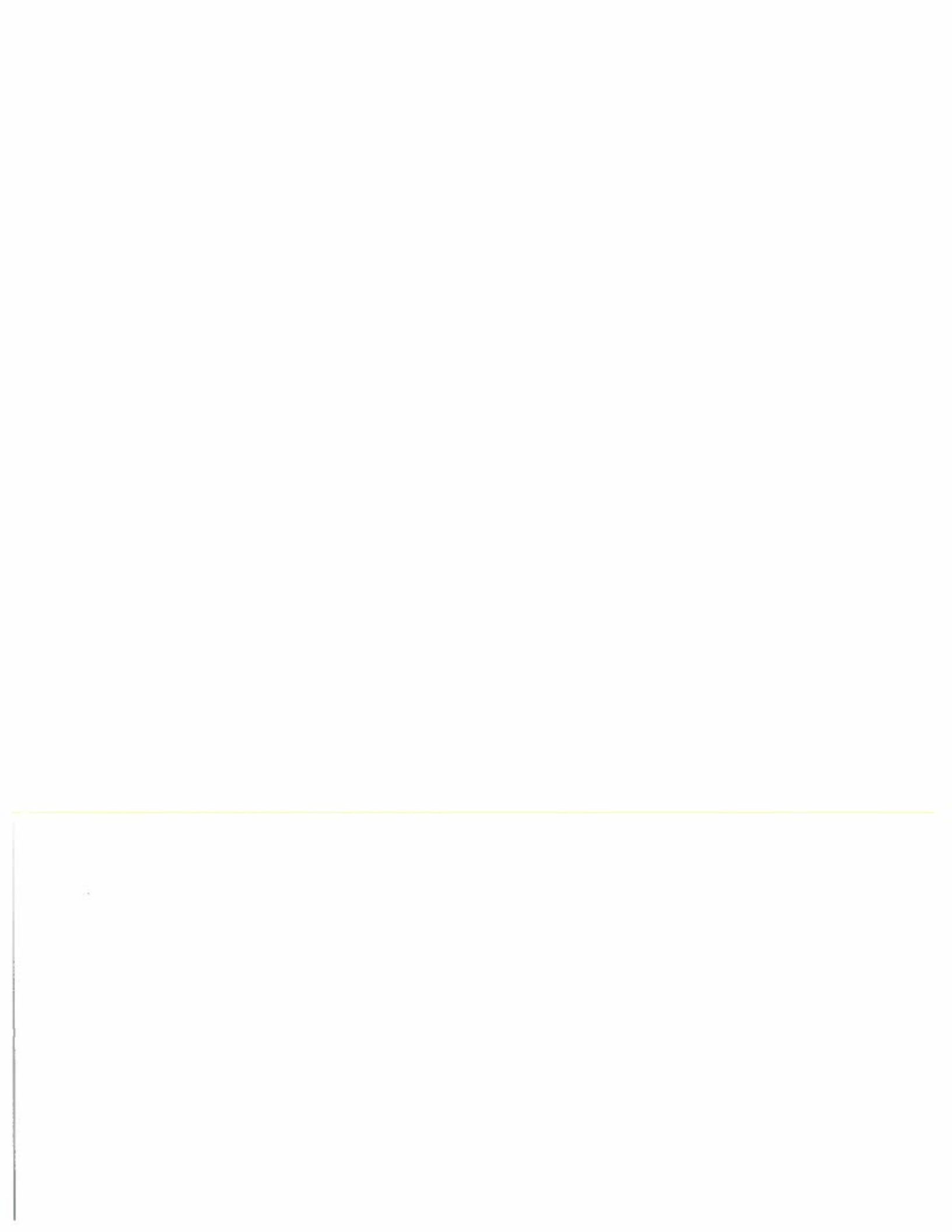
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE CODE OF THE CITY OF BATH, ADOPTED FEBRUARY 2, 1977, AND SUBSEQUENTLY AMENDED, BE FURTHER AMENDED AS FOLLOWS:

ARTICLE 8: DISTRICT REGULATIONS

SECTION 8.01 HIGH-DENSITY RESIDENTIAL DISTRICT – R1

C. Space and Bulk Regulations

MINIMUM LOT AREA	
1. Residential uses	6,000 square feet
2. <u>Supportive Housing uses</u>	<u>6,000 square feet</u>
3. Nonresidential uses	10,000 square feet
4. Mixed or multiple uses	minimum lot area for each use



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:

ARTICLE 10: GENERAL PERFORMANCE STANDARDS

SECTION 10.06 PARKING AND LOADING

A. Off-street Parking, Number of Spaces Required

LAND USE CATEGORY	PARKING REQUIREMENT
32.0 Supportive Housing	
32.1 With Less than 4 sleeping units	2 spaces per sleep unit
32.2 With 4 to 6 sleeping units	1.75 spaces per sleeping unit

SECTION 10.34 R1 SETBACK PLAN

A. This Section applies to new or expanded uses, other than single- and two-family uses, and supportive housing facilities in the R1 Zone.

ORDINANCE

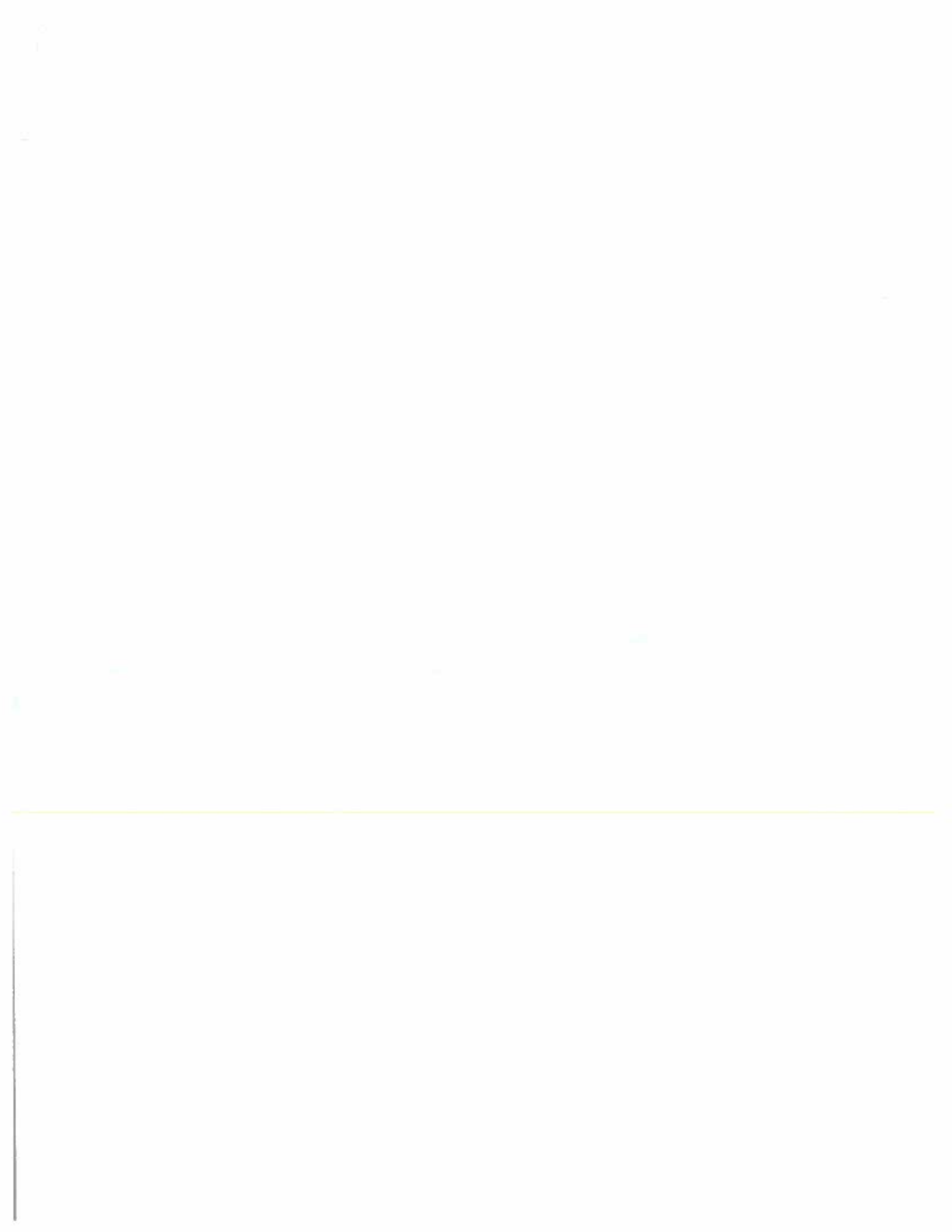
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BATH THAT THE CODE OF THE CITY OF BATH, ADOPTED FEBRUARY 2, 1977, AND SUBSEQUENTLY AMENDED, BE FURTHER AMENDED AS FOLLOWS:

ARTICLE 11: PERFORMANCE STANDARDS, SPECIFIC ACTIVITIES AND LAND USES

SECTION 11.42 SUPPORTIVE HOUSING

The Review Authority may allow a supportive housing facility provided the applicant demonstrates that all the conditions for residential uses as contained in Article 10 are met.

- A. A supportive housing facility shall be owned and operated by a non-profit corporation registered by the State of Maine.
- B. Supportive housing facilities may include as accessory uses offices of staff who periodically are in the facility to serve the needs of the residents.
- C. Overnight guests shall not be allowed to stay with residents.
- D. The age of the residents of a supportive housing facility shall be a minimum of 18 years upon the date of initial occupancy, and a maximum of 24 upon the date of ending occupancy.
- E. A supportive housing facility shall consist of the following:
 - 1. Sleeping units, each with sleeping beds for a maximum of two occupants.
 - 2. A kitchenette for shared use by occupants
 - 3. Toilet facilities and shower facilities for shared use by occupants.
 - 4. A lounge for shared use by occupants.



Darci Wheeler

From: no-reply@services.evo.cloud
Sent: Tuesday, July 4, 2023 3:22 PM
To: Darci Wheeler
Subject: Appointment Application - New Form Submission for Bath, Maine

A new submission has been received for Appointment Application at 07/04/2023 3:22 PM

First Name:: Laura
Last Name:: Walters
Address:: 128 Whiskeag Rd
Phone:: 9789184508
Your Council Ward Number:: 6
Email Address:: lauraluwalters@gmail.com
Preferred Method of Contact:: Email
I wish to be considered for:: Reappointment
Name of Board/ Commission/ Committee:: Climate Action Commission
Committee Experience:
Date(s) you attended this Board/Commission/Committee's meetings:: I attend all Commission and the energy subcommittee meetings
Members of the Board/ Commission/ Committee with whom you spoke and when:: I regularly speak with all members.
How did these experiences affect your interest in the Board/ Commission/ Committee?: Since forming the Commission, we have created a resolution committing the City to meet the Maine State Climate Action Goals, conducted numerous educational events engaging residents, and worked on several topic-specific actions. I am enjoying helping guide Bath to be a leader in climate action.
Have you every served on a City Board/ Commission/ Committee?: Yes
If yes please list the Board/ Commission/ Committee and years of service: Climate Action Commission, 2020-present
Please outline past and present expertise skills employment that you think may be relevant:: * I have worked in the solar industry for the last 17 years, focused on educating people on how to design and install solar electric systems. * I created and negotiated a successful proposal for elevating Sustainability to the "Defining Characteristic" level in the Dickinson College Strategic Plan 2006-2010 and served as the College's first Sustainability Coordinator. * I have worked or volunteered at multiple environmental non-profits related to renewable energy, water quality, and advocacy.
Resume (Optional): No File Uploaded
Why do you want to be a member of this Board/ Commission/ Committee or list your accomplishments during your last term or terms?: I want to continue to serve as a commission member because I am passionate about enabling conversations about climate change and educating and encouraging our city to serve as an example for our citizens and other cities. A few of our accomplishments include: * The resolution in August 2022 commits the City to meet the climate goals

established by the Maine Climate Action Plan and establish annual reporting of climate initiatives in the city departments. * The CAC partnered with Patten Library to offer the climate conversations series to talk about the projected impacts of climate change on Bath and what we can do about it. 2) In alignment with the goals of the state, we are currently promoting an effort to adopt an ordinance with requirements for the strategic location of EV charging stations in Bath. * The CAC offered a window insulating project in fall of 2022 and will be doing so again in 2023.

How many months are you away from Bath in a 12 month period?:

I am away from Bath less than a month total each year.

Date:

07/04/2023

Signature:

Laura Walters



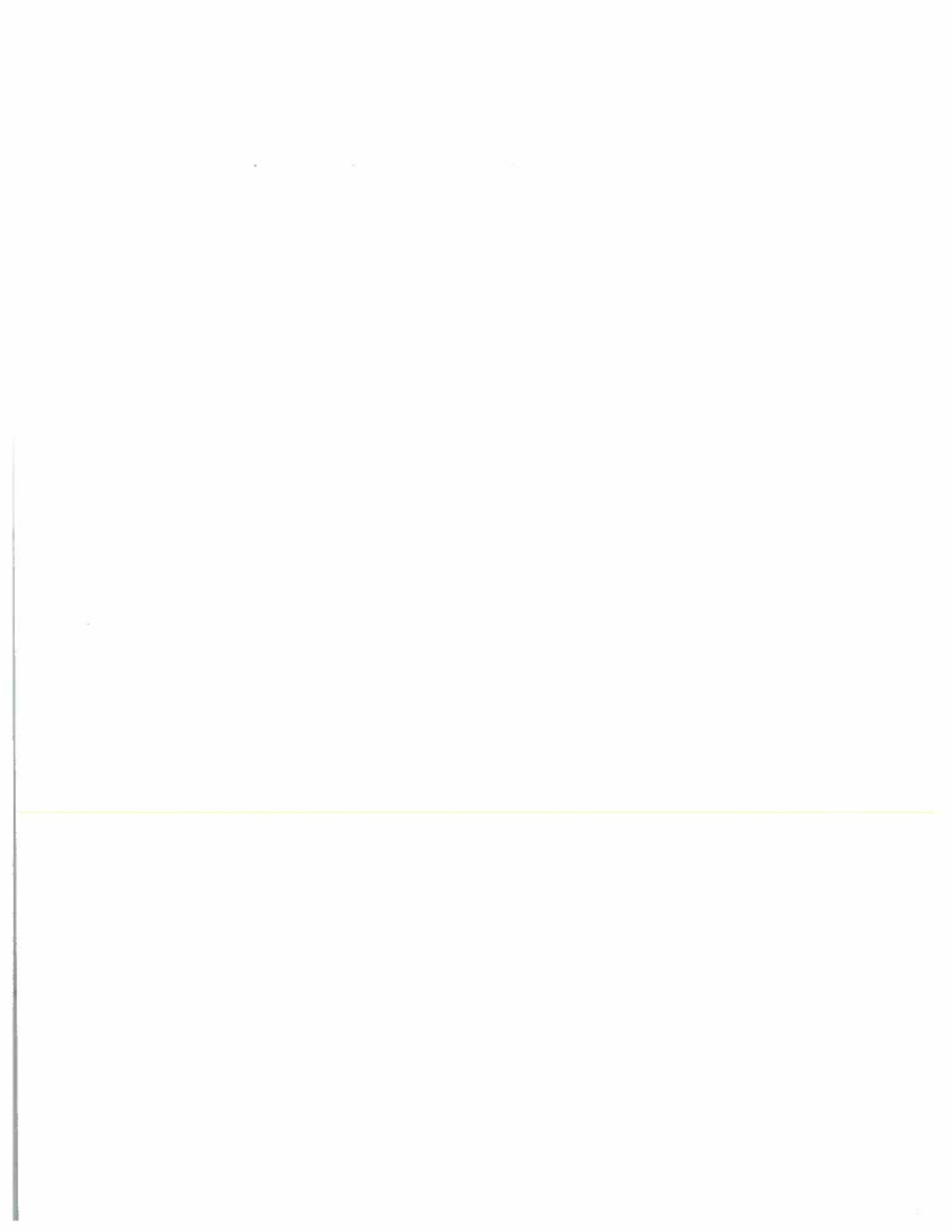
Darci Wheeler

From: no-reply@services.evo.cloud
Sent: Monday, July 10, 2023 1:05 PM
To: Darci Wheeler
Subject: Appointment Application - New Form Submission for Bath, Maine
Attachments: resume updated june 2016.pdf

A new submission has been received for Appointment Application at 07/10/2023 1:05 PM

First Name:: Mara
Last Name:: Pennell
Address:: 87 Forest Glen Ln, Topsham
Phone:: 207-837-7917
Your Council Ward Number:: 1
Email Address:: mpennell@bathsavings.com
Preferred Method of Contact:: Email
I wish to be considered for:: Reappointment
Name of Board/ Commission/ Committee:: Community Development
Committee Experience:
Date(s) you attended this Board/Commission/Committee's meetings:: Existing member
Members of the Board/ Commission/ Committee with whom you spoke and when:: Existing member
How did these experiences affect your interest in the Board/ Commission/ Committee?: Existing member
Have you every served on a City Board/ Commission/ Committee?: Yes
If yes please list the Board/ Commission/ Committee and years of service: I am an active member of this committee, as well as the housing subcommittee.
Please outline past and present expertise skills employment that you think may be relevant:: See resume.
Resume (Optional): resume updated june 2016.pdf
Why do you want to be a member of this Board/ Commission/ Committee or list your accomplishments during your last term or terms?: The committee has worked through a number of successful initiatives in the last 3 years and we have several projects underway. I am an active participant.
How many months are you away from Bath in a 12 month period?: I live in Topsham and work for Bath Savings.
Date: 07/10/2023
Signature: Mara K Pennell





Mara K. Pennell

87 Forest Glen Ln
207.837.7917
mpennell31@gmail.com

Experienced professional prepared to join a leadership team within an organization that aligns with my passion for service excellence. I will be considering opportunities with organizations that align with my core values, capitalize on my analytical skills and I can demonstrate my experience in strategic management.

EXPERIENCE

Bath Savings Institution

09/2015-Current

Vice President Commercial Lending

Maintain and improve a growing portfolio of 105+ commercial relationships with almost \$35 million in credit exposure through the delivery of exceptional service without exception. I have successfully on boarded several significant new relationships to the Bank through referrals and business development. Responsibilities included lending decisions for requests within individual lending authority and presentment of other requests to Management Loan Committee or the Board of Directors, as necessary. With current experience I am able to provide leadership, informal oversight and coaching to Credit Analysts and other staff, as requested by Senior Management.

Midcoast Federal Credit Union

03/2009-06/2015

VP Lending/SVP Retail Services

Initially tasked with converted the organization to a risk-based lender, successes included the development of the lending policy, revisions to underwriting standards for the organization and implementation of processes to maintain compliance. Simultaneously maintained oversight of all collections functions and corrected delinquency higher than peers with rehabilitation of loans, all within acceptable loss ratios during and immediately following recession. Other projects included the design and implementation of the innovative and highly successful Fixed Rate Home Equity Line of Credit from concept to market and assisting with the design and launch of two credit card products, private education loan program and the construction loan product. With promotion to SVP Retail Services in March of 2014, responsibilities included leadership of all retail locations, overseeing and enhancing member experiences and continued management responsibility for all aspects of the lending program. Through motivating and coaching branch staff in the delivery of service excellence, priorities were to deepen member relationships and meet organization goals. We successfully achieved over 12% loan growth, 3% membership growth and incremental deposit growth in multiple fiscal years. Contributed to the designed and implementation of several new deposit products, initiated significant revisions to the new account process and led organizational realignments. These successes have been achieved through participation in the overall strategy and disseminating that strategy through effective communication throughout the organization.

KeyBank , N. A.

08/2002-03/2009

Business Banking Credit Officer, Vice President

While with the Bank, I sought successive positions within the business banking and commercial banking departments. Responsibilities included underwriting and presenting decisions for new small business credit requests up to \$4 million in aggregate exposure for the Northeast region with individual lending authority of \$1 million. Additional responsibilities included monitoring the asset quality and underwriting of the existing business banking portfolio. Skills included working closely with relationship managers to find creative solutions to meet the needs of the clients while maintaining compliance, as well as acceptable levels of risk and profitability. Several leadership roles including working with teams for the implementation of new software, organizing community service activities and developing internal processes.

EDUCATION

Southern New Hampshire University

12/2006

M. S. Organization Leadership, Summa Cum Laude

Bentley University

05/2001

B. S. Business Communications, Summa Cum Laude

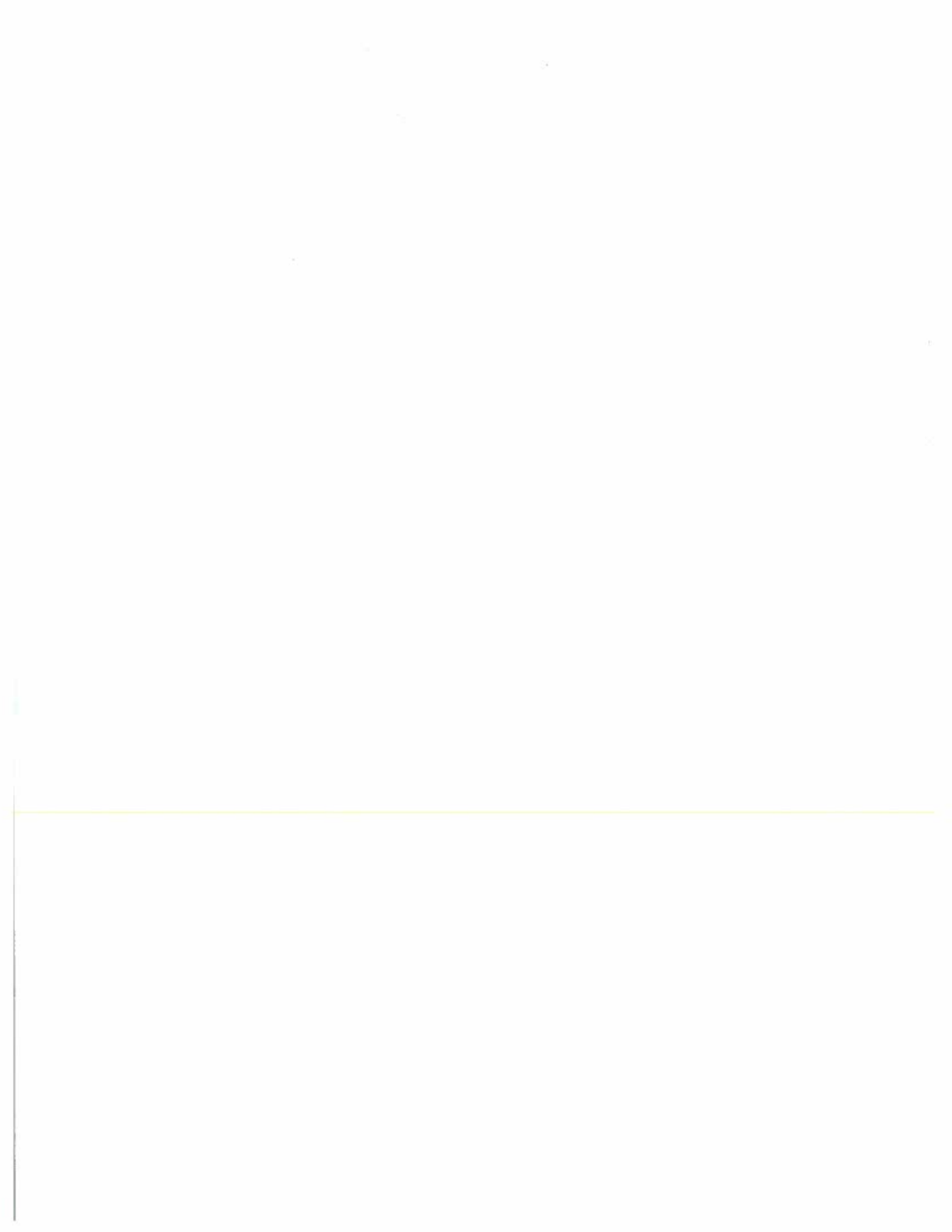
Southern Maine Community College

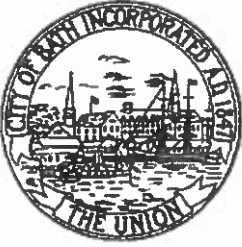
05/1999

A. A. S Business Administration (Dean's List)
President's Award - All-Maine Academic Team

CUNA World-Class Service Leadership Institute
Ritz-Carleton, Phoenix, AZ

05/2015





City of Bath
Application for (Re)Appointment
to City Board/Commission/Committee

Full Name: PAUL PERKINS

Residence Address: 52 GREEN ST

I live in Council Ward # (circle one) 1 2 3 4 5 6 7

Phone #: 2

E-mail address PFPERKINS@GMAIL.COM

Preferred Method of Contact? (circle one)

phone

email

I wish to be considered for: (circle one)

appointment

reappointment

SOLID WASTE ADVISORY COMMITTEE

(Name of Board/Commission/Committee)

We are asking applicants to attend some actual meetings of this committee and/or to speak with some members of the board/committee to get a sense of what the committee does before submitting their application. Information about the committee meetings, who is chair and committee membership is available from the City Clerk's office and on the City of Bath website.

Please list the following:

A) Date(s) you attended this committee's meetings: REGULARLY FOR PAST FEW YEARS.

B) Members of the committee or board with whom you spoke and when:

ALL

C) How did these experiences affect your interest in the committee?

WANT TO REMAIN ON COMMITTEE

Have you ever served on a City Board/Commission/Committee? (circle one) Y N

If yes, please list the Board/Commission/Committee and years of service:

SOLID WASTE x ? 3 YEARS

CLIMATE COMMISSION x 3 YEARS



Figure 1. A network structure with nodes and edges.



Please outline past and present expertise/skills/employment that you think may be relevant (Resumes are welcome):

LONG TIME INTEREST IN WASTE REDUCTION STRATEGIES

Why do you want to be a member of this Board/Commission/Committee or list your accomplishments during your last term(s)?

TO HELP BATH REDUCE FOOD WASTE GOING TO LANDFILL

How many months are you away from Bath in a 12-month period?

2-4 weeks in divided trips
Date Signature Paul Paul

Please return form to: City Clerk's Office, 55 Front Street, Bath, ME 04530 or email dwheeler@cityofbath.com

FOR USE BY CITY CLERK'S DEPARTMENT:

Date application received: _____

Received by: _____

Date emailed to Appointment Review Committee: _____

Date interviewed by Appointment Review Committee: _____

Date application on City Council agenda: _____

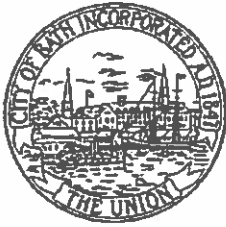
Date appointed by City Council: _____

Date applicant notified by City Clerk's office: _____

Date applicant sworn in: _____

Term to begin: _____

Term to expire: _____



City of Bath
Application for (Re)Appointment
to City Board/Commission/Committee

Full Name: BETSEY GREENE GLAZIER

Residence Address: 125 Congress Avenue #312

I live in Council Ward # (circle one) 1 2 3 (4) 5 6 7

Phone #: 207-442-9456 E-mail address: betseyglazier@gmail.com

Preferred Method of Contact? (circle one) phone email

I wish to be considered for: (circle one) appointment reappointment

BATH HOUSING AUTHORITY BOARD OF COMMISSIONERS
(Name of Board/Commission/Committee)

We are asking applicants to attend some actual meetings of this committee and/or to speak with some members of the board/committee to get a sense of what the committee does before submitting their application. Information about the committee meetings, who is chair and committee membership is available from the City Clerk's office and on the City of Bath website.

Please list the following:

A) Date(s) you attended this committee's meetings: WIL ATTON 7/27/23 MEETING

B) Members of the committee or board with whom you spoke and when:
DEBORA KELLER, EXECUTIVE DIRECTOR, BATH HOUSING ON JULY 12, 2023.

C) How did these experiences affect your interest in the committee? I would like to help with new changes. Working with Deb Keller would be an honor.

Have you ever served on a City Board/Commission/Committee? (circle one) Y (N)

If yes, please list the Board/Commission/Committee and years of service:

Please outline past and present expertise/skills/employment that you think may be relevant (Resumes are welcome):

See attached

Why do you want to be a member of this Board/Commission/Committee or list your accomplishments during your last term(s)?

I want to contribute to my home town as it moves forward in creating housing for it's citizens.

How many months are you away from Bath in a 12-month period? 0

7-17-2023
Date

Betsy Greene Frazier
Signature

Please return form to: City Clerk's Office, 55 Front Street, Bath, ME 04530 or email dwheeler@cityofbath.com
In order to be processed before the next Council meeting, applications must be received by the 15th of the month. If they are submitted after that date, they will be reviewed the following month.

FOR USE BY CITY CLERK'S DEPARTMENT:

Date application received: _____

Received by: _____

Date emailed to Appointment Review Committee: _____

Date interviewed by Appointment Review Committee: _____

Date application on City Council agenda: _____

Date appointed by City Council: _____

Date applicant notified by City Clerk's office: _____

Date applicant sworn in: _____

Term to begin: _____

Term to expire: _____



DEPARTMENT OF SURGERY

Carl E. Bredenberg, M.D., FACS
Surgeon-in-Chief

Professor of Surgery,
University of Vermont
College of Medicine

September 2, 2003

Re: Betsy Glazier

To Whom It May Concern:

Betsy Glazier has been the medical transcriptionist for Maine Heart Surgical Associates and I have worked closely with her over the last number of years in my capacity as a partner in that cardiothoracic practice group. Without a doubt, Betsy has been the best medical transcriptionist with whom I have worked with in over thirty years of surgical practice. She is both fast and accurate and handles complex medical terminology with ease. Moreover she reviews and edits her own work and I cannot recall the last time that I had to make any correction before signing.

Betsy is a hard worker with a strong work ethic and well disciplined work habits. She has a good sense of humor and is a pleasure to have as a colleague. Both her integrity and her discretion are absolute and I have had no hesitation dictating the most confidential materials to her.

In short, Betsy has done a great job in her current position and I can give her my strongest recommendation.

With all best wishes.

Sincerely,

A handwritten signature in black ink, appearing to read "Carl E. Bredenberg".

Carl E. Bredenberg, MD, FACS
Surgeon-in-Chief
Maine Medical Center

RESUME
BETSEY GREENE GLAZIER
19R Summer Street
Topsham, Maine 04086

EMPLOYMENT HISTORY:

Mid Coast Hospital. August 2, 2004 - Present. Medical transcriptionist. Medical Records Analyst.

Kelly Temporary Services. March 2004 - August 2004. Assignment with Standard Insurance Company.

Portland School Department. September 2003 - March 2004. Guidance Secretary at Deering High School. Balanced multitasking and interacting with members of the student body. This was a unique opportunity because this school population included many teenagers from all over the world.

Maine Heart Surgical Associates. Portland, Maine. June 1996 - September 2003. Medical Transcription.

Plastic and Hand Surgical Associates. South Portland, Maine. June 2002 - September 2003. Medical Transcription per diem on the night shift.

Kelly Temporaries, Portland, Maine. Accounts Payable and Medical transcription assignments. February 1995 - June 1996. I was hired as full time medical transcriptionist as a result of one of my assignments.

Self Employed. Bath, Maine. June 1994 - February 1995. Designed, produced, and marketed my own line of folk art.

Secretary to the Vocational Director, Bath Regional Vocational Center. September 1990 - June 1994. Bath, Maine. Multitasking to keep this one woman office running efficiently and interacting with high school students

Secretary to Superintendent of Schools, Bath, Maine September 1998 - September 1990.

Secretary to Director of Special Education and Elementary Education, Brunswick, Maine September 1982 - September 1991.