

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

Wednesday, October 6, 2023, 6:00 PM

Councilors Present: Julie Ambrosino (Remote), Phyllis Bailey, Terry Nordmann, Roo Dunn, Jennifer DeChant, Susan Bauer, Miriam Johnson, and Elizabeth Dingley

Councilors Absent: Mary Ellen Bell

City Staff Present: Marc Meyers, City Manager; Darci Wheeler, City Clerk; Juli Millett, Finance Director/Assistant City Manager; Pete Compagna, BCTV; Emily Ruger, Director of Community & Economic Development; Lawrence Renaud, Fire Chief; Lee Leiner, Director of Public Works and Jennifer Curtis, City Planner.

Darci Wheeler, City Clerk opened the meeting and called for nominations for temporary chair to serve to the next meeting.

Councilor Bailey nominated Councilor DeChant.

Councilor Dunn closed nominations, seconded by Councilor Bailey. Darci Wheeler, City Clerk called for a roll call vote. The order passed with eight (8) yeas and zero (0) nays.

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

NAYS: None

A. Pledge of Allegiance

B. Roll Call

C. Public Hearing: None

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.)*

- 1) *Minutes of the previous meeting of September 6, 2023, Council Meeting and September 20, 2023, Special Meeting (motion to accept as presented)

Motion from Councilor Ambrosino to accept the minutes, as presented. Seconded by Councilor Bailey. Chairperson DeChant called for a roll call vote. The order passed with seven (7) yeas and zero (0) nays.

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

NAYS: None

E. Time Devoted to Residents to Address the City Council:

Speaking against LUC Amendment regarding Bath Golf Club

**Anne Page, 191 Middle Street
Jim Hummer, 20 Varney Mill Road
Tracy Footer, 10 Aspen Lane
Jason MacIntosh, 271 Whiskeag Road
Gina Ripley, 155 Butler Head Road
Alicia Romac, 370 Whiskeag Road
David King, 11 Mill Pond Drive
Bill Gray, 12 Tank Farm Lane
Brian Bennett, 7 Matthews Avenue
Dick Hill, 71 South Street
Judy French Lawry, 82 Varney Mill Road
Chris Marco, 3 Seekins Drive
Sam Lambert, 149 North Bath Road
Jamie Jones, 25 Snow Park
Miley Hoffman, 217 Ridge Road
Ron Lowry, 82 Varney Mill Road
Alex Kott, 217 Ridge Road
Mike Stinson, 17 Tower Circle
Alicia Romac, 370 Whiskeag Road**

F. Resolutions, Orders, and Ordinances:

2) ORDER: Approval of bid for Cardiac Monitors

Lawrence Renaud, Fire Chief, provided background on the item and responded to questions and comments from Councilors Dunn, Bauer, and Bailey.

Motion from Councilor Dunn to accept as presented. Seconded by Councilor Bauer. Chairperson DeChant called for a roll call vote. The order passed with seven (7) yeas and zero (0) nays.

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

NAYS: None

3) ORDER: Approval of bid for 2025 Tandem Axle Dump/Plow Truck

Lee Leiner, Director of Public Works, provided background on the item and responded to questions and comments from Councilors Bailey and Dunn.

Motion from Councilor Bauer to accept as presented. Seconded by Councilor Bailey. Chairperson DeChant called for a roll call vote. The order passed with seven (7) yeas and zero (0) nays.

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

NAYS: None

4) ORDER: Approval of bid for Truck Lift

Lee Leiner, Director of Public Works, provided background on the item and responded to questions and comments from Councilors Nordmann and Dunn.

Motion from Councilor Bauer to accept as presented. Seconded by Councilor Bailey. Chairperson DeChant called for a roll call vote. The order passed with seven (7) yeas and zero (0) nays.

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

NAYS: None

5) ORDER: Acceptance of gift from Bath at Play

Emily Ruger, Director of Economic and Community Development, provided background on the item and responded to questions and comments from Councilors Johnson, Bailey, and DeChant. Ron Lowry, 82 Varney Mill Road, provided public comment. Councilor Dunn provided final council comment.

Motion from Councilor Bauer to accept as presented. Seconded by Councilor Bailey. Chairperson DeChant called for a roll call vote. The order passed with seven (7) yeas and zero (0) nays.

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

NAYS: None

6) ORDER: Prepare Election Warrant to notify inhabitants of the City of Bath of the State General Election to be held on Tuesday, November 7, 2023.

Motion from Councilor Dunn to accept as presented. Seconded by Councilor Ambrosino. Chairperson DeChant called for a roll call vote. The order passed with seven (7) yeas and zero (0) nays.

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

NAYS: None

7) ORDER: Prepare Election Warrant to notify inhabitants of the City of Bath of the Municipal Election to be held on Tuesday, November 7, 2023, for City Councilors to be Elected to Wards 1, 6, and At Large, 3 Year Terms, 4 Charter Amendments, and 2 Bond Ordinances

Motion from Councilor Johnson to accept as presented. Seconded by Councilor Dunn. Chairperson DeChant called for a roll call vote. The order passed with seven (7) yeas and zero (0) nays.

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

Ambrosino

NAYS: None

- 8) ORDER: Prepare Election Warrant to notify inhabitants of the City of Bath of the RSU#1, Board of Directors Election held on Tuesday, November 7, 2023, for 1 Woolwich-Residence Position, and 1 Bath-Residence Position

Motion from Councilor Bauer to accept as presented. Seconded by Councilor Johnson. Chairperson DeChant called for a roll call vote. The order passed with seven (7) yeas and zero (0) nays.

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

NAYS: None

- 9) ORDER: Registrar of Voters' hours for the November 6, 2023, State General, Municipal, and RSU#1, Board of Directors' Elections

Motion from Councilor Dunn to as presented. Seconded by Councilor Bauer. Chairperson DeChant called for a roll call vote. The order passed with seven (7) yeas and zero (0) nays.

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

NAYS: None

- 10) ORDER: Appointment of Warden and Ward Clerk for the November 7, 2023 Election

Darci Wheeler, City Clerk, provided background on the previous five items and responded to questions and comments from Councilors Bauer and Dunn.

Motion from Councilor Bailey to accept as presented. Seconded by Councilor Bauer. Chairperson DeChant called for a roll call vote. The order passed with seven (7) yeas and zero (0) nays.

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

NAYS: None

- 11) ORDER: Approving Authorization BIW Tax Increment Financing District Budget (FY 2024)

Juli Millett, Finance Director/Assistant City Manager, provided background on the item and responded to questions and comments from Councilors Johnson, Dunn, and Bauer. Amanda McDaniel, Main Street Bath Director introduced co-presidents Liz Wyman and Mollie Jellison, providing public feedback. Final Council comments were made by Councilor Johnson.

Motion from Councilor Bauer to as presented. Seconded by Councilor Johnson. Chairperson DeChant called for a roll call vote. The order passed with seven (7) yeas and zero (0) nays.

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

NAYS: None

12) ORDER: Approving Authorization Wing Farm Tax Increment Financing District Budget (FY 2024)

Juli Millett, Finance Director/Assistant City Manager, provided background on the item.

Motion from Councilor Ambrosino to accept as presented. Seconded by Councilor Bailey. Chairperson DeChant called for a roll call vote. The order passed with seven (7) yeas and zero (0) nays.

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

NAYS: None

13) ORDER: Approving Authorization Downtown Tax Increment Financing District Budget (FY 2024)

Juli Millett, Finance Director/Assistant City Manager, provided background on the item.

Motion from Councilor Bauer to accept as presented. Seconded by Councilor Bailey. Chairperson DeChant called for a roll call vote. The order passed with seven (7) yeas and zero (0) nays.

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

NAYS: None

14) ORDER: Extending term of contract with ReVision Energy

Rod Melanson, Director of Sustainability and Environment, provided background on the item and responded to questions and comments from Councilors Bauer and Dunn. Marc Meyers, City Manager provided clarification.

Motion from Councilor Dunn to accept as presented. Seconded by Councilor Bailey. Chairperson DeChant called for a roll call vote. The order passed with seven (7) yeas and zero (0) nays.

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

NAYS: None

15) ORDINANCE: Approving net energy billing credit purchase and sale agreement with ReVision Energy

Rod Melanson, Director of Sustainability and Environment, provided background on the item and responded to questions and comments from Councilors Dunn, Bailey, Bauer, and DeChant. Andrew Karhl, ReVision Energy, provided clarification. Final Council comments provided by Councilors Dunn, Dingley, Bauer, and DeChant.

Motion from Councilor Bauer to accept as presented. Seconded by Councilor Bailey. Chairperson DeChant called for a roll call vote. The order passed with seven (6) yeas and one (1) nays.

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

NAYS: Councilor Dingley

G. Petitions & Communications: None

H. City Manager's Report:

**10/7-Community Involvement Day
10/11-Climate meeting 5:30pm Patten Free Library
10/12-Bridge Park Dedication 11am until 1pm
Fire Department Open House that evening
10/17-Comprehensive Plan Hearing
10/10 & 10/26-City Ballot Information Sessions 6pm**

I. Committee Reports: None

J. Unfinished Business: None

K. New Business: 8:27pm

16) APPROVAL: Council to determine merit to move to Planning Board regarding amendment to LUC regarding Bath Golf Club

Jennifer Curtis, Director of Planning, provided background on the item and responded to questions and comments from Councilors Bailey, Dunn, Bauer, Johnson, and Ambrosino. Marc Meyers, City Manager, Sean McCarthy, Bath Golf Club, Rick Light, Engineer, provided clarification. Alicia Romac, Jim Hummer, Ron Lowry, Gina Ripley, Jamie Jones Susan Hummer, and David King, addresses previously listed, provided public feedback against moving it on the Planning Board. Final Council comments provided by Councilors Johnson, Dunn, Bailey, DeChant, Ambrosino.

Motion from Councilor Johnson to accept as presented. Seconded by Councilor Bauer. Chairperson DeChant called for a roll call vote. The order failed with zero (0) yeas and seven (7) nays.

YEAS: None

NAYS: Councilors Ambrosino, Bailey, Dunn, DeChant, Bauer, Johnson, and

Dingley

Motion from Councilor Bauer to move meeting past 9pm. Seconded by Councilor Ambrosino. Chairperson DeChant called for a vote. The order passed with seven (7) yeas and zero (0) nays.

17) APPROVAL: Council to determine merit to move to Planning Board regarding amendment to LUC regarding Utility Scale Solar Energy Conversion Systems

Rod Melanson, Director of Sustainability and Environment, provided background on the item and responded to questions and comments from Councilors DeChant and Dunn.

Motion from Councilor Johnson to accept as presented. Seconded by Councilor Ambrosino. Chairperson DeChant called for a roll call vote. The order passed with six (6) yeas and one (1) nays.

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

NAYS: Councilor Dingley

18) Appointments and Reappointments

~Reappointment of Gregory K. Johnson to Planning Board term to expire September 2026

~Reappointment of James Hopkinson to Planning Board term to expire September 2026

~Reappointment of Clarence Stilphen to Planning Board term to expire September 2026

~Reappointment of Keith Laser to Zoning Board of Appeals term to expire September 2026

Motion from Councilor Ambrosino to accept as a slate. Seconded by Councilor Dunn. Chairperson DeChant called for a roll call vote. The order passed with seven (7) yeas and zero (0) nays.

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

NAYS: None

L. Councilor Announcements:

Councilor Nordmann- contractor dissatisfaction with 4-day work weeks

Councilor Dingley- heard from constituents unhappy with 4-day work weeks

Marc Meyers, City Manager, informed Council to forward all emails to him for consideration

9:34 PM Councilor Bauer motioned for Council to enter Executive Session. Councilor Bailey seconded.

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

NAYS: None

Executive Session: 9:34pm

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

Motioned by Councilor Bauer and seconded by Councilor Bailey to leave Executive Session.

Meeting adjourned at 10:00pm.

Motioned by Councilor Ambrosino and seconded by Councilor Dunn.

ADJOURN

Attested:

Darci Wheeler, City Clerk

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