

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – SEPTEMBER 8, 2014

*Meeting Called to Order at 7:30 PM
 Chaired by Councilor Sprague
 Councilors Absent: None
 Meeting Adjourned at 9:51 PM*

INTRODUCTION: *Fire Chief, Scott Lucas, introduced Captain Philip (Greg) Hodge of the Bangor Fire Department.*

PUBLIC COMMENT *Kevin O’Connell, Brewer City Councilor, presented “I Lead” coins to Councilors Plourde and Graham.*

John York of the Bangor Fire Department invited the City Council to attend two ceremonies being held during the week of September 11th.

Paul LeClair wanted to know why he hadn’t heard of any meetings between the School Committee and the City Council. Mr. LeClair also wanted to know why the budget meetings between staff and the City Manager were not public. City Manager, Catherine Conlow, indicated that meetings between the boards generally begin in January for the upcoming budget and that they also meet quarterly. Meetings with staff were not public meetings.

**CONSENT AGENDA
 ITEM NO.**

**ASSIGNED TO
 COUNCILOR**

MINUTES OF: *Bangor City Council Regular Meeting of August 25, 2014, Airport Committee Meeting of August 12, 2013 and Business & Economic Development Committee Meeting of August 5, 2014*

Action: *Accepted and Approved*

14-280 **RESOLVE** *Ratifying Execution of Municipal Quitclaim Deed – Real Estate Located at 454 Ohio Street* **GALLANT**

Action: *Passed*

14-281 **ORDER** *Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 43 Fourteenth Street* **BLANCHETTE**

Action: *Passed*

14-282 **ORDER** *Authorizing the City Manager to Accept \$5,106.54 in Donation from an “Anonymous Donor” for the Special Account: Pay It Forward Fund* **CIVIELLO**

Action: *Passed*

14-283 **ORDER** *Authorizing a Five Year Contract for Airport Improvement Program (AIP) Engineering & Architectural Services with Jacobs* **DURGIN**

Action: *Passed*

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CONSENT AGENDA			ASSIGNED TO
ITEM NO.			COUNCILOR
<u>14-284</u>	<u>ORDER</u>	<i>Authorizing Contract Award in the Amount of \$113,546 to ADS Environmental Services for the Sewer Flow Monitoring Program</i>	BALDACCI
	<i>Action:</i>	<i>Passed</i>	
<u>14-285</u>	<u>ORDER</u>	<i>Authorizing an Amendment to the Indenture of Lease with L.L. Bean, Inc. (Map 102, Lot 006)</i>	NEALLEY
	<i>Action:</i>	<i>Passed</i>	
<u>14-286</u>	<u>ORDER</u>	<i>Authorizing an Amendment to the Indenture of Lease with Vicki L. Trundy at 39 Florida Avenue</i>	PLOURDE
	<i>Action:</i>	<i>Passed</i>	
<u>14-287</u>	<u>ORDER</u>	<i>Authorizing the City Manager to Apply for \$69,700 in Grant Funding from Lowe’s Corporation Charitable Foundation</i>	GRAHAM
	<i>Action:</i>	<i>Passed</i>	
REFERRALS TO COMMITTEE AND FIRST READING			ASSIGNED TO
ITEM NO.			COUNCILOR
<u>14-288</u>	<u>ORDINANCE</u>	<i>Amending Land Development Code – Zone Change – 120 Park Street (Tax Map 041-117) from a Government and Institutional Service District to a Downtown Development District</i>	PLOURDE
	<i>Action:</i>	<i>First Reading and Referral to Planning Board Meeting of September 16, 2014</i>	
<u>14-289</u>	<u>ORDER</u>	<i>Authorizing the City Manager to Apply for, Accept and Appropriate \$25,000 in Grant Funds from the Stephen and Tabitha King Foundation</i>	BALDACCI
	<i>Action:</i>	<i>First Reading</i>	
<u>14-290</u>	<u>RESOLVE</u>	<i>Authorizing the City Manager to Accept and Appropriate \$134,500 in Grant Funds from the Maine Department of Health and Human Services, Center for Disease Control and Prevention (CDCP), for the Sodium Reduction in Communities Program</i>	GRAHAM
	<i>Action:</i>	<i>First Reading</i>	
<u>14-291</u>	<u>RESOLVE</u>	<i>Authorizing the City Manager to Accept and Appropriate \$25,229 of Edward Byrne Memorial Grant Funds in Support of Bangor Police Department and the Penobscot County Sheriff’s Department</i>	CIVIELLO
	<i>Action:</i>	<i>First Reading and Referral to Government Operations Committee Meeting of September 15, 2014</i>	

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UNFINISHED BUSINESS
ITEM NO.

ASSIGNED TO
COUNCILOR

14-273 ORDINANCE *Amending Land Development Code – Contract Zone Change – 100, 101, 106, 107, 108 and 111 First Street (Tax Map 035-148 and Tax Map 035-171) from an Urban Residence 2 District to a Contract Multi-Family and Service District.*

DURGIN

Action: Motion made and seconded for Passage

Wayne Mallar thought the words “one or more of” should be looked at further.

Attorney Andrew Hamilton indicated that it would be okay either way for his client.

*A motion was made and seconded to amend the Ordinance by striking the words “one or more of” under section 1 (F)
Amendment Passed*

Motion made and seconded for Passage As Amended

Steven Hicks and Kathleen Cahill spoke in opposition to the Ordinance amendment.

Motion made and seconded to Move the Question.

Vote: 5 – 4

Councilors Voting Yes: Baldacci, Blanchette, Durgin, Nealley, Plourde

Councilors Voting No: Civiello, Gallant, Graham, Sprague

Motion Failed – Must have 6 Affirmative Votes

Discussion Continued

Vote: 7 – 2

Councilors Voting Yes: Baldacci, Blanchette, Durgin, Graham, Nealley, Plourde, Sprague

Councilors Voting No: Civiello, Gallant

Passed As Amended

14-274 RESOLVE *Accepting and Appropriating \$173,906.91 in FY 2013 Homeland Security Grant Funds from the Maine Emergency Management Agency (MEMA)*

GRAHAM

*Action: Motion made and seconded for Passage
Passed*

14-275 RESOLVE *Authorizing the City Manager to Accept and Appropriate FY15 Grant Funds from the Maine Department of Health and Human Services – WIC Nutrition Program*

BALDACCI

*Action: Motion made and seconded for Passage
Passed*

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UNFINISHED BUSINESS			ASSIGNED TO
ITEM NO.			COUNCILOR
<u>14-276</u>	<u>RESOLVE</u>	<i>Applying For, Accepting and Appropriating Grant Funds from the U.S. Department of Housing and Urban Development - Shelter Plus Care Renewal</i>	PLOURDE
	Action:	<i>Motion made and seconded for Passage Passed</i>	
NEW BUSINESS			ASSIGNED TO
ITEM NO.			COUNCILOR
	LIQUOR LICENSE (CLASS XI)	<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of The Reverend Noble Pub d/b/a Ipanema Bar and Grill, 10 Broad Street</i>	GALLANT
	Action	<i>Motion made and seconded for Approval Approved</i>	
	PUBLIC HEARING	<i>Application for Special Amusement License Renewal of The Reverend Noble Pub d/b/a Ipanema Bar and Grill, 10 Broad Street</i>	GALLANT
	Action:	<i>Motion made and seconded to Open Public Hearing Public Hearing Opened Motion made and seconded to Close Public Hearing Public Hearing Closed Motion made and seconded for Approved Approved</i>	
<u>14-292</u>	<u>ORDER</u>	<i>Authorizing the Execution of an Agreement with Eastern Maine Community College Foundation – Bass Park Infield, Track, and Grandstand</i>	NEALLEY
	Action:	<i>Motion made and seconded for Passage Passed</i>	
<u>14-293</u>	<u>ORDER</u>	<i>Authorizing the Sale of 150 Court Street to Steven Willey</i>	DURGIN
	Action:	<i>Motion made and seconded for Passage Passed</i>	
<u>14-294</u>	<u>ORDER</u>	<i>Confirming the Appointment of John Theriault as City Engineer and Authorizing the Execution of an Employment Agreement</i>	BALDACCI
	Action:	<i>Motion made and seconded for Passage Passed</i>	
<u>14-295</u>	<u>ORDER</u>	<i>Confirming the Appointment of Patricia Hamilton as Director of Health and Community Services and Authorizing the Execution of an Employment Agreement</i>	CIVIELLO
	Action:	<i>Motion made and seconded for Passage Passed</i>	

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**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

14-296 ORDER *Authorizing Execution of a Purchase and Sale Agreement with Penobscot County Commissioners – Court Street* **BLANCHETTE**

*Action: Motion made and seconded for Passage
Passed*

*Action: Motion made and seconded to Suspend the Rules to take up Orders 14-297, 14-298, 14-299 and 14-300
Passed*

14-297 ORDER *Authorizing Bid Award in the Amount of \$106,342 to Gardner Construction for the Broadway Road Widening Project* **GALLANT**

*Action: Motion made and seconded for Passage
Passed*

14-298 ORDER *Authorizing Bid Award in the Amount of \$286,305 to Gardner Construction for the Hogan Road Safety Improvements Project*

*Action: Motion made and seconded for Passage
Passed*

14-299 ORDER *Authorizing Execution of Municipal Quitclaim Deeds – Real Estate Located at 20 Highland Court – Map 32, Lot 38; 88 Sidney Street – Map 25, Lot 109; 90 Sidney Street – Map 25, Lot 110; 173 Broadway – Map 48, Lot 13; 174 Essex Street, Map 48, Lot 166; and 267 Pine Street, Map 47, Lot 44-A* **PLOURDE**

*Action: Motion made and seconded for Passage
Passed*

14-300 ORDER *Authorizing Execution of Contract with The Sheridan Corporation – Bangor International Airport* **BLANCHETTE**

*Action: Motion made and seconded for Passage
Passed*

Lisa J. Goodwin, MMC, City Clerk