

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – MAY 27, 2015

*Meeting Called to Order at 7:30 PM
 Chaired by Council Chair Durgin
 Councilors Absent: Blanchette
 Meeting Adjourned at 9:10 PM*

RECOGNITION: *Recognized the Beautification Efforts of Downtown Bangor Adopt A Garden Volunteers*

PUBLIC COMMENT *Paul LeClair felt the school budget was not sustainable and further reductions needed to be made in both the city and school budgets.*

**CONSENT AGENDA
 ITEM NO.**

**ASSIGNED TO
 COUNCILOR**

MINUTES OF: *Bangor City Council Meeting of May 11, 2015, Special Finance Committee Meeting of January 26, 2015, Finance Committee Meetings of May 4, 2015 and May 18, 2015, and Government Operations Committee Meeting of May 18, 2015*

Action: *Accepted and Approved*

Liquor License Renewal: *Application for Liquor License Renewal Malt, Spirituous, Vinous of Hospitality Services of Bangor LP d/b/a Ramada Inn, 357 Odlin Road* **BALDACCI**

Action: *Approved*

Application for Liquor License Renewal Malt, Spirituous, Vinous of Penobscot Yacht Club d/b/a Holiday Inn-Bangor, 404 Odlin Road **BALDACCI**

Action: *Approved*

Application for Liquor License Renewal Malt, Vinous of Tesoro Pizzeria & Restaurant Inc. d/b/a Tesoro Pizzeria & Restaurant, 118 Harlow Street **BALDACCI**

Action: *Approved*

15-177 ORDER *Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 27 Autumn Street (Map 31 Lot 20)* **SPRAGUE**

Action: *Passed*

15-178 ORDER *Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 43 Dillingham Street (Map 17 Lot 51)* **BLANCHETTE**

Action: *Passed*

15-179 ORDER *Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 72 Center Street (Map 41 Lot 107)* **BALDACCI**

Action: *Passed*

15-180 ORDER *Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 109 Pearl Street (Map 54 Lot 164)* **CIVIELLO**

Action: *Passed*

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CONSENT AGENDA			ASSIGNED TO
ITEM NO.			COUNCILOR
<u>15-181</u>	<u>ORDER</u>	<i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 493 Valley Avenue (Map R34 Lot 17)</i>	NEALLEY
	<i>Action:</i>	<i>Passed</i>	
<u>15-182</u>	<u>ORDER</u>	<i>Authorizing Bid Award in the Amount of \$435,210 to Eastwood Contractors for Hammond Street Sewer Rehabilitation</i>	SPRAGUE
	<i>Action:</i>	<i>Passed</i>	
<u>15-183</u>	<u>ORDER</u>	<i>Authorizing Bid Award in the Amount of \$2,691,765 to Lane Construction for Rehabilitation of Taxilane and Taxiways</i>	BLANCHETTE
	<i>Action:</i>	<i>Passed</i>	
<u>15-184</u>	<u>ORDER</u>	<i>Authorizing Bid Award in the Amount of \$1,392,650 to Sargent Corporation for Trench Drains/GA Apron</i>	BALDACCI
	<i>Action:</i>	<i>Passed</i>	
<u>15-185</u>	<u>ORDER</u>	<i>Authorizing the Donation of a Used Surplus Police Cruiser to Eastern Maine Community College for Use in their Criminal Justice Program</i>	CIVIELLO
	<i>Action:</i>	<i>Passed</i>	
<u>15-186</u>	<u>ORDER</u>	<i>Authorizing the City Manager to execute a new lease agreement between the City of Bangor and LifeFlight of Maine, LLC - Building #600 at Bangor International Airport (BGR)</i>	GRAHAM
	<i>Action:</i>	<i>Passed</i>	
<u>15-187</u>	<u>ORDER</u>	<i>Authorizing the City Manager to execute a short-term lease agreement between the City of Bangor and The Lander Group, LLC - Building #600 at Bangor International Airport (BGR).</i>	FAIRCLOTH
	<i>Action:</i>	<i>Passed</i>	
<u>15-188</u>	<u>ORDER</u>	<i>Accepting a \$2,000 Amendment to the WIC Nutrition Program Grant</i>	PLOURDE
	<i>Action:</i>	<i>Passed</i>	
<u>15-189</u>	<u>ORDER</u>	<i>Extending John Karnes As Tentative Developer of the Former Pine Tree Inn – 22 Cleveland St. (Tax Map 001-017)</i>	SPRAGUE
	<i>Action:</i>	<i>Passed</i>	

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REFERRALS TO COMMITTEE AND FIRST READING			ASSIGNED TO
ITEM NO.			COUNCILOR
<u>15-190</u>	<u>RESOLVE</u>	<i>Making an Adjustment to the Local Education Appropriation Amount if Additional State Funding Becomes Available Due to the Passage of the State of Maine Biennial Budget</i>	SPRAGUE
	<i>Action:</i>	<i>Motion made and seconded to Waive First Reading Passed Motion made and seconded for Passage Passed</i>	
<u>15-191</u>	<u>ORDINANCE</u>	<i>Amending Chapter 165, Land Development, of the Code of the City of Bangor, By Setting Standards for Amendments to Conditional Uses</i>	BALDACCI
	<i>Action:</i>	<i>First Reading and Referral to Planning Board Meeting June 2, 2015</i>	
<u>15-192</u>	<u>RESOLVE</u>	<i>Accepting and Appropriating \$573,018 in grant funds from the U.S. Department of Homeland Security Transportation Security Administration (TSA) to provide for additional funding for the TSA in-line checked baggage inspection system solution at the Bangor International Airport (BGR)</i>	GRAHAM
	<i>Action:</i>	<i>First Reading and Referral to Finance Committee Meeting on June 1, 2015</i>	
<u>15-193</u>	<u>RESOLVE</u>	<i>Accepting and Appropriating a \$25,000 Grant from the Maine Office of Substance Abuse and Mental Services to provide Substance Abuse Prevention and Intervention Services</i>	PLOURDE
	<i>Action:</i>	<i>First Reading</i>	
<u>15-194</u>	<u>RESOLVE</u>	<i>Accepting and Appropriating a Grant from the Maine Department of Health and Human Services, Office of Substance Abuse and Mental Health Services, in the amount of \$50,000 to Support an Overdose Prevention Program</i>	CIVIELLO
	<i>Action:</i>	<i>First Reading</i>	
UNFINISHED BUSINESS			ASSIGNED TO
ITEM NO.			COUNCILOR
<u>15-152</u>	<u>ORDINANCE</u>	<i>Amending Land Development Code – Zone Change – 720 Essex Street (Tax Map 016-016) from a Low Density Residential District to an Urban Residence One District</i>	BALDACCI
	<i>Action:</i>	<i>Motion made and seconded for Passage Vote: 8 – 0 Councilors Voting Yes: Baldacci, Civiello, Faircloth, Graham, Nealley, Plourde, Sprague, Durgin Councilors Voting No: None Passed</i>	

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – MAY 27, 2015

**UNFINISHED BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

15-162 **ORDINANCE** *Amending Chapter 165, Land Development Code, of the Code of the City of Bangor, By Extending the Deadline for Quarries to Operate in the Rural Residence and Agricultural District* **FAIRCLOTH**

*Action: Motion made and seconded for Passage
Vote: 8 – 0
Councilors Voting Yes: Baldacci, Civiello, Faircloth, Graham, Nealley, Plourde, Sprague, Durgin
Councilors Voting No: None
Passed*

15-163 **ORDINANCE** *Amending Parking Schedule X, Off-Street Parking Lots, to Change the Atler Lot (Lower) from a Free 2-Hour Parking Lot to a Pay by Time Used Lot* **CIVIELLO**

*Action: Motion made and seconded for Passage
Vote: 8 – 0
Councilors Voting Yes: Baldacci, Civiello, Faircloth, Graham, Nealley, Plourde, Sprague, Durgin
Councilors Voting No: None
Passed*

15-164 **RESOLVE** *Accepting and Appropriating \$3,000,000 in passenger facility charges (PFC's) through the Federal Aviation Administration (FAA) for the domestic terminal building renovations project, phase 2, at the Bangor International Airport* **GRAHAM**

*Action: Motion made and seconded for Passage
Passed*

15-165 **RESOLVE** *Making an Appropriation for the School District Contribution to the Total Cost of Funding Public Education from Kindergarten to Grade 12 as Required by 20-A MRSA Section 15690 1. A-B* **SPRAGUE**

*Action: Motion made and seconded for Passage
Passed*

15-166 **RESOLVE** *Making an Appropriation for Adult Education for the Bangor School Department as Required by 20-A MRSA Section 8603-A (1)* **NEALLEY**

*Action: Motion made and seconded for Passage
Passed*

15-167 **RESOLVE** *Making an Appropriation for Vocational Education Region #4 Pursuant to Title 20-A, Chapter 606, 15601-15619, Maine Revised Statutes Annotated* **BALDACCI**

*Action: Motion made and seconded for Passage
Passed*

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UNFINISHED BUSINESS			ASSIGNED TO
ITEM NO.			COUNCILOR
<u>15-168</u>	<u>RESOLVE</u>	<i>Making an Appropriation for Non-State Funded Debt Service Allocation for the Bangor School Department as Required by 20-A MRSA Section 15690 2. A</i>	PLOURDE
	Action:	<i>Motion made and seconded for Passage Passed</i>	
<u>15-169</u>	<u>RESOLVE</u>	<i>Approving School Department Estimates of Revenue from State Sources and Budget-Enterprise Fund</i>	CIVIELLO
	Action:	<i>Motion made and seconded for Passage Passed</i>	
<u>15-170</u>	<u>RESOLVE</u>	<i>Approving School Department Estimates of Revenue from State Sources and Budget-Special Revenue Fund</i>	PLOURDE
	Action:	<i>Motion made and seconded for Passage Passed</i>	
<u>15-171</u>	<u>RESOLVE</u>	<i>Approving School Department Estimates of Revenue and Budget – Trust and Agency Fund</i>	GRAHAM
	Action:	<i>Motion made and seconded for Passage Passed</i>	
<u>15-172</u>	<u>RESOLVE</u>	<i>Making an Appropriation for the Bangor School Department in Excess of the Maximum Spending Target Established by 20-A MRSA Section 15671 A. 4</i>	FAIRCLOTH
	Action:	<i>Motion made and seconded for Passage Motion made and seconded to Amend by Substitution Passed Motion made and seconded for Passage as Amended Passed as Amended</i>	
<u>15-173</u>	<u>RESOLVE</u>	<i>Making an Appropriation for the Total School Budget for the Bangor School Department as Required by 20-A MRSA Section 15690 4. A</i>	SPRAGUE
	Action:	<i>Motion made and seconded for Passage Motion made and seconded to Amend by Substitution Passed Motion made and seconded for Passage as Amended Motion Doubted Vote: 7 – 1 Councilors Voting Yes: Baldacci, Faircloth, Graham, Nealley, Plourde, Sprague, Durgin Councilors Voting No: Civiello Passed as Amended</i>	

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – MAY 27, 2015

NEW BUSINESS ITEM NO.		ASSIGNED TO COUNCILOR
LIQUOR LICENSE (CLASS X)	<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of SmithTowle Inc. d/b/a Penobscot Pour House, 14 Larkin Street</i>	BALDACCI
	<i>Action: Motion made and seconded for Approval Approved</i>	
LIQUOR LICENSE (CLASS XI)	<i>Application for Liquor License Renewal Malt, Spirituous, Vinous of Pepper Dining Inc. d/b/a Chili's Grill-Bar, 638 Stillwater Avenue</i>	BALDACCI
	<i>Action: Motion made and seconded for Approval Approved</i>	
LIQUOR LICENSE (CLASS XI)	<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of HC Bangor LLC d/b/a Hollywood Casino Hotel & Raceway, 500 Main Street</i>	BALDACCI
	<i>Action: Motion made and seconded for Approval Approved</i>	
PUBLIC HEARING:	<i>Application for Special Amusement License of SmithTowle Inc. d/b/a Penobscot Pour House, 14 Larkin Street</i>	BALDACCI
	<i>Action: 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 Approval Approved</i>	
PUBLIC HEARING:	<i>Application for Special Amusement License of HC Bangor LLC d/b/a Hollywood Casino Hotel & Raceway, 500 Main Street</i>	BALDACCI
	<i>Action: 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 Approval Approved</i>	
PUBLIC HEARING:	<i>Application for Special Amusement License of Penobscot Yacht Club d/b/a Holiday Inn-Bangor, 404 Odlin Road</i>	BALDACCI
	<i>Action: 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 Approval Approved</i>	
15-195 <u>ORDER</u>	<i>Amending Schedule XVI, One-Way Streets, as Referenced in Article II Section 291-28 of the Code of Ordinances, Clinton Street</i>	PLOURDE

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**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

*Action: Motion made and seconded for Passage
Motion Doubted
Vote: 6 – 2
Councilors Voting Yes: Baldacci, Civiello, Faircloth, Nealley,
Plourde, Sprague
Councilors Voting No: Graham, Durgin
Passed*

15-196 RESOLVE *Supporting the TIGER VII Grant Application* **FAIRCLOTH**

*Action: Motion made and seconded for Passage
Passed*

PUBLIC HEARING: *Prior to voting on this Order, the Council is required to hold a Public Hearing on the Municipal Development Program and Financial Plan for the Bangor Center Development District.*

15-197 ORDER *Adopting Municipal Development Program and Financial Plan for the Bangor Center Development District* **PLOURDE**

*Action: 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 Passage
Passed*

PUBLIC HEARING: *Prior to voting on this Order, the City Council is required to hold a Public Hearing on the establishment of implementation assessments for the Bangor Center Development District.*

15-198 ORDER *Bangor Center Development District – Establishment of Implementation Assessments* **NEALLEY**

*Action: 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 Passage
Passed*

15-199 ORDER *Authorizing Execution of Contract with Bangor Center Management Corporation/Downtown Bangor Partnership* **GRAHAM**

*Action: Motion made and seconded for Passage
Passed*

Lisa J. Goodwin, MMC, Bangor City Clerk