

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

*Meeting Called to Order at 7:30 PM
 Chaired by Council Chair Durgin
 Councilors Absent: None
 Meeting Adjourned at 9:44 PM*

Recognition: *Recognized The Success Of The Maine Science Festival*

Proclamation: *Proclaimed April 27, 2015 As Arbor Day In The City Of Bangor*

Proclamation: *Proclaimed May 10th – May 16th, 2015 Women’s Lung Health Week*

PUBLIC COMMENT *Galen Cole presented the City Council with copies of the Cole Land Transportation Museum Making a Difference in Maine collector’s edition magazine.*

| CONSENT AGENDA ITEM NO. | ASSIGNED TO COUNCILOR |
|------------------------------------|----------------------------------|
|------------------------------------|----------------------------------|

MINUTES OF: *Bangor City Council Meeting of April 13, 2015, School Committee Regular Meetings of March 11, 2015, March 25, 2015, October 22, 2014, November 12, 2014, December 10, 2014, School Committee Special Meetings of March 11, 2015, March 25, 2015, November 10, 2014, November 25, 2014 and December 9, 2014, Special Finance Committee Meeting of April 14, 2014, Government Operations Committee Meetings of March 16, 2015 and April 6, 2015*

Action: *Accepted and Approved*

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| Liquor License Renewal: | <i>Application for Liquor License Renewal, Malt Spirituous, Vinous of GMRI, INC d/b/a The Olive Garden Italian Restaurant #1430</i> | BALDACCI |
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Action: *Approved*

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| <u>15-141</u> | <u>ORDER</u> | <i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 20 Norfolk Street (Map 39 Lot 92)</i> | SPRAGUE |
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Action: *Passed*

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| <u>15-142</u> | <u>ORDER</u> | <i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 20 State Street (Map 41, Lot 86)</i> | BLANCHETTE |
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Action: *Passed*

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| <u>15-143</u> | <u>ORDER</u> | <i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 71 Pier Street (Map 23, Lot 107) and 79 Pier Street (Map 23, Lot 107C).</i> | BALDACCI |
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Action: *Passed*

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| <u>15-144</u> | <u>ORDER</u> | <i>Directing the City Manager to Take Possession of Property Located at 16 G Street, Birch Hill Estates (Map B39 Lot 2)</i> | CIVIELLO |
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Action: *Passed*

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| CONSENT AGENDA | | | ASSIGNED TO |
|---|------------------|--|--------------------|
| ITEM NO. | | | COUNCILOR |
| <u>15-145</u> | <u>ORDER</u> | <i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 16 G Street, Birch Hill Estates (Map B39 Lot 2)</i> | NEALLEY |
| | <i>Action:</i> | <i>Passed</i> | |
| <u>15-146</u> | <u>ORDER</u> | <i>Directing the City Manager to Take Possession of the Property Located at 76 Market Street (Map 40 Lot 38B)</i> | SPRAGUE |
| | <i>Action:</i> | <i>Passed</i> | |
| <u>15-147</u> | <u>ORDER</u> | <i>Directing the City Manager to Take Possession of the Property Located at 217 State Street (Map 48 Lot 281)</i> | BLANCHETTE |
| | <i>Action:</i> | <i>Passed</i> | |
| <u>15-148</u> | <u>ORDER</u> | <i>Authorizing Grant of \$425 to Christopher Peary to Support Production of Detritus</i> | PLOURDE |
| | <i>Action:</i> | <i>Passed</i> | |
| <u>15-149</u> | <u>ORDER</u> | <i>Authorizing a Contract in the amount of \$164,328 for the Purchase of a Rescue Truck (Ambulance)</i> | SPRAGUE |
| | <i>Action:</i> | <i>Passed</i> | |
| <u>15-150</u> | <u>ORDER</u> | <i>Authorizing the City Manager to execute a lease amendment between Maine Department of Public Safety -Maine State Police, and the City of Bangor, Bangor International Airport (BGR)</i> | GRAHAM |
| | <i>Action:</i> | <i>Passed</i> | |
| <u>15-151</u> | <u>RESOLVE</u> | <i>Ratifying Execution of Agreement with Jensen, Baird, Gardner and Henry for Legal Services Related to the Property Tax Abatement Request of GLP Capital L.P. – 500 Main Street</i> | CIVIELLO |
| | <i>Action:</i> | <i>Passed</i> | |
| REFERRALS TO COMMITTEE AND FIRST READING | | | 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>First Reading and Referral to Planning Board meeting of May 5, 2015</i> | |
| <u>15-153</u> | <u>RESOLVE</u> | <i>Authorizing the City Manager to Accept and Appropriate funding in the amount of \$40,000 from the Maine Health Access Foundation</i> | CIVIELLO |
| | <i>Action:</i> | <i>First Reading</i> | |

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REFERRALS TO COMMITTEE AND FIRST READING
ITEM NO.

ASSIGNED TO
COUNCILOR

15-154 RESOLVE *Appropriating \$100,000 from the Fire Equipment Reserve for Purchase of a Rescue Truck (Ambulance)* **SPRAGUE**

Action: First Reading

UNFINISHED BUSINESS
ITEM NO.

ASSIGNED TO
COUNCILOR

15-114 ORDINANCE *Amending Chapter 148, Historic Preservation, of the Code of the City of Bangor, By Changing Timing and Minor Revision Requirements* **FAIRCLOTH**

*Action: Motion made and seconded for Passage
Vote: 9 – 0
Councilors Voting Yes: Baldacci, Blanchette, Civiello, Faircloth, Graham, Nealley, Plourde, Sprague, Durgin
Councilors Voting No: None
Passed*

15-115 ORDINANCE *Amending Chapter 71, Bangor Center Revitalization Area, of the Code of the City of Bangor, By Adding a Minor Revision Process* **NEALLEY**

*Action: Motion made and seconded for Passage
Vote: 9 – 0
Councilors Voting Yes: Baldacci, Blanchette, Civiello, Faircloth, Graham, Nealley, Plourde, Sprague, Durgin
Councilors Voting No: None
Passed*

15-135 RESOLVE *Appropriating Proceeds of the Baler in the Amount of \$25,000 for the Purpose of Funding Recycling Building Improvements* **NEALLEY**

*Action: Motion made and seconded for Passage
Passed*

15-136 ORDINANCE *Amending Chapter 23, Board, Committees and Commissions, of the Code of the City of Bangor, By Clarifying the Notification Process for Decisions of the Board of Appeals* **BLANCHETTE**

*Action: Motion made and seconded for Passage
Vote: 9 – 0
Councilors Voting Yes: Baldacci, Blanchette, Civiello, Faircloth, Graham, Nealley, Plourde, Sprague, Durgin
Councilors Voting No: None
Passed*

15-137 ORDINANCE *Amending Chapter 165, Land Development, of the Code of the City of Bangor, By Amending Zoning Requirements for the Low-Density Residential Parcels and High Density Residential Parcels and by Amending Schedule B* **BALDACCI**

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**UNFINISHED BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

Action: *Motion made and seconded for Passage*
Vote: 9 – 0
Councilors Voting Yes: Baldacci, Blanchette, Civiello, Faircloth, Graham, Nealley, Plourde, Sprague, Durgin
Councilors Voting No: None
Passed

15-138 **ORDINANCE** *Amending Chapter 165, Land Development, of the Code of the City of Bangor, By Defining and Regulating Landscaping as a Use in the Rural Residence and Agricultural (RR & A) District* **NEALLEY**

Action: *Motion made and seconded for Passage*
Motion made and seconded to Postpone
Motion to Postpone Withdrawn
Motion made and seconded to Postpone to June 8, 2015
Motion Doubted

James Gallant, Ed Bearor and Ken Huhn spoke in favor of the postponement. Doug Damon spoke against postponing.

Vote: 5 – 4
Councilors Voting Yes: Baldacci, Blanchette, Faircloth, Graham, Sprague
Councilors Voting No: Civiello, Nealley, Plourde, Durgin
Motion to Postpone to June 8, 2015 Passed

15-139 **ORDINANCE** *Amending Land Development Code – Zone Change – 300 Forest Avenue (Tax Map 046-129) from an Urban Residence One District to a Government and Institutional Service District* **FAIRCLOTH**

Action: *Motion made and seconded for Passage*

Carol Duprey spoke in favor of passage.

Vote: 5 – 4
Councilors Voting Yes: Baldacci, Civiello, Nealley, Sprague, Durgin
Councilors Voting No: Blanchette, Faircloth, Graham, Plourde
Motion Failed as 6 Affirmative Votes are needed to overturn Planning Board Recommendation

15-140 **RESOLVE** *Appropriating \$30,000 from the Fire Equipment Reserve for Repairs to Fire Engine 1* **SPRAGUE**

Action: *Motion made and seconded for Passage*
Passed

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

**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

PUBLIC HEARING: *Application for a New Liquor License, Malt, Spirituous, Vinous of Evenrood's d/b/a Evenrood's 25 Broad St.* **BALDACCI**

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*

PUBLIC HEARING: *Application for a New Liquor License, Malt, Spirituous, Vinous of Hero's Sports Grill LLC d/b/a Hero's Sports Grill at Bangor Muni, 278 Webster Ave.* **BALDACCI**

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*

PUBLIC HEARING: *Application for a New Liquor License, Malt, Vinous of Massimo's Breads Inc. d/b/a Massimo's Pizza Bar, 130 Hammond St.* **BALDACCI**

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*

15-155 **ORDER** *Authorizing Development Agreement with 28 Broad Street, LLC for Property at 28 Broad Street (Tax Map 042, Lot 196)* **PLOURDE**

Action: *Motion made and seconded for Passage
Passed*

15-156 **ORDER** *Authorizing the City Manager to execute a lease amendment between C&L Aerospace Holdings, LLC. and the City of Bangor, Bangor International Airport (BGR)* **GRAHAM**

Action: *Motion made and seconded for Passage
Passed*

15-157 **ORDER** *Accepting and Adopting the Recommendations of the Substance Abuse Working Group and the Community Health Leadership Board* **CIVIELLO**

Action: *Motion made and seconded for Passage
Passed*

Lisa J. Goodwin, MMC, Bangor City Clerk