

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – MAY 9, 2016

*Meeting Called to Order at 7:30 PM
 Chaired by Council Chair Faircloth
 Councilors Absent: None
 Meeting Adjourned at 9:48 PM*

PROCLAMATION: *Proclaimed May 21, 2016 as Kids to Parks Day*

PUBLIC COMMENT *Paul Lanson, Ohio Street, indicated that Mr. Gratwick had entered a person’s home without permission to leave a flyer and wanted a public apology.*

CONSENT AGENDA ITEM NO.	ASSIGNED TO COUNCILOR
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MINUTES OF: *Bangor City Council Regular Meeting of April 25, 2016, Bangor School Committee Meeting of March 23, 2016, Bangor School Committee Meeting of April 6, 2016, Government Operations Committee Meeting of May 2, 2016*

Action: *Accepted and Approved*

<u>LIQUOR LICENSE RENEWALS:</u>	<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of Waterfront Concerts LLC d/b/a Waterfront Concerts, 1 Railroad Street</i>	GRAHAM
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Action: *Approved*

<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of Las Palapas Mexican Restaurant LLC d/b/a Las Palapas Mexican Restaurant, 8 Bangor Mall Boulevard</i>	GRAHAM
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Action: *Approved*

<u>16-174</u>	<u>ORDER</u>	<i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 219 Ohio Street (Map 31 Lot 50)</i>	DURGIN
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Action: *Passed*

<u>16-175</u>	<u>ORDER</u>	<i>Authorizing Settlement of Workers’ Compensation Claim</i>	PERRY
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Action: *Passed*

<u>16-176</u>	<u>ORDER</u>	<i>Authorizing the City Manager to Accept \$2,610.50 in U.S.Currency, or a Portion Thereof, as a result of a State Criminal Forfeiture</i>	SPRAGUE
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Action: *Passed*

<u>16-177</u>	<u>RESOLVE</u>	<i>Ratifying execution of an agreement for the Law Enforcement Officer (LEO) Reimbursement Agreement program, Other Transactional Agreement (OTA) between the Transportation Security Administration and the City of Bangor</i>	BALDACCI
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Action: *Passed*

<u>16-178</u>	<u>ORDER</u>	<i>Authorizing Contract for Sodium Chloride (Rock Salt) to New England Salt Co. in the amount of \$56.19 per ton</i>	NEALLEY
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Action: *Passed*

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CONSENT AGENDA			ASSIGNED TO
ITEM NO.			COUNCILOR
<u>16-179</u>	<u>ORDER</u>	<i>Assuring and Certifying the City’s Compliance with Certain Requirements for Community Development Funds</i>	NICHOLS
	<i>Action:</i>	<i>Passed</i>	
<u>16-180</u>	<u>ORDER</u>	<i>Appointing the City Manager as Responsible Federal Official</i>	PLOURDE
	<i>Action:</i>	<i>Passed</i>	
<u>16-181</u>	<u>ORDER</u>	<i>Authorization to Execute and File with the Department of Housing and Urban Development a Final Consolidated Housing and Community Development Plan for Community Development Entitlement Funds under Title I of the Housing and Community Development Act of 1974</i>	GRAHAM
	<i>Action:</i>	<i>Passed</i>	
<u>16-182</u>	<u>ORDER</u>	<i>Authorizing the City Manager to Execute an Amendment to a Lease with Eastern Maine Healthcare Systems - 931 Union Street</i>	DURGIN
	<i>Action:</i>	<i>Passed</i>	
<u>16-183</u>	<u>ORDER</u>	<i>Authorizing Bid Award in the Amount of \$2,275,275 to T Buck Construction for WWTP Biofilter Project</i>	SPRAGUE
	<i>Action:</i>	<i>Passed</i>	
REFERRALS TO COMMITTEE AND FIRST READING			ASSIGNED TO
ITEM NO.			COUNCILOR
<u>16-184</u>	<u>ORDINANCE</u>	<i>Amending Chapter 278, Taxicabs and Livery Vehicles, of the Code of the City of Bangor, By Increasing the Waiting Time Rate to \$21 per Hour</i>	PERRY
	<i>Action:</i>	<i>First Reading</i>	
<u>16-185</u>	<u>ORDINANCE</u>	<i>Amending Chapter 165, Land Development Code, of the Code of the City of Bangor, By Amending Restrictions on Temporary Sales of Food or Merchandise</i>	PLOURDE
	<i>Action:</i>	<i>First Reading and Referral to the Planning Board on May 17, 2016</i>	
<u>16-186</u>	<u>ORDINANCE</u>	<i>Amending Chapter 223, Property Maintenance, of the Code of the City of Bangor, By Clarifying Repair and Demolition Procedures for Uninhabitable Buildings</i>	GRAHAM
	<i>Action:</i>	<i>First Reading</i>	

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**REFERRALS TO COMMITTEE AND FIRST READING
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

16-187 ORDINANCE *Amending Map Entitled “Downtown Parking Management District”
by Removing Space 1127 on Court Street* **DURGIN**

Action: First Reading

16-188 RESOLVE *Accepting and Appropriating \$159,060.00 from the Maine Department
of Health and Human Services to extend the term of grants from the
Fund for Healthy Maine and the Office of Substance Abuse that
respond to Public Health Issues in the Penquis District.* **BALDACCI**

*Action: First Reading and Referral to Government Operations Committee on
May 16, 2016*

16-189-
16-197 RESOLVES *Adopting the Fiscal Year 2017 School Department Budget* **DURGIN**

The following nine resolves will adopt the FY17 School Department Budget. They are as follows:

- *Resolve 16-189 required by Title 20-A MRSA for the Vocational Education Region #4 operating budget in the amount of \$209,678, the local share which is \$17,151.10.*
- *Resolve 16-190 approving the School Department’s Enterprise Fund Budget in the amount of \$1,567,821.*
- *Resolve 16-191 approving the School Department’s Special Revenue Fund in the amount of \$3,040,390.*
- *Resolve 16-192 approving the School Department’s Trust and Agency Budget in the amount \$2,420,088.*
- *Article 1 by Resolve 16-193 will make an appropriation for the school district contribution to the total cost of funding public education from kindergarten to grade 12 in the amount of \$20,495,743.*
- *Article 2 by Resolve 16-194 will appropriate the non-state funded debt service allocation in the amount of \$1,546,075.*
- *Article 3 by Resolve 16-195 will authorize the appropriation of local funds in excess of the maximum spending target limit in the amount of \$4,218,757.*
- *Article 4 by Resolve 16-196 will appropriate the total school budget in the amount of \$44,281,617.
Article 5 by Resolve 16-197 will appropriate funding for adult education in the amount of \$444,418.*

Action: First Reading

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UNFINISHED BUSINESS			ASSIGNED TO
ITEM NO			COUNCILOR
<u>16-143</u>	<u>ORDINANCE</u>	<i>Amending Chapter 9, of the Code of the City of Bangor - §9-10, Attendance at Meetings</i>	PLOURDE
	Action:	<i>Motion made and seconded to Postpone Indefinitely Motion Doubted Vote: 6 – 3 Councilors Voting Yes: Baldacci, Durgin, Nichols, Perry, Plourde, Sprague Councilors Voting No: Graham, Nealley, Faircloth Passed to Postpone Indefintely</i>	
<u>16-168</u>	<u>ORDINANCE</u>	<i>Amending Land Development Code – Contract Zone Change – 656 State Street and the State Hospital Drive (Tax Map R63-008) from a Low Density Residential District to a Contract Government and Institutional Service District</i>	GRAHAM
	Action:	<i>Motion made and seconded for Passage Vote: 8 – 0 Councilors Voting Yes: Baldacci, Durgin, Graham, Nealley, Perry, Plourde, Sprague, Faircloth Councilors Voting No: None Councilors Absent for Vote: Nichols Passed</i>	
<u>16-169</u>	<u>RESOLVE</u>	<i>Accepting and Appropriating a \$51,000 Grant From the Maine Fire Service Institute to Fund Improvements to the Fire Training Center</i>	DURGIN
	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 Lisa Leonard d/b/a Evenrood’s, 25 Broad Street</i>	GRAHAM
	Action:	<i>Motion made and seconded for Approval Approved</i>	
<u>PUBLIC HEARING:</u>		<i>Application for Special Amusement License Renewal of Waterfront Concerts, LLC d/b/a Waterfront Concerts, 1 Railroad Street</i>	GRAHAM
	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 Approval Approved</i>	

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**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

**16-198 ORDER *Adopting the Liquor License Processing Policy to Replace Existing
Liquor License Processing Policy* **PERRY****

*Action: Motion made and seconded for Passage
Passed
Councilor Graham absent from vote.*

**16-199 ORDER *Authorizing Execution of Memorandum of Understanding with
Penobscot Community Health Care for Naloxone Hydrochloride
Distribution and Administration* **PLOURDE****

*Action: Motion made and seconded for Passage
Passed*

**16-200 ORDER *Authorizing the City Manager to enter into a Memorandum of
Understanding with Husson University for Police Services* **SPRAGUE****

*Action: Motion made and seconded for Passage
Passed
Councilor Perry absent from vote.*

**16-201 ORDER *Authorizing Purchases of an Armor Protected Vehicle from Lenco
Incorporated in the amount of \$208,772* **NEALLEY****

*Bangor residents, Peter Noddin, James Bair, David Blethen, Andrew
Bennett, and Larry Dansinger spoke against purchasing this vehicle.*

*Lucas Lockhart stated that many in the community were afraid of this
but also thought the department may need it.*

*Theresa Montague of Clifton and Jensen Cook of Orono also spoke
against this item.*

*Bangor residents, Lori Libby and Kim Meyerderks spoke in favor of
the purchase.*

Jennifer DeGroff hoped that the city could partner with other agencies.

*Scott Marasco wanted to make sure every other option had been
explored before making the decision to purchase this vehicle.*

*Carol Husson, of Hampden, felt the police needed more protection and
hoped Hampden would partner with Bangor.*

*Action: Motion made and seconded for Passage
Passed*

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**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

*Motion made and seconded to Suspend the Rules to take up Council
Order 16-202
Passed*

16-202

ORDER

*Authorizing City Engineer to Begin the Process of Discontinuance of a
Portion of Texas Avenue and a Portion of Corporate Drive*

BALDACCI

*Action: Motion made and seconded for Passage
Passed*

ATTEST: _____
Lisa J. Goodwin, MMC, City Clerk