

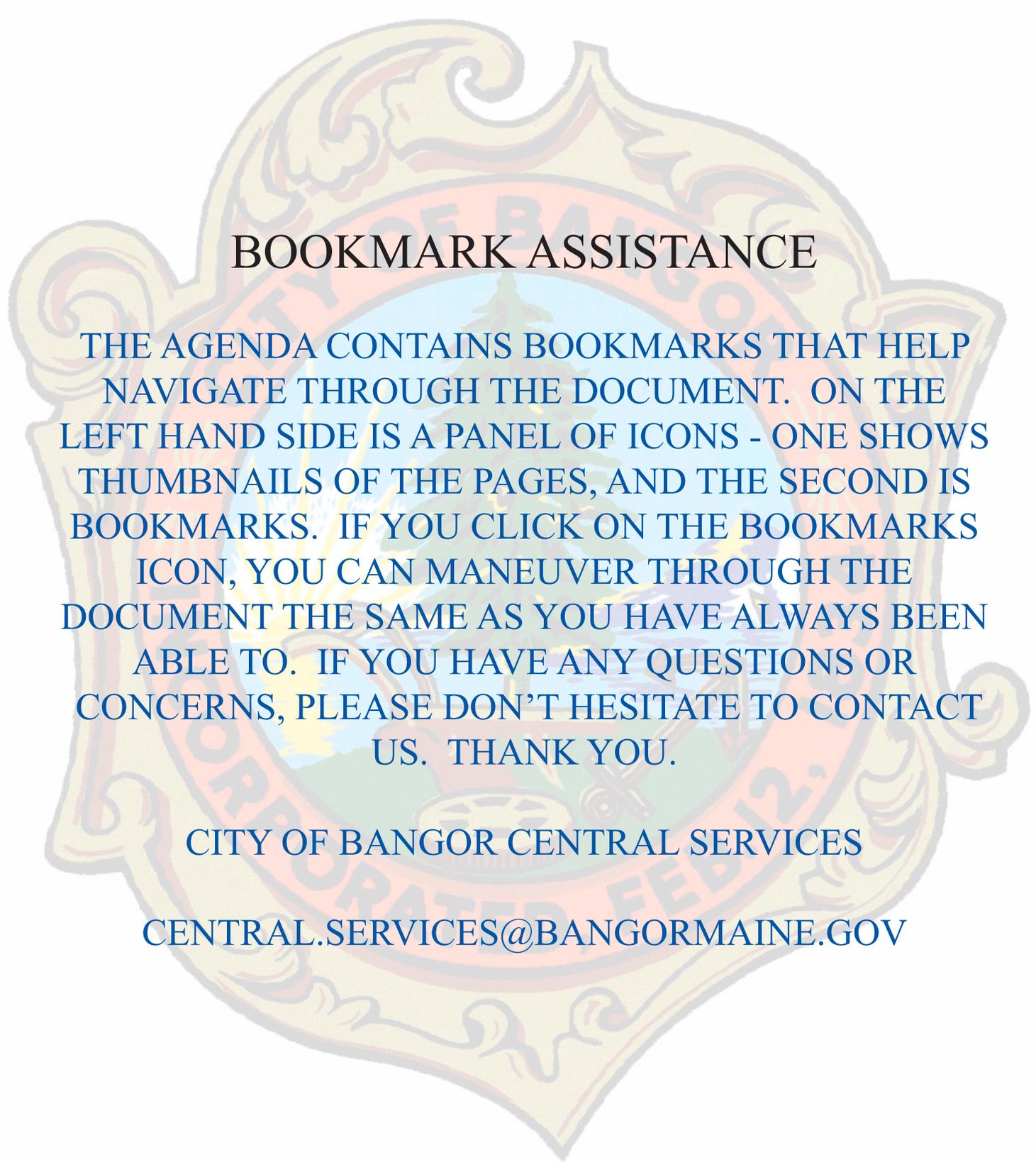
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# CITY COUNCIL AGENDA

MARCH 10, 2014





## BOOKMARK ASSISTANCE

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CITY OF BANGOR CENTRAL SERVICES

[CENTRAL.SERVICES@BANGORMAINE.GOV](mailto:CENTRAL.SERVICES@BANGORMAINE.GOV)



## REGULAR MEETING BANGOR CITY COUNCIL – MARCH 10, 2014

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<b>CONSENT AGENDA ITEM NO.</b>	<b>ASSIGNED TO COUNCILOR</b>
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<b><u>14-107</u>   <u>ORDER</u></b>	<b>Authorizing Grant of \$2,500 to the Bangor Symphony Orchestra to Support Various Ensemble Performances in Bangor</b>	<b>NEALLEY</b>
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**Executive Summary:** This Order will authorize a grant in the amount of \$2,500 to the Bangor Symphony Orchestra to support ensemble performances in Bangor. The Bangor Symphony Orchestra submitted an application for funding to conduct six ensemble performances at various Bangor locations. Bangor Symphony Orchestra would like to expand its outreach initiatives to have a greater presence in Bangor throughout the year. The Cultural Commission has recommended approval of this request because of the benefit to the community. This item was reviewed and recommended for approval by the Business & Economic Development Committee at its March 4, 2014 meeting.

<b><u>14-108</u>   <u>ORDER</u></b>	<b>Authorizing the City Manager to execute an Agreement with the Town of Hermon for Assessment Services</b>	<b>CIVIELLO</b>
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**Executive Summary:** This Order will authorize the execution of an agreement with the Town of Hermon to provide assessing services for a period of 180 days. The City will provide approximately 75 hours of staff time at a rate of \$55.20 per hour, plus expenses. The Town of Hermon is currently in need of assessment oversight as they have someone who will do the work and input the data. Under the terms of this agreement, the Assessor will act in a supervisory capacity over the contract assessor. The City Assessor recommends approval as it is not anticipated that this will take substantial time away from other duties.

<b><u>14-109</u>   <u>ORDER</u></b>	<b>Accepting the City of Bangor's Comprehensive Annual Financial Report for the Year Ended June 30, 2013</b>	<b>GALLANT</b>
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**Executive Summary:** This Order accepts the City's Comprehensive Annual Financial Report (CAFR) including its General Purpose Financial Statements and the Independent Auditor's unqualified opinion as prepared by Runyon Kersteen Ouellette of South Portland, Maine.

In accordance with State law, the City prepares this annual financial statement through an independent audit firm. Based upon the audit findings, the City received an unqualified opinion that the financial statements are fairly stated in all material respects. Additionally, no material weaknesses have been identified related to the City's internal controls.

For the past sixteen years, the City has been awarded the Government Finance Officers Associations (GFOA) Certificate of Achievement for Excellence in Financial Reporting. As such, this CAFR has been submitted to GFOA for their consideration.

At this time staff and the Manager recommend approval. The Finance Committee met with the City's auditors and reviewed the various reports on March 3, 2014.

**REGULAR MEETING BANGOR CITY COUNCIL – MARCH 10, 2014**

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

**ASSIGNED TO  
COUNCILOR**

**14-110   ORDINANCE   Amending the Land Development Code – Zone Change – 1129 and 1139 Stillwater Avenue from a Rural Residence and Agricultural District to a General Commercial and Service District; and 349 Longview Drive from a Shopping and Personal Service District to a General Commercial and Service District (First Reading and Referral to Planning Board Meeting of March 18, 2014)**      **DURGIN**

**Executive Summary:** The applicant, Cross Realty, LLC, is requesting a zone change for two parcels of land located at 1129 and 1139 Stillwater Avenue from a Rural Residence and Agricultural District to a General Commercial and Service District; and one parcel of land at 349 Longview Drive from a Shopping and Personal Service District to a General Commercial and Service District. These parcels abut the Natural Living Center at the corner of Longview Drive and Stillwater Avenue. General Commercial and Service District (GC&S) is the predominant zone on abutting parcels and is consistent with the Comprehensive Plan’s Zoning Policy.

**14-111   ORDINANCE   Amending Land Development Code – Zone Change – 970 and 974 Kenduskeag Avenue from a Rural Residence and Agricultural District to a Low Density Residential District (First Reading and Referral to Planning Board Meeting of March 18, 2014)**      **PLOURDE**

**Executive Summary:** The applicants, Sonja Bernier and Galen and Mary Elaine Furge, are requesting a zone change for a portion of two parcels of land located at 970 and 974 Kenduskeag Avenue and containing approximately 1.79 acres from a Rural Residence and Agricultural District to a Low Density Residential District. The Applicants are seeking the rezone to reduce the applicable side yard setbacks to accommodate some preexisting development on the lots. Because public sewer and water are available to serve these lots, Low Density Residential is consistent with the City's Comprehensive Plan.

**UNFINISHED BUSINESS  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

**14-098   RESOLVE   Appropriating \$50,000 from the General Fund’s Unassigned Fund Balance for the Purpose of Funding the City’s Share of the Local Match for the Small Community Air Service Development Grant**      **GALLANT**

**Executive Summary:** This Resolve will appropriate \$50,000 from the General Fund’s Unassigned Fund Balance to fund the City’s share of the local match for the Small Community Air Service Development Grant awarded to Bangor International Airport in December 2010.

## REGULAR MEETING BANGOR CITY COUNCIL – MARCH 10, 2014

### UNFINISHED BUSINESS ITEM NO.

### ASSIGNED TO COUNCILOR

This grant award was to improve air service to the region by increasing competition and capacity in the market. The application specifically focused on air service to either Washington DC or Chicago. Under the provisions provided in the grant award, this Small Community Air Service Development Program grant may be used to reduce an airline's risk in entering a new market. The grant requires a 50% local/community match. The City's portion of the match was \$50,000 and the funds had to come from the general funds of the City and not funds from the Airport Enterprise Fund. Other contributors towards the match include MDOT, MDECD and Mobilize Maine.

As of June 30, 2013 the City's Unassigned Fund Balance of \$7,727,014 exceeded the Council target of 8.33% of operating expenditures by \$491,364. In general, the City's Fund Balance policy indicates that unassigned fund balance should be used primarily to insure adequate designated reserves, to respond to unforeseen emergencies and to provide overall financial stability. Based on the unforeseen, unique and non-recurring nature of this appropriation, this Resolve appears to meet the intent of the City's Fund Balance policy.

This was reviewed and recommended for approval by the Finance Committee on February 19, 2014.

**14-099 RESOLVE**      **Accepting and Appropriating an Additional \$31,362.00**      **CIVIELLO**  
**in Funding for the Women, Infants and Children (WIC)**  
**Nutrition Program Grant**

**Executive Summary:** The resolve will accept and appropriate an additional \$31,362.00 in WIC funds for FY 14, which covers the period from October 1, 2013 through September 30, 2014. The original grant amount was \$508,057 for administration of the program and \$2,220,000 for food assistance to clients. This additional \$31,362 is for administrative (personnel) costs directly related to providing client services. This was reviewed and recommended for approval by the Government Operations Committee on February 19, 2014.

**14-100 ORDINANCE**      **Amending Chapter 265, Solid Waste, of the Code of the**      **BALDACCI**  
**City of Bangor, By Adopting Single Stream Recycling**

**Executive Summary:** This order will amend Chapter 265 of the Code of the City of Bangor to provide for single stream recycling. On December 23, 2013, the City Council approved a five year contract with Pine Tree Waste for bi-weekly curbside collection of single stream recycling, as well as collection of single stream recycled materials at a drop-off facility near Public Works. The current ordinance does not recognize single stream recycling. This change will allow the City of Bangor to proceed with a contract for single stream recycling beginning July 1, 2014. This item was reviewed and recommended for approval at the February 11, 2014 Infrastructure Committee meeting.

**REGULAR MEETING BANGOR CITY COUNCIL – MARCH 10, 2014**

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<b>UNFINISHED BUSINESS</b>		<b>ASSIGNED TO</b>
<b>ITEM NO.</b>		<b>COUNCILOR</b>
<b><u>14-105</u></b>	<b><u>RESOLVE</u></b> <b>Pledging the City of Bangor’s Support of the Searsport Dredging and Harbor Improvement Plan</b>	<b>NEALLEY</b>

**Executive Summary:** The purpose of this Resolve is to pledge the City of Bangor’s support for this project and to affirm our commitment to economic development through trade and regional collaboration with our neighboring communities in Maine.

The last major harbor project in Searsport was completed in 1964, which increased the depth of the channel to 35 feet. It is necessary to re-dredge the channel to a depth of 40 feet to accommodate today's larger ships. There is currently a proposal in the works for the Army Corps of Engineers to undertake this work. The Army Corps is accepting public comment, and if approved by the City Council, the text of this Resolve will be added to the other voices supporting this project. This item was reviewed and recommended for approval at the March 4, 2014 Business and Economic Development Committee meeting.

<b>NEW BUSINESS</b>		<b>ASSIGNED TO</b>
<b>ITEM NO.</b>		<b>COUNCILOR</b>
<b>LIQUOR LICENSE (CLASS XI)</b>	<b>Liquor License Renewal Application, Malt, Spirituous, Vinous of Sea Dog Ventures, Inc. d/b/a Sea Dog Brewing Co., 26 Front Street</b>	<b>BALDACCI</b>
<b>LIQUOR LICENSE (CLASS XI)</b>	<b>Liquor License Renewal Application, Malt, Spirituous, Vinous of Timka Inc. d/b/a Geaghan’s Pub, 570 Main Street</b>	<b>BALDACCI</b>
<b>PUBLIC HEARING:</b>	<b>Liquor License Renewal Application, Malt, Spirituous, Vinous of C &amp; L Asian Restaurant Inc. d/b/a Green Tea, 11 Bangor Mall Boulevard</b>	<b>BALDACCI</b>
<b>PUBLIC HEARING:</b>	<b>Special Amusement License Renewal Application of Waterfront Concerts LLC d/b/a Waterfront Concerts, 1 Railroad Street</b>	<b>BALDACCI</b>
<b>PUBLIC HEARING:</b>	<b>Special Amusement License Renewal Application of Sea Dog Ventures, Inc. d/b/a Sea Dog Brewing Co., 26 Front Street</b>	<b>BALDACCI</b>
<b>PUBLIC HEARING:</b>	<b>Special Amusement License Renewal Application of Timka Inc. d/b/a Geaghan’s Pub, 570 Main Street</b>	<b>BALDACCI</b>

**REGULAR MEETING BANGOR CITY COUNCIL – MARCH 10, 2014**

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**NEW BUSINESS  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

**14-112   ORDER                      **Directing the City Manager to Take Possession of the  
Property Located at 30 Katahdin Street**                      **PLOURDE****

**Executive Summary:** This Order directs the City Manager to take possession of the property located at 30 Katahdin Street by virtue of the 2006 matured tax lien. The City of Bangor has recorded tax liens on the property at 30 Katahdin Street for unpaid real estate taxes; several of which have matured. All attempts to receive payment have been unsuccessful.

This has been reviewed and recommended for approval by the Finance Committee on March 3, 2014.

**14-113   ORDER                      **Directing the City Manager to Take Possession of the  
Property Located at 17 Alden Street**                      **BLANCHETTE****

**Executive Summary:** This Order directs the City Manager to take possession of the property located at 17 Alden Street by virtue of the 2011 matured tax lien. The City of Bangor has recorded tax liens on the property at 17 Alden Street for unpaid real estate taxes; several of which have matured. All attempts to receive payment have been unsuccessful.

This has been reviewed and recommended for approval by the Finance Committee on March 3, 2014.

**14-114   ORDER                      **Directing the City Manager to Take Possession of the  
Property Located at 55 Parker Street**                      **DURGIN****

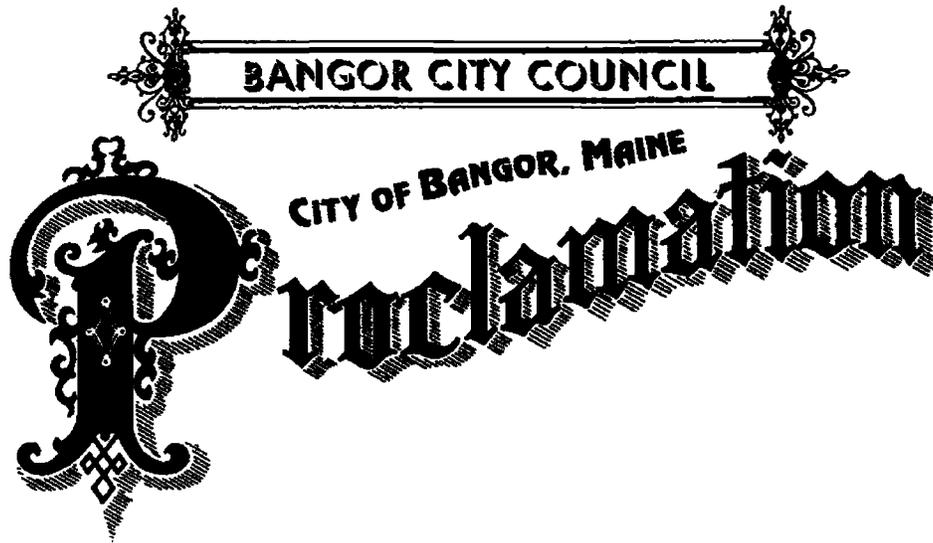
**Executive Summary:** This Order directs the City Manager to take possession of the property located at 55 Parker Street by virtue of the 2008 matured tax lien. The City of Bangor has recorded tax liens on the property at 55 Parker Street for unpaid real estate taxes; several of which have matured. All attempts to receive payment have been unsuccessful.

This has been reviewed and recommended for approval by the Finance Committee on March 3, 2014.

**14-115   ORDER                      **Directing the City Manager to Take Possession of the  
Property Located at 26 Stone Street**                      **GRAHAM****

**Executive Summary:** This Order directs the City Manager to take possession of the property located at 26 Stone Street by virtue of the 2007 matured tax lien. The City of Bangor has recorded tax liens on the property at 26 Stone Street for unpaid real estate taxes; several of which have matured. All attempts to receive payment have been unsuccessful.

This has been reviewed and recommended for approval by the Finance Committee on March 3, 2014.



**EXPRESSING THANKS AND APPRECIATION TO  
THE MAINE PRINCIPALS' ASSOCIATION**

**WHEREAS,** the Maine Principals' Association hosted the Eastern Maine High School Basketball Tournament at the Bangor Auditorium from 1956-2013 and at the Cross Insurance Center starting in 2014; and

**WHEREAS,** the tournament has a significant economic impact on the merchants, business people, and restaurateurs in the greater Bangor region; and

**WHEREAS,** the skills applied on the court of teamwork, dedication, discipline, and respect for teammates, fellow competitors, referees, and fans are ones that the players will carry with them long after their basketball careers are over; and

**WHEREAS,** the presentation of a major sporting event like the high school basketball tournament is a significant endeavor requiring many hours of work and coordination.

**NOW, THEREFORE, I, Benjamin A. Sprague, Mayor of the City of Bangor,** on behalf of the City Council and citizens of Bangor, do hereby offer our thanks, appreciation, and gratitude to the Maine Principals' Association for their efforts to organize the Eastern Maine High School Basketball Tournament here in Bangor each year. We look forward to many more years of good basketball, teamwork, and success for all involved.

Given this the 10<sup>th</sup> day of March, 2014.

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Benjamin A. Sprague, Mayor



**CONSENT  
AGENDA**

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – FEBRUARY 24, 2014**

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*Meeting called to order at 7:30 PM  
 Chaired by Council Chair Sprague  
 Councilors Absent: None  
 Meeting adjourned at 8:52 PM*

**Proclamation: EXPRESSING APPRECIATION FOR THE ROTARY CLUB**

*Fire Chief Lucas introduced Tony Riitano, the 2014 Fire Officer of the Year, Alex Layman, the 2014 Firefighter of the Year, and recently promoted Lieutenants Jim Metcalf and Jeff Brown*

**PUBLIC COMMENT**                      *None*

<b>CONSENT AGENDA ITEM NO.</b>	<b>ASSIGNED TO COUNCILOR</b>
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**MINUTES OF:** *Bangor City Council Regular Meeting of February 10, 2014 and  
 Bangor Water District Board of Trustees Meeting of January 21, 2014*

**Action:** *Accepted and Approved*

**Liquor License Renewal:** *Liquor License Renewal Application, Malt, Spirituous, Vinous of Siam House, Inc. d/b/a Zen Asian Bistro, 128 Main Street*                      **PLOURDE**

**Action:** *Approved*

*Liquor License Renewal Application, Malt, Spirituous, Vinous of Everspring Co Inc d/b/a Oriental Jade Restaurant, 555 Stillwater Avenue*                      **PLOURDE**

**Action:** *Approved*

**14-084      ORDER**                      *Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 14 I Street, Birch Hill Estates*                      **GALLANT**

**Action:** *Passed*

**14-085      ORDER**                      *Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 24 B Street, Birch Hill Estates*                      **PLOURDE**

**Action:** *Passed*

**14-086      ORDER**                      *Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 33 Cortland Circle*                      **GRAHAM**

**Action:** *Passed*

**14-087      ORDER**                      *Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 87 Holiday Park*                      **BALDACCI**

**Action:** *Passed*

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – FEBRUARY 24, 2014**

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<b><u>CONSENT AGENDA ITEM NO.</u></b>		<b><u>ASSIGNED TO COUNCILOR</u></b>
<b><u>14-088</u></b>	<b><u>ORDER</u></b>  <i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 91 Holiday Park</i>  <i>Action: Passed</i>	<b>NEALLEY</b>
<b><u>14-089</u></b>	<b><u>ORDER</u></b>  <i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 107 Dartmouth Street</i>  <i>Action: Passed</i>	<b>CIVIELLO</b>
<b><u>14-090</u></b>	<b><u>ORDER</u></b>  <i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 134 Ohio Street</i>  <i>Action: Passed</i>	<b>BLANCHETTE</b>
<b><u>14-091</u></b>	<b><u>ORDER</u></b>  <i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 373 Hancock Street</i>  <i>Action: Passed</i>	<b>DURGIN</b>
<b><u>14-092</u></b>	<b><u>ORDER</u></b>  <i>Accepting Kittredge Road Relocation Right-of-Way</i>  <i>Action: Passed</i>	<b>BALDACCI</b>
<b><u>14-093</u></b>	<b><u>ORDER</u></b>  <i>Authorizing Execution of Agreement for Maine Department of Transportation Local Project –Construction Overlimit Permit and Bonding - 016681.00, Union Street Bridge &amp; 01926.00, Exit 184 Ramp</i>  <i>Action: Passed</i>	<b>BALDACCI</b>
<b><u>14-094</u></b>	<b><u>ORDER</u></b>  <i>Authorizing the City Manager to Execute an Extension of the Airport Improvement Project (AIP) Engineering and Architectural Services Contract with Jacobs Engineering</i>  <i>Action: Passed</i>	<b>GRAHAM</b>
<b><u>14-095</u></b>	<b><u>ORDER</u></b>  <i>Authorizing Execution of a Contract, not to Exceed \$1,079,000 to AQuest Corporation for the Design/Build of an Aircraft Paint Facility at Bangor International Airport (BGR).</i>  <i>Action: Passed</i>	<b>DURGIN</b>
<b><u>14-096</u></b>	<b><u>ORDER</u></b>  <i>Authorizing Bid Award in the Amount of \$1,267,475 to Lou Silver, Inc for the West Market Square Improvement Project</i>  <i>Action: Passed</i>	<b>GALLANT</b>

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – FEBRUARY 24, 2014**

**CONSENT AGENDA**  
**ITEM NO.** **ASSIGNED TO COUNCILOR**

14-097    ORDER                    *Authorizing Settlement of Worker's Compensation Claim – Margaret Schwarz*                    **BLANCHETTE**

*Action:    Passed*

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

14-098    RESOLVE                    *Appropriating \$50,000 from the General Fund's Uassigned Fund Balance for the Purpose of Funding the City's Share of the Local Match for the Small Community Air Service Development Grant*                    **GALLANT**

*Action:    First Reading*

14-099    RESOLVE                    *Accepting and Appropriating an Additional \$31,362.00 in Funding for the Women, Infants and Children (WIC) Nutrition Program Grant (First Reading)*                    **CIVIELLO**

*Action:    First Reading*

14-100    ORDINANCE                    *Amending Chapter 265, Solid Waste, of the Code of the City of Bangor, By Adopting Single Stream Recycling (First Reading)*                    **BALDACCI**

*Action:    First Reading*

**UNFINISHED BUSINESS**  
**ITEM NO.** **ASSIGNED TO COUNCILOR**

14-079    ORDER                    *Reallocating Excess Proceeds from the City's Prior General Obligation Bonds*                    **GALLANT**

*Action:    Motion made and seconded to Open the Public Hearing  
Public Hearing Opened  
Motion made and seconded to Close the Public Hearing  
Public Hearing Closed  
Motion made and seconded for Passage  
Passed*

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – FEBRUARY 24, 2014**

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<b>NEW BUSINESS ITEM NO.</b>		<b>ASSIGNED TO COUNCILOR</b>
<b>LIQUOR LICENSE (CLASS X)</b>	<p><b>Liquor License Application Renewal, Malt, Spirituous, Vinous of Quality Beverages Inc. d/b/a Nocturnem Draft Haus, 56 Main Street</b></p> <p><b>Action: Motion made and seconded for Approval Approved</b></p>	<b>PLOURDE</b>
<b>PUBLIC HEARING:</b>	<p><b>Special Amusement License of Quality Beverages Inc. d/b/a Nocturnem Draft Haus, 56 Main Street</b></p> <p><b>Action: Motion made and seconded to Open the Public Hearing Public Hearing Opened Motion made and seconded to Close the Public Hearing Public Hearing Closed Motion made and seconded for Approval Approved</b></p>	<b>PLOURDE</b>
	<p><b>Special Amusement License of Siam House, Inc. d/b/a Zen Asian Bistro, 128 Main Street</b></p> <p><b>Action: Motion made and seconded to Open the Public Hearing Public Hearing Opened Motion made and seconded to Close the Public Hearing Public Hearing Closed Motion made and seconded for Approval Approved</b></p>	<b>PLOURDE</b>
<b><u>14-101</u>    <u>ORDER</u></b>	<p><b>Authorizing the City Manager to Execute a Lease with the Bangor Farmers Market Association – Abbott Square</b></p> <p><b>Action: Motion made and seconded to amend Order 14-101 by substitution with a change to a one year lease with no fee.</b></p> <p><b>Clayton Carter, representing the Farmers Market group, indicated that they have no issues with paying a fee and would also like to have a three year lease.</b></p> <p><b>Motion Doubted. Vote: 8 – 1 Councilors Voting Yes: Baldacci, Blanchette, Civiello, Durgin, Gallant, Nealley, Plourde, Sprague Councilors Voting No: Graham Amendment Passed Motion made and seconded for Passage as Amended Passed</b></p>	<b>CIVIELLO</b>
<b><u>14-102</u>    <u>ORDER</u></b>	<p><b>Directing the City Manager to Take Possession of the Property Located at 91 Larkin Street</b></p> <p><b>Action: Motion made and seconded for Passage Passed</b></p>	<b>NEALLEY</b>

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – FEBRUARY 24, 2014**

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<b><u>NEW BUSINESS</u></b> <b><u>ITEM NO.</u></b>			<b><u>ASSIGNED TO</u></b> <b><u>COUNCILOR</u></b>
<b><u>14-103</u></b>	<b><u>ORDER</u></b>	<b><i>Directing the City Manager to Take Possession of the Property Located at 147 Court Street</i></b>	<b>BLANCHETTE</b>
	<b><i>Action:</i></b>	<b><i>Motion made and seconded for Passage Passed</i></b>	
<b><u>14-104</u></b>	<b><u>ORDER</u></b>	<b><i>Authorizing Sale of Land to Eastern Maine Healthcare Systems Abutting the Maine Business Enterprise Park to be Included in Development Agreement as Authorized by Council Order 13-279</i></b>	<b>DURGIN</b>
	<b><i>Action:</i></b>	<b><i>Motion made and seconded for Passage Passed</i></b>	
<b><u>14-105</u></b>	<b><u>RESOLVE</u></b>	<b><i>Pledging the City of Bangor's Support of the Searsport Dredging and Harbor Improvement Plan</i></b>	<b>NEALLEY</b>
	<b><i>Action:</i></b>	<b><i>Motion made and seconded to Postpone to the next regularly scheduled City Council Meeting and to refer to the Business &amp; Economic Development Committee Meeting to be held prior to the next City Council meeting. Passed to Postpone and Refer.</i></b>	

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*Lisa J. Goodwin, MMC, City Clerk*

Meeting Agenda  
City of Bangor Airport Committee Meeting  
City Council Chambers 3<sup>rd</sup> Floor  
January 14, 2014

The following City Councilors were in attendance: Nelson Durgin, Joseph Baldacci, Pauline Civiello, James Gallant, David Nealley, Ben Sprague, and Pat Blanchette. The following City staff was also in attendance, Airport Director, Anthony Caruso, and Assistant Director James Canders. Also in attendance was Republic Parking Manager Parke Clemons.

Agenda:

**1. Request to accept a donation of up to \$2,000 for the purchase and install of a water bottle filling station for Military and other customers.**

Assistant Airport Director Canders presented to the Airport Committee information on the water bottle filling station. The Airport was approached by a member of the Maine Troop Greeters with the concept of adding an amenity for the troops at the Airport. The Troop Greeters want to add a water bottle filling station in the non-secure passenger waiting area on the second floor of the Domestic Arrivals Building. Furthermore, the Troop Greeters had secured a donation of up to 2,000 to pay for the purchase and installation of the unit. After conducting some research, the Airport was able to determine that the unit requested by the Troop Greeters could be purchased between \$1,000 and \$1,800 depending on the model desired. The unit could also be installed by Airport staff with minimal difficulty since it would simply be replacing a similarly installed unit already in place at the Airport made by the same vendor. The only modification that would need to be made would be a larger recessed area to accommodate the larger unit. Airport staff recommends accepting this donation from an anonymous donor from the Maine Troop Greeters for the purchase and install of a water bottle filling station at Bangor International Airport.

Motion moved and seconded.

**2. Airport Statistics;**

- a. Dec 2013 domestic passenger statistics
- b. 2013 Year End statistics
- c. Nov & Dec 2013 Monthly flight operations

Airport Director Caruso indicated Allegiant Air was up by 49.1% mainly driven by their new flight and this is their peak demand period, Delta up slightly by .6% and US Airways was down by 4.9%. The total monthly passengers was up by 5.9% and YTD passengers was up by 6%. Load factors were Allegiant 78%, Delta 82% and US Airways was 83%. The Market Share of

passengers were pretty even, Allegiant Air 24%, Delta 30% and US Airways 47%. The YTD for operations, were down a little from last year at -7. Total landings for International was down by 13, landings for Domestic was up by 2, landings for cargo was down by 19, and total weight cargo was up by 19. The total fuel sales for 2013 was down from 2012.

#### Questions/Comments

Councilor Baldacci asked if we can predict the passenger for the upcoming months. Airport Caruso indicated that the market looks stable.

Councilor Graham asked about the fuel sales, if our prices are the same as other Airports. Caruso responded that we are competitive with the other Airports and FBO's.

Councilor Gallant asked if in the future they could get updates on the leases, new tenants and the real estate property for the revenue coming into the Airport.

Councilor Neally asked if there were any updates on the American/US Air merger. Director Caruso indicated no updates yet.

#### 3. Airport Parking-monthly update:

- a. July-Dec 2013 Statistics
- b. Airport Shuttle Lot operations plan

Parking Manager Clemons indicated that the Short term revenue (cars that are parked less than 2 hours) was up by 5.38%, long term revenue (more than 1 day) was up by 4.23% and the Monthly billing revenue (Sheraton leases space, base/non based crews) was up by 19.91%. Starting January 1<sup>st</sup>, the airport has increased the parking rates.

Parke indicated that this year they are going to start an Amenities program. What will happen is a customer will park his car in the long term parking, and a vendor will come in and pick up the car and detail it or do an oil change, or additional types of service, etc. They will also offer this summer a frequent parking program, where it will reward a customer for long term parking, giving them discounts.

#### Questions/Comments

Councilor Gallant asked if there was going to be any revenue for the reward program. Clemons responded that no, there is no extra income it is just a benefit to the customer for a special service that they will offer. Councilor Gallant asked if there could be an application on a smart phone. Clemons responded that he is working with a vendor on this. And the time line is late summer.

Clemons also indicated that come mid-February he anticipates that the shuttle lot will be in use. He anticipates that the Long Term parking will reach its capacity and we will be using the Shuttle Lot. We will be using the Shuttle Lot until the first or second week in May. The brochure is on the web site.

Councilor Gallant asked if we could possibility check to see where the people are coming from. Clemons responded that Republic does conduct period parking lot surveys and can share this info with the Committee.

Councilor Blanchette ask how we are getting the information out. Clemons responded that it will be on the web page and through social media.

Meeting Adjourned

**Government Operations Committee**

**Monday, December 16, 2013**

**5:45PM**

**City Council Chambers**

**MINUTES**

**Council Members:** Civiello, Blanchette, Plourde, Graham, Gallant, Durgin

**Staff Members:** Conlow, Farrar, Goodwin, Linscott, Morgan, Wardwell

**Others:** Dan Cooper, Tom Crikelair, Media, John York, Carol Epstein

**CONSENT AGENDA**

- 1. Acceptance of Two Pipeline Spur Easements at Bangor International Airport from the Air National Guard.**
- 2. Acceptance of Three Easements and a small parcel of land at Bangor International Airport from the Air National Guard previously used for a Ceilometer measuring device.**
- 3. Order, Authorizing the City Manager to Execute a Sub-Recipient Agreement with Mayo Regional Hospital as Fiscal Agent for Piscataquis Public Health Council.**

Councilor Sprague moved, Councilor Plourde seconded, so approved.

**REGULAR AGENDA**

**4. Preliminary Discussion – Voting Location**

City Clerk Goodwin explained the issues with the venue for voting in regards to the Cross Insurance Center. There were issues with the distance some voters had to walk. Goodwin has been researching other venues in the City. Due to the large venue needed for voting, we are limited to the Cross Insurance Center. Hollywood Casino is willing to let us use the parking garage on days that there are smaller votes if we use the Ballroom. For the larger votes, we can use the Arena and use the back parking lot which would shorten the distance.

Councilor Durgin suggested that we set up handicap/disabled polling stations on the main floor where voters enter. This will give them an easier walk from the lots. We can have that set up for people who have trouble walking but still have the normal set up on the Arena floor for all others. It is also a possibility that we use the loading dock for handicap parking which would allow a shorter walking distance.

Councilor Plourde and Sprague agreed with Councilor Durgin about using the Main floor for handicap polls.

Councilor Blanchette stated that if we don't designate the handicap booths, then we will have others who are just in a hurry pop in there instead of its intended use.

Goodwin did explain that the set up of the voting booths, all things need to be viewable to the public at one time.

Councilors discussed different set up possibilities at the Cross Insurance Center, including the use of the Concourse space. The Clerk will explore that possibility further and check with the Secretary of State regarding feasibility. There is a need to be sure that we don't cause any loss of money in regards to paying acts/events, etc.

#### **5. Revised and Updated agreement between the University of Maine and City of Bangor – Community Connector, Free Fare Program**

This agreement increased the amount paid by the University of Maine from \$18,500 annually to \$25,500 annually effective 7-1-14, based upon passenger use.

Asst. City Manager Bob Farrar explained what the agreement would mean financially to the City.

Councilor Gallant moved staff recommendation, Councilor Sprague seconded, so approved.

#### **6. Update – MaineCare Program Changes and Impacts on Community Connector Revenue Projections.**

Staff presented updated projections concerning the loss of bus pass revenue due to changes in eligibility for the MaineCare Program.

Asst. City Manager Bob Farrar stated that there was a lot of revenue lost due to the MaineCare program changes leading to a significant drop of MaineCare bus pass purchases. The ridership is actually up from what had been projected and we have identified some grant funds that can hopefully be used to make up for the shortfall that was caused by lost bus pass purchases by MaineCare. By the end of the year we hope to be fairly close to the revenue number that we have projected.

Many of the citizens we serve are transit dependent. They need the ability to have public transportation to get around. Meaning they will find a way to use this system even with the loss of a number of bus passes.

Councilor Gallant asked if we have looked into possibly switching our fleet over to compressed gas which could in turn save money that could be shifted to our downfall of this revenue that will not be coming in due to the decrease in MaineCare passes. Is it feasible?

Asst. City Manager Farrar said they have started looking into that but what goes along with it, is the ability for our maintenance facility to work on these converted buses. It seems we would be better off financially buying new buses instead of converting our current fleet.

Farrar also stated that the fare structure needed to be looked at for possible fare increase. There is a timely process to go through due to Federal guidelines and staff proposed to the committee that they begin this process. Currently looking to raise the fare by a quarter (\$.25).

Councilor Gallant moved to allow staff to begin the initial process of a fare increase, Councilor Sprague seconded, so approved.

## **7. Community Connector Hub Alternative Study**

Transit Consultant Tom Crikelair presented a review of the options under consideration. The Government Operations Committee had previously selected several sites for additional analysis, which has now been completed.

Mr. Crikelair stated that at the last meeting there were some suggested alternatives for the bus hub. Options were discussed in regards to pros and cons. Crikelair stated that the problem he sees at Pickering Square is due to the design of it. It can be redesigned and the usage would be greatly improved. The basic idea on what he recommends is moving the area where the buses will pull up to the hub to pick up and drop off riders is to move this from in front of Pickering Square Garage to Water Street where it should resolve some of the issues.

Crikelair explained the options they have come up with, the different traffic routes buses would travel, etc. He explained timing on the comings and goings of buses. Talked about funding an extra bus during busy seasons. Reducing transfer time for riders was a goal from the beginning of this job and reconfiguring routes, # of buses, etc., should help with continued reduction in transfer time.

Councilor Sprague summarized the discussion stating that with all the different options that have been brought forth, there is not a complete unity within the Council to support one idea specifically. Business owner Carol Epstein spoke about her concerns with the proposed Water Street location. The Consultant will take all of this information under consideration as he prepares the final report which will be finalized and presented in late winter/early spring.

**Motion to adjourn at 7:45 pm.**

# **BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE**

Tuesday, February 4, 2014 5:15 PM  
City Council Chambers

## **Minutes**

Committee Members Present: Chair Durgin, Councilor Baldacci, Councilor Graham, Councilor Plourde

Staff Present: City Solicitor Norm Heitmann, Tanya Emery, Director of Community and Economic Development

### **1. Request to Lease City Property**

City Solicitor Heitmann explained that Arayos LLC, d/b/a Diamonds, wishes to lease area from the City in order to construct an exit (install a door in the side of the building and have stairs to the ground) at 190 Harlow Street. Because the side of the building that they lease is built to the property line, they need an agreement with the City, the owner of the abutting property, in order to use this area. Presently patrons must enter and exit from the front of the building. The City has received complaints about people in the front of the building being very loud, late at night. Also, some patrons, rather than walking from the front of the building down Haynes Court, walk down the retaining wall which is a hazard. The proposed stairway would be at the rear of the building where their patrons park their cars and construction of this side exit should help to address these issues.

Mr. Scott Liberty, a Trustee representing Arayos LLC, was also present in support. Mr. Heitmann indicated that Staff is seeking direction from the Committee whether or not it wishes the City to proceed.

The consensus of the Committee members was for Staff to proceed.

### **2. Executive Session – Economic Development – Revised Business Development Loan – 1 M.R.S.A. § 405(6)(C)**

Councilor Baldacci moved to enter Execution Session under 1 M.R.S.A. § 405(6)(C). The motion was seconded and it passed unanimously.

It was moved, seconded and unanimously approved to exit the Executive Session.

### **3. Committee Action on Above Item**

It was moved, seconded and approved to recommend this item.

4. **Executive Session** – Economic Development – Property Disposition Discussion – 1 M.R.S.A. § 405(6)(C)

Councilor Graham moved to enter Execution Session under 1 M.R.S.A. § 405(6)(C). The motion was seconded and it passed unanimously.

It was moved, seconded and approved to exit the Executive Session.

The meeting adjourned at 5:50 p.m.

**COUNCIL ACTION**

Item No. 14-106

Date: March 10, 2014

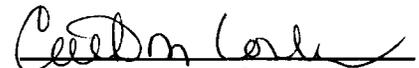
**Item/Subject**    **ORDER, Authorizing Grant of \$4,000 to the Penobscot Theatre to Support Community Engagement and Education Programs As Part Of Our Town Play**

**Responsible Department:**    **Community & Economic Development**

**Commentary:** This Order will authorize a grant in the amount of \$4,000 to the Penobscot Theatre to promote educational programming and community engagement as part of the Our Town production. The Penobscot Theatre submitted an application to support the educational programs planned in conjunction with their main stage production of Our Town. The Cultural Commission has recommended approval of this request because of the benefit to the community and the Theatre's history of quality programming. This item was reviewed and recommended for approval by the Business & Economic Development Committee at its March 4, 2014 meeting.

\_\_\_\_\_  
Department Head

**Manager's Comments:**

  
\_\_\_\_\_  
City Manager

**Associated Information:**

**Budget Approval:**

  
\_\_\_\_\_  
Finance Director

**Legal Approval:**

  
\_\_\_\_\_  
City Solicitor

**Introduced for**

- Passage**
- First Reading**
- Referral**

Page    of



Assigned to Councilor Plourde

## CITY OF BANGOR

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**(TITLE.) ORDER, Authorizing Grant of \$4,000 to the Penobscot Theatre to Support Community Engagement and Education Programs As Part Of Our Town Play**

**WHEREAS,** the City Council has made an appropriation of funds to support arts and cultural organizations; has established a Commission on Cultural Development; and has assigned the Commission the responsibility of reviewing grant applications from arts and cultural organizations, and to make recommendations for grant funding to the City Council; and

**WHEREAS,** the Penobscot Theatre has submitted an application for funding to support the educational programs planned in conjunction with the main stage production of Our Town; and

**WHEREAS,** the Commission on Cultural Development recommends the approval of the request due to the merits of the project and the organization's reputation for good programming; and

**WHEREAS,** the grant application was complete, well organized and met funding criteria; and

**WHEREAS,** the Commission on Cultural Development and the Business & Economic Development Committee voted to recommend to the City Council approval of a grant in the amount of \$4,000:

**BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT**

A Grant of \$4,000 is hereby authorized for the Penobscot Theatre to support the community engagement and education programs as a part of the Our Town play.

**COUNCIL ACTION**

**Item No. 14-107**

**Date: March 10, 2014**

**Item/Subject**    **ORDER, Authorizing Grant of \$2,500 to the Bangor Symphony Orchestra to Support Various Ensemble Performances in Bangor**

**Responsible Department:**    **Community & Economic Development**

**Commentary:** This Order will authorize a grant in the amount of \$2,500 to the Bangor Symphony Orchestra to support ensemble performances in Bangor. The Bangor Symphony Orchestra submitted an application for funding to conduct six ensemble performances at various Bangor locations. Bangor Symphony Orchestra would like to expand its outreach initiatives to have a greater presence in Bangor throughout the year. The Cultural Commission has recommended approval of this request because of the benefit to the community.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its March 4, 2014 meeting.

\_\_\_\_\_  
Department Head

**Manager's Comments:**

\_\_\_\_\_  
*Colleen Corle*  
City Manager

**Associated Information:**

**Budget Approval:**

\_\_\_\_\_  
*[Signature]*  
Finance Director

**Legal Approval:**

\_\_\_\_\_  
*[Signature]*  
City Solicitor

**Introduced for**  
 **Passage**  
 **First Reading**  
 **Referral**

**Page \_\_ of \_\_**



Assigned to Councilor Nealley

## CITY OF BANGOR

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**(TITLE.) ORDER, Authorizing Grant of \$2,500 to the Bangor Symphony Orchestra to Support Various Ensemble Performances in Bangor**

**WHEREAS,** the City Council has made an appropriation of funds to support arts and cultural organizations; has established a Commission on Cultural Development; and has assigned the Commission the responsibility of reviewing grant applications from arts and cultural organizations, and to make recommendations for grant funding to the City Council; and

**WHEREAS,** the Bangor Symphony Orchestra has submitted an application for funding to conduct six ensemble performances within various Bangor locations (Bangor Mall, Bangor Public Library, Bangor International Airport, Acadia Hospital and others); and

**WHEREAS,** the Commission on Cultural Development recommends the approval of the request due to the merits of the project and the organization's reputation for good programming; and

**WHEREAS,** the grant application was complete, well organized and met funding criteria; and

**WHEREAS,** the Commission on Cultural Development and the Business & Economic Development Committee voted to recommend to the City Council approval of a grant in the amount of \$2,500:

**BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT**

A Grant of \$2,500 is hereby authorized for the Bangor Symphony Orchestra to support various ensemble performances in Bangor.

**COUNCIL ACTION**

**Item No. 14-108**

**Date:** March 10, 2014

**Item/Subject:** **ORDER**, Authorizing the City Manager to execute an Agreement with the Town of Hermon for Assessment Services

**Responsible Department:** **Assessing**

**Commentary:** This Order will authorize the execution of an agreement with the Town of Hermon to provide assessing services for a period of 180 days. The City will provide approximately 75 hours of staff time at a rate of \$55.20 per hour, plus expenses. The Town of Hermon is currently in need of assessment oversight as they have someone who will do the work and input the data. Under the terms of this agreement, the Assessor will act in a supervisory capacity over the contract assessor. The City Assessor recommends approval as it is not anticipated that this will take substantial time away from other duties.

\_\_\_\_\_  
Department Head

**Manager's Comments:** This will be discussed at Pre-Council on March 10<sup>th</sup>

\_\_\_\_\_  
Carl M. Colee  
City Manager

**Associated Information:**

**Budget Approval:**

\_\_\_\_\_  
Finance Director

**Legal Approval:**

\_\_\_\_\_  
City Solicitor

**Introduced for**  
 **Passage**  
 **First Reading**  
 **Referral**

**Page**    **of**



Assigned to Councilor Civiello

## CITY OF BANGOR

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**(TITLE.) ORDER,** Authorizing the City Manager to execute an Agreement with the Town of Hermon for Assessment Services

**WHEREAS,** The Town of Hermon is in need of assessment services and has requested an agreement with the City of Bangor for assessment services of 180 days.; and

*By the City Council of the City of Bangor:*

**ORDERED,**

**THAT** the City Manager is hereby authorized, on behalf of the City of Bangor, to execute an agreement with the Town of Hermon for Assessment services. Said Agreement shall be substantially in the form as attached hereto and in a final form as approved by the City Solicitor or Assistant City Solicitor.

AGREEMENT FOR ASSESSING SERVICES

Agreement made this \_\_\_ day of \_\_\_\_\_ 2014 by and between the City of Bangor (hereinafter "Bangor"), a municipal corporation located in Bangor, County of Penobscot, State of Maine, and the Town of Hermon (hereinafter "Hermon"), a municipal corporation located in Hermon, County of Penobscot, State of Maine.

WHEREAS, the City of Bangor has an Assessing Department; and

WHEREAS, the Town of Hermon is without the services of an Assessor and requested proposals for assessing services; and

WHEREAS, the City of Bangor has proposed to provide assessing services to Hermon for six (6) months under certain terms and conditions.

NOW, THEREFORE, IN CONSIDERATION of the mutual promises and covenants contained in this Agreement, the City of Bangor and the Town of Hermon agree as follows:

1. Term

The term of this Agreement shall be for a period of 180 days commencing the date of execution.

2. Services to be provided by the City of Bangor

The City of Bangor Assessing Department personnel will provide assessing services for the Town of Hermon.

The City of Bangor will perform the following: administration of the assessing department, preparation of town valuations (not a revaluation for the Town of Hermon); appraisal and assessment record keeping, assisting in printing of tax bills, preparation of reports necessary to meet requirement of Maine law for example, Annual Municipal Valuation Return, annual Tree Growth report and assisting the public with real and personal property valuations.

The City of Bangor personnel will provide 75 hours of staff time during the term of this Agreement. Supervisory time is anticipated to be 1 +/- hour per week and 45 hours of field and sales analysis work from April 1, 2014 through June 30, 2014 (during the time of commitment of taxes).

The Town of Hermon has agreed to hire Lillian Smith, CMA as an appraiser working as a private contractor / independent contractor who will provide approximately 360 hours of assessing work, at one and one-half days, per week, during the term of this agreement, who shall work under the direction of the City of Bangor City Assessor. The Town of Hermon shall

be responsible for any money due Lillian Smith and shall hold the City of Bangor harmless.

3. Fees

During the term of this agreement the Town of Hermon will pay the City of Bangor an estimated \$4,140 (\$55.20 per hour) for the services to be provided.

The Town of Hermon will pay the City of Bangor the IRS rate for mileage reimbursement for travel by personnel providing services pursuant to this Agreement.

4. Billing

The City of Bangor will bill the Town of Hermon monthly for all work done in the previous month and will provide to the Town of Hermon appropriate documentation to substantiate each monthly bill. The Town of Hermon shall pay each bill within thirty (30) days of receipt.

5. Insurance

The City of Bangor will provide a Liability Policy with the Town of Hermon to a named insured. This policy limits shall be \$400,000.00 for each incident.

6. Miscellaneous

All paperwork, documents and work product remain the property of the Town of Hermon.

7. Termination

In the event, of a default the non-defaulting party may terminate this agreement upon ten days notice, unless said default is cured within that time. In any event, either party may terminate this agreement upon sixty (60) days written notice to the other.

CITY OF BANGOR

\_\_\_\_\_

\_\_\_\_\_  
Catherine M. Conlow  
Title: City Manager

TOWN OF HERMON

\_\_\_\_\_

\_\_\_\_\_  
Roger Raymond  
Town Manager

**COUNCIL ACTION**

**Item No. 14-109**

**Date: 3-10-14**

**Item/Subject: ORDER, Accepting the City of Bangor's Comprehensive Annual Financial Report for the Year Ended June 30, 2013**

**Responsible Department: Finance**

**Commentary:**

The attached Order accepts the City's Comprehensive Annual Financial Report (CAFR) including its General Purpose Financial Statements and the Independent Auditor's unqualified opinion as prepared by Runyon Kersteen Ouellette of South Portland, Maine.

In accordance with State law, the City prepares this annual financial statement through an independent audit firm. Based upon the audit findings, the City received an unqualified opinion that the financial statements are fairly stated in all material respects. Additionally, no material weaknesses have been identified related to the City's internal controls.

For the past sixteen years, the City has been awarded the Government Finance Officers Associations (GFOA) Certificate of Achievement for Excellence in Financial Reporting. As such, this CAFR has been submitted to GFOA for their consideration.

At this time staff and the Manager recommend approval. The Finance Committee met with the City's auditors and reviewed the various reports on March 3, 2014.

\_\_\_\_\_  
Department Head

**Manager's Comments:**

  
\_\_\_\_\_  
City Manager

**Associated Information:** Order

**Budget Approval:**

  
\_\_\_\_\_  
Finance Director

**Legal Approval:**

  
\_\_\_\_\_  
City Solicitor

**Introduced for**

- Passage - Consent**
- First Reading**
- Referral**

**Page \_\_ of \_\_**



Assigned to Councilor Gallant

## CITY OF BANGOR

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**(TITLE.) Order, Accepting the City of Bangor's Comprehensive Annual Financial Report for the Year Ended June 30, 2013**

*By the City Council of the City of Bangor:*

**ORDERED,** that the City of Bangor's Comprehensive Annual Financial Report, including its General Purpose Financial Statements for the year ended June 30, 2013 as prepared by City Finance staff and the Independent Auditor's Report thereon, prepared by Runyon Kersteen Ouellette, is hereby accepted in its entirety.



**REFERRALS TO COMMITTEES  
& FIRST READINGS**

**COUNCIL ACTION**

**Item No. 14-110**

**Date: March 10, 2014**

**Item/Subject** Amending the Land Development Code – Zone Change – 1129 and 1139 Stillwater Avenue from a Rural Residence and Agricultural District to a General Commercial and Service District; and 349 Longview Drive from a Shopping and Personal Service District to a General Commercial and Service District.

**Responsible Department:** Planning Division

**Commentary:** The applicant, Cross Realty, LLC, is requesting a zone change for two parcels of land located at 1129 and 1139 Stillwater Avenue from a Rural Residence and Agricultural District to a General Commercial and Service District; and one parcel of land at 349 Longview Drive from a Shopping and Personal Service District to a General Commercial and Service District. These parcels abut the Natural Living Center at the corner of Longview Drive and Stillwater Avenue. General Commercial and Service District (GC&S) is the predominant zone on abutting parcels and is consistent with the Comprehensive Plan's Zoning Policy.

/s/ Tanya L. Emery  
Dept. Head

**Manager's Comments:**

For Referral to Planning Board Meeting of March 18, 2014 at 7:00 p.m.

Calvin Cole  
City Manager

**Associated Information:**

**Budget Approval:**

\_\_\_\_\_  
Finance Director

**Legal Approval:**

AA  
City Solicitor

**Introduced for**

Passage

First Reading

Referral to Planning Board Meeting of March 18, 2014, 7:00 p.m.

Page 1 of 1



Assigned to Councilor Durgin

## CITY OF BANGOR

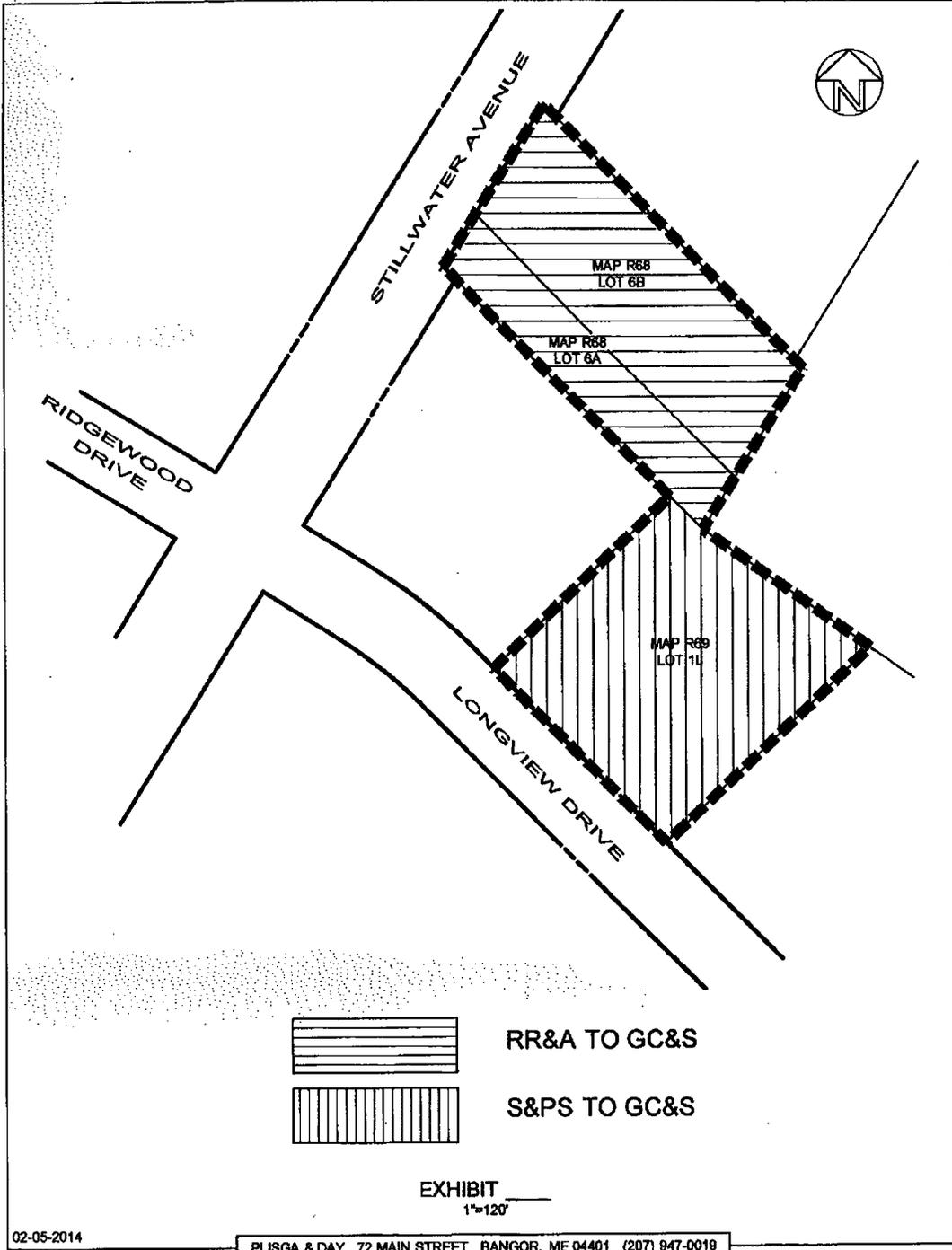
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(TITLE.) Ordinance , Amending the Land Development Code – Zone Change – 1129 and 1139 Stillwater Avenue from a Rural Residence and Agricultural District to a General Commercial and Service District; and 349 Longview Drive from a Shopping and Personal Service District to a General Commercial and Service District.

*Be it ordained by the City Council of the City of Bangor, as follows:*

THAT the zoning boundary lines as established by the Zoning Map of the City of Bangor dated October 28, 1991, as amended, be hereby further amended as follows:

By changing two parcels of land located at 1129 and 1139 Stillwater Avenue from Rural Residence and Agricultural District to General Commercial and Service District (Tax Map No. R-68, Parcel Nos. 6-A and 6-B) and by changing one parcel of land located at 349 Longview Drive from Shopping and Personal Service District to General Commercial and Service District (Tax Map No. R-69, Parcel No. 1L). Said parcels of land containing approximately 2.9 acres and being more particularly indicated on the map attached hereto and made a part hereof.



TO: THE CITY COUNCIL AND  
THE PLANNING BOARD OF BANGOR, MAINE:

DATE February 18, 2014

- 1. I(WE) Cross Realty, LLC
- 2. of P.O. Box 1388, 74 Gilman Rd, Bangor, ME 04401  
Address            City or Post Office

hereby petition to amend the Land Development Code of the City of Bangor, Maine by reclassifying from Rural Residence & Agricultural and Shopping & Personal Service districts to the General Commercial & Service district for the property outlined in red on the maps attached hereto as Exhibit A, which are part of this application, and described as follows:

- 3. ADDRESS OF PROPERTY (if any) 1129 & 1139 Stillwater Avenue and 349 Longview Drive, Bangor, ME 04401

Total Area (acres or square feet) 2.9 acres

- 4. PROPERTY LOCATION (General location): Stillwater Avenue northeasterly of Black Bear Medical and the Natural Living Center building; Longview Drive between the Black Bear Medical and Natural Living Center building and Gateway Title of Maine building

- 5. LEGAL DESCRIPTION OF PROPERTY - Assessors Map No. R68 Parcel 006-A & 006-B; Assessors Map No. R69 Parcel 1L

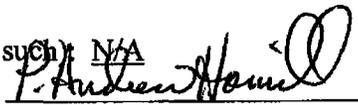
- 6. EXISTING USE: R68, Parcel 006-A: vacant; R68, Parcel 006-B: former residential; R69, Parcel 1L: vacant

- 7. PROPOSED USE: Commercial

- 8. NAME AND ADDRESS OF OWNER OF RECORD:

Name Cross Realty, LLC  
Address P.O. Box 1388, 74 Gilman Rd, Bangor, ME 04401

- 9. NAME AND ADDRESS OF CONTRACT OWNER (if such): N/A

- 10. SIGNATURE OF OWNER OR CONTRACT OWNER: 

- 11. REPRESENTATIVE OF APPLICANT (if applicable):

Name P. Andrew Hamilton, Esq.  
Address P.O. Box 1210, 80 Exchange Street, Bangor, ME 04402-1210

- 12. ATTACH ANY CONDITIONS PROPOSED FOR A CONTRACT ZONE REQUEST.

RETURN FORM & DUPLICATE TO PLANNING DIVISION, CITY HALL, BANGOR, ME.

<u>Application fee</u>	<u>Processing</u>	<u>Advertising</u>	<u>Total</u>
Zone Change (1/2 acre or less)	\$575.00	\$410.00*	\$ 985.00
Zone Change (in excess of 1/2 acre)	\$920.00	\$410.00*	\$1,330.00
Contract Zone Change - 5 conditions or less	\$1,377.00	\$509.00*	\$1,886.00
More than 5 conditions or 50 words	\$1,900.00	\$509.00**	\$To be determined

\*Two Ads Required \*\* Advertising costs above this amount to be paid for by applicant

**COUNCIL ACTION**

**Item No. 14-111**

**Date: March 10, 2014**

**Item/Subject** Amending Land Development Code – Zone Change – 970 and 974 Kenduskeag Avenue from a Rural Residence and Agricultural District to a Low Density Residential District.

**Responsible Department:** Planning Division

**Commentary:** The applicants, Sonja Bernier and Galen and Mary Elaine Furge, are requesting a zone change for a portion of two parcels of land located at 970 and 974 Kenduskeag Avenue and containing approximately 1.79 acres from a Rural Residence and Agricultural District to a Low Density Residential District. The Applicants are seeking the rezone to reduce the applicable side yard setbacks to accommodate some preexisting development on the lots. Because public sewer and water are available to serve these lots, Low Density Residential is consistent with the City's Comprehensive Plan.

/s/ Tanya L. Emery  
Dept. Head

**Manager's Comments:**

For Referral to Planning Board Meeting of March 18, 2014 at 7:00 p.m.

Curt M. Lord  
City Manager

**Associated Information:**

**Budget Approval:**

\_\_\_\_\_  
Finance Director

**Legal Approval:**

[Signature]  
City Solicitor

**Introduced for**

Passage

First Reading

Referral to Planning Board Meeting of March 18, 2014, 7:00 p.m.

Assigned to Councilor Plourde



## CITY OF BANGOR

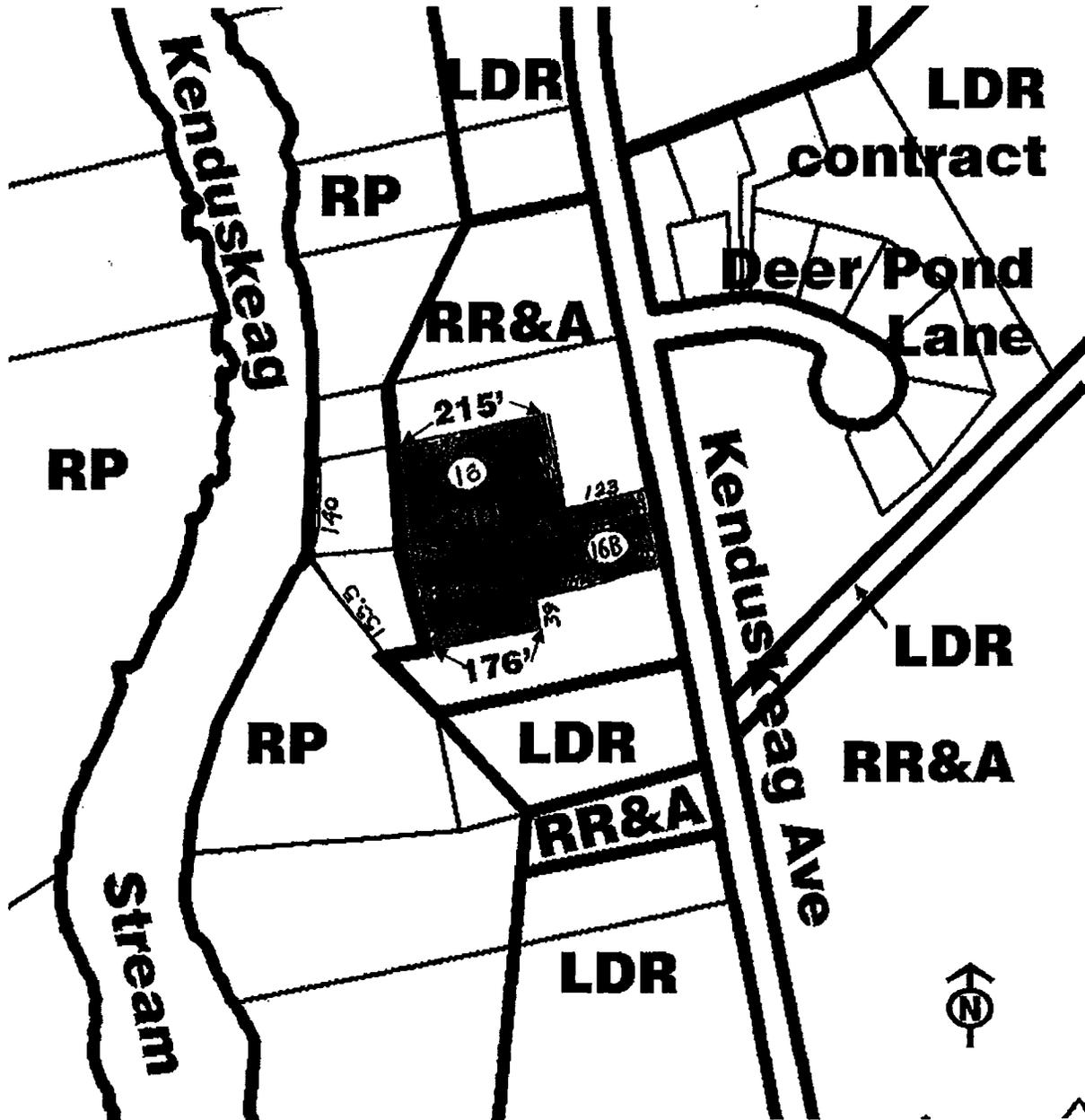
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(TITLE.) Ordinance , Amending the Land Development Code – Zone Change – 970 and 974 Kenduskeag Avenue from a Rural Residence and Agricultural District to a Low Density Residential District.

*Be it ordained by the City Council of the City of Bangor, as follows:*

**THAT** the zoning boundary lines as established by the Zoning Map of the City of Bangor dated October 28, 1991, as amended, be hereby further amended as follows:

By changing parts of two parcels of land located at 970 and 974 Kenduskeag Avenue (Tax Map No. R-23, Parcel Nos. 16 and 16B) from a Rural Residence and Agricultural District to a Low Density Residential District. Said parts of parcels of land containing approximately 1.79 acres and being more particularly indicated on the map attached hereto and made a part hereof.



**RR&A to LDR**







**UNFINISHED  
BUSINESS**

**COUNCIL ACTION**

**Item No. 14-098**

**Date: 2-24-2014**

**Item/Subject: Resolve, Appropriating \$50,000 from the General Fund's Unassigned Fund Balance for the Purpose of Funding the City's Share of the Local Match for the Small Community Air Service Development Grant**

**Responsible Department: Finance**

**Commentary:** This Resolve will appropriate \$50,000 from the General Fund's Unassigned Fund Balance to fund the City's share of the local match for the Small Community Air Service Development Grant awarded to Bangor International Airport in December 2010.

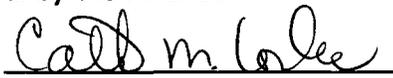
This grant award was to improve air service to the region by increasing competition and capacity in the market. The application specifically focused on air service to either Washington DC or Chicago. Under the provisions provided in the grant award, this Small Community Air Service Development Program grant may be used to reduce an airline's risk in entering a new market. The grant requires a 50% local/community match. The City's portion of the match was \$50,000 and the funds had to come from the general funds of the City and not funds from the Airport Enterprise Fund. Other contributors towards the match include MDOT, MDECD and Mobilize Maine.

As of June 30, 2013 the City's Unassigned Fund Balance of \$7,727,014 exceeded the Council target of 8.33% of operating expenditures by \$491,364. In general, the City's Fund Balance policy indicates that unassigned fund balance should be used primarily to insure adequate designated reserves, to respond to unforeseen emergencies and to provide overall financial stability. Based on the unforeseen, unique and non-recurring nature of this appropriation, this Resolve appears to meet the intent of the City's Fund Balance policy.



Department Head

**Manager's Comments:** This was reviewed and recommended for approval by the Finance Committee on February 17, 2014.



City Manager

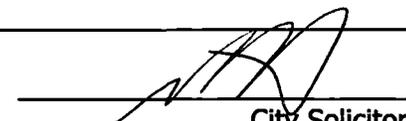
**Associated Information:** Resolve

**Budget Approval:**



Finance Director

**Legal Approval:**



City Solicitor

**Introduced for**

Passage  
 First Reading  
 Referral

Page \_\_ of \_\_

Assigned to Councilor Gallant



## CITY OF BANGOR

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**(TITLE.) RESOLVE, Appropriating \$50,000 from the General Fund's Unassigned Fund Balance for the Purpose of Funding the City's Share of the Local Match for the Small Community Air Service Development Grant**

**BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT \$50,000 is hereby appropriated from the General Fund's Unassigned Fund Balance to fund the City's share of the local match for the Small Community Air Service Development Grant.**

**COUNCIL ACTION**

**Item No. 14-099**

**Date: February 24, 2014**

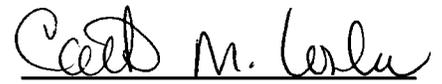
**Item/Subject:** RESOLVE, Accepting and Appropriating an Additional \$31,362.00 in Funding for the Women, Infants and Children (WIC) Nutrition Program Grant

**Responsible Department: Health & Community Services**

**Commentary:** The resolve will accept and appropriate an additional \$31,362.00 in WIC funds for FY 14, which covers the period from October 1, 2013 through September 30, 2014. The original grant amount was \$508,057 for administration of the program and \$2,220,000 for food assistance to clients. This additional \$31,362 is for administrative (personnel) costs directly related to providing client services. This was reviewed and recommended for approval at the February 19, 2014 Government Operations Committee meeting

\_\_\_\_\_  
Department Head

**Manager's Comments:**

  
\_\_\_\_\_  
City Manager

**Associated Information: Resolve**

**Budget Approval:**

  
\_\_\_\_\_  
Finance Director

**Legal Approval:**

  
\_\_\_\_\_  
City Solicitor

**Introduced for**  
 Passage  
 First Reading  
 Referral

Page \_\_ of \_\_



Assigned to Councilor Civiello

## CITY OF BANGOR

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**(TITLE.) RESOLVE, Accepting and Appropriating an Additional \$31,362.00 in Funding for the Women, Infants, and Children ( WIC) Nutrition Program Grant.**

*By the City Council of the City of Bangor:*

**RESOLVED,** THAT the City Manager is hereby authorized to accept and appropriate an additional \$31,362.00 in program funding for the FY 2014 WIC Nutrition Program Grant.

**COUNCIL ACTION**

**Item No. 14-100**

**Date:** February 24, 2014

**Item/Subject:** **ORDINANCE**, Amending Chapter 265, Solid Waste, of the Code of the City of Bangor, By Adopting Single Stream Recycling

**Responsible Department:** Public Works

**Commentary:** This order will amend Chapter 265 of the Code of the City of Bangor to provide for single stream recycling. On December 23, 2014, the City Council approved a five year contract with Pine Tree Waste for bi-weekly curbside collection of single stream recycling, as well as collection of single stream recycled materials at a drop-off facility near Public Works. The current ordinance does not recognize single stream recycling. This change will allow the City of Bangor to proceed with a contract for single stream recycling beginning July 1, 2014. This item was reviewed and recommended for approval at the February 11, 2014 Infrastructure Committee.

\_\_\_\_\_  
Department Head

**Manager's Comments:**

\_\_\_\_\_  
*Cecil M. Lane*  
City Manager

**Associated Information:**

**Budget Approval:**

\_\_\_\_\_  
Finance Director

**Legal Approval:**

\_\_\_\_\_  
*[Signature]*  
City Solicitor

**Introduced for**

- Passage
- First Reading
- Referral

Assigned to Councilor Baldacci



# CITY OF BANGOR

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## **ORDINANCE, Amending Chapter 265, Solid Waste, of the Code of the City of Bangor, By Adopting Single Stream Recycling**

**WHEREAS**, single stream recycling has been shown to significantly increase a community's recycling rate in comparison to traditional user-sort recycling approaches;

**WHEREAS**, the City will be able to reduce the cost of its recycling program in implementing single stream recycling;

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BANGOR AS FOLLOWS, THAT**

Chapter 265, section 265-4 of the Code of the City of Bangor shall be deleted and replaced with the following:

### **§ 265-4 Recycling.**

The City shall provide a single stream curbside recycling program to residential units to which the City provides solid waste collection. The City shall also provide a drop off facility accepting single stream recycling materials from all residents and commercial establishments in the City. The materials to be accepted in the recycling program shall be established by the Director of Operations and Maintenance. The City Council may, by order, establish fees for the acceptance of material generated by commercial establishments. In addition, the Director of Operations and Maintenance may refuse to accept materials from commercial sources if the type or quantities of such materials are beyond the City's reasonable financial or operational ability to appropriately respond.

- A. **Recycling containers.** Items placed at the curb for recycling collection must be placed in clear plastic bags, blue bins, or covered recycling containers approved by or acceptable to the Director of Operations and Maintenance. Corrugated cardboard may be piled beside or under other recycling containers in such a manner that the cardboard is not disturbed by the wind or traffic. If recycled material placed in a covered container is bagged, it must be in a clear plastic bag such that collection personnel may determine that the material is acceptable single stream recycling material. Containers shall be designated as a recycling container with a recycling sticker provided by the City. Recycling containers or bags shall not exceed 30 pounds in weight. Containers other than blue bins must be in good condition with handles and covers.
- B. **Curbside recycling collection.** Recycling collection shall occur every other week on the same day as curbside rubbish collection. Recycling material placed curbside for collection must be separated from curbside rubbish material. Recycling containers must be placed in such a manner that the recycling sticker is visible from the road as the recycling truck drives by. Material placed curbside for recycling collection shall be placed at the curb in front of or adjacent to the residence from

which such waste was generated and may not be placed curbside earlier than 5:00 pm the day before the scheduled collection day or later than 6:30 am the day of scheduled recycling collection. The City is not responsible for collecting recycling material placed at the curb after this time.

- C. Costs.** Recyclables shall be collected curbside at no charge. There shall be no charge at the drop off facility for residents.
- D. Handling.** The curbside recycling collection contractor shall be responsible for cleaning up spilled materials due to spillage during collection. Residents shall be responsible for cleaning up spilled materials due to improper packaging in containers or bags or failure of bags or containers due to animals, people, traffic, overfilling or weather-related incidents. The contractor shall not be responsible for cleaning loose or frozen material from containers.
- E. Property rights.** Any and all acceptable recyclable materials placed at the curb become the sole property of the City or its designated agent.

**COUNCIL ACTION**

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**Item No. 14-105**

**Date:** February 24, 2014

**Item/Subject:** Resolve, Pledging the City of Bangor's Support of the Searsport Dredging and Harbor Improvement Plan

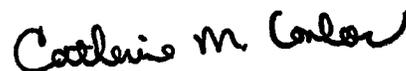
**Responsible Department:** City Council

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**Commentary:** The purpose of this Resolve is to pledge the City of Bangor's support for this project and to affirm our commitment to economic development through trade and regional collaboration with our neighboring communities in Maine.

The last major harbor project in Searsport was completed in 1964, which increased the depth of the channel to 35 feet. It is necessary to re-dredge the channel to a depth of 40 feet to accommodate today's larger ships. There is currently a proposal in the works for the Army Corps of Engineers to undertake this work.

The Army Corps is accepting public comment, and if approved by the City Council, the text of this Resolve will be added to the other voices supporting this project.



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Department Head

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**Manager's Comments:**

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City Manager

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**Associated Information:** Resolve

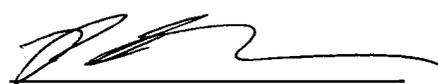
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**Budget Approval:**

\_\_\_\_\_  
Finance Director

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**Legal Approval:**

  
\_\_\_\_\_  
City Solicitor

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**Introduced for**

- Passage**
- First Reading**
- Referral**

**Page**    **of**



Assigned to Councilor Nealley

## CITY OF BANGOR

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### **RESOLVE, Pledging the City of Bangor's Support of the Searsport Dredging and Harbor Improvement Plan**

*By the City Council of the City of Bangor:*

**Whereas,** Historically the economy of Bangor has been based on trade. Today the City of Bangor finds itself at the intersection of several major trade routes including those up and down the East Coast of the United States, west to Montreal and the St. Lawrence Waterway, and across the Atlantic to Europe, South America, and beyond; and

**Whereas,** The Port of Searsport is a key economic asset for not just the coast of Maine but inland areas like Bangor as well. Having a strong and thriving port nearby is crucial to the City of Bangor's own economic development in the coming years; and

**Whereas,** The last major harbor project in Searsport was completed in 1964, which increased the depth of the channel to 35 feet. It is necessary to re-dredge the channel to a depth of 40 feet to accommodate today's larger ships. There is currently a proposal in the works for the Army Corps of Engineers to undertake this work.

**Now Therefore, Be it Resolved by the City Council of the City of Bangor that,** the City Council hereby pledges its support for the Searsport Dredging and Harbor Improvement Plan and affirms the City's commitment to economic development through trade and regional collaboration with our neighboring communities in Maine; and

**Be it further Resolved that,** This Resolve will be distributed to the appropriate parties adding the City's support to this important project.



**NEW  
BUSINESS**

**COUNCIL ACTION**

**Item No. 14-112**

**Date: March 10, 2014**

**Item/Subject: Order, Directing the City Manager to Take Possession of the Property Located at 30 Katahdin Street**

**Responsible Department: Treasury**

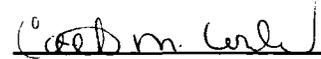
**Commentary:**

This Order directs the City Manager to take possession of the property located at 30 Katahdin Street by virtue of the 2006 matured tax lien. The City of Bangor has recorded tax liens on the property at 30 Katahdin Street for unpaid real estate taxes; several of which have matured. All attempts to receive payment have been unsuccessful.

This has been reviewed and recommended for approval by the Finance Committee on March 3, 2014

\_\_\_\_\_  
Department Head

**Manager's Comments:**

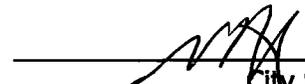
  
\_\_\_\_\_  
City Manager

**Associated Information: Order**

**Budget Approval:**

  
\_\_\_\_\_  
Finance Director

**Legal Approval:**

  
\_\_\_\_\_  
City Solicitor

**Introduced for**

- Passage**
- First Reading**
- Referral**

**Page \_\_ of \_\_**

Assigned to Councilor Plourde



## CITY OF BANGOR

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**(TITLE.) Order, Directing the City Manager to Take Possession of the Property Located at 30 Katahdin Street**

WHEREAS, the City of Bangor has recorded tax liens on the property at 30 Katahdin Street for unpaid real estate taxes; and

WHEREAS, several of those lien have matured; and

WHEREAS, all attempts to receive payment have been unsuccessful;

**NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT**

Catherine M. Conlow, City Manager, is hereby directed on behalf of the City of Bangor to take possession of the property located at 30 Katahdin Street.

**COUNCIL ACTION**

**Item No. 14-113**

**Date: March 10, 2014**

**Item/Subject: Order, Directing the City Manager to Take Possession of the Property Located at 17 Alden Street**

**Responsible Department: Treasury**

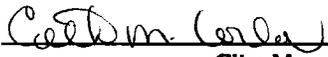
**Commentary:**

This Order directs the City Manager to take possession of the property located at 17 Alden Street by virtue of the 2011 matured tax lien. The City of Bangor has recorded tax liens on the property at 17 Alden Street for unpaid real estate taxes; several of which have matured. All attempts to receive payment have been unsuccessful.

This has been reviewed and recommended for approval by the Finance Committee on March 3, 2014

\_\_\_\_\_  
Department Head

**Manager's Comments:**

  
\_\_\_\_\_  
City Manager

**Associated Information: Order**

**Budget Approval:**

  
\_\_\_\_\_  
Finance Director

**Legal Approval:**

  
\_\_\_\_\_  
City Solicitor

**Introduced for**

- Passage**
- First Reading**
- Referral**

**Page \_\_ of \_\_**

Assigned to Councilor Blanchette



## CITY OF BANGOR

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**(TITLE.) Order, Directing the City Manager to Take Possession of the Property Located at 17 Alden Street**

WHEREAS, the City of Bangor has recorded tax liens on the property at 17 Alden Street for unpaid real estate taxes; and

WHEREAS, several of those lien have matured; and

WHEREAS, all attempts to receive payment have been unsuccessful;

**NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT**

Catherine M. Conlow, City Manager, is hereby directed on behalf of the City of Bangor to take possession of the property located at 17 Alden Street.

**COUNCIL ACTION**

**Item No. 14-114**

**Date: March 10, 2014**

**Item/Subject: Order, Directing the City Manager to Take Possession of the Property Located at 55 Parker Street**

**Responsible Department: Treasury**

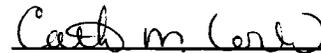
**Commentary:**

This Order directs the City Manager to take possession of the property located at 55 Parker Street by virtue of the 2008 matured tax lien. The City of Bangor has recorded tax liens on the property at 55 Parker Street for unpaid real estate taxes; several of which have matured. All attempts to receive payment have been unsuccessful.

This has been reviewed and recommended for approval by the Finance Committee on March 3, 2014

\_\_\_\_\_  
Department Head

**Manager's Comments:**

  
\_\_\_\_\_  
City Manager

**Associated Information: Order**

**Budget Approval:**

  
\_\_\_\_\_  
Finance Director

**Legal Approval:**

  
\_\_\_\_\_  
City Solicitor

**Introduced for**

- Passage**
- First Reading**
- Referral**

**Page \_\_ of \_\_**

Assigned to Councilor Durgin



## CITY OF BANGOR

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**(TITLE.) Order, Directing the City Manager to Take Possession of the Property Located at 55 Parker Street**

WHEREAS, the City of Bangor has recorded tax liens on the property at 55 Parker Street for unpaid real estate taxes; and

WHEREAS, several of those lien have matured; and

WHEREAS, all attempts to receive payment have been unsuccessful;

**NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT**

Catherine M. Conlow, City Manager, is hereby directed on behalf of the City of Bangor to take possession of the property located at 55 Parker Street.

**COUNCIL ACTION**

**Item No. 14-115**

**Date: March 10, 2014**

**Item/Subject: Order, Directing the City Manager to Take Possession of the Property Located at 26 Stone Street**

**Responsible Department: Treasury**

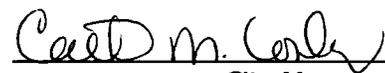
**Commentary:**

This Order directs the City Manager to take possession of the property located at 26 Stone Street by virtue of the 2007 matured tax lien. The City of Bangor has recorded tax liens on the property at 26 Stone Street for unpaid real estate taxes; several of which have matured. All attempts to receive payment have been unsuccessful.

This has been reviewed and recommended for approval by the Finance Committee on March 3, 2014

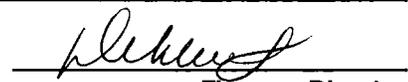
\_\_\_\_\_  
Department Head

**Manager's Comments:**

  
\_\_\_\_\_  
City Manager

**Associated Information: Order**

**Budget Approval:**

  
\_\_\_\_\_  
Finance Director

**Legal Approval:**

  
\_\_\_\_\_  
City Solicitor

**Introduced for**

- Passage**
- First Reading**
- Referral**

**Page \_\_ of \_\_**

Assigned to Councilor Graham



## CITY OF BANGOR

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**(TITLE.) Order, Directing the City Manager to Take Possession of the Property Located at 26 Stone Street**

WHEREAS, the City of Bangor has recorded tax liens on the property at 26 Stone Street for unpaid real estate taxes; and

WHEREAS, several of those lien have matured; and

WHEREAS, all attempts to receive payment have been unsuccessful;

**NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT**

Catherine M. Conlow, City Manager, is hereby directed on behalf of the City of Bangor to take possession of the property located at 26 Stone Street.