

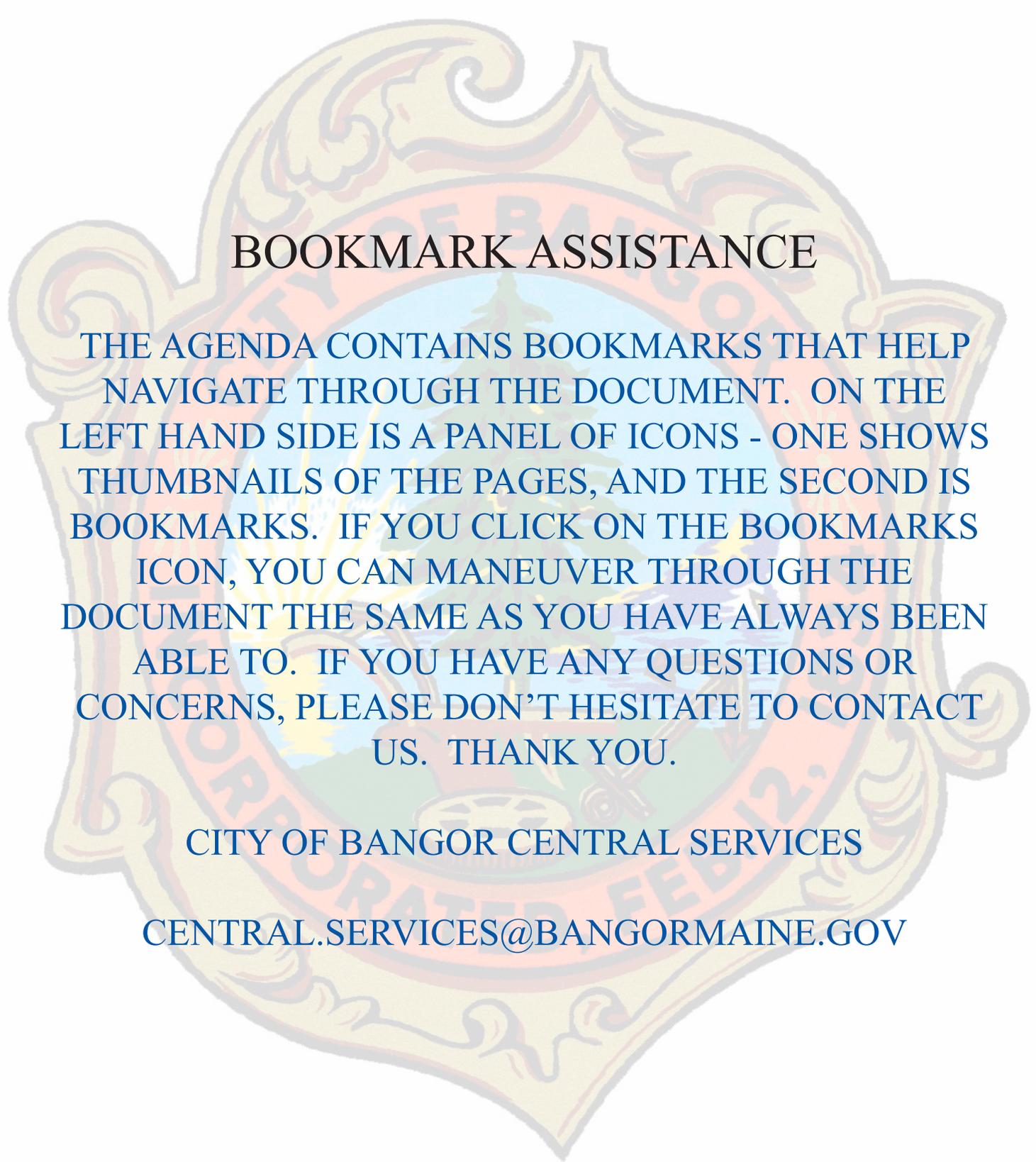
MEDIA
COPY



CITY COUNCIL AGENDA

DECEMBER 9, 2013





BOOKMARK ASSISTANCE

THE AGENDA CONTAINS BOOKMARKS THAT HELP NAVIGATE THROUGH THE DOCUMENT. ON THE LEFT HAND SIDE IS A PANEL OF ICONS - ONE SHOWS THUMBNAILS OF THE PAGES, AND THE SECOND IS BOOKMARKS. IF YOU CLICK ON THE BOOKMARKS ICON, YOU CAN MANEUVER THROUGH THE DOCUMENT THE SAME AS YOU HAVE ALWAYS BEEN ABLE TO. IF YOU HAVE ANY QUESTIONS OR CONCERNS, PLEASE DON'T HESITATE TO CONTACT US. THANK YOU.

CITY OF BANGOR CENTRAL SERVICES

CENTRAL.SERVICES@BANGORMAINE.GOV

REGULAR MEETING BANGOR CITY COUNCIL – DECEMBER 9, 2013

PLEDGE ALLEGIANCE TO THE FLAG

PUBLIC COMMENT

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

*Explanatory Note: All items listed in the Consent Agenda are considered routine and are proposed for adoption by the City Council by one motion without discussion or deliberation. If discussion on any item is desired any member of the Council or public may merely request removal of the item to its normal sequence in the regular agenda prior to a motion for passage of the Consent Agenda.

**MINUTES OF: Bangor City Council Meeting of November 25, 2013,
Business & Economic Development Committee
Meetings of October 15, 2013, October 28, 2013 and
October 29, 2013, Airport Committee Meeting of
October 15, 2013, and Government Operations
Committee Meetings of August 19, 2013, September 3,
2013, September 17, 2013 and October 8, 2013**

**14-023 ORDER Execution of Municipal Quitclaim Deed – Real Estate GALLANT
Located at 38 Blue Hill East**

Executive Summary: In 1998 a real estate tax lien was filed on the property of Perry Boudreau, currently owned by Remode LLC., at 38 Blue Hill East. City records show no outstanding sewer charges or code issues, but apparently the lien was never discharged, therefore a municipal quitclaim deed is needed to clear the title to the property. Staff recommends approval.

**14-024 ORDER Authorizing Execution of Municipal Quitclaim Deed – BLANCHETTE
Real Estate Located at 115 Larkin Street**

Executive Summary: A real estate tax lien matured on property located at 115 Larkin Street and owned by Erlene Morgan. All outstanding charges due the City have been paid. There are no outstanding sewer charges or property issues. Because the lien matured, a quitclaim deed is required to release the City's interest in the property. Staff recommends approval.

**14-025 ORDER Authorizing Execution of Municipal Quitclaim Deed – DURGIN
Real Estate Located at 178 Ohio Street**

Executive Summary: Real estate tax liens matured on the property located at 178 Ohio Street and owned by Erlene Morgan. All outstanding charges due the City have been paid. There are no outstanding sewer charges or property issues. Because the liens matured, a quitclaim deed is required to release the City's interest in the property. Staff recommends approval.

REGULAR MEETING BANGOR CITY COUNCIL – DECEMBER 9, 2013

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

**14-026 ORDER Authorizing Execution of Municipal Quitclaim Deed – GRAHAM
Real Estate Located at 689 Union Street**

Executive Summary: A real estate tax lien matured on property located at 689 Union Street, John and Judy Hager, now owned by Erlene Morgan. All outstanding charges due the City have been paid. There are no outstanding sewer charges or property issues. Because the lien matured, a quitclaim deed is required to release the City's interest in the property. Staff recommends approval.

**14-027 ORDER Authorizing Execution of Municipal Quitclaim Deeds to NEALLEY
Hartstone Realty, LLC and Sheldon L. Hartstone for
Real Estate Located at 569 Hammond Street, to Sheldon
Hartstone for Real Estate Located at 25 Thirteenth
Street and to Sheldon Hartstone for Real Estate Located
at 331 Stillwater Avenue**

Executive Summary: This Order will authorize the execution of a quitclaim deed for the properties owned by Sheldon Hartstone at 569 Hammond Street, 25 Thirteenth Street and 331 Stillwater Avenue and will also authorize the execution of a Discharge of Lien. Real estate tax and sewer liens matured on the properties identified. Once all outstanding charges due the City have been paid the liens matured will be discharged which will release the City's interest in the properties. In addition, judgment had been obtained by the City against Sheldon Hartstone in the early 1990's and as part of the agreement for the payment of outstanding real estate taxes and sewer liens the executions will be discharged. The Finance Committee recommended approval at its December 2, 2013 meeting.

14-028 ORDER Appointing Constables for the Year 2014 CIVIELLO

Executive Summary: This is a routine action that authorizes certain individuals known as Constables to enforce City Ordinances. This includes employees of the Parking Fund, Fire Prevention, Harbor Master, Airport, Code Enforcement, and Animal Control. Staff recommends approval.

**14-029 ORDER Authorizing the Police Department to Apply for Three GALLANT
(3) \$10,000 Grants from the State of Maine Bureau of
Highway Safety**

Executive Summary: This order will authorize the Police Department to participate in the State of Maine Bureau of Highway Safety (BHS) "Drive Sober Maine" and "2014 Speed and Seat Belt Enforcement Program." The BHS has funding available to assist local and state law enforcement agencies that have a desire to increase their speed and OUI enforcement efforts. The police department is requesting \$10,000 to enhance speed enforcement, \$10,000 to improve seat belt enforcement and \$10,000 to expand on our OUI enforcement. The speed and seat belt funding will be utilized between January 2014 and September 2014 and the OUI funding between December 2013 and September 2014. The grant funds are available to provide financial reimbursement to the City with respect to the three programs listed and require no local match. This item was reviewed and recommended for approval by the Finance Committee on December 2, 2013.

REGULAR MEETING BANGOR CITY COUNCIL – DECEMBER 9, 2013

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

**14-030 ORDER **Authorizing the execution of a Consent for Assignment
of an Agreement from Bombardier to Flexjet LLC-
Airport** **DURGIN****

Executive Summary: This Order will authorize the consent for assignment of an agreement between the City of Bangor and Bombardier to Flexjet LLC. The original agreement is a standard aircraft handling agreement between Bombardier and the City of Bangor. Effective September 2013, FlexJet assumed ownership of Bombardier.

Bombardier and subsequently, FlexJet operate an aircraft charter service which regularly operates international flights through Bangor International Airport (BGR). Under the assignment, Bangor Aviation Services shall continue to provide services such as: aircraft fueling/de-fueling, ground handling, aircraft towing/repositioning, lavatory servicing, deicing, ground power units, potable water, and aircraft marshalling to FlexJet. The terms of the agreement are to remain the same with the understanding that one year of a two year agreement has already lapsed. After the initial term the agreement shall continue on a month basis. This has been reviewed by the Airport Committee on November 26, 2013 and is recommended for approval.

14-031 ORDER **Authorizing the City Manager to Execute a **PLOURDE
Memorandum of Understanding with Seabasticook Valley
Health as the Fiscal Agent for Healthy Seabasticook
Valley****

Executive Summary: This Order will authorize the City Manager to execute a memorandum of understanding on behalf of the City with Seabasticook Valley Health Partnership, the fiscal agent for Healthy Seabasticook Valley (Healthy SV). Healthy SV has been subcontracted since 2010 by Health and Community Services to provide Healthy Maine Partnership services to six towns in Penobscot County in the amount of \$10,000. Because the agreement amount exceeds \$5,000 the state requires that an MOU be in place between the two parties. This was reviewed and recommended for approval at the December 2, 2013 Government Operations Committee Meeting.

14-032 ORDER **Authorizing the City Manager to Execute a **BALDACCI
Memorandum of Understanding with the Town of
Hermon to implement nutrition, tobacco, substance
abuse and worksite wellness policies as part of the
Healthy Maine Partnership Grant****

Executive Summary: This Order will authorize the City Manager to execute a memorandum of understanding on behalf of the City of Bangor with the Town of Hermon. The Town of Hermon will receive \$3,000 in Healthy Maine Partnership funds to implement nutrition, tobacco, substance abuse and worksite wellness policies within the town. The funding was included in the FY14 Healthy Maine Partnership budget and was approved by the state of Maine as an allowable expense. This was reviewed and recommended for approval at the December 2, 2013 Government Operations Committee meeting.

REGULAR MEETING BANGOR CITY COUNCIL – DECEMBER 9, 2013

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

**ASSIGNED TO
COUNCILOR**

14-033 ORDER Accepting and Appropriating \$151,832 for the Supplemental Nutrition Education Grant program (First Reading)

CIVIELLO

Executive Summary: This resolve will authorize the City to accept and appropriate \$151, 832 in supplemental nutrition grant funds (SNAP) in fiscal year 2014. This is the second year of a two year grant in which Bangor Health and Community Services will receive funding from the River Coalition to provide nutrition education to people who are SNAP eligible in the thirteen town Healthy Maine Partnership service area. This was reviewed and recommended for approval at the December 2, 2013 Government Operations Committee meeting.

14-034 ORDINANCE Amending Chapter 165, Land Development, of the Code of the City of Bangor – Section 165-135. Schedule A - Urban Developed Area Standards (First Reading and Referral to Planning Board Meeting of December 17, 2013)

DURGIN

Executive Summary: The proposed text amendment is intended to correct existing language contained in a footnote of the Bass Park District when adopted in 2004. Schedule A does not contain standards for ISR (Impervious Surface Ratio) or default bufferyards as does Schedule B. In 2004, when the District was created they were included but did not fit into the Schedule's table so a footnote was added. A recent development project discovered the footnote and the amendment seeks to correct the two standards therein. This item will be referred to the Planning Board.

**UNFINISHED BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

14-022 ORDINANCE Extending a Moratorium on Charter Schools

BALDACCI

Executive Summary: Charter schools are currently allowed under Maine law. The currently statutory provisions for charter schools impose a financial burden on the City of Bangor. On average charter schools take \$9,000 per child, in state and local funding, away from the Bangor School Department for any Bangor child that goes to a charter school.

The Maine charter school law also does not adequately address the source of funding for home schooled children who decide to go to charter schools. The shortcomings in the law adversely impact the citizens of Bangor, creating a public harm. The appropriate way to address this is through a complete and thorough review of Maine charter schools law to ensure that it is amended in such away so as to protect the City of Bangor for the current negative impacts.

On June 3, 1023, by Council Ordinance 13-194, the Council passed a moratorium on the issuance of any Certificate of Occupancy for charter schools in Bangor while the City works to change the existing law to eliminate the harm it does to Bangor.

REGULAR MEETING BANGOR CITY COUNCIL – DECEMBER 9, 2013

**UNFINISHED BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

Since that time the City has reached out to the State and had a meeting with a State official. The result of that meeting included an agreement for further meetings. Those meeting have not yet taken place.

This Ordinance, if passed, will extend the moratorium adopted by the Council in June. This was reviewed and recommended for approval at the December 2, 2013 Government Operations Committee meeting.

**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

LIQUOR LICENSE RENEWAL CLASS XI	Application for Liquor License Renewal, Malt, Spirituous, Vinous of Lizchelle, Inc. d/b/a Tantrum Nightclub & Lounge, 193 Broad Street	BLANCHETTE
PUBLIC HEARING:	Application for Special Amusement License of Lizchelle, Inc. d/b/a Tantrum Nighclub & Lounge, 193 Broad Street	BLANCHETTE
PUBLIC HEARING:	Application for Automobile Graveyard and/or Junkyard Permit of AIM Recycling USA, LLC d/b/a AIM Recycling Bangor, 2630 Broadway	BLANCHETTE
<u>14-035</u> <u>ORDER</u>	Authorizing City to accept Canine Endumin from the Transportation Security Administration and transfer Canine Endumin to Daniel Scripture	BLANCHETTE

Executive Summary: This order will authorize the City to Accept Endumin, a bomb sniffing canine, from the Transportation and Security Administration (TSA) and transfer ownership of him to his handler of the past five years, Dan Scripture. Endumin, a five year veteran of the canine unit, is retiring from active duty due to persistent age related medical issues. Should the Council concur; the City will assume temporary responsibility and liability of Endumin from the TSA and transfer the responsibility and liability of Endumin to his current handler, Police Officer Daniel Scripture. Daniel Scripture has agreed to accept full liability and responsibility for Endumin. This was reviewed and recommended for approval at the December 2, 2013 Government Operations Committee meeting.

REGULAR MEETING BANGOR CITY COUNCIL – DECEMBER 9, 2013

**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

**14-036 ORDER **Increasing the Northeast Corner of Bass Park
Boulevard Right-of Way** **GRAHAM****

Executive Summary: This Order will authorize increasing the Northeast corner of Bass Park Boulevard right-of-way by 1600 (40x40) square feet. As part of the continued development of the Bass Park, an off premise sign is proposed on Main Street at the northeast corner of Bass Park Boulevard. Under the Code, placement of the sign will require that Bass Park Boulevard right-of-way be increased by 1,600 (40x40) square feet at that location and that the sign be placed in the right-of-way. This was discussed at a pre-council meeting on November 25, 2013.

**14-037 ORDER **Authorizing Grant Application to National
Endowment for the Arts-Our Town Program** **PLOURDE****

Executive Summary: This Order will authorize the City Manager to submit a grant application in the amount of \$200,000 to the National Endowment for the Arts, Our Town Program. If successful, the funds will be used to plan for, and help offset costs associated with, infrastructure and aesthetic upgrades to Pickering Square. As a part of this application, the City will commit up to \$300,000 in matching funds from the Downtown TIF for the Pickering Square renovations. These Downtown TIF funds are already dedicated to the redesign of the area and the five-year Capital Improvement Program for the Downtown TIF includes \$420,000 and \$700,000 for Pickering Square in 2015 and 2016 respectfully. Furthermore, we will utilize staff time as well as our partner's time towards the required match. If successful, the work on the grant would take place between September of 2014 and August of 2016.

**14-038 ORDER **Directing the City Manager to Take Possession of the
Property Located at 12 North Street** **NEALLEY****

Executive Summary: This order directs the City Manager to take possession of property located at 12 North Street by virtue of a 2011 matured tax lien. The City of Bangor has recorded tax liens on the property at 12 North Street for unpaid real estate taxes. Several of the liens have matured. In addition, the City has recorded sewer liens on the property for unpaid sewer charges. Several of those liens have also matured. All attempts to receive payment from the taxpayer have been unsuccessful. This has been reviewed and recommended for approval by the Finance Committee on December 2, 2013.

**14-039 ORDER **Directing the City Manager to Take Possession of the
Property Located at 15 Field Street** **CIVIELLO****

Executive Summary: This order directs the City Manager to take possession of property located at 15 Field Street by virtue of a 2011 matured tax lien. The City of Bangor has recorded tax liens on the property at 15 Field Street for unpaid real estate taxes, of which, two have matured. All attempts to receive payment have been unsuccessful. This has been reviewed and recommended for approval by the Finance Committee on December 2, 2013.

REGULAR MEETING BANGOR CITY COUNCIL – DECEMBER 9, 2013

**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

**14-040 ORDER **Authorizing Execution of a Development Agreement
with Bangor Housing Development Corporation – Freese
Building – Main Street** **DURGIN****

Executive Summary: This Order will authorize the execution of a Development Agreement with Bangor Housing Development Corporation for re-development of the city-owned portion of the Freese Building for commercial space on the first floor and market rate rentals on the second and third floors. Under the terms of the development agreement, Bangor Housing will acquire the right to develop Condo Unit 1, consisting of 15,200 square feet on a portion of three floors for \$1.00. Further, Bangor Housing will be required to invest a minimum of one million dollars in construction costs including site work, building improvements, interior fit up, purchase and installation of equipment, furnishing and permits fees. Finally, Bangor Housing will agree to a construction progress schedule, and other such terms and conditions that are reasonable and appropriate. As these are market rate rentals and commercial space, the property will remain subject to property taxes. This item was reviewed and recommended for approval by the Business and Economic Development Committee.

14-041 ORDER **Authorizing Award of Parking Management Services **GALLANT
Contracts to Republic Parking Systems****

Executive Summary: This order authorizes an award of contracts for Parking Management Services to Republic Parking. On October 18, 2013 the City received six responses to its Request for Proposals (RFP) for Parking Management Services. The scope of work included within this RFP was; downtown parking operation and management (garage, Abbot Square, Columbia Street deck, surface permit lots) and Airport parking operation and management (long term, short term and shuttle lot).

A selection committee reviewed all of the submissions and opted to meet with representatives of Republic Parking, based on the strength of their proposal. On November 14th, Republic Parking representatives Jack Skelton and Parke Clemons reviewed their plan to address the items requested such as; customer service training, mystery parker reports and customer surveys, new signage and a plan to enhance communication with the Council. Following that meeting, the selection committee unanimously concluded that Republic Parking would best meet the City’s parking needs and that they had a plan in place to address recent concerns. On December 2, 2013, the Finance Committee approved staff recommendation to award the contracts to Republic Parking System.

The contracts will be for an initial five year term. During the first three years, the fixed management fees will be as follows: downtown \$34,200 and Airport for \$36,000. In addition, the Airport contract includes an incentive provision, the new contract resets the base upon which this fee is based and therefore will only be payable when net parking revenues increase. This contract will result in savings in both operations. The contract award recommendation must be reviewed approved by the City Council as it is over \$100,000.



**CONSENT
AGENDA**

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 25, 2013

*Meeting called to order at 7:30 PM
 Chaired by Councilor Sprague
 Councilors Absent: None
 Meeting adjourned at 9:33 PM*

Recognition: *Proclaimed November 30, 2013 Small Business Saturday in the City of Bangor*

PUBLIC COMMENT *None*

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

MINUTES OF: *Bangor City Council Organizational Meeting of November 13, 2013,
 Bangor City Council Regular Meeting of November 13, 2013 and
 Bangor Water District Board of Trustees Meeting of October 15, 2013*

Action: *Accepted and Approved*

Liquor License Renewal: *Application for Lliquor License Renewal, Malt, Spirituous, Vinous of
 Bev, Inc. d/b/a Hilton Garden Inn, 250 Haskell Road* **BALDACCI**

Action: *Approved*

*Application for Lliquor License Renewal, Malt, Spirituous, Vinous, of
 Kumar, Inc. d/b/a Taste of India, 68 Main Street* **BALDACCI**

Action: *Approved*

*Application for Lliquor License Renewal, Malt, Vinous of Giacomo's
 d/b/a Giacomo's, 1 Central Street* **BALDACCI**

Action: *Approved*

14-013 ORDER *Authorizing Execution of Municipal Quitclaim Deed – Real Estate
 Located at 56 Yankee Avenue* **DURGIN**

Action: *Passed*

14-014 RESOLVE *Authorizing Execution of Municipal Quitclaim Deed – Real Estate
 Located at 80 Briarwood Drive* **BLANCHETTE**

Action: *Passed*

14-015 RESOLVE *Authorizing Execution of Municipal Quitclaim Deed – Real Estate
 Located at 421 Hoilday Park* **NEALLEY**

Action: *Passed*

14-016 ORDER *Authorizing the City Clerk to Cast Voting Ballot for the Municipal
 Review Committee, Inc. Board of Directors* **CIVIELLO**

Action: *Passed*

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 25, 2013

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

14-017 **ORDER** *Authorizing Bid Award for the Purchase of a Front End Loader* **GALLANT**

 Action: *Passed*

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

Motion made and seconded to suspend the rules to take up 14-022 Ordinance Extending a Moratorium on Charter Schools

14-022 **ORDINANCE** *Extending a Moratorium on Charter Schools* **BALDACCI**

 Action: *First Reading and Referral to Government Operations Committee Meeting of December 2, 2013*

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

13-351 **ORDINANCE** *Enacting a Moratorium on Certificates of Occupancy for Facilities Providing Suboxone Treatment* **BALDACCI**

 Action: *Motion made and seconded to indefinitely postpone. Passed*

14-006 **ORDINANCE** *Amending Land Development Code – Contract Zone Change – 2 Fourteenth Street from Urban Residence One District to a Contract Urban Residence Two District* **DURGIN**

 *John Graham spoke in favor of the change.
Mary Ricketts and Dale Roupp, both of Holland Street, spoke against this ordinance change.*

 Action: *Motion made and seconded for Passage
Vote: 2 - 7
Councilors Voting Yes: Gallant, Nealley
Councilors Voting No: Baldacci, Blanchette, Civiello, Durgin, Graham, Plourde, Sprague
Motion Failed*

14-007 **RESOLVE** *Authorizing the City Manager to Accept and Appropriate \$32,518 in McKinney-Vento Homeless Assistance Funds from the U.S. Department of Housing and Urban Development (HUD) for the period 12/31/2013 to 12/30/2014* **DURGIN**

 Action: *Motion made and seconded for Passage
Passed*

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 25, 2013



14-008 RESOLVE *Authorizing the City Manager to Accept and Appropriate \$117,535 in McKinney-Vento Homeless Assistance Funds from the U.S. Department of Housing and Urban Development (HUD) for the period 12/1/2013 to 11/30/2014* **BLANCHETTE**

Action: *Motion made and seconded for Passage
Passed*

14-009 ORDINANCE *Enacting a Moratorium on Expansion of Buprenorphine Treatment Facilities* **CIVIELLO**

Pat Kimball, Ron Rideout, Bruce Campbell, Brent Miller, and Jessie Cyr spoke in opposition to this amendment.

Action: *Motion made and seconded for Passage
Motion made and seconded to Amend by Substitution
Vote: 7 - 2
Councilors Voting Yes: Baldacci, Civiello, Durgin, Gallant, Nealley, Piourde, Sprague
Councilors Voting No: Blanchette, Graham
Passed as Amended*



PUBLIC HEARING: *Application for Liquor License, Malt, Spirituous, Vinous of Blaze Bangor LLC d/b/a Blaze Restaurant, 18 Broad Street* **BALDACCI**

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*

PUBLIC HEARING: *Application for Special Amusement License of Blaze Bangor LLC d/b/ Blaze Restaurant, 18 Broad Street* **BALDACCI**

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*

PUBLIC HEARING: *Application for Special Amusement License of Bev, Inc. d/b/a Hilton Garden Inn, 250 Haskell Road* **BALDACCI**

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 25, 2013

**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**

**14-018 ORDER *Authorizing the Continuation of the Community Connector Odlin
Road Bus Route through June 30, 2014* **BALDACCI****

**Action: Motion made and seconded for Passage
Passed**

**14-019 ORDER *Approving a Lease and Community Development Business
Development Loan to JSI Store Fixtures, Inc.* **DURGIN****

**Action: Motion made and seconded for Passage
Passed**

**14-020 ORDER *Accepting a Portion of Dutton Street as a Public Street and Adding it
to the Official City Map* **GALLANT****

**Action: Motion made and seconded for Passage
Passed**

**14-021 ORDER *Changing the Name of Dutton Street on the Northerly Side of Main
Street to Bass Park Boulevard and Adding it to the Official City Map* **NEALLEY****

**Action: Motion made and seconded for Passage
Passed**

Lisa J. Goodwin, MMC, City Clerk

BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE

Tuesday, October 15, 2013 5:00 PM

City Council Chambers

MINUTES

Councilors: Sprague, Civiello, Baldacci, Longo, Nealley, Blanchette and Durgin

Staff: Conlow, Emery, Wallace, Martin, Nicklas,

Chair Sprague called the meeting to order at 5:30 p.m.

CONSENT AGENDA

Councilor Baldacci moved passage of the Consent Agenda as presented which includes the following items:

1. Community Development Residential Rehabilitation Loan – 98 Patten Street (Confidential Memo provided separately)
2. Maine State Housing Authority Agreement – Extension (see attached Memo and Draft Agreement)
3. **REFERRAL – ORDINANCE 13-308**, Amending Chapter 165, Land Development Code, of the Code of the City of Bangor, By Providing a Residential Setback for Quarries and Allowing Loam and Soil Harvesting in Rural Residence and Agricultural Parcels (see attached Council Action, Council Ordinance and Zoning Sketch)

Councilor Nealley seconded the motion.

Regarding Item No. 2, Councilor Civiello asked Jeff Wallace if he was comfortable extending this agreement in light of the shortage of Staff in the Department. Mr. Wallace indicated that he was. He explained that this was done as a favor to HUD and Staff did so willingly.

Community and Economic Development Director Tanya Emery indicated that this extension is only until December 31, 2013 and that she was comfortable that they have the resources to do this until then. However, she indicated that starting at the beginning of the year, Staff focus will shift to the Third Main Neighborhood which will be a major focus of his time.

Chair Sprague asked if there was any public comment. Lucy Quimby, 1230 Kenduskeag Avenue asked if there were safeguards in place to prevent loam harvesting from leaving scarred looking sites from such activity (Item No. 3). Assistant City Solicitor Paul Nicklas gave a history of the recent zoning

amendments which removed quarry and earth moving activities from the Rural Residence and Agricultural District. At that time, a question was raised regarding allowing soil harvesting in the RR & A and the theory was to put this activity back into that district. He indicated that soil harvesting is not a widespread activity that occurs in the City. He noted that if it is found to be an issue, the ordinance can be further amended to place additional restrictions and safeguards to try to regulate it further.

Code Enforcement Officer Jeremy Martin explained that soil harvesting would fall under Planning Board review as a grade & fill provided that the activity is for more than a one foot in elevation or 10,000 sq. ft. in area.

Councilor Blanchette asked at what point would soil harvesting become an erosion problem. Mr. Martin indicated that any activity could result in an erosion problem provided that erosion controls are not exercised.

The Committee voted unanimously in favor of the motion to approve the Consent Agenda.

REGULAR AGENDA

4. Neighborhood Stabilization Program (NSP) Update.

Tanya Emery introduced Jeff Wallace who distributed a handout explaining the NSP Program. He gave a history of the program and an update on the activities over the last four years. Mr. Wallace indicated that going forward, as part of the west side strategy area, Staff is proposing is a "local program" with a focus more on new buildings rather than rehabbing older buildings. Staff would like to build one new building the first year and add more money for more houses in subsequent years.

Councilor Baldacci felt it would be helpful to have this information on the City's website and local television station. He asked if the City kept any of the original money for the program. Mr. Wallace explained that the City was basically an administrator for HUD.

Councilor Baldacci said that that program has increased property values and he would like to see more than one property constructed per year.

Councilor Durgin felt that this was a big upgrade to the Buck Street neighborhood. Mr. Wallace pointed out that four other properties have had improvements done in the immediate area through private investment.

5. Commercial Brokerage RFP – Selection.

Director Emery updated the Committee on the Commercial Brokerage Selection process. She indicated that there were two responses and Epstein Properties has been selected to provide services. Staff is requesting permission to negotiate a contract.

Councilor Baldacci move to approve Staff's request. Councilor Nealley seconded the motion. The motion passed.

6. Abandoned/Vacant Buildings.

Director Emery distributed two handouts to the Committee. One a short list of the highlights contained in the proposed Ordinance amendment and a copy of the actual Ordinance.

Code Enforcement Officer Jeremy Martin gave an overview of the elements of the proposed ordinance amendment. He said that the intent of this Ordinance is to require that a building that has been vacant for 60 days to have the property owner whether it be an individual or a bank to register as an abandoned vacant building. In cases where there is an out of town owner or a lending institution the Ordinance will require a local Maine based property management company represent them. The Code Office will go out with the owner/representative and inspect the property both inside and out to determine if it meets the minimum standards for a vacant building. The owner or property manager will need to visit the property weekly to ensure that the building remains secure and in a certain condition. This permit will need to be renewed every six months. Mr. Martin explained that there is also a provision for an owner to apply for an interim permit in cases where the property does not meet minimum standards. They would need to bring the property up to minimum within 90 days. Once they meet those standards they would need to apply for a permanent permit.

Councilor Durgin asked what would permit the City to board up the property. Mr. Martin indicated that this provision is no contained in this ordinance but is in the City's Property Maintenance Code.

City Manager Conlow indicated that this Ordinance is another tool in the tool box to help the City address these issues in our neighborhoods.

Councilor Baldacci asked if there was enough Staff to manage the enforcement of this ordinance. Mr. Martin noting that if passed, his staff will not be consumed day in and day out with these properties and this will allow them to do the work that they need to do elsewhere. If there is an issue, they will be able to call the owner or property manager. The vacant building will have a sign on it and he would also like to see the name of the property manager, their

contract information, and the bank's name, if any, on the sign, as well. Mr. Martin indicated that he felt that not only will a neighbor call the Code office when they see a problem they most likely will call the property manager and the bank.

Councilor Baldacci felt that this is a good first step but there still needs to be talk about certain other properties and areas in the City.

Councilor Civiello asked about the permit fee. Mr. Martin indicated that Staff researched various fees charged by other communities and also calculated the number of man hours spent by staff to administer and deal with a vacant building in determining the fees. He said that the minimum fee to be charged is \$250.00. If there are additional costs incurred (staff time, secretarial time, placard time, etc.) then additional actual costs will be charged. This will give them some incentive to get what they need to get done so that they won't have to pay more than \$250. If they are over the 90 days then they will have to pay another \$250. Staff is spending a great deal of time with these properties. This fee was determined to be what a typical cost to the City is for their department to administer and deal with a vacant building.

Councilor Longo asked if the fee could be waived for someone who was away in the military. Ms. Emery indicated that Staff would look into this and bring back some suggestions.

Councilor Durgin asked what the penalties would be for failure to comply. Assistant City Solicitor Nicklas indicated that the penalty would be anywhere from \$100 to \$2,500 per day. At \$2,500 a day it would add up quickly.

Councilor Nealley moved to place this item on tomorrow night's City Council Agenda for referral back to the BED Committee at its next meeting.

City Councilor Conlow noted that this would need to be done under suspension of the rules.

The motion was seconded and it passed unanimously. Staff indicated that it would include the additional provisions suggested by the Committee in the proposed Ordinance.

The meeting was adjourned at 6:35 p.m.

BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE
Special Meeting of Monday, October 28, 2013
City Council Chambers

Minutes

Councilors Present: Sprague, Longo, Civiello, Gallant, Durgin, Hawes, Nealley, Baldacci and Blanchette

City Staff Present: Emery, Martin, Conlow, and Nicklas

Chair Sprague called the meeting to order at 6:35 p.m.

1. **REFERRAL – ORDINANCE 13-344**, Amending Chapter 223, Property Maintenance, of the Code of the City of Bangor, By Creating an Abandoned Building Ordinance.

Tanya Emery, Director of Community & Economic Development, gave an overview of the proposed ordinance. She indicated that this proposal included the treatment of military personnel and “snowbirds” as discussed at the previous Committee meeting.

Councilors also discussed treatment of those people who were in nursing homes with an intention to return to their homes.

Chair Sprague opened the meeting up for comments from the public. Mr. Beau Brigham indicated that he didn't feel that this ordinance would add any more effectiveness to the existing Property Maintenance Code. He also expressed his concerns about safety and creating a target for vandalism or break-ins at these properties.

Councilor Gallant said that this ordinance is not going to eradicate the issue but does provide for a point of contact when issues arise.

Councilor Baldacci proposed a one-year sunset provision. Councilor Gallant indicated that he supported Staff doing an update rather than imposing a sunset date. Councilor Blanchette agreed. Councilor Baldacci suggested that after six months this be reviewed.

Councilor Nealley moved to recommend Council Ordinance 13-344 to the full City Council. Councilor Baldacci seconded the motion which carried unanimously.

The meeting was adjourned at 7:00 p.m.

BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE

Tuesday, October 29, 2013
City Council Chambers

Minutes

Councilors Present: Sprague, Blanchette, Civiello

City Staff Present: Conlow, Emery, and Nicklas

Chair Sprague called the meeting to order at 5:00 p.m.

CONSENT AGENDA

1. Commission on Cultural Development Grant Recommendation

Tanya Emery, Director of Community and Economic Development, explained that this is a grant request from the Downtown Bangor Partnership for \$2,000 for the Downtown Countdown. They have already raised \$13,000 for this event and this grant would complete their fundraising goal of \$15,000.

Councilor Blanchette moved approval of the Consent Agenda. Councilor Civiello seconded the motion. The motion passed unanimously.

REGULAR AGENDA

2. REFERRAL – ORDINANCE 13- Amending Chapter 260, Signs, of the Code of the City of Bangor, By Providing for a Sign for the Bass Park District.

Assistant City Solicitor Paul Nicklas explained that because there will be several users in the Bass Park Complex it is felt that the most efficient way to serve the signage needs of those users is for the placement of one freestanding sign facing Main Street. This would eliminate the placement of competing signs for each user in multiple locations. The proposed amendment to the Sign Ordinance would allow this change.

Councilor Civiello asked if the proposed sign will show what event is occurring. City Manager Conlow explained that this will be part of the freestanding sign which will also include the hotel and Bass Park Historic Park.

Councilor Blanchette asked if the City has asked permission from the Maine Department of Transportation to put a sign indicating that the entrance to

the arena is on Buck Street. Conlow indicated that Public Works Director Dana Wardwell is working on this and she would ask and get an answer.

Councilor Blanchette moved this item forward. Councilor Civiello seconded the motion, which passed unanimously.

3. Executive Session – Economic Development – Property Disposition–Maine Business Enterprise Park – 1 M.R.S.A. § 405(6)(C)

Councilor Blanchette moved to enter Executive Session under 1 M.R.S.A. § 405(6)(C) at 5:07 p.m. Councilor Civiello seconded the motion. All in favor, motion carried.

Councilor Blanchette moved to exit the Executive Session at 5:15 p.m. Councilor Civiello seconded the motion. All in favor, motion carried.

4. Committee Action on Above Item.

Councilor Blanchette moved to approve Staff recommendation. Councilor Civiello seconded the motion. The motion carried unanimously.

The meeting was adjourned at 5:15 p.m.

Meeting Agenda
City of Bangor Airport Committee Meeting
City Council Chambers
3rd Floor
October 15, 2013

The following City Councilors were in attendance: Charlie Longo, Benjamin Sprague, Pauline Civiello, Nelson Durgin, Joseph Baldacci, and David Nealley. The following City staff was also in attendance, Airport Director, Anthony Caruso, Marketing Manager Risteen Bahr and Assistant Airport Director James Canders. Also in attendance was City Manager Cathy Conlow and Paul Nicklas, Asst. City Solicitor.

Agenda:

1. Request to approve amendments for one-year extensions for the lease and concession agreements with Avis, Hertz, Budget, Alamo and National Car Rental Companies at Bangor International Airport.

Airport Director Caruso asked the Airport Committee to approve the car rental amendment for a one-year extension for both agreements. This will authorize the City Manager to execute amendments for one-year extensions for the lease and concession agreements with the Car Rental Companies at Bangor International Airport. On October 31, 2013, the lease and concession agreements with the Car Rental Agencies at the airport are due to expire. Given the Domestic terminal renovation project, it is recommended that the airport extends these agreements for one-year terms during the construction period. This will allow sufficient time to issue a Request for Proposals based upon the new terminal design. The concession lease agreement includes the ticket counter space, parking spaces, and the rental charges that are to be calculated as either a percentage of gross revenue or based on the minimum annual guarantee, whichever is greater. The lease agreement covers the lease for the car rental maintenance facilities. The terms of the amendments will remain the same as the original agreements. These amendments have been reviewed and approved by City Legal. The Airport respectfully submits these amendments for Airport Committee review and recommends approval.

Questions/Comments

Councilor Sprague asked if in the future they could receive electronic copies of the agenda.

Moved and Seconded.

2. Passenger statistics: (July 2013, August, 2013, September 2013)

Airport Director Caruso indicated that the July trend was positive and we have strong load factors. July YTD was up by 5.3% and Total Monthly Passengers was up by 6.9%. In August the

trend was still positive and we also had strong load factors. August the YTD was up by 5.6% and Monthly Passengers was up by 7.5%. In September, we were also trending positive and strong load factors. We were up on the YTD by 5.2% and monthly was up by 1.6%. Airport Marketing Director Bahr stated that the Falls Season is approaching and we will have adjustments with the Airlines, so the load factor will stay strong and advises that people book early for their flights. Also, on October 30th we will be adding a new service!

Questions/Comments

Councilor Durgin questioned about the Delta number, why is that down. Airport Director Caruso indicated this was a small number that was down and it has to do with Delta adjusting to our market. They will be adjusting capacity for the Bangor Market.

3. Report on World Routes 2013 Conference

Airport Director Caruso stated that he and Airport Marketing Manager Risteen Bahr attended this conference. This is one of the best conferences that we attend each year. We meet with both Domestic and International Airlines. We get to meet different Airlines at this conference. This year we had 14 scheduled one on one meetings with Airlines. We also exhibited at this conference. We are getting Bangor's name out there. Risteen indicated that we do have follow up meetings with some. Over all this was a very positive conference.

Questions/Comments

Councilor Baldacci asked about the \$750,000 Federal Grant. Risteen indicated that we are still trying to give this away for a scheduled air service. We are on our final slant for time. We are discussing an extension with the DOT for this grant. But, we have to have an airline that is interested and we need a letter of commitment from the airline. The Grant expires in December.

Meeting Adjourned

Government Operations Committee
Monday, August 19, 2013
Immediately Following the Special City Council Meeting-5:10pm
City Council Chambers

MINUTES

Council Members: Baldacci, Blanchette, Civiello, Longo, Durgin, Nealley, Sprague

Staff: Farrar, Conlow, Lucas, Rindy Fogler

Others: Media

- 1. Referral – Council Resolve 13-272, Authorizing the City Manager to Accept and Appropriate \$391,990 in Shelter Plus Care Funds from the U.S. Department of Housing and Urban Development for the period 9-1-2013 to 8-31-2014.**

Moved, seconded and approved to recommend approval to the full Council.

- 2. Fire Department Presentation – Emergency Response Plans.**

Chief Lucas stated that the City of Bangor has numerous travel routes that pose a danger to transporting hazardous materials. Everyone in the Fire Department has been trained in hazard material operations. It's a very specific type of training and we share a regional resource with the City of Orono's Fire Department and we contribute a sum of money annually to their Hazardous Response Team. In this joint regional resource each fire department involved is in charge of different duties. We just found out that through the State there is more training that is fully funded that our fire fighters will be going through in the near future.

Chief Lucas also explained our relationship to both the State (MEMA) and Federal (FEMA) program in regards to Hazardous Material. Chief Lucas stated that the Chief, as appointed Director, can contact MEMA directly to utilize them as a resource. If the incident is on a larger scale MEMA can in turn directly contact FEMA at the federal level.

Baldacci suggested that we use the Government Channel for a 10 or 15 minute video for citizens about our plans if a Hazardous Material Incident occurs.

3. Discussion of SAFER Fire Grant Opportunity.

Chief Lucas explained about the \$320,000,000 SAFER (Staffing for Adequate Fire Fighter and Emergency Response) Grant that has just come about again. The opportunity to apply for this grant has just opened and is only open for about a month. This would supplement our costs. Our goal would be to get 4 fire fighters to balance out our crews. It would fund these employees for 2 years. We would have to keep our numbers of employees the same during this 2 year period whether someone retires, resigns, or separates from employment.

Councilor Blanchette asked if we apply and we are awarded, at what point can we refuse the grant if we decide not to use it. Chief Lucas stated you can refuse the grant up until the hiring of new employees. The grant money is just for staffing.

Councilor Longo moved staff recommendation to write the grant, Councilor Blanchette seconded and approved.

Councilor Civiello asked what number of retirees is the Fire Department looking at? Chief Lucas stated it is an unknown but could be a third of the department. City Manager stated that by bringing these new people on, they could be ready when and if there are retirements so we'd be ahead of the game. Plus we do not have to maintain the new hires after the expiring of the grant in two years.

Adjourned at 5:45pm

**Government Operations Committee
Tuesday September 3, 2013 at 5:00 p.m.
City Council Chambers**

MINUTES

Council Members: Blanchette, Hawes, Civiello, Longo, Durgin, Baldacci

Staff: Conlow, Farrar, Lucas, Nicklas, Hamilton, Fogler, Healy, Eyles

Others: Media

1. Presentation of Fire Department Information/Recruitment Video.

With the assistance of the New England School of Communications (NESCOM), the Fire Department has developed a short (10 minute) video that was shown to the Committee and then will be included on the City's Government Access Channel.

2. Council Referral 13-290, Ordinance, Amending Chapter 291, Vehicle and Traffic of the Code of the City of Bangor, by adopting the State Disabled Parking Restriction.

Modeled after the State Statute, this Ordinance would replace the City's existing Ordinance and would allow the City to collect enforcement fines rather than those funds being sent to the State. There are no other changes in the Ordinance.

It was moved, seconded and approved to recommend approval to the Council.

3. Presentation by Health and Community Services Department Staff.

Department Staff members presented an update and overview of Health and Community Services activities and programs. Committee members asked several questions, and thanked staff for the thorough and informative presentation.

Adjourned at 6:20pm.

**Government Operations Committee
Tuesday, September 17, 2013 at 5:00 p.m.
City Council Chambers**

MINUTES

Council Members: Blanchette, Hawes, Civiello, Longo, Durgin, Baldacci

Staff: Conlow, Farrar, Hathaway, Wardwell, Morgan, Fogler, Eyles, Comstock

Others: Julie Green, Bob Kilpeck, Peter Nowell

1. Resolves to Accept and Appropriate Various Grant Funds – Health and Community Services

- a. \$125,000 to implement the second year of the Drug Free Communities Program.
- b. \$90,000 to support the third year of Healthy Eating Active Living in the Penquis Health District.
- c. \$79,000 to implement the second year of marijuana and prescription drug prevention services for the three Penquis District Healthy Maine Partnerships.
- d. \$2,728,057 to provide for the Woman, Infants, and Children (WIC) Program.

Councilor Longo moved, Councilor Baldacci seconded and approved to recommend to full Council.

2. Proposed Memorandum of Understanding – City of Bangor and Community Housing of Maine.

Community Services Manager Rindy Fogler explained about this assistance for housing for those who need it and qualify. Proposal to rehab the school building in Brewer to turn into housing for low income people. They are hoping to focus on our Shelter Plus Care population. We have been asked if we are willing to use some of our project based vouchers for this new rehab building (if they are awarded). There would be no increased staff/administration time since we are already writing these vouchers. This would not be additional vouchers added but redirecting some of the current ones.

Councilor Longo moved, Councilor Baldacci seconded and approved to recommend to full Council.

3. Approval of Sub-Recipient Agreement between the City of Bangor and Piscataquis Public Health Council.

Health Promotion Program Manager, Jamie Comstock explained that currently we have 2 Sub-Recipient Agreements. One with Mayo Regional Hospital and one with Katahdin Shared Services. Piscataquis Public Health Council was told they needed to find a new fiscal lead and Penquis was chosen. So this means we need to have a Sub-Recipient Agreement between the City of Bangor and Penquis/Piscataquis PHC.

Councilor Baldacci moved, Councilor Longo seconded and approved.

4. Proposed Ordinance Amendment – raising the weight limit for vehicles parking for more than four hours in residential districts from three quarters of a ton to a one ton, including an exemption for moving vehicles.

Police Chief Hathaway stated that this Ordinance was dated and needed to be updated to include one ton vehicles.

Councilor Baldacci moved, Councilor Longo seconded and approved to recommend to full Council for first reading then to Planning Board, and finally to full Council.

5. Proposed Ordinance Amendment – creating no parking zones on Buck Street from Main Street to Sunnyside Greenhouse, due to recent repaving/restriping associated with the opening of the Cross Insurance Center.

Director of Public Works Dana Wardwell stated that due to the new construction of the Cross Insurance Center and Buck Street being the new main entrance there needs to be no parking zones on each side of the street, from Maine Street to Sunnyside Greenhouse.

Councilor Baldacci moved, Councilor Blanchette seconded and approved to recommend to full Council for first reading.

6. Discussion and Review of Traffic concerns on Kenduskeag Avenue.

Concerns about traffic speed on Kenduskeag Avenue have been received by Councilors Baldacci and Civiello. As a result, they requested that this issue be discussed at a Committee meeting to allow residents to address the Committee with their concerns.

Chief Hathaway explained there are concerns about speeding and other traffic infractions on Kenduskeag Avenue. Tonight we are hoping to come up with some ideas to stop this.

Residents on this street spoke about their concerns.

Ideas spoken about were a speed hump, speed bump....

Julie Green & Bob Kilpeck of Husson University stated that their students, staff, faculty, visitors are a part of this problem and they would like to be a part of the solution.

Engineering Director Art Morgan spoke about a speed study of Kenduskeag and other areas. We will look at options after they get study back. Because of how Kenduskeag is set up, there are some options that would not work for traffic calming.

Councilor Civiello said maybe it's time to write more tickets.

Councilors, staff and citizens spoke about their own experiences with traffic in the Bangor area. Concerns for children and bicyclists.

Councilor Blanchette suggested that it is time for something new such as the flashing lights in front of the Library not the sign that tells you how fast you are going. That doesn't catch a driver's attention anymore. We need new ways to enforce old laws.

Julie Green stated that Husson will be emailing their students, staff, faculty, visitors from President Clark reminders to help keep their speed and infractions down.

Councilor Civiello thought we could also get the message across to City staff as well to help with these issues.

Councilor Baldacci thought that the speed hump, lighted signage and more traffic enforcement are the best options to slow traffic down.

Councilors asked Art Morgan to come back with update/recommendations in a month at the Government Operations Committee meeting on October 22.

Councilor Baldacci moved to have this discussion at the October 22nd meeting, Councilor Blanchette seconded, so approved.

Adjourned at 5:48pm.

**Government Operations Committee
Tuesday, October 8, 2013 at 5:00 p.m.
City Council Chambers**

MINUTES

Council Members: Blanchette, Baldacci, Civiello, Longo, Durgin

Staff: Conlow, Farrar, Fogler, Linscott

Others: Don Cooper, BACTS

1. Council Resolve – Accepting and Appropriating Grant Funds from the U.S. Department of Housing and Urban Development – Shelter Plus Care Renewal.

Councilor Longo moved, Councilor Durgin seconded and so approved to recommend to full Council.

Social Services Manager at Health & Community Services Rindy Fogler explained that due to the Government Shutdown, if clients were unable to pay their November rent since we can't draw funds from HUD, can we use GA funds. David McLain from the State GA program said in writing that we could use the emergency GA funds for clients housing if necessary.

City Manager Cathy Conlow explained a little bit about what needs to be mitigated if the shutdown continues and how it will affect our departments and programs.

2. Update – Odlin Road Bus Route Fundraising Efforts and Operational Timetable.

Bob Farrar updated the committee on fundraising efforts for the Odlin Road Bus Route. So far there has been \$5,000 raised. There is a fundraiser planned for October 30th. This will maintain operations through mid November.

Councilor Baldacci updated the committee on the October 30th fundraiser dinner. Owner of Spectacular Events Center, Jane Erie, has donated the facility for the dinner and will be cooking. We've had lots of volunteers for this event. He asked that the postcard be put on the Government Channel and website to get the word out.

Adjourned at 5:17pm

COUNCIL ACTION

Item No. 14-023

Date: December 9, 2013

Item/Subject: **ORDER**, Execution of Municipal Quitclaim Deed – Real Estate Located at 38 Blue Hill East.

Responsible Department: Legal

Commentary:

In 1998 a real estate tax lien was filed on the property of Perry Boudreau, currently owned by Remode LLC., at 38 Blue Hill East. City records show no outstanding sewer charges or code issues, but apparently the lien was never discharged, therefore a municipal quitclaim deed is needed to clear the title to the property.

Staff recommends approval.

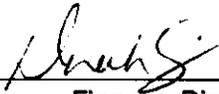

Department Head

Manager's Comments:

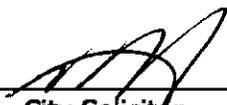

City Manager

Associated Information:

Budget Approval:


Finance Director

Legal Approval:


City Solicitor

Introduced for Consent Agenda

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



Assigned to Councilor Gallant

CITY OF BANGOR

**(TITLE.) ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 38 Blue Hill East.**

By the City Council of the City of Bangor:

ORDERED, Deborah A. Cyr, Finance Director, is hereby authorized and directed, on behalf of the City of Bangor, to execute a Municipal Quitclaim Deed releasing any interest the City may have by virtue of an undischarged real estate tax lien recorded in the Penobscot County Registry of Deeds in Book 6718, Page 330. Said deed shall be directed to Remode LLC in a final form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 14-024

Date: December 9, 2013

Item/Subject: **Order**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 115 Larkin Street.

Responsible Department: Legal

Commentary:

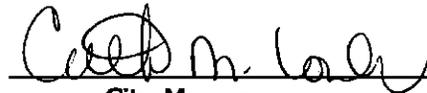
A real estate tax lien matured on property located at 115 Larkin Street and owned by Erlene Morgan. All outstanding charges due the City have been paid. There are no outstanding sewer charges or property issues. Because the lien matured, a quitclaim deed is required to release the City's interest in the property.

Staff recommends approval.



Department Head

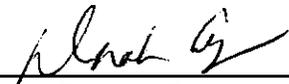
Manager's Comments:



City Manager

Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for Consent Agenda

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



Assigned to Councilor Blanchette

CITY OF BANGOR

**(TITLE.) ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 115 Larkin Street.**

By the City Council of the City of Bangor:

ORDERED, Deborah A. Cyr, Finance Director, is hereby authorized and directed, on behalf of the City of Bangor, to execute a Municipal Quitclaim Deed releasing any interest the City may have by virtue of an undischarged real estate tax lien recorded in the Penobscot County Registry of Deeds in Book 13223, Page 29. Said deed shall be directed to Erlene M. Morgan in a form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 14-025

Date: December 9, 2013

Item/Subject: **Order**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 178 Ohio Street.

Responsible Department: Legal

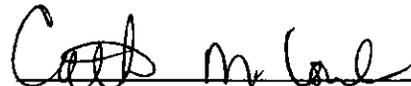
Commentary:

Real estate tax liens matured on the property located at 178 Ohio Street and owned by Erlene Morgan. All outstanding charges due the City have been paid. There are no outstanding sewer charges or property issues. Because the liens matured, a quitclaim deed is required to release the City's interest in the property.

Staff recommends approval.

Department Head

Manager's Comments:


City Manager

Associated Information:

Budget Approval:


Finance Director

Legal Approval:


City Solicitor

Introduced for Consent Agenda

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



Assigned to Councilor Durgin

CITY OF BANGOR

**(TITLE.) ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 178 Ohio Street.**

By the City Council of the City of Bangor:

ORDERED, Deborah A. Cyr, Finance Director, is hereby authorized and directed, on behalf of the City of Bangor, to execute a Municipal Quitclaim Deed releasing any interest the City may have by virtue of undischarged real estate tax liens recorded in the Penobscot County Registry of Deeds in Book 12508, Page 95, Book 12852, Page 103, and Book 13223, Page 147. Said deed shall be directed to Erlene M. Morgan in a form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 14-026

Date: December 9, 2013

Item/Subject: **Order**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 689 Union Street.

Responsible Department: Legal

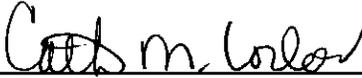
Commentary:

A real estate tax lien matured on property located at 689 Union Street, John and Judy Hager, now owned by Erlene Morgan. All outstanding charges due the City have been paid. There are no outstanding sewer charges or property issues. Because the lien matured, a quitclaim deed is required to release the City's interest in the property.

Staff recommends approval.

Department Head

Manager's Comments:



City Manager

Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for Consent Agenda

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



Assigned to Councilor Graham

CITY OF BANGOR

**(TITLE.) ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 689 Union Street.**

By the City Council of the City of Bangor:

ORDERED, Deborah A. Cyr, Finance Director, is hereby authorized and directed, on behalf of the City of Bangor, to execute a Municipal Quitclaim Deed releasing any interest the City may have by virtue of an undischarged real estate tax lien recorded in the Penobscot County Registry of Deeds in Book 13223, Page 164. Said deed shall be directed to Erlene M. Morgan in a form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 14-027

Date: December 9, 2013

Item/Subject: ORDER, Authorizing Execution of Municipal Quitclaim Deeds to Hartstone Realty, LLC and Sheldon L. Hartstone for Real Estate Located at 569 Hammond Street, to Sheldon Hartstone for Real Estate Located at 25 Thirteenth Street and to Sheldon Hartstone for Real Estate Located at 331 Stillwater Avenue.

Responsible Department: Legal

Commentary:

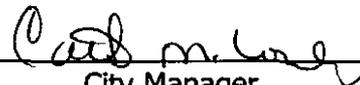
This Order will authorize the execution of a quitclaim deed for the properties owned by Sheldon Hartstone at 569 Hammond Street, 25 Thirteenth Street and 331 Stillwater Avenue and will also authorize the execution of a Discharge of Lien.

Real estate tax and sewer liens matured on the properties identified. Once all outstanding charges due the City have been paid the matured liens will be discharged which will release the City's interest in the properties. In addition, judgment had been obtained by the City against Sheldon Hartstone in the early 1990's and as part of the agreement for the payment of outstanding real estate taxes and sewer liens the executions will be discharged.

The Finance Committee recommended approval at its December 2, 2013 meeting.

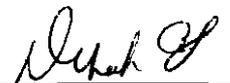
Department Head

Manager's Comments:


City Manager

Associated Information:

Budget Approval:


Finance Director

Legal Approval:


City Solicitor

Introduced for Consent Agenda

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



Assigned to Councilor Nealley

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of Municipal Qultclaim Deeds to Hartstone Realty, LLC and Sheldon L. Hartstone for Real Estate Located at 569 Hammond Street, to Sheldon Hartstone for Real Estate Located at 25 Thirteenth Street and to Sheldon Hartstone for Real Estate Located at 331 Stillwater Avenue.

By the City Council of the City of Bangor:

ORDERED, That Deborah A. Cyr, Finance Director, is hereby authorized and directed, on behalf of the City of Bangor, to execute Municipal Qultclaim Deeds releasing any interest the City may have by virtue of any and all undischarged real estate tax and sewer liens. Said deeds shall be in a final form approved by the City Solicitor or Assistant City Solicitor.

BE IT FURTHER ORDERED, Deborah A. Cyr, Finance Director, is hereby authorized and directed, on behalf of the City of Bangor to execute a Discharge of Lien to cancel and discharge liens recorded in Penobscot County Registry of Deeds, Volume 5284, Page 239, Volume 5160, Page 279. Said Discharge shall be in a final form as approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 14-028

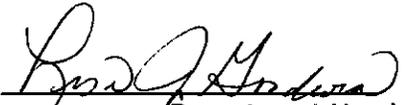
Date: December 9, 2013

Item/Subject: ORDER, Appointing Constables for the Year 2014

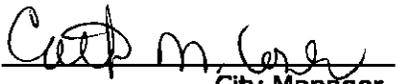
Responsible Department: City Clerk

Commentary:

This is a routine action that authorizes certain individuals known as Constables to enforce City Ordinances. This includes employees of the Parking Fund, Fire Prevention, Harbor Master, Airport, Code Enforcement, and Animal Control. Staff recommends approval.


Department Head

Manager's Comments:


City Manager

Associated Information

Order and attached list of constables.

Budget Approval:

Finance Director

Legal Approval:


City Solicitor

Introduced for

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

Page ___ of



Assigned to Councilor Civiello

CITY OF BANGOR

(TITLE.) ORDER, Appointing Constables for the Year of 2014

By the City Council of the City of Bangor:

ORDERED, THAT the City Council hereby confirms the appointment of Constables for the City of Bangor for the Year of 2014, as indicated on the attached list.

Appointment of Constables for the Year 2014

Employees of the Parking Fund:

Holly Knowles
Thomas Graban
Cathy Small
Peter Campbell
Paul Maggio
Kathy Drew

Employees of Code Enforcement:

George Craig
Brenda Bilotta
Mark Marquis
Jeff St. Pierre
Jeremy Martin
Bernard Fournier

Employees of the Fire Prevention Bureau:

Daniel Landers

Harbor Master:

Gerald L. Ledwith

Animal Control Officer:

Trisha Bruen

Employees of the Airport

Peter Golding
Laurence Spinney
Wayne Dionne
Michael Donovan
Robert West
Nanci Hamlin
Robin Wood
Douglas Woodard

COUNCIL ACTION

Item No. 14-029

Date: December 9, 2013

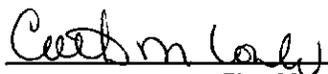
Item/Subject: Order, Authorizing the Police Department to Apply for Three (3) \$10,000 Grants from the State of Maine Bureau of Highway Safety

Responsible Department: Police

Commentary: This order will authorize the Police Department to participate in the State of Maine Bureau of Highway Safety (BHS) "Drive Sober Maine" and "2014 Speed and Seat Belt Enforcement Program." The BHS has funding available to assist local and state law enforcement agencies that have a desire to increase their speed and OUI enforcement efforts. The police department is requesting \$10,000 to enhance speed enforcement, \$10,000 to improve seat belt enforcement and \$10,000 to expand on our OUI enforcement. The speed and seat belt funding will be utilized between January 2014 and September 2014 and the OUI funding between December 2013 and September 2014. The grant funds are available to provide financial reimbursement to the City with respect to the three programs listed and require no local match. This Item was reviewed and recommended for approval by the Finance Committee on December 2, 2013.

Mark Hathaway
Department Head

Manager's Comments:

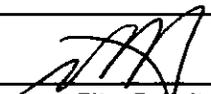

City Manager

Associated Information:

Budget Approval:


Finance Director

Legal Approval:


City Solicitor

Introduced for

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

Page __ of __



Assigned to Councilor Gallant

CITY OF BANGOR

(TITLE.) ORDER, Authorizing the Police Department to Apply for Three (3) \$10,000 Grants from the State of Maine Bureau of Highway Safety.

By the City Council of the City of Bangor:

ORDERED,

THAT, the Police Department be authorized to apply for three (3) grants, totaling up to \$30,000, from the State of Maine Bureau of Highway Safety for the purpose of enhancing speed, seat belt and OUI enforcement efforts.

COUNCIL ACTION

Item No. 14-030

Date: December 9, 2013

Item/Subject: ORDER, Authorizing the Execution of Consent for Assignment of an Agreement from Bombardier to Flexjet LLC. - Airport

Responsible Department: Airport

Commentary: This Order will authorize the consent for assignment of an agreement between the City of Bangor and Bombardier to Flexjet LLC. The original agreement is a standard aircraft handling agreement between Bombardier and the City of Bangor. Bombardier had operated an aircraft charter service which regularly routes international flights through Bangor International Airport (BGR). Effective September 2013, FlexJet assumed ownership of Bombardier.

Under the assignment, Bangor Aviation Services shall continue to provide services such as: aircraft fueling/de-fueling, ground handling, aircraft towing/repositioning, lavatory servicing, deicing, ground power units, potable water, and aircraft marshalling to FlexJet. The terms of the agreement are to remain the same with the understanding that one year of a two year agreement has already lapsed. After the initial term the agreement shall continue on a month basis. This has been reviewed by the Airport Committee on November 26, 2013 and is recommended for approval.

Anthony P. Caruso Jr., C.M.
Department Head

Manager's Comments:

Carl M. Cole
City Manager

Associated Information:

Budget Approval:

Shah A.G.
Finance Director

Legal Approval:

MA
City Solicitor

Introduced for
 Passage
 First Reading
 Referral

ASSIGNED TO COUNCILOR DURGIN



CITY OF BANGOR

(TITLE.) ORDER, Authorizing the Execution of Consent for Assignment of an Agreement from Bombardier to Flexjet LLC. - Airport

WHEREAS, the City of Bangor, Maine is the operator of services at the airport known as Bangor Aviation Services; and

WHEREAS, Flexjet, LLC. operates an aircraft charter service and regularly operates international flights through Bangor International Airport; and

WHEREAS, the Bangor Aviation Services currently provides aviation services to Bombardier, which has recently transferred their interests to FlexJet; and

WHEREAS, FlexJet LLC would like to assume the terms of the agreement with Bombardier in accordance with this agreement; and

WHEREAS, Bangor Aviation Services will provide the following services, including, but not limited to, aircraft fueling, ground handling, aircraft towing, lavatory services, deicing, water services and aircraft marshalling; and

WHEREAS, there are no substantial changes to the terms from the original agreement; and

WHEREAS, the initial term for this agreement is two (2) years and shall continue on a month to month basis following the initial term.

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

That the City Manager, is hereby authorized on behalf of the City of Bangor to execute this assignment from Bombardier to Flexjet LLC. for ground handling services performed by Bangor Aviation Services.

COUNCIL ACTION

Item No. 14-031

Date: December 9, 2013

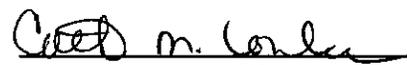
Item/Subject: **ORDER**, Authorizing the City Manager to Execute a Memorandum of Understanding with Seabastick Valley Health as the Fiscal Agent for Healthy Seabastick Valley.

Responsible Department: Health and Community Services

Commentary: This Order will authorize the City Manager to execute a memorandum of understanding on behalf of the City with Seabastick Valley Health Partnership, the fiscal agent for Healthy Seabastick Valley (Healthy SV). Healthy SV has been subcontracted since 2010 by Health and Community Services to provide Healthy Maine Partnership services to six towns in Penobscot County in the amount of \$10,000. Because the agreement amount exceeds \$5,000 the state requires that an MOU be in place between the two parties. This was reviewed and recommended for approval at the December 2, 2013 Government Operations Committee Meeting.

Department Head

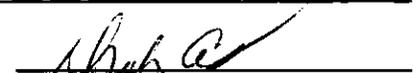
Manager's Comments:



City Manager

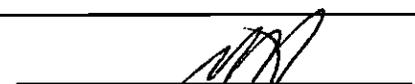
Associated Information: Order

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

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

Page __ of __



Assigned to Councilor Plourde

CITY OF BANGOR

(TITLE.) ORDER, Authorizing the City Manager to Execute a Memorandum of Understanding with Sebasticook Valley Health as the Fiscal Agent for Healthy Sebasticook Valley.

By the City Council of the City of Bangor:

ORDERED, THAT the City Manager is hereby authorized to execute a memorandum of understanding with Sebasticook Valley Health as the fiscal agent for Healthy Sebasticook Valley for fiscal year 2014 in the amount of \$10,000

COUNCIL ACTION

Item No. 14-032

Date: December 9, 2013

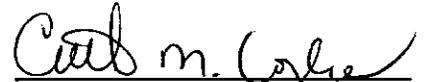
Item/Subject: **ORDER**, Authorizing the City Manager to Execute a Memorandum of Understanding with the Town of Hermon to implement nutrition, tobacco, substance abuse and worksite wellness policies as part of the Healthy Maine Partnership Grant

Responsible Department: Health and Community Services

Commentary: This Order will authorize the City Manager to execute a memorandum of understanding on behalf of the City of Bangor with the Town of Hermon. The Town of Hermon will receive \$3,000 in Healthy Maine Partnership funds to implement nutrition, tobacco, substance abuse and worksite wellness policies within the town. The funding was included in the FY14 Healthy Maine Partnership budget and was approved by the state of Maine as an allowable expense. This was reviewed and recommended for approval at the December 2, 2013 Government Operations Committee meeting.

Department Head

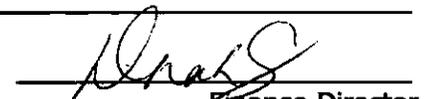
Manager's Comments:



City Manager

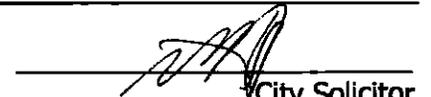
Associated Information: Order

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for
 Passage
 First Reading
 Referral

Page __ of __



Assigned to Councilor Baldacci

CITY OF BANGOR

(TITLE.) ORDER , Authorizing the City Manager to Execute a Memorandum of Understanding with Town of Hermon to implement nutrition, tobacco, substance abuse, and worksite wellness policies as part of the Healthy Maine Partnership Grant.

By the City Council of the City of Bangor:

ORDERED, THAT the City Manager is hereby authorized to execute a memorandum of understanding with the Town of Hermon to implement various programs and policies as part of the Healthy Maine Partnership Grant



**REFERRALS TO COMMITTEES
& FIRST READINGS**

COUNCIL ACTION

Item No. 14-033

Date: 12-9-13

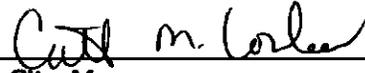
Item/Subject: RESOLVE, Accepting and Appropriating \$151,832 for the Supplemental Nutrition Education Grant program

Responsible Department: Health & Community Services

Commentary: This resolve will authorize the City to accept and appropriate \$151, 832 in supplemental nutrition grant funds (SNAP) in fiscal year 2014. This is the second year of a two year grant in which Bangor Health and Community Services will receive funding from the River Coalition to provide nutrition education to people who are SNAP eligible in the thirteen town Healthy Maine Partnership service area. This was reviewed and recommended for approval at the December 2, 2013 Government Operations Committee meeting.

Department Head

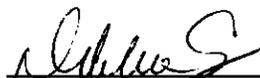
Manager's Comments:



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

RESOLVE, Accepting and Appropriating \$151,832 for the Supplemental Nutrition Education Grant Program

By the City Council of the City of Bangor:

RESOLVED, THAT the \$151,832 is hereby accepted and appropriated for the Supplemental Nutrition Education Program for fiscal year 2014.

COUNCIL ACTION

Item No. 14-034

Date: December 9, 2013

Item/Subject: Ordinance Amending Chapter 165, Land Development, of the Code of the City of Bangor – Section 165-135. Schedule A - Urban Developed Area Standards

Commentary:

The proposed text amendment is intended to correct existing language contained in a footnote of the Bass Park District when adopted in 2004. Schedule A does not contain standards for ISR (Impervious Surface Ratio) or default bufferyards as does Schedule B. In 2004, when the District was created they were included but did not fit into the Schedule's table so a footnote was added. A recent development project discovered the footnote and the amendment seeks to correct the two standards therein.

/s/ Tanya L. Emery
Department Head

Manager's Comments:

For referral to Planning Board Meeting of December 17, 2013, 7:00 p.m.

Cathy M. Conley
City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for

Passage

First Reading

Referral to Planning Board Meeting of December 17, 2013, 7:00 pm.

Page 1 of 1



Assigned to Councilor Durgin

CITY OF BANGOR

(TITLE.) Ordinance, Amending Chapter 165, Land Development Code of the City of Bangor
– Chapter 165-135, Schedule A – Urban Developed Area Standards

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

THAT Section 165-135. Schedule A be amended as attached.

LAND DEVELOPMENT

City of Bangor
Schedule A
Urban Developed Area
Article XIII, 165-38 through 165-97

Bass Park³

NOTES:

- 1 For one and two dwelling units, 9,000 square feet; for three dwelling units, 10,500 square feet; and for four dwelling units, 12,000 square feet.
- 2 For the first two dwelling units, 6,500 square feet, plus 1,000 square feet for each additional dwelling unit.
- ~~3 Maximum impervious surface ratio: .70.~~
- ~~Buffer yards: Type D, and retain existing vegetation along boundary lines to the extent possible.~~
- 4 Or the minimum height allowed under federal law, whichever is greater.
- 5 Minimum buffer yard: Type B, C next to a residential district.
- 6 Minimum buffer yard: Type B next to a residential district.

STATEMENT OF FACT: Deletions are ~~struck out.~~

Dutton Street Widening

A certain lot or parcel of land and the improvements thereon located on the northeast side of Dutton Street and on the northwest side of Main Street in Bangor, County of Penobscot, State of Maine, said parcel being bounded and described as follows:

BEGINNING at the intersection of the northeast side of Dutton Street and the northwest side of Main Street;

THENCE N56°21'15"W along said northeast side of Dutton Street forty-one and six hundredths (41.06) feet;

THENCE N20°35'27"E a distance of forty-one and six hundredths (41.06) feet;

THENCE S56°21'15"E a distance of forty-one and six hundredths (41.06) feet;

THENCE S20°35'27"W along said northwest side of Main Street forty-one and six hundredths (41.06) feet to THE POINT OF BEGINNING.

Encompassing 1,642 square feet.

SUBJECT TO an easement described in a deed from the City of Bangor to Bangor Hydro-Electric Company dated August 7, 2008 and recorded in Book 11522, Page 273.

Meaning and intending to describe a portion of the land described in a deed from J. Roland Cahill to City of Bangor dated January 2, 1962 and recorded in the Penobscot County Registry of Deeds Book 1820, Page 160. This description was prepared by Shyka, Sheppard & Garster, Land Surveyors, and is based on a plan entitled, "Boundary & Topographic survey of a Portion of Bass Park" prepared by Shyka, Sheppard and Garster, Land Surveyors, dated October 31, 2013. Bearings reference Grid North, Maine East Zone, NAD83, based on GPS network observations made in August, 2004.



**UNFINISHED
BUSINESS**

COUNCIL ACTION

Item No. 14-022

Date: November 25, 2013

Item/Subject: Ordinance, Extending a Moratorium on Charter Schools

Responsible Department:

Commentary:

Charter schools are currently allowed under Maine law. The currently statutory provisions for charter schools impose a financial burden on the City of Bangor. On average charter schools take \$9,000 per child, in state and local funding, away from the Bangor School Department for any Bangor child that goes to a charter school.

The Maine charter school law also does not adequately address the source of funding for home schooled children who decide to go to charter schools. The shortcomings in the law adversely impact the citizens of Bangor, creating a public harm. The appropriate way to address this is through a complete and thorough review of Maine charter schools law to ensure that it is amended in such way so as to protect the City of Bangor for the current negative impacts.

On June 3, 1023, by Council Ordinance 13-194, the Council passed a moratorium on the issuance of any Certificate of Occupancy for charter schools in Bangor while the City works to change the existing law to eliminate the harm it does to Bangor.

Since that time the City has reached out to the State and had a meeting with a State official. The result of that meeting included an agreement for further meetings. Those meeting have not yet taken place.

This Ordinance, if passed, will extend the moratorium adopted by the Council in June.

Department Head

Manager's Comments:

City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:

City Solicitor

Introduced for
 Passage
 First Reading
 Referral

Assigned to Councilor Baldacci



CITY OF BANGOR

(TITLE.) Ordinance, Extending a Moratorium on Charter Schools

WHEREAS, charter schools are currently allowed under Maine law; and

WHEREAS, the currently statutory provisions for charter schools impose a financial burden on the Bangor School Department, the City of Bangor, its citizens and taxpayers.; and

WHEREAS, on average charter schools take \$9,000 per child, in state and local funding, away from the sending school; and

WHEREAS, current Maine law regarding charter schools does not adequately address the source of funding for home schooled children who decide to go to charter schools; and

WHEREAS, the City Council of City of Bangor advocates for a complete and thorough review of Maine charter schools law to ensure that it is amended in such way so as to protect the City of Bangor for the current negative impacts; and

WHEREAS, on June 3, 2013, by Council Order 13-194, the City Council passed a moratorium on the acceptance or processing of applications for Certificates of Occupancy for charter schools in the City of Bangor; and

WHEREAS, since the passage of the moratorium the City has met with a representative of State of Maine and it was agreed that there would be further meetings; and

WHEREAS, further meetings have not yet occurred; and

WHEREAS, the problem giving rise to the need for the moratorium still exists and reasonable progress has been made to alleviate the problem giving rise to the need for the moratorium.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BANGOR AS FOLLOWS,

A moratorium on the acceptance or processing of applications by the Code Enforcement Officer for Certificate of Occupancy for charter schools is extended as follows:

§ 1. Necessity.

Municipalities are authorized by 30-A M.R.S. § 4356(1) and 30-A M.R.S. § 4356(2) to enact and extend moratoria:

- A. To prevent a shortage or an overburden of public facilities that would otherwise occur during the effective period of the moratorium or that is reasonably foreseeable as a result of any proposed or anticipated development; or
- B. Because the application of existing comprehensive plans, land use ordinances or regulations or other applicable laws, if any, is inadequate to prevent serious public harm from residential, commercial or industrial development in the affected geographic area.

In accordance with § 4356(2), the Bangor City Council finds that the problem giving rise to the need for the moratorium still exists and reasonable progress is being made to alleviate the problem giving rise to the need for the moratorium and further finds that extension of a moratorium on the acceptance or processing of applications or issuance of Certificates of Occupancy for charter schools preventing the development of charter schools in the City of Bangor is necessary and warranted in order to allow sufficient opportunity to seek to change existing Maine law to eliminate the negative impacts of Maine's charter school law.

- § 2. Extension of moratorium on acceptance of or processing of applications or issuance of Certificates of Occupancy for charter schools in the City of Bangor.

The Bangor Code Enforcement Office shall not accept or process any applications for Certificates of Occupancy for charter schools in the City of Bangor while this moratorium is in effect.

- § 3. Term.

This extension of a moratorium shall continue for 180 days from the date of passage. It may be extended for additional 180-day periods in accordance with 30-A M.R.S. § 4356(2) upon a finding by the Bangor City Council that the problem giving rise to the need for the moratorium still exists and reasonable progress is being made to alleviate the problem giving rise to the need for the moratorium.



**NEW
BUSINESS**

COUNCIL ACTION

Item No. 14-035

Date: December 9, 2013

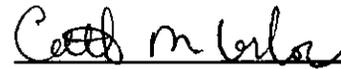
Item/Subject: Order Authorizing the City to accept Canine Endumin from the Transportation Security Administration and transfer Canine Endumin to Daniel Scripture

Responsible Department: City Clerk

Commentary: This order will authorize the City to Accept Endumin, a bomb sniffing canine, from the Transportation and Security Administration (TSA) and transfer ownership of him to his handler of the past five years, Dan Scripture. Endumin, a five year veteran of the canine unit, is retiring from active duty due to persistent age related medical issues. Should the Council concur; the City will assume temporary responsibility and liability of Endumin from the TSA and transfer the responsibility and liability of Endumin to his current handler, Police Officer Daniel Scripture. Daniel Scripture has agreed to accept full liability and responsibility for Endumin. This was reviewed and recommended for approval at the December 2, 2013 Government Operations Committee meeting.

Department Head

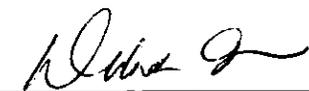
Manager's Comments:



City Manager

Associated Information

Budget Approval:



Finance Director

Legal Approval:

City Solicitor

Introduced for

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

Page ___ of

Assigned to Councilor Blanchette



CITY OF BANGOR

(TITLE.) ORDER, Authorizing the City to accept Canine Endumin from the Transportation Security Administration and transfer Canine Endumin to Daniel Scripture

By the City Council of the City of Bangor:

ORDERED,

THAT, the City be authorized to accept the responsibility and liability of Explosive Canine Endumin from the Transportation Security Administration and transfer said responsibility and liability to Officer Daniel Scripture.

COUNCIL ACTION

Item No. 14-036

Date: December 9, 2013

Item/Subject: ORDER, Increasing the Northeast corner of the Bass Park Boulevard Right-of-Way.

Responsible Department: Engineering

Commentary:

This Order will authorize increasing the Northeast corner of Bass Park Boulevard right-of-way by 1600 (40x40) square feet. As part of the continued development of the Bass Park, an off premise sign is proposed on Main Street at the northeast corner of Bass Park Boulevard. Under the Code, placement of the sign will require that Bass Park Boulevard right-of-way be increased by 1,600 (40x40) square feet at that location and that the sign be placed in the right-of-way. This was discussed at a pre-council meeting on November 25, 2013.

Arthur B. Morgan, P.E.
Department Head

Manager's Comments:

Carl M. Lewis
City Manager

Associated Information: Exhibit showing the proposed widening is attached.

Budget Approval:

Finance Director

Legal Approval:

City Solicitor

Introduced for

- Passage
- First Reading
- Referral

Page __ of __

Assigned to Councilor Graham



CITY OF BANGOR

(TITLE.) ORDER, Increasing the Northeast corner of the Bass Park Boulevard Right-of-Way

WHEREAS, the City is the owner of real property located on in Bass Park; and

WHEREAS, the access to Bass Park is via Bass Park Boulevard, formerly Dutton Street; and

WHEREAS, that widening of Bass Park Boulevard right-of-way will be necessary for placement of an off premise sign which will be located on the corners of Main Street the Northeast side of Bass Park Boulevard.

By the City Council of the City of Bangor:

ORDERED,

That, the northeast portion of Bass Park Boulevard right-of-way be increased 1600 sq. feet or forty by forty square feet.

COUNCIL ACTION

Item No. 14-037

Date: December 9, 2013

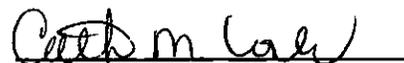
Item/Subject ORDER, Authorizing Grant Application to National Endowment for the Arts-Our Town Program

Responsible Department: Community & Economic Development

Commentary: This Order will authorize the City Manager to submit a grant application in the amount of \$200,000 to the National Endowment for the Arts, Our Town Program. If successful, the funds will be used to plan for, and help offset costs associated with, infrastructure and aesthetic upgrades to Pickering Square. As a part of this application, the City will commit up to \$300,000 in matching funds from the Downtown TIF for the Pickering Square renovations. These Downtown TIF funds are already dedicated to the redesign of the area and the five-year Capital Improvement Program for the Downtown TIF includes \$420,000 and \$700,000 for Pickering Square in 2015 and 2016 respectfully. Furthermore, we will utilize staff time as well as our partner's time towards the required match. If successful, the work on the grant would take place between September of 2014 and August of 2016.

Department Head

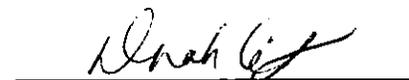
Manager's Comments: This item is to be reviewed in pre-council on December 9, 2013.



City Manager

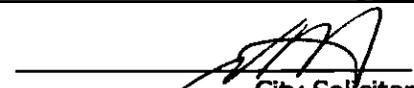
Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

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

Page __ of __



Assigned to Councilor Plourde

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Grant Application to National Endowment for the Arts-Our Town Program

WHEREAS, the National Endowment for the Arts is currently accepting grant proposals of up to \$200,000 for their Our Town Grant Program; and

WHEREAS, an application to the program for the planning and redesign of the Pickering Square area would be competitive; and

WHEREAS, the City is willing to commit up to \$300,000 from the Downtown TIF funds that are already dedicated to the redesign of the area:

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

The City Manager is authorized to submit an application to the National Endowment for the Arts Our Town Program and commit up to \$300,000 from the Downtown TIF towards the planning and redesign of Pickering Square.

MEMORANDUM



TO: City Council
FROM: Jason Bird, Business Development Officer
DATE: December 4, 2013

Application for Our Town Grant Funds for Pickering Square

The National Endowment for the Arts is currently accepting grant proposals for their Our Town grant program. Projects are funded up to \$200,000, with a required 1:1 match. The match can be a combination of cash and in-kind funds. The goal of the Our Town grant is to promote livability in American communities by strengthening the arts.

We are partnering with the American Folk Festival and other arts organizations and leaders to write a grant request for Our Town funds to support the upcoming work in Pickering Square. With the decision on whether or not the Community Connector hub will remain in Pickering Square, the City should begin thinking about the process for that area's redesign. The Our Town grant program is coming at a great time. The City can use some of the funds to pay for that planning work and also use the funding to cover some of the costs of the redesign.

The deadline for grant submission is January 13, 2014 and a notification is expected in July of 2014. If successful, the work on the grant would take place between September of 2014 and August of 2016, which matches up nicely with our likely project timeline.

As a part of the required match component, the Community and Economic Development Department is proposing the commitment of up to \$300,000 in Downtown TIF funds that are already dedicated to the redesign of the area. The 2014-2018 Capital Improvement Program for the Downtown TIF has allocated \$420,000 and \$700,000 for Pickering Square in 2015 and 2016 respectfully. Furthermore, we will utilize staff time as well as our partner's time towards the required match.

By utilizing and leveraging funds such as the Our Town grant program, we stand a better chance of getting exactly what we want in the redesign, without having to sacrifice too much because of costs.

The Community and Economic Development Department supports this application.

COUNCIL ACTION

Item No. 14-038

Date: December 9, 2013

Item/Subject: Order, Directing the City Manager to Take Possession of the Property Located at 12 North Street

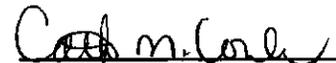
Responsible Department: Treasury

Commentary:

This order directs the City Manager to take possession of property located at 12 North Street by virtue of a 2011 matured tax lien. The City of Bangor has recorded tax liens on the property at 12 North Street for unpaid real estate taxes. Several of the liens have matured. In addition, the City has recorded sewer liens on the property for unpaid sewer charges. Several of those liens have also matured. All attempts to receive payment from the taxpayer have been unsuccessful. This has been reviewed and recommended for approval by the Finance Committee on December 2, 2013.

Department Head

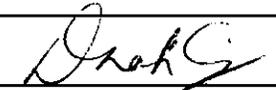
Manager's Comments:



City Manager

Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral

Page __ of __



Assigned to Councilor Nealley

CITY OF BANGOR

(TITLE.) ORDER, Directing the City Manager to Take Possession of the Property Located at 12 North Street

WHEREAS, the City of Bangor has recorded tax liens on the property at 12 North Street for unpaid real estate taxes; and

WHEREAS, several of the liens have matured; and

WHEREAS, the City has recorded sewer liens on the property for unpaid sewer charges; and

WHEREAS, several of those liens have also matured; and

WHEREAS, all attempts to receive payment from the taxpayer have been unsuccessful;

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

the City Manager is hereby ordered to take possession of the property located at 12 North Street.

COUNCIL ACTION

Item No. 14-039

Date: December 9, 2013

Item/Subject: Order, Directing the City Manager to Take Possession of the Property Located at 15 Field Street

Responsible Department: Treasury

Commentary:

This order directs the City Manager to take possession of property located at 15 Field Street by virtue of a 2011 matured tax lien. The City of Bangor has recorded tax liens on the property at 15 Field Street for unpaid real estate taxes, of which, two have matured. All attempts to receive payment have been unsuccessful. This has been reviewed and recommended for approval by the Finance Committee on December 2, 2013.

Department Head

Manager's Comments:

Colin Cole
City Manager

Associated Information:

Budget Approval:

W. H. S.
Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for
 Passage
 First Reading
 Referral

Page __ of __

Assigned to Councilor Civiello



CITY OF BANGOR

(TITLE.) ORDER, Directing the City Manager to Take Possession of the Property Located at 15 Field Street

WHEREAS, the City of Bangor has recorded tax liens on the property at 15 Field Street for unpaid real estate taxes; and

WHEREAS, two of the liens 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

the City Manager is hereby ordered to take possession of the property located at 15 Field Street.

COUNCIL ACTION

Item No. 14-040

Date: December 9, 2013

Item/Subject: ORDER, Authorizing Execution of a Development Agreement with Bangor Housing Development Corporation – Freese Building – Main Street

Responsible Department: Community and Economic Development

Commentary:

This Order will authorize the execution of a Development Agreement with Bangor Housing Development Corporation for redevelopment of the city-owned portion of the Freese Building. This redevelopment will create commercial space on the first floor and market rate rentals on the second and third floors in what is now a vacant unit. Under the terms of the development agreement, Bangor Housing will acquire the right to develop Condo Unit 1, consisting of 15,200 square feet on a portion of three floors, for \$1.00. Further, Bangor Housing Development Corporation will be required to invest a minimum of one million in construction costs including site work, building improvements, interior fit up, purchase and installation of equipment, furnishing and permits fees. Finally, Bangor Housing Development Corporation will agree to a construction progress schedule, and other such terms and conditions that are reasonable and appropriate. As these are market rate rentals and commercial space, the property will remain subject to property taxes. This item was reviewed and recommended for approval by the BED.

Department Head

Manager's Comments:

Curt M. Conley
City Manager

Associated Information:

Budget Approval:

Wah G.
Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for

- Passage
- First Reading
- Referral

Assigned to Councilor Durgin



CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of a Development Agreement with Bangor Housing Development Corporation – Freese Building – Main Street

WHEREAS, the City is the owner of real property located in the Freese Building on Main Street in Bangor consisting of three floors; and

WHEREAS, Bangor Housing Development Corporation has proposed and is desirous of developing commercial uses on the first floor and market-rate residential units on the second and third floors; and

WHEREAS, the cost of the development is estimated to be at least \$1 million; and

WHEREAS, it is in the best interest of the City of Bangor to enter into a Development Agreement with Bangor Housing Development Corporation for the development of the City's property in the Freese building as proposed by Bangor Housing Development Corporation.

By the City Council of the City of Bangor:

ORDERED,

THAT Catherine M. Conlow, City Manager, is hereby authorized on behalf of the City of Bangor to execute a Development Agreement with Bangor Housing Development Corporation for the development of a portion of the Freese Building owned by the City of Bangor, known as Condo Unit 1, consisting of 15,200 square feet on a portion of three floors providing for the sale of the property for \$1.00 to provide for the development of commercial space on the first floor and residential space on the second and third floors; an investment in construction costs consisting of site work, building improvements, interior fit up, purchase and installation of equipment, furnishing and permits fees of not less than \$1 million; an agreed upon construction progress schedule, and such other terms and conditions as reasonable and appropriate. Said Development Agreement shall be in final form as approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 14-041

Date: December 9, 2013

Item/Subject: ORDER, Authorizing Award of Parking Management Services Contracts to Republic Parking Systems

Responsible Department: Community & Economic Development and Airport

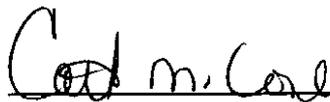
Commentary: This order authorizes an award of contracts for Parking Management Services to Republic Parking. On October 18, 2013 the City received six responses to its Request for Proposals (RFP) for Parking Management Services. The scope of work included within this RFP was; downtown parking operation and management (garage, Abbot Square, Columbia Street deck, surface permit lots) and Airport parking operation and management (long term, short term and shuttle lot).

A selection committee reviewed all of the submissions and opted to meet with representatives of Republic Parking, based on the strength of their proposal. On November 14th, Republic Parking representatives Jack Skelton and Parke Clemons reviewed their plan to address the items requested such as; customer service training, mystery parker reports and customer surveys, new signage and a plan to enhance communication with the Council. Following that meeting, the selection committee unanimously concluded that Republic Parking would best meet the City's parking needs and that they had a plan in place to address recent concerns. On December 2, 2013, the Finance Committee approved staff recommendation to award the contracts to Republic Parking System.

The contracts will be for an initial five year term. During the first three years, the fixed management fees will be as follows: downtown \$34,200 and Airport for \$36,000. In addition, the Airport contract includes an incentive provision, the new contract resets the base upon which this fee is based and therefore will only be payable when net parking revenues increase. This contract will result in savings in both operations. The contract award recommendation must be reviewed approved by the City Council as it is over \$100,000.

Department Head

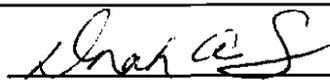
Manager's Comments:



City Manager

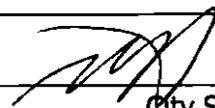
Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

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

Assigned to Councilor Gallant



CITY OF BANGOR

(TITLE.) Order, Authorizing Award of Parking Management Services Contracts to Republic Parking System

By the City Council of the City of Bangor:

ORDERED,

THAT, Deborah Cyr, Finance Director is hereby authorized to execute contracts with Republic Parking System for the operation and management of both the City's downtown and Airport parking facilities.