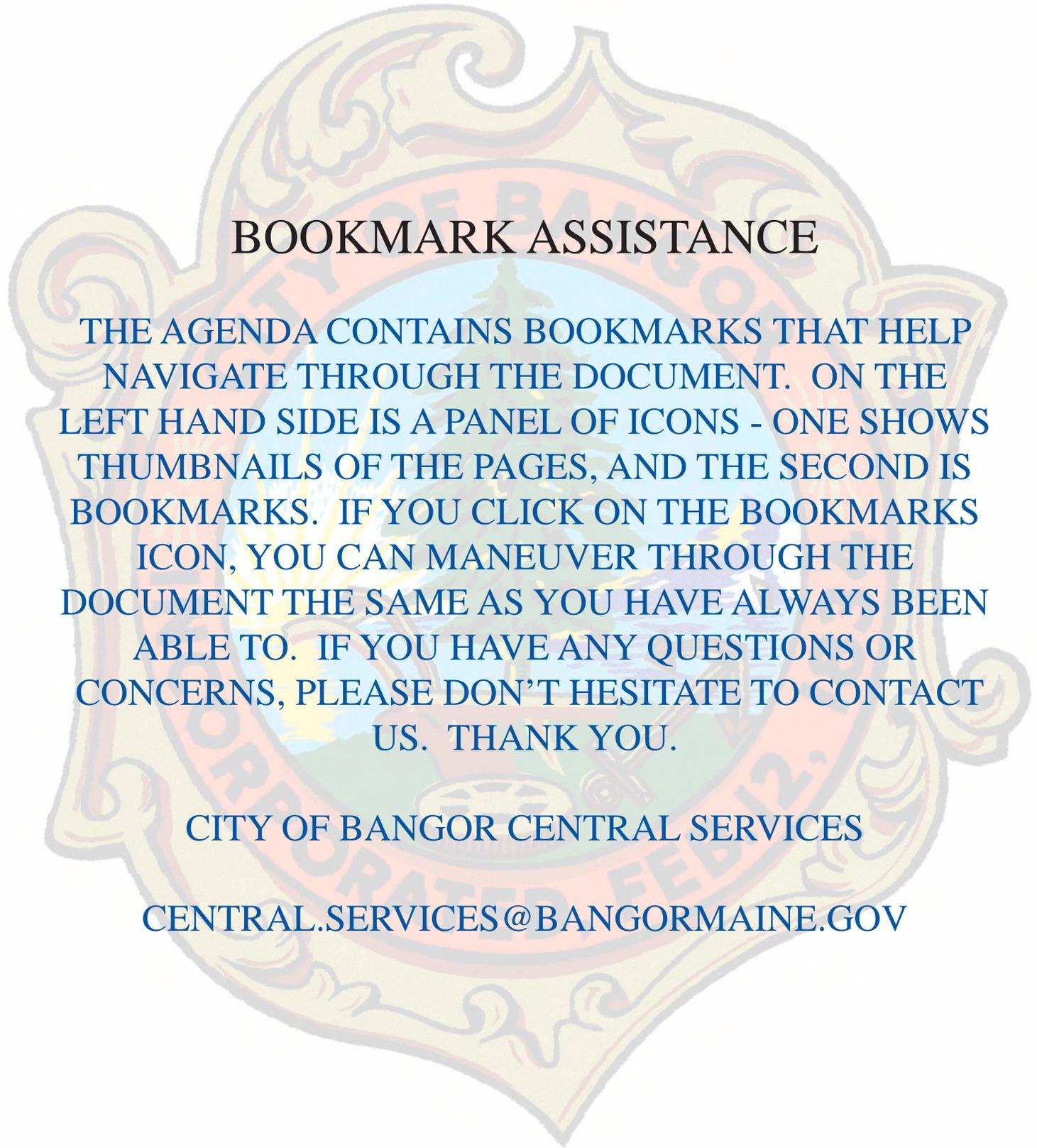


MEDIA
COPY



CITY COUNCIL AGENDA

OCTOBER 14, 2015



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 – OCTOBER 14, 2015

PLEDGE ALLEGIANCE TO THE FLAG

RECOGNITION: Recognizing The Nite Show With Danny Cashman

**Recognizing Frank’s Bake Shop And Catering Service
For 70 Successful Years Of Business Operation**

**PROCLAMATION: Proclaiming October Domestic Violence Awareness
Month In The City Of Bangor**

**Proclaiming October 24th 2015 As World Polio and
Purple Pinkie Day in the City of Bangor**

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 Regular Meeting of September 28, 2015,
Finance Committee Meetings of September 28, 2015 and October
5, 2015, Government Operations Committee Meetings of
September 21, 2015 and October 5, 2015**

**15-335 ORDER Authorizing Execution of Municipal Quitclaim Deed – CIVIELLO
Real Estate Located at 110 Walter Street (Map 24 Lot
124A)**

Executive Summary: Sewer liens matured in 2012 on the property located at 110 Walter Street and previously owned by Colby Grant, now owned by Deutsche Bank National Trust Company. At some point all outstanding charges were paid, but these liens were not discharged. Because the liens had matured, a municipal quitclaim deed is required to release the City’s interest in the property. Staff recommends approval.

**15-336 ORDER Authorizing Bid Award in the Amount of \$102,929 to SPRAGUE
ELCO Electric for Cable Bus Duct Replacement**

Executive Summary: On September 23, 2015, the City received two (2) bids from one vendor to replace the Cable Bus Duct(s). The bid prices ranged from \$77,247 to \$102,929. Earlier this year the WWTP experienced a failure in its cable BUS duct system, which is a redundant system that pulls electrical power from the grid to the plant for its operations. Due to the critical nature of the system, the initial intent was to merely replace the equipment. With AECOM’s assistance it became clear that other options were available so a bid was issued. Unfortunately, the funds for this project were not included within the FY

REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 14, 2015

CONSENT AGENDA ITEM NO.

ASSIGNED TO COUNCILOR

2016 budget, as it was assumed it would be resolved in FY 2015. However, the WWTP did realize adequate savings in the recent bid results of the First Street/Davis Court project, to fund this project.

This item was reviewed and recommended for approval by the Finance Committee on October 5, 2015. The recommendation to award to the higher bid was due to the fact that the low bid did not meet specifications.

As the award exceeds \$100,000 it does require Council action.

**15-337 ORDER Authorizing the City Manager to Execute a Professional PLOURDE
Services Contract with Robert Bowie, M.D. to serve as
Medical Director for the Bangor Fire Department**

Executive Summary: This Order will authorize the execution of a 3 year professional services contract with Robert Bowie to serve as Medical Director for the Emergency Medical Services Division of the Bangor Fire Department. Dr. Bowie has provided this service for the past decade and will continue to be compensated at the rate of \$3,000 per year. This is a renewal of the previous contract with the same terms and conditions. This was reviewed and recommended for approval at the October 5, 2015 Government Operations Committee meeting.

**15-338 ORDER Authorizing an Amendment to the Indenture of Lease BALDACCI
with FGS/CMT, Inc. (Map 001, Lot 097)**

Executive Summary: FGS/CMT, Inc., a consulting engineering firm, wishes to extend the term of its lease for Building #97 at 136 Maine Ave., Bangor. FGS/CMT, Inc. has been leasing Building #97 at 136 Maine Ave. since 1996 for use as a professional office. The proposed amendment would extend the term for three (3) years and set the lease rate at \$958 per month during the first year, \$1,015 per month during the second year and \$1,070 per month during the third year.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its October 6, 2015 meeting.

**15-339 RESOLVE Accepting a \$250 Donation from the University of Maine FAIRCLOTH
Humanities Center to Support a Month of the Arts, in
Bangor**

Executive Summary: The City of Bangor's Commission on Cultural Development has received a donation in the amount of \$250 from the University of Maine's Humanities Center to support ARTober, a month celebrating arts and culture in Bangor. The Commission is grateful to the University of Maine Humanities Center not only for its financial contribution to ARTober, but also the invaluable resource support they have contributed to make the inaugural month-long celebration of the arts a success. This matter was reviewed and approved by the Business & Economic Development Committee on October 6, 2015.

REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 14, 2015

REFERRALS TO COMMITTEE AND FIRST READING ITEM NO.

ASSIGNED TO COUNCILOR

15-340 ORDINANCE Amending Map Entitled “Downtown Parking Management District” by Designating Nine Parking Spaces on Union Street as “Parking Limited to Four Hours” (First Reading)

GRAHAM

Executive Summary: This ordinance amendment would designate nine parking spaces on the section of Union Street underneath the Joshua Lawrence Chamberlain Bridge as four hour parking spaces. These parking spaces are currently designated as parking by permit only. None of the permits for the spaces are currently held by anyone. Area businesses have requested the change.

The Business and Economic Development Committee reviewed this item on October 6, 2015.

UNFINISHED BUSINESS ITEM NO

ASSIGNED TO COUNCILOR

15-330 ORDINANCE Amending Chapter 23, Boards, Committees and Commissions, of the Code of the City of Bangor, By Amending the Membership of the Downtown Parking Advisory Committee

GRAHAM

Executive Summary: This ordinance amendment would remove two City staff members from the Downtown Parking Advisory Committee and replace them with a downtown resident and downtown business owner or manager. In addition, the Business and Economic Development Committee amended this to include two additional members, one representing at-large residential and one individual who owns or manages property in the downtown parking management district. These new members can provide valuable perspective on downtown parking issues, and staff members already have the opportunity to provide input through their positions. The new members of the Committee would be appointed by the Personnel Committee, as are members of other City boards and commissions. This was reviewed and recommended for passage with changes at the Business and Economic Development Committee Meeting on October 6, 2015. **This ordinance will require amendment by substitution.**

15-331 ORDINANCE Amending Chapter 268, Stormwater, of the Code of the City of Bangor, By Modifying Stormwater Fee Exemption and Maintenance Requirements

PLOURDE

Executive Summary: This proposed ordinance would make several changes to the City’s stormwater utility ordinance, based on the City’s experience thus far with enforcing the ordinance.

The first change would give the City additional time to review requests for exemptions from the ordinance. A property can be exempted from paying a fee if it can be proven that no stormwater discharges from the property. This determination can often only be made at certain times of the year, typically the spring. Depending on when the request is made, then, the City may need up to a year to determine whether stormwater discharges from the property. The change would also allow the City to refund stormwater fees back to the date of the request.

REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 14, 2015

UNFINISHED BUSINESS ITEM NO

ASSIGNED TO COUNCILOR

The second change amends the requirements regarding maintenance of structural controls and activities that are the basis for stormwater credits. The current requirement of an annual report requires a great deal of work by property owners and staff, and in most cases little will change from year to year. The amended ordinance would require a report or other evidence once every five years, which will allow the City to line the reporting up with updates to our aerial photography data. This item was recommended for approval at the September 15, 2015 Infrastructure Committee meeting.

15-332 RESOLVE **Authorizing the City Manager to Accept and CIVIELLO
Appropriate \$115,638 in Partnership for Success (PFS)
2015 Project funds from the State of Maine's Substance
Abuse and Mental Health Services (SAMHS)**

Executive Summary: This resolve would authorize the City Manager to accept and appropriate \$115,638 in grant funds from the Office of Substance Abuse and Mental Health Services for the first of a five-year project, renewable each year, for substance abuse prevention programs. The term of the first year would be October 1, 2015 to June 30, 2016.

The purpose of Maine's PFS 2015 project is to reduce underage drinking among the 12-20 year old population and to reduce high risk drinking, prescription drug abuse and marijuana use among the 12-25 year old population. During this five year project, evidence-based environmental strategies and programs will be implemented state-wide through community prevention coalitions located in all nine of Maine's Public Health Districts.

Bangor Public Health and Community Services would serve as the lead agency to receive funding on behalf of the three Penquis District Healthy Maine Partnerships. This includes the thirteen municipalities of the Bangor region; the Partnership for Healthy Northern Penobscot; and the Piscataquis Public Health Council. The was reviewed and recommended for passage at the Government Operations Committee Meeting on October 5, 2015.

REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 14, 2015

**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

LIQUOR LICENSE

**Liquor License Application Renewal, Malt, Spirituous,
Vinous of Endwell LLC d/b/a Paddy Murphy's, 26 Main
Street**

SPRAGUE

15-341 ORDER

**Authorizing the City Manager to Execute a Lease with
General Electric Company (Map 001, Lot 273, Map 001,
Lot 488, Map 001, Lot 466, Map 001, Lot 487)**

BALDACCI

Executive Summary: This Order will authorize the execution of documents necessary for a Lease with General Electric Company. General Electric Company has leased land from the City of Bangor since 1987. On May 11, 2015, by Council Order 15-174, the City Council authorized the execution of a new lease with General Electric Company for a term of fifteen years. In September 2014 General Electric Company and the City of Bangor had agreed that General Electric Company could use a parking lot adjacent to Building 487 for the remainder of the lease. During negotiations of the final terms and conditions of the new lease, General Electric Company requested that the lease include an option to renew for a five year term and that it include the parking lot adjacent to Building 487, items not previously considered by the Council. Last month, Building 487 was demolished creating a vacant lot potentially suitable for any expansion and it is in the best interest of the parties to include this parcel in the lease. This item was reviewed and recommended for approval by the Business and Economic Development Committee on October 6, 2015.

BANGOR CITY COUNCIL



RECOGNIZING THE NITE SHOW WITH DANNY CASHMAN

- WHEREAS,** The Nite Show with Danny Cashman is celebrating its five year anniversary of bringing entertainment, musical guests, and humor to the people of Maine; and
- WHEREAS,** The Nite Show is based in Bangor and is broadcast on a weekly basis across the state; and
- WHEREAS,** The Nite Show with Danny Cashman is the #1 late night television show in all of Eastern Maine; and
- WHEREAS,** special events like the live New Year's Eve show from Downtown Bangor have helped to promote the City of Bangor and have added to the cultural vibrancy of the region; and
- WHEREAS,** the efforts of Danny Cashman and the employees, staff, students, and volunteers of The Nite Show have helped to grow a positive image of our community.

NOW, THEREFORE, I, Nelson E. Durgin, Mayor of the City of Bangor, on behalf of the City Council and the citizens of Bangor, do hereby recognize Danny Cashman and The Nite Show team on the occasion of their fifth anniversary on the air.

Given this the 14th day of October, 2015.

Nelson E. Durgin, Mayor

BANGOR CITY COUNCIL



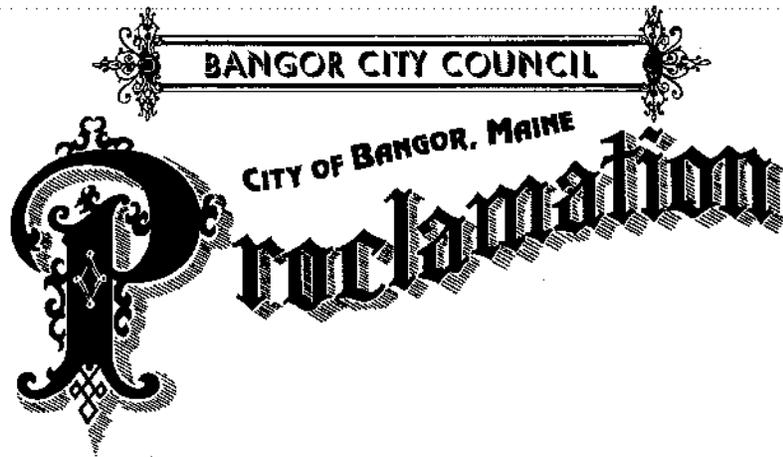
RECOGNIZING FRANK'S BAKE SHOP AND CATERING SERVICE FOR 70 SUCCESSFUL YEARS OF BUSINESS OPERATION

- WHEREAS,** Frank's Bake Shop is family owned with its roots beginning in the logging camps in the Province of Quebec. At age 9, Frank J. Soucy, Sr. accompanied his father, Alexis Soucy, a lumberjack to many logging camps; and
- WHEREAS,** Frank began assisting the camp cook and kept the loggers fed on many of the logging drives down the Penobscot River and eventually his name and talents in baking and cooking led him to Bangor; and
- WHEREAS,** Frank Soucy, Sr. wed Mary Veilleux in 1907, produced 12 children and continued his career as a baker for 40 years working for other companies; and
- WHEREAS,** On October 17, 1945, Frank's two sons, Joseph and Frank, Jr. established a bakery at 148 Hancock St. and named it Frank's Bakery in honor of their father. In November of 1947 the business was moved to 199 State St. where it operates to this day and employs 35 people; and
- WHEREAS,** the bakery's motto is "Where Good Means the Best," and the family continues the tradition of making baked goods from scratch; and
- WHEREAS,** Frankie Fontaine, actor/comedian, who played Crazy Guggenheim on the Jackie Gleason Show, stated that Frank's Catering made the best prime rib in the world; and
- WHEREAS,** Frank's "Tart Queen", Bernadette, has provided fresh strawberry, raspberry, and blueberry tarts during the summer for almost 25 years; and
- WHEREAS,** for 21 years, the Soucy family has provided ice cream and support for the Chapin Park Block Party and continually gives back to the community.

NOW, THEREFORE, I, Nelson E. Durgin, Mayor of the City of Bangor, on behalf of the City Council and the citizens of Bangor, do hereby recognize and congratulate Frank's Bake Shop and Catering Service on the occasion of their 70th Anniversary of providing delicious baked goods to the Greater Bangor Area and beyond.

Given this the 14th day of October, 2015.

Nelson E. Durgin, Mayor



**PROCLAIMING OCTOBER TO BE DOMESTIC VIOLENCE AWARENESS MONTH
IN THE CITY OF BANGOR**

WHEREAS, the problem of domestic violence is not confined to any one group of people but crosses all economic, racial, gender, and societal lines; and

WHEREAS, violence against women and children is an especially prevalent problem in society; and

WHEREAS, victims should have help and support to find the compassion, comfort, and healing they need; and

WHEREAS, Spruce Run – Womancare Alliance has served many people in our region affected by domestic abuse and continues to work to end personal, institutional, and cultural violence; and

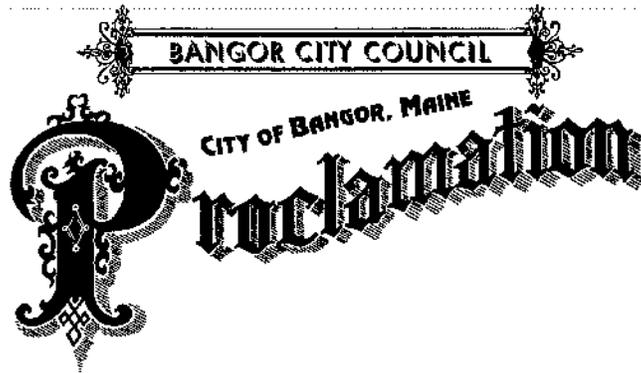
WHEREAS, Spruce Run – Womancare Alliance has been an integral part of our community since it incorporated in Maine in 1973 as just the third domestic violence project in the country; and

WHEREAS, together we affirm that domestic violence has no place in the City of Bangor.

NOW, THEREFORE, I, Nelson E. Durgin, Mayor of the City of Bangor, on behalf of the City Council of the City of Bangor, do hereby proclaim October to be Domestic Violence Awareness Month in the City of Bangor and do hereby offer our thanks and respect to Spruce Run – Womancare Alliance and pledge our support and cooperation for ending domestic violence in our community.

Given this the 14th day of October, 2015.

Nelson E. Durgin, Mayor



PROCLAIMING OCTOBER 24th, 2015 AS WORLD POLIO AND PURPLE PINKIE DAY IN THE CITY OF BANGOR

WHEREAS, World Polio Day was established by Rotary International over a decade ago to be held on October 24th, in celebration of the birth of Dr. Jonas Silk, the man who led the first team to develop a vaccine against polio; and

WHEREAS, the development of the vaccine reduced polio worldwide by 99% with only two countries remaining as polio endemic countries; and

WHEREAS, Rotary International and its private and governmental partners are committed to totally eradicating polio worldwide with help of programs like the Purple Pinkie Project that consists of painting children's little finger purple to show they received the polio vaccination; and

WHEREAS, Rotary District 7790, covering central Maine and Eastern Quebec, continue to work to eradicate polio through district activities like the Purple Pinkie Project to increase public knowledge, awareness, and funds to end polio; and

WHEREAS, the Bangor Noontime Rotary, Bangor Morning Rotary, and Old Town Rotary are participating in the Purple Pinkie Project in the Greater Bangor Area during the week of October 24th.

NOW, THEREFORE, I, Nelson E. Durgin, Mayor of the City of Bangor, on behalf of the City Council and the citizens of Bangor, do hereby proclaim October 24th, 2015 as World Polio and Purple Pinkie Day in the City of Bangor and urge all citizens to recognize and participate in these important activities.

Given this the 14th day of October, 2015.

Nelson E. Durgin, Mayor



**CONSENT
AGENDA**

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – SEPTEMBR 28, 2015

*Meeting called to Order at 7:30 PM
 Chaired by Council Chair Durgin
 Councilors Absent: Blanchette
 Meeting Adjourned at 7:57 PM*

PUBLIC COMMENT *Mr. Kent thought the school budget and police salaries should be increased to help increase the population.*

CONSENT AGENDA ITEM NO.	ASSIGNED TO COUNCILOR
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MINUTES OF: *Bangor City Council Regular Meeting of September 14, 2015, Finance Committee Meeting of September 9, 2015 and September 21, 2015, Airport Committee Meeting of September 15, 2015*

Action: *Accepted and Approved*

LIQUOR LICENSE RENEWAL:	<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of Massimo's Cucina Italiana Inc. d/b/a Massimo's Cucina Italiana, 96 Hammond Street</i>	CIVIELLO
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Action: *Approved*

	<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of Uno of Bangor Inc. d/b/a Uno Pizzeria & Grill, 725 Stillwater Avenue</i>	CIVIELLO
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Action: *Approved*

	<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of Amas, Inc. d/b/a Thistles Restaurant, 175 Exchange Street</i>	CIVIELLO
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Action: *Approved*

	<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of WNC Bangor Corporation LLC d/b/a Bangor Airport Four Points, 308 Godfrey Boulevard</i>	CIVIELLO
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Action: *Approved*

	<i>Application for Liquor License Renewal, Malt, Vinous of First Lady, Inc. d/b/a Governor's Restaurant, 643 Broadway</i>	CIVIELLO
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Action: *Approved*

<u>15-316</u>	<u>ORDER</u>	<i>Authorizing Execution of Documents for the Sale of 177 Pearl Street to John Doherty (Map 053-Lot 183) in the Amount of \$12,000</i>	SPRAGUE
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Action: *Passed*

<u>15-317</u>	<u>ORDER</u>	<i>Authorizing the City Manager to execute concession and lease agreements with Alamo, Avis, Budget, Hertz and National Car Rental Companies at Bangor International Airport</i>	GRAHAM
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Action: *Passed*

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – SEPTEMBR 28, 2015

CONSENT AGENDA ITEM NO.			ASSIGNED TO COUNCILOR
<u>15-318</u>	<u>ORDER</u>	<i>Authorizing the City Manager to Terminate the Lease Between Montage Enterprises, d/b/a The Grasshopper Shop, and the City of Bangor</i>	FAIRCLOTH
		<i>Action: Passed</i>	
<u>15-319</u>	<u>ORDER</u>	<i>Authorizing the City Manager to execute a lease agreement between the City of Bangor and Gary Co-Wallis, owner of The Grasshopper Shop, for rental of Room #203 within the Domestic Terminal at Bangor International Airport (BGR)</i>	NEALLEY
		<i>Action: Passed</i>	
<u>15-320</u>	<u>ORDER</u>	<i>Authorizing the City Manager to execute an amendment to the lease agreement between the City of Bangor and LifeFlight of Maine, LLC, for the rental of Hangar #600 at Bangor International Airport (BGR)</i>	CIVIELLO
		<i>Action: Passed</i>	
<u>15-321</u>	<u>ORDER</u>	<i>Authorizing the City Manager to execute a lease agreement between the City of Bangor and T&T Capital for the rental of Bay #3 within Hangar #123 at Bangor International Airport (BGR)</i>	GRAHAM
		<i>Action: Passed</i>	
<u>15-322</u>	<u>ORDER</u>	<i>Authorizing City Engineer to Begin the Process of Discontinuance of a Portion of Kittredge Road.</i>	PLOURDE
		<i>Action: Passed</i>	
<u>15-323</u>	<u>ORDER</u>	<i>Authorizing the City Manager to Execute a Collective Bargaining Agreement between the City of Bangor and AFSCME Council 93, Representing Aircraft Dispatchers at Bangor International Airport</i>	BALDACCI
		<i>Action: Passed</i>	
<u>15-324</u>	<u>ORDER</u>	<i>Authorizing the City Manager to Execute a Collective Bargaining Agreement between the City of Bangor and AFSCME Council 93, Representing Aircraft Mechanics at Bangor International Airport</i>	FAIRCLOTH
		<i>Action: Passed</i>	
<u>15-325</u>	<u>ORDER</u>	<i>Authorizing the City Manager to Execute a Collective Bargaining Agreement between the City of Bangor and AFSCME Council 93, Representing Airport and Building Maintenance employees at Bangor International Airport</i>	SPRAGUE
		<i>Action: Passed</i>	

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – SEPTEMBER 28, 2015

CONSENT AGENDA			ASSIGNED TO
ITEM NO.			COUNCILOR
<u>15-326</u>	<u>ORDER</u>	<i>Authorizing the City Manager to Execute a Collective Bargaining Agreement between the City of Bangor and AFSCME Council 93, Representing Ramp Attendants and Shift Leads at Bangor International Airport</i>	GRAHAM
	<i>Action:</i>	<i>Passed</i>	
<u>15-327</u>	<u>ORDER</u>	<i>Authorizing the City Manager to Execute a Collective Bargaining Agreement between the City of Bangor and Federation of Public Employees, AFT, AFL-CIO, Representing certain Fleet Maintenance Employees</i>	PLOURDE
	<i>Action:</i>	<i>Passed</i>	
<u>15-328</u>	<u>ORDER</u>	<i>Authorizing the City Manager to Execute a Collective Bargaining Agreement between the City of Bangor and AFSCME Council 93, Representing Public Works Employees</i>	BALDACCI
	<i>Action:</i>	<i>Passed</i>	
<u>15-329</u>	<u>RESOLVE</u>	<i>Ratifying Application for \$49,683.40 in Emergency Management Planning Grant (EMPG) Funding from the Maine Emergency Management Agency (MEMA)</i>	CIVIELLO
	<i>Action:</i>	<i>Passed</i>	
REFERRALS TO COMMITTEE AND FIRST READING			ASSIGNED TO
ITEM NO.			COUNCILOR
<u>15-330</u>	<u>ORDINANCE</u>	<i>Amending Chapter 23, Boards, Committees and Commissions, of the Code of the City of Bangor, By Amending the Membership of the Downtown Parking Advisory Committee</i>	GRAHAM
	<i>Action:</i>	<i>First Reading and Referral to Business and Economic Development Committee Meeting on October 6, 2015</i>	
<u>15-331</u>	<u>ORDINANCE</u>	<i>Chapter 268, Stormwater, of the Code of the City of Bangor, By Modifying Stormwater Fee Exemption and Maintenance Requirements</i>	PLOURDE
	<i>Action:</i>	<i>First Reading</i>	
<u>15-332</u>	<u>RESOLVE</u>	<i>Authorizing the City Manager to Accept and Appropriate \$115,638 in Partnership for Success (PFS) 2015 Project funds from the State of Maine's Substance Abuse and Mental Health Services (SAMHS)</i>	CIVIELLO
	<i>Action:</i>	<i>First Reading and Referral to Government Operations Committee Meeting on October 5, 2015</i>	

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – SEPTEMBR 28, 2015

UNFINISHED BUSINESS ITEM NO		ASSIGNED TO COUNCILOR
<u>15-307</u>	<u>ORDINANCE</u> <i>Amending Chapter 116, Fire Prevention Code, of the Code of the City of Bangor, By Adopting NFPA 1, Uniform Fire Code, 2006 Edition</i>	PLOURDE
	<i>Action: Motion made and seconded for Passage Vote: 8 – 0 Councilors Voting Yes: Baldacci, Civiello, Faircloth, Graham Nealley, Plourde, Sprague, Durgin Councilors Voting No: None Passed</i>	
<u>15-308</u>	<u>ORDINANCE</u> <i>Amending Map Entitled “Downtown Parking Management District” by Creating a 15 Minute Parking Space on Merchants Plaza</i>	GRAHAM
	<i>Action: Motion made and seconded for Passage Vote: 8 – 0 Councilors Voting Yes: Baldacci, Civiello, Faircloth, Graham Nealley, Plourde, Sprague, Durgin Councilors Voting No: None Passed</i>	
<u>15-309</u>	<u>RESOLVE</u> <i>Authorizing the City Manager to Accept and Appropriate Grant Funds from the Maine Department of Health and Human Services – WIC Nutrition Program</i>	BALDACCI
	<i>Action: Motion made and seconded for Passage Passed</i>	
<u>15-310</u>	<u>RESOLVE</u> <i>Authorizing the City Manager to Accept and Appropriate \$179,023.00 in Homeland Security Grant Funding from the Maine Emergency Management Agency (MEMA)</i>	SPRAGUE
	<i>Action: Motion made and seconded for Passage Passed</i>	
<u>15-311</u>	<u>RESOLVE</u> <i>Authorizing the City Manager to Accept and Appropriate \$132,000 in Grant Funds from the Maine Department of Health and Human Services, Center for Disease Control and Prevention (CDCP), for the Sodium Reduction in Communities Program</i>	PLOURDE
	<i>Action: Motion made and seconded for Passage Passed</i>	
<u>15-312</u>	<u>RESOLVE</u> <i>Accepting and Appropriating a Grant in the amount of \$125,000 from the Substance Abuse and Mental Health Services Administration (SAMHSA) to Implement Drug Free Communities Program</i>	CIVIELLO
	<i>Action: Motion made and seconded for Passage Passed</i>	

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – SEPTEMBER 28, 2015

NEW BUSINESS ITEM NO.		ASSIGNED TO COUNCILOR
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PUBLIC HEARING: *Application for Special Amusement License Renewal of Amas Inc.
d/b/a Thistles Restaurant, 175 Exchange Street* **CIVIELLO**

Action: *Motion made and seconded to Open Public Hearing
Public Hearing Opened
Motion made and seconded to Close Public Hearing
Public Hearing Closed
Motion made and seconded for Approval
Approved*

15-333 ORDER *Confirming the Appointment of Andrew F. Rudzinski as Director of
Water Quality Management and Authorizing Execution of an
Employment Agreement* **FAIRCLOTH**

Action: *Motion made and seconded for Passage
Passed*

15-334 ORDER *Authorizing Bid Award in the Amount of \$515,112 to Lou Silver for
Davis Court and First Street Utility Upgrades Project* **NEALLEY**

Action: *Motion made and seconded for Passage
Passed*

ATTEST: 
Lisa J. Goodwin, MMC, City Clerk

FINANCE COMMITTEE MINUTES

September 28, 2015 @ 5:15 pm

Councilors in Attendance: Civiello, Baldacci, Graham, Nealley, Sprague, Durgin, Plourde

Staff in Attendance: Cyr

1. Bids/Purchasing

- a. Davis Court and First Street Utility Upgrades – Engineering – Lou Silver
\$515,112

Questions were raised regarding whether or not this project was directly tied to the planned Bangor Housing Development and whether or not Bangor Housing would be contributing. These questions were addressed at the Council Meeting later that evening. Both the Water District and the City had this project as a priority for replacement/upgrade and separation. The planned development did result in the work being undertaken now for timing purposes. Bangor Housing is being requested to contribute a share based on the estimated increase of their development.

Motion made and seconded to recommend awarding contracting to full Council. Motion passed unanimously.

FINANCE COMMITTEE MINUTES
October 5, 2015 @ 5:15 pm

Councilors in Attendance: Sprague, Graham, Nealley, Durgin, Plourde, Faircloth

Staff in Attendance: Cyr, Cyr, Rudzinski, Wardwell, Conlow, Dawes

1. Bids/Purchasing

- a. BUS Duct Replacement – WWTP – ELCO Electric - \$102,929
Motion made and seconded to recommend award of contract to full Council. Motion passed unanimously.

- b. GPS Units – Public Works – AT&T National Mobility - \$13,311
Motion made and seconded to award contract. Motion passed unanimously.

- c. Request to Piggyback on State Contract – Flashing Pedestrian Beacons – Public Works – Tapco - \$28,250
Motion made and seconded to purchase from State contract. Motion passed unanimously.

- d. Request to Waive Bid Process - Oil Water Separator – Fleet Maintenance - \$13,489
Motion made and seconded to authorize contract to Lou Silver.
Motion passed unanimously.

Meeting adjourned 5:22 pm

Government Operations Committee

September 21, 2015

Minutes

Councilors Attending: Civiello, Nealley, Sprague, Baldacci, Plourde, Graham, Durgin

Staff Attending: Conlow, Farrar, Heitmann, Nicklas, Willette, Higgins, Riitano, Brooke, Sandborn

Others Attending: Media, BDN, Megan Shorette

The meeting was called to order by Chair Civiello at 6:15pm

1. Referral: Council Ordinance 15-307 – Amending Chapter 116, Fire Prevention Code of the City of Bangor, by Adopting NFPA1, Uniform Fire Code, 2006 Edition

Assistant Solicitor Nicklas and Fire Chief Higgins explained the proposal to adopt NFPA 1, Uniform Fire Code, 2006 edition to replace the 1987 BOCA Fire Prevention Code. It was moved by Sprague and seconded by Graham and voted to recommend approval of the Ordinance amendment to the City Council.

2. Request to Apply for Certain Fire Grants

Chief Higgins explained the various grants that the Fire Department will be seeking. He is requesting approval to apply for the grants as they become available. One opportunity, the MEMA Planning Grant, already had to be submitted due to a short turnaround time, so he will be asking for Council to ratify that grant submission after the fact. It was moved by Sprague and seconded by Graham and voted to recommend approval to apply for the various grants, and to ratify the submission of the MEMA Planning grant.

3. The Queen City Piano Project

Parks and Recreation Director Willette explained the Queen City Piano Project, which will consist of pianos being placed in several city parks during the first few weeks in October. They will be there to be played by members of the public. This is in conjunction with the upcoming "ARTober" celebration and related arts / cultural events during the month of October. The Cultural Commission was able to secure a grant to help with the "ARTober" celebration and this particular endeavor. The Legal Department has determined that Willette has authority to grant permission for the temporary placement of items in Parks, so this item was presented as an update and to advise the Council of this upcoming event. Questions were asked and answered concerning responsibility, security, weather implications, oversight and related issues. The Committee was satisfied with the responses

and was pleased with this line of creative thinking to highlight arts and culture around the city.

4. City Council Attendance/ Absence policy Discussion

City Manager Conlow reviewed her memorandum outlining possible approaches to deal with Council attendance/ absence. Included were several examples from other communities across the country. She outlined the differences between a Charter amendment, an Ordinance amendment, and adoption of a policy. Each has various implications regarding timing for adoption and levels/ severity of informal and formal enforcement. All Councilors spoke about their positions on the various alternatives, and how they would like to proceed with this issue. City Solicitor Heitmann outlined options that were available to Council. At the end of the discussion, a consensus developed to have the legal department develop an attendance and absence policy/ordinance for committee consideration during the winter. The intent of this approach was that if the policy/ ordinance approach didn't produce the desired outcome, then it could lead to further discussion during the spring. If needed, the policy/ordinance could then become a template and lead to language for a potential Charter amendment that Council could consider for the fall 2016 ballot. This approach was moved by Baldacci, seconded by Graham and so voted. This item will return to Committee once the draft policy is prepared later this year or early in 2016.

5. Selection of Voting Delegates for the Maine Municipal Association Annual Business Meeting

Assistant Manager Farrar explained the procedure to appoint voting delegates to the annual Maine Municipal Association Business meeting on October 7th. It was moved by Baldacci, seconded by Sprague to appoint Council Chair Durgin as the voting delegate, and Assistant Manager Farrar as the alternate, and so voted. Authority was also provided to City Manager Conlow to complete and submit the required form.

With no further business to come before the committee, the meeting was adjourned at 7:15pm.

Government Operations Committee

Minutes

October 5, 2015

Councilors Attending: Plourde, Sprague, Nealley, Graham, Durgin, Faircloth

Staff Attending: Conlow, Farrar, Hamilton, Higgins

Others Attending: none

Acting Committee Chair Plourde called the meeting to order at 5:25 pm

1. Referral: Council Resolve 15-332 Authorizing the City Manager to Accept and Appropriate \$115,638 in Partnership for Success (PFS) 2015 Project funds from the State of Maine's Substance Abuse and Mental Health Services (SAMHS)
 - Director Hamilton explained the purpose and associated details of the grant. It was moved by Sprague, seconded by Graham and unanimously voted to recommend approval of the Resolve to the full Council.

2. Contract for Medical Services with Dr Robert Bowie – Bangor Fire Department
 - Fire Chief Higgins explained the need for the medical services contract with Dr Bowie, the term and the amount of compensation. This is a continuation of the current contract with the same terms and conditions. It was moved by Sprague, seconded by Nealley and unanimously voted to recommend approval of the contract to the full Council.

With no further business to come before the Committee, the meeting was adjourned at 5:27.

COUNCIL ACTION

Item No. 15-335

Date: October 12, 2015

Item/Subject: **ORDER**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 110 Walter Street (Map 24 Lot 124A)

Responsible Department: Legal

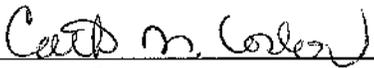
Commentary:

Sewer liens matured in 2012 on the property located at 110 Walter Street and previously owned by Colby Grant, now owned by Deutsche Bank National Trust Company. At some point all outstanding charges were paid, but these liens were not discharged. Because the liens had matured, a municipal quitclaim deed is required to release the City's interest in the property.

Staff recommends approval.

Department Head

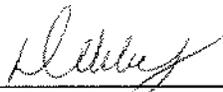
Manager's Comments:



City Manager

Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for Consent Agenda

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

OCTOBER 14, 2015



Assigned to Councilor Civiello

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 110 Walter Street (Map 24 Lot 124A).

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 sewer liens recorded in the Penobscot County Registry of Deeds in Book 12211, Page 183, Book 12397, Page 256 and Book 12675, Page 140. Said deed shall be directed to Deutsche Bank National Trust Company in a form approved by the City Solicitor or Assistant City Solicitor.

Date: October 14, 2015

Item/Subject: **ORDER, Authorizing Bid Award in the Amount of \$102,929 to ELCO Electric for Cable Bus Duct Replacement**

Responsible Department: **WWTP**

Commentary:

On September 23, 2015, the City received two (2) bids from one vendor to replace the Cable Bus Duct(s). The bid prices ranged from \$77,247 to \$102,929 (see attached bid tabulation).

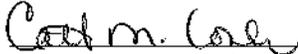
Earlier this year the WWTP experienced a failure in its cable BUS duct system, which is a redundant system that pulls electrical power from the grid to the plant for its operations. Due to the critical nature of the system, the initial intent was to merely replace the equipment. With AECOM's assistance it became clear that other options were available so a bid was issued. Unfortunately, the funds for this project were not included within the FY 2016 budget, as it was assumed it would be resolved in FY 2015. However, the WWTP did realize adequate savings in the recent bid results of the First Street/Davis Court project, to fund this project.

This item was reviewed and recommended for approval by the Finance Committee on October 5, 2015. The recommendation to award to the higher bid was due to the fact that the low bid did not meet specifications.

As the award exceeds \$100,000 it does require Council action.

Department Head

Manager's Comments:



City Manager

Associated Information:

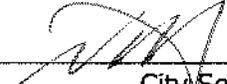
Bid Tabulation

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage - Consent
- First Reading
- Referral

OCTOBER 14, 2015



Assigned to Councilor Sprague

CITY OF BANGOR

(TITLE.) Order, Authorizing Bid Award in the Amount of \$102,929 to ELCO Electric for Cable BUS Duct Replacement

By the City Council of the City of Bangor:

ORDERED,

THAT, Deborah Cyr, Finance Director is hereby authorized to execute a contract with ELCO Electric in the amount of \$102,929 for Cable BUS Duct Replacement.

City of Bangor Bid Tabulation
RFB: B16-014: Cable Bus Duct
Bid Opening: September 23, 2015

Item	Description	Quantity	Unit	ELCO Electric Bangor, ME Total Bid Price
1	Cable Bus Duct	2	Lump Sum	\$32,650.00
2	All personnel, labor, and other materials necessary for the completion of requested work.	Lump Sum	Lump Sum	\$44,597.00
Total Bid Amount:				\$77,247.00
Manufacturer:				MDF Cable Systems
Number of days to complete the work upon receipt of a purchase order:				112 Days

Item	Description	Quantity	Unit	ELCO Electric Bangor, ME Total Bid Price
1	Cable Bus Duct	2	Lump Sum	\$65,350.00
2	All personnel, labor, and other materials necessary for the completion of requested work.	Lump Sum	Lump Sum	\$37,579.00
Total Bid Amount:				\$102,929.00
Manufacturer:				Superior Tray Systems, Inc.
Number of days to complete the work upon receipt of a purchase order:				112 Days

COUNCIL ACTION

Item No. 15-337

Date: October 14, 2015

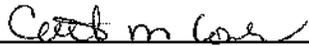
Item/Subject: Order, Authorizing the City Manager to Execute a Professional Services Contract with Robert Bowie, M.D. to serve as Medical Director for the Bangor Fire Department

Responsible Department: Fire

Commentary: This Order will authorize the execution of a 3 year professional services contract with Robert Bowie to serve as Medical Director for the Emergency Medical Services Division of the Bangor Fire Department. Dr. Bowie has provided this service for the past decade and will continue to be compensated at the rate of \$3,000 per year. This is a renewal of the previous contract with the same terms and conditions. This was reviewed and recommended for approval at the October 5, 2015 Government Operations Committee meeting.

Department Head

Manager's Comments:



City Manager

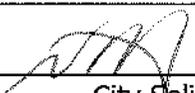
Associated Information: Order, Contract

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral

OCTOBER 14, 2015

Assigned to Councilor Plourde



CITY OF BANGOR

ORDER, Authorizing the City Manager to Execute a Contract for Professional Services with Robert Bowie, M.D. to serve as Medical Director for the Bangor Fire Department

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

The City Manager is hereby authorized to execute a three year contract with Dr. Robert Bowie to serve as Medical Director for the Bangor Fire Department in accordance with the terms and conditions in the attached contract.

CONTRACT FOR PROFESSIONAL SERVICES

This contract for professional services is made this _____ day of _____, 2015, by and between the CITY OF BANGOR, a municipal corporation organized and existing under the laws of the State of Maine (hereinafter "City"), and ROBERT BOWIE, M.D. (hereinafter "Medical Director") of Orono, Maine.

WITNESSETH:

WHEREAS, Robert Bowie, M.D., served as Medical Director for Bangor Fire Department Emergency Medical Service (EMS) pursuant to a separate agreement; that has expired; and

WHEREAS, the parties wish to enter into a new contract for a three year period;

NOW THEREFORE, in consideration of the mutual promises and covenants contained in this Contract, the parties hereto agree as follows:

1. The term of this contract shall be for three years, from January 1, 2015, through December 31, 2018.
2. The Medical Director agrees to perform the following duties:
 - a. Oversee all Emergency Medical Services (EMS) provided by the City of Bangor Fire Department;
 - b. Ensure all EMS operations are up to date and in compliance with all State of Maine laws and regulations;
 - c. Assist the City's Quality Assurance (QA) and Quality Improvement (QI) programs, as necessary;
 - d. Conduct an annual class for each crew; and
 - e. Conduct a paramedic recertification/decertification class every six months, if necessary
3. The City shall pay the Medical Director an annual fee of THREE THOUSAND DOLLARS (\$3000.00), payable in two installments- on or about July 1 and January 1 of each year.
4. The Medical Director acknowledges and agrees that he is an independent contractor and not an employee of the City of Bangor and, as such, is responsible for his own taxes and is not covered by the City's insurance, including Workers' Compensation coverage.
5. Either party may terminate this contract for no cause by giving sixty (60) days written notice to the other party. In the event either party terminates this contract, the City

shall pay the Medical Director a pro-rated amount of the annual fee based on the actual length of the contract.

IN WITNESS WHEREOF this contract has been executed, sealed and delivered as of the day and year first above written.

CITY OF BANGOR

Witness

By: Catherine Conlow
Its: City Manager

ROBERT BOWIE, M.D.

Witness

COUNCIL ACTION

Item No. 15-338

Date: October 14, 2015

Item/Subject: ORDER, Authorizing an Amendment to the Indenture of Lease with FGS/CMT, Inc. (Map 001, Lot 097)

Responsible Department: Community and Economic Development

Commentary: FGS/CMT, Inc., a consulting engineering firm, wishes to extend the term of its lease for Building #97 at 136 Maine Ave., Bangor. FGS/CMT, Inc. has been leasing Building #97 at 136 Maine Ave. since 1996 for use as a professional office. The proposed amendment would extend the term for three (3) years and set the lease rate at \$958 per month during the first year, \$1,015 per month during the second year and \$1,070 per month during the third year.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its October 6, 2015 meeting.

s/Tanya Emery
Department Head

Manager's Comments:

Catherine M. Colver
City Manager

Associated Information:

Budget Approval:

[Signature]
Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for

- Passage
- First Reading
- Referral

Page __ of __

OCTOBER 14, 2015



Assigned to Councilor Baldacci

CITY OF BANGOR

(TITLE.) ORDER, Authorizing an Amendment to the Indenture Of Lease with FGS/CMT, Inc. (Map 001, Lot 097)

WHEREAS, FGS/CMT, Inc. has leased office space in the building at 136 Maine Ave. from the City of Bangor since 1996; and

WHEREAS, FGS/CMT, Inc. has requested to extend the term of the lease agreement:

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 an Amendment to the Indenture of Lease between the City of Bangor and FGS/CMT, Inc. for offices at 136 Maine Ave. in a form approved by the City Solicitor or Assistant City Solicitor. The term is extended for three (3) years at a lease rate of \$958 per month during the first year, \$1,015 per month during the second year and \$1,070 per month during the third year.

COUNCIL ACTION

Item No. 15-339

Date: October 14, 2015

Item/Subject: **RESOLVE, Accepting a \$250 Donation from the University of Maine
Humanities Center to Support a Month of the Arts, in Bangor**

Responsible Department: Community & Economic Development

Commentary:

The City of Bangor's Commission on Cultural Development has received a donation in the amount of \$250 from the University of Maine's Humanities Center to support ARTober, a month celebrating arts and culture in Bangor. The Commission is grateful to the University of Maine Humanities Center not only for its financial contribution to ARTober, but also the invaluable resource support they have contributed to make the inaugural month-long celebration of the arts a success. This matter was reviewed and approved by the Business & Economic Development Committee on October 6, 2015.

/s/ Tanya Emery
Department Head

Manager's Comments:

Catherine M. Lark
City Manager

Associated Information:

Budget Approval:

[Signature]
Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for

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

Page __ of __

OCTOBER 14, 2015



Assigned to Councilor Faircloth

CITY OF BANGOR

(TITLE.) RESOLVE, Accepting a \$250 Donation from the University of Maine Humanities Center to Support a Month of the Arts, in Bangor

WHEREAS, a donation has been made by the University of Maine Humanities Center to support ARTober (October), a month dedicated to the arts in Bangor; and

WHEREAS, the City has directed the Commission on Cultural Development to promote the development of Bangor as a regional arts center that nurtures the artistic and cultural expression of its diverse peoples; and

WHEREAS, the City's Commission on Cultural Development will utilize the donated funds to promote Bangor as an arts destination, to strengthen ties between arts and business communities, and to expand arts access to new populations:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BANGOR, THAT

The City Manager is hereby authorized to accept a donation in the amount of \$250 from the University of Maine Humanities Center to support a Month of the Arts in Bangor.



**REFERRALS TO COMMITTEES
& FIRST READINGS**

COUNCIL ACTION

Item No. 15-340

Date: October 14, 2015

Item/Subject: **ORDINANCE**, Amending Map Entitled "Downtown Parking Management District" by Designating Nine Parking Spaces on Union Street as "Parking Limited to Four Hours"

Responsible Department: Legal

Commentary:

This ordinance amendment would designate nine parking spaces on the section of Union Street underneath the Joshua Lawrence Chamberlain Bridge as four hour parking spaces. These parking spaces are currently designated as parking by permit only. None of the permits for the spaces are currently held by anyone. Area businesses have requested the change.

The Business and Economic Development Committee reviewed this item on October 6, 2015.

Department Head

Manager's Comments:

City Manager

Associated Information: Ordinance

Budget Approval:

Finance Director

Legal Approval:


City Solicitor

Introduced for

- Passage
- First Reading
- Referral

OCTOBER 14, 2015

Assigned to Councilor Graham



CITY OF BANGOR

(TITLE.) ORDINANCE, Amending Map Entitled "Downtown Parking Management District" by Designating Nine Parking Spaces on Union Street as "Parking Limited to Four Hours"

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

THAT the map entitled "Downtown Parking Management District", referred to in City of Bangor Code Section 291-37(B), is hereby amended by changing the designation of the nine parking spaces on Union Street underneath the Joshua Lawrence Chamberlain bridge currently designated as "Parking prohibited except for vehicles with special permits" to "Parking limited to four hours."



**UNFINISHED
BUSINESS**

COUNCIL ACTION

Item No. 15-330

Date: September 28, 2015

Item/Subject: **ORDINANCE**, Amending Chapter 23, Boards, Committees and Commissions, of the Code of the City of Bangor, By Amending the Membership of the Downtown Parking Advisory Committee

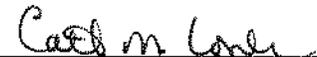
Responsible Department: Legal

Commentary:

This ordinance amendment would remove two City staff members from the Downtown Parking Advisory Committee and replace them with a downtown resident and downtown business owner or manager. These new members can provide valuable perspective on downtown parking issues, and staff members already have the opportunity to provide input through their positions. The new members of the Committee would be appointed with the Personnel Committee, as are members of other City boards and commissions.

Department Head

Manager's Comments:



City Manager

Associated Information: Ordinance

Budget Approval:

Finance Director

Legal Approval:



City Solicitor

Introduced for

Passage

First Reading

Referral to the Business and Economic Development Committee on October 6, 2015

Assigned to Councilor Graham



CITY OF BANGOR

ORDINANCE, Amending Chapter 23, Boards, Committees and Commissions, of the Code of the City of Bangor, By Amending the Membership of the Downtown Parking Advisory Committee

WHEREAS, the Downtown Parking Advisory Committee is responsible for reviewing certain aspects of downtown parking and providing recommendations to the City Council regarding the same;

WHEREAS, this Committee should represent an opportunity for those with an interest in the downtown to provide input to the City;

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

Chapter 23 of the Code of the City of Bangor be amended as follows:

§ 23-35. Establishment; membership; term.

- A. There is hereby established a Downtown Parking Advisory Committee for the City of Bangor.
- B. The Committee shall consist of ~~five~~ seven members:
- (1) A City Councilor, who shall serve as Committee Chair, appointed by the Council Chair;
 - (2) ~~A staff member from the Community & Economic Development Department, appointed by the Department's Director~~ A person who resides within the Downtown Parking Management District, appointed by the Personnel Committee of the City Council;
 - (3) A resident of the City of Bangor, with preference given to one who resides outside of the Downtown Parking Management District, appointed by the Personnel Committee of the City Council;
 - (4) The owner or manager of a business within the Downtown Parking Management District, appointed by the Personnel Committee of the City Council;
 - (5) A person who owns property in the City of Bangor, appointed by the Personnel Committee of the City Council; and
 - (6) Two members of the Downtown Bangor Partnership Board of Directors, appointed by the Board; ~~and~~

SEPTEMBER 28, 2015

- (4) ~~A staff member from the Bangor Police Department, appointed by the Chief of Police.~~
- C. The term of each member shall be for ~~one year~~ two years, or until the member's successor has been appointed; excepting that, for the initial terms only, two of the members appointed by the Personnel Committee and one of the members appointed by the Downtown Bangor Partnership Board of Directors shall be appointed for a one year term. Any vacancy shall be filled in the same manner for the unexpired term.

§ 23-36. Authority.

The Downtown Parking Advisory Committee is hereby authorized to review the City's parking resources, prices and fees, and policies as they relate to on-street and off-street parking in the Downtown Parking Management Area and make recommendations regarding the same to the City Council and its appropriate committees.

§ 23-37. Meetings; quorum.

- A. The Committee shall meet as follows:
- (1) Quarterly, at a regularly established time and date, provided that there is business to be conducted; and
 - (2) When requested to meet by the Committee Chair or by the City Council.
- B. A quorum shall consist of at least three Committee members; at least one shall be the Committee Chair.

Additions are underlined, deletions ~~struck through~~.

SEPTEMBER 28, 2015

Assigned to Councilor Graham



CITY OF BANGOR

ORDINANCE, Amending Chapter 23, Boards, Committees and Commissions, of the Code of the City of Bangor, By Amending the Membership of the Downtown Parking Advisory Committee

WHEREAS, the Downtown Parking Advisory Committee is responsible for reviewing certain aspects of downtown parking and providing recommendations to the City Council regarding the same;

WHEREAS, this Committee should represent an opportunity for those with an interest in the downtown to provide input to the City;

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

Chapter 23 of the Code of the City of Bangor be amended as follows:

§ 23-35. Establishment; membership; term.

- A. There is hereby established a Downtown Parking Advisory Committee for the City of Bangor.
- B. The Committee shall consist of five members:
- (1) A City Councilor, who shall serve as Committee Chair, appointed by the Council Chair;
 - (2) ~~A staff member from the Community & Economic Development Department, appointed by the Department's Director~~ A downtown resident, appointed by the Personnel Committee of the City Council;
 - (3) The owner or manager of a downtown business, appointed by the Personnel Committee of the City Council; and
 - (4) Two members of the Downtown Bangor Partnership Board of Directors, appointed by the Board,[;] and
 - (4) ~~A staff member from the Bangor Police Department, appointed by the Chief of Police.~~
- C. The term of each member shall be for one year or until the member's successor has been appointed. Any vacancy shall be filled in the same manner for the unexpired term.

§ 23-36. Authority.

The Downtown Parking Advisory Committee is hereby authorized to review the City's parking resources, prices and fees, and policies as they relate to on-street and off-street parking in the Downtown Parking Management Area and make recommendations regarding the same to the City Council and its appropriate committees.

§ 23-37. Meetings; quorum.

A. The Committee shall meet as follows:

- (1) Quarterly, at a regularly established time and date, provided that there is business to be conducted; and
- (2) When requested to meet by the Committee Chair or by the City Council.

B. A quorum shall consist of at least three Committee members; at least one shall be the Committee Chair.

Additions are underlined, deletions ~~struck through~~.

COUNCIL ACTION

Item No. 15-331

Date: September 28, 2015

Item/Subject: **ORDINANCE**, Amending Chapter 268, Stormwater, of the Code of the City of Bangor, By Modifying Stormwater Fee Exemption and Maintenance Requirements

Responsible Department: Legal

Commentary:

This proposed ordinance would make several changes to the City's stormwater utility ordinance, based on the City's experience thus far with enforcing the ordinance.

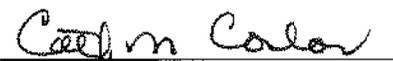
The first change would give the City additional time to review requests for exemptions from the ordinance. A property can be exempted from paying a fee if it can be proven that no stormwater discharges from the property. This determination can often only be made at certain times of the year, typically the spring. Depending on when the request is made, then, the City may need up to a year to determine whether stormwater discharges from the property. The change would also allow the City to refund stormwater fees back to the date of the request.

The second change amends the requirements regarding maintenance of structural controls and activities that are the basis for stormwater credits. The current requirement of an annual report requires a great deal of work by property owners and staff, and in most cases little will change from year to year. The amended ordinance would require a report or other evidence once every five years, which will allow the City to line the reporting up with updates to our aerial photography data.

This item was recommended for approval at the September 15th Infrastructure Committee meeting.

Department Head

Manager's Comments:



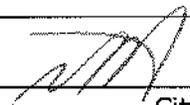
City Manager

Associated Information: Ordinance

Budget Approval:

Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral

SEPTEMBER 28, 2015

Assigned to Councilor Plourde



CITY OF BANGOR

ORDINANCE, Amending Chapter 268, Stormwater, of the Code of the City of Bangor, By Modifying Stormwater Fee Exemption and Maintenance Requirements

WHEREAS, the City of Bangor's stormwater utility allows for credits and exemptions under certain circumstances, based on how well a property contains and treats runoff;

WHEREAS, some aspects of a property's stormwater control can only be determined at certain times of the year; and

WHEREAS, the current reporting requirements for stormwater credits are impractical;

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

Chapter 268 of the Code of the City of Bangor be amended as follows:

§ 268-18. Stormwater service fees.

...

B. Calculation of fee. In general, funding for the Utility shall be equitably derived based on methods that establish a link between a fee and the degree of impact imposed on the stormwater system. The primary method shall be based on the amount of impervious cover of properties.

...

- (3) Properties that do not discharge stormwater off the property or into or through the stormwater system and properties with less than 500 square feet of impervious surface shall not be subject to a fee. An owner of such a property who receives a bill for the stormwater service fee may submit a request in writing to the Utility that the Utility investigate the applicability of the stormwater service fee for the property. The City Manager or his or her designee shall review the service fee and issue a decision, in writing, within 30 days as soon as practicable, but in any event within one year. Fees must be paid until the exemption is granted. Properties that are found to meet the criteria for exemption shall not be charged the stormwater service fee, and are also entitled to a refund of stormwater service fees previously paid for a period not to exceed six months paid after the request was made. A rate payer may appeal the decision of the Director or his designee to the Infrastructure Committee of the City Council within 30 days of the date of the decision. The rate payer may appeal a decision of the Infrastructure Committee to a court of competent jurisdiction within 30 days of the date of the Infrastructure Committee decision.

...

§ 268-19. Credits.

...

- E. Maintenance. The property owner must submit ~~a maintenance plan and annual documentation on evidence of the continued existence and good working order of all structural controls and nonstructural activities that serve as the basis for a credit in 2020 and once every five years thereafter.~~ A post-construction stormwater maintenance plan submitted in accordance with Chapter 268 of the Bangor City Code, or an update thereof, may, upon approval of the Utility, fulfill the ~~maintenance plan~~ this requirement. If maintenance is performed by the City at the City's expense, a partial credit may be given at the discretion of the City. A credit may be reduced or revoked at any time that it is determined by the Utility that the qualified control structures or qualified control programs are not performing adequately or are not being maintained to function as designed.

Additions are underlined, deletions ~~struck through~~.

COUNCIL ACTION

Item No. 15- 332

Date: September 28, 2015

Item/Subject: Resolve , Authorizing the City Manager to Accept and Appropriate \$115,638 in Partnership for Success (PFS) 2015 Project funds from the State of Maine's Substance Abuse and Mental Health Services (SAMHS).

Responsible Department: Public Health and Community Services

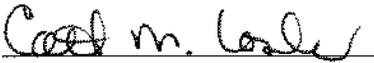
Commentary: This resolve would authorize the City Manager to accept and appropriate \$115,638 in grant funds from the Office of Substance Abuse and Mental Health Services for the first of a five-year project, renewable each year, for substance abuse prevention programs. The term of the first year would be October 1, 2015 to June 30, 2016.

The purpose of Maine's PFS 2015 project is to reduce underage drinking among the 12-20 year old population and to reduce high risk drinking, prescription drug abuse and marijuana use among the 12-25 year old population. During this five year project, evidence-based environmental strategies and programs will be implemented state-wide through community prevention coalitions located in all nine of Maine's Public Health Districts.

Bangor Public Health and Community Services would serve as the lead agency to receive funding on behalf of the three Penquis District Healthy Maine Partnerships. This includes the thirteen municipalities of the Bangor region; the Partnership for Healthy Northern Penobscot; and the Piscataquis Public Health Council.

Department Head

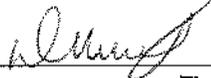
Manager's Comments:



City Manager

Associated Information: Resolve

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral Gov't Ops 10-5-15

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SEPTEMBER 28, 2015

Assigned to Councilor Civiello



CITY OF BANGOR

(TITLE.) Order, Authorizing the City Manager to Accept and Appropriate \$115,638 in Partnership for Success (PFS) 2015 Project funds from the State of Maine's Substance Abuse and Mental Health Services (SAMHS).

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT RESOLVED, that the City Manager is hereby authorized to Accept and Appropriate \$115,638 Partnership for Success (PFS) 2015 Project funds from the State of Maine's Substance Abuse and Mental Health Services (SAMHS) for the period October 1, 2015 to September 30, 2016.



**NEW
BUSINESS**

COUNCIL ACTION

Item No. 15-341

Date: October 14, 2015

Item/Subject: ORDER Authorizing the City Manager to Execute a Lease with General Electric Company (Map 001, Lot 273, Map 001, Lot 488, Map 001, Lot 466, Map 001, Lot 487)

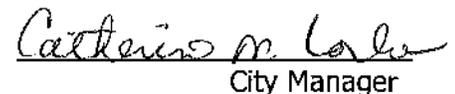
Responsible Department: Legal

Commentary: This Order will authorize the execution of documents necessary for a Lease with General Electric Company. General Electric Company has leased land from the City of Bangor since 1987. On May 11, 2015, by Council Order 15-174, the City Council authorized the execution of a new lease with General Electric Company for a term of fifteen years. In September 2014 General Electric Company and the City of Bangor had agreed that General Electric Company could use a parking lot adjacent to Building 487 for the remainder of the lease. During negotiations of the final terms and conditions of the new lease, General Electric Company requested that the lease include an option to renew for a five year term and that it include the parking lot adjacent to Building 487, items not previously considered by the Council. Last month, Building 487 was demolished creating a vacant lot potentially suitable for any expansion and it is in the best interest of the parties to include this parcel in the lease. This item was reviewed and recommended for approval by the Business and Economic Development Committee on October 6, 2015.



Department Head

Manager's Comments:



Catherine M. Corbett
City Manager

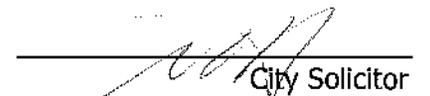
Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for
 Passage
 First Reading
 Referral

Page __ **of** __

OCTOBER 14, 2015

Assigned to Councilor Baldacci



CITY OF BANGOR

(TITLE.) ORDER, Authorizing the City Manager to Execute a Lease with General Electric Company (Map 001, Lot 273, Map 001, Lot 488, Map 001, Lot 466, Map 001, Lot 487)

WHEREAS, General Electric Company has leased land from the City of Bangor since 1987; and

WHEREAS, by Council Order 15-174 dated May 11, 2015 the City Council authorized the execution of a new lease with General Electric Company for a term of fifteen years; and

WHEREAS, in September 2014 General Electric Company and the City of Bangor agreed that General Electric Company could use a parking lot adjacent to Building 487 for the remainder of the lease; and

WHEREAS, during negotiations of the final terms and conditions of the new lease General Electric Company requested that it include an option to renew for a five year term and that it include the parking lot adjacent to Building 487; and

WHEREAS, Building 487 was demolished this year creating a vacant lot potentially suitable for any expansion and it is in the best interest of the parties to include this parcel in the lease.

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 all documents necessary for a Lease with General Electric Company consistent with Council Order 15-176 and to include an option to renew for a period of five years with a 5% increase in the lease rate; to include the property designated in Map 001, Lot 487 of the City's assessing records at no additional cost to General Electric unless General Electric builds a structure on the said parcel, in which event the parties shall in good faith negotiate an increase in the lease rate based upon the value of the parcel; that General Electric Company may use the parcel described as Map 001, Lot 487 for parking and storage of materials.