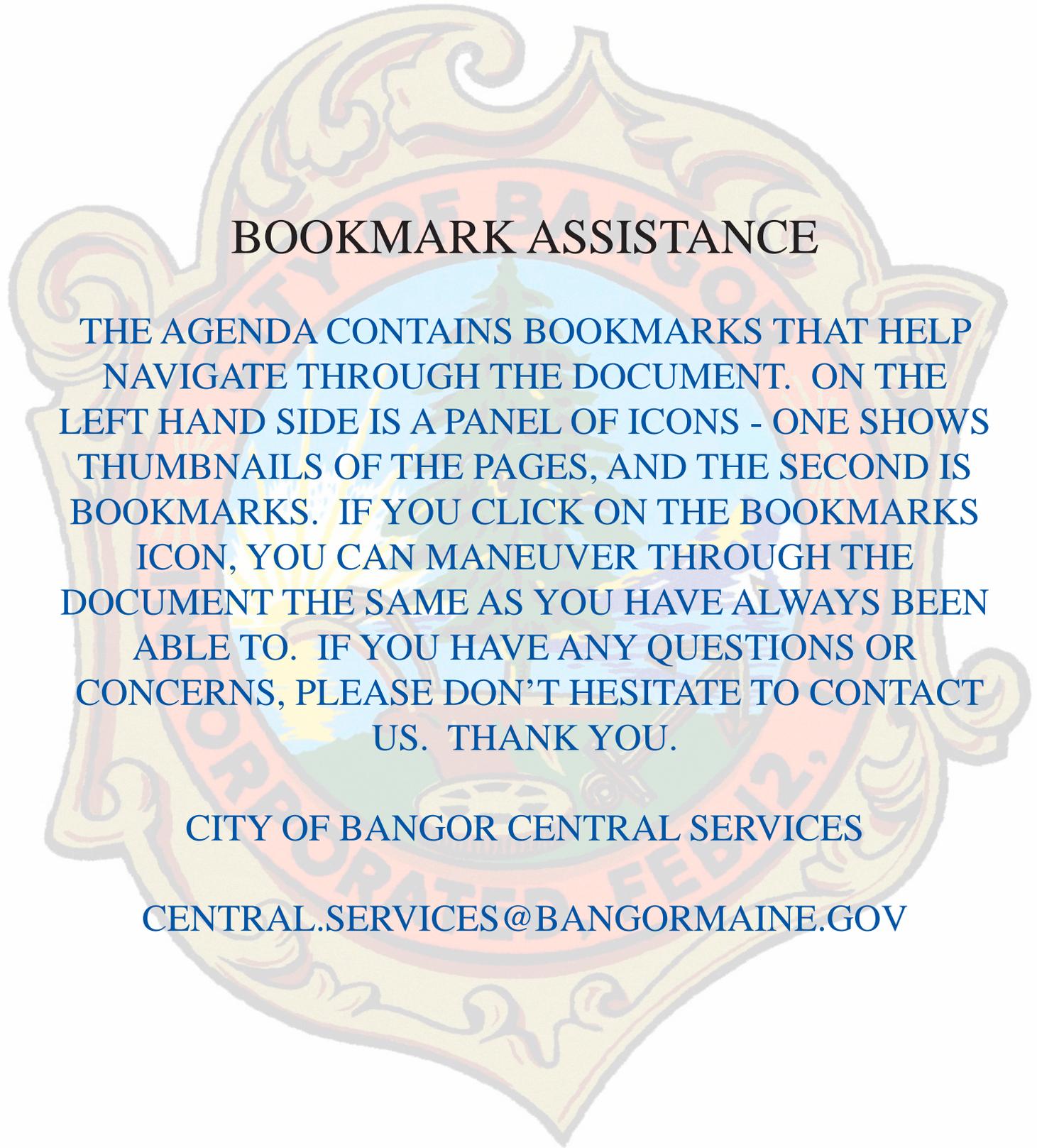


MEDIA
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CITY COUNCIL AGENDA

FEBRUARY 9, 2015



BOOKMARK ASSISTANCE

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CITY OF BANGOR CENTRAL SERVICES

CENTRAL.SERVICES@BANGORMAINE.GOV

REGULAR MEETING BANGOR CITY COUNCIL –FEBRUARY 9, 2015

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 Regular Meeting of January 26, 2015, School Committee Meetings of September 11, 2013, September 23, 2013, September 25, 2013, October 9, 2013, October 23, 2013, November 7, 2013 and November 13, 2013, Business & Economic Development Committee Meetings of December 16, 2014, January 6, 2015 and January 20, 2015

LIQUOR LICENSES: Application for Liquor License Renewal, Malt, Spirituous, Vinous of Ichiban Inc. d/b/a Ichiban Inc., 225 Union Street **BLANCHETE**

15-082 ORDER Amending the City of Bangor Procurement Policy **SPRAGUE**

Executive Summary: The proposed amendment to the City’s procurement policy would incorporate the federal requirements for Community Development Block Grant (CDBG) purchases. There are no new federal requirements and the amendment is representative of the current and past practices. This amendment is being proposed as more of a housekeeping item, which will result in a procurement policy that is all encompassing and clear. This amendment was reviewed and recommended for approval by the Finance Committee on February 3, 2015.

15-083 ORDER Awarding a \$25,000 Loan to Broadway Housing, Inc. **FAIRCLOTH**

Executive Summary: This Order would authorize the City Manager to execute an agreement with Broadway Housing, Inc., a subsidiary of Penquis, to provide up to \$25,000 in a forgivable CDBG funded loan to renovate the existing 27 unit Ernst Manor, a facility reserved for low income handicapped and elderly persons. The agreement is contingent upon Penquis securing the additional funding needed for the project. Forgiveness of the loan would be based upon meeting a CDBG national objective by providing housing for the identified population.

The Business & Economic Development Committee reviewed and recommended this item for approval at its February 3, 2015 meeting.

REGULAR MEETING BANGOR CITY COUNCIL –FEBRUARY 9, 2015

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

Executive Summary: This Order will authorize the City Manager to Execute a Memorandum of Understanding for the Community Garden on Essex Street. The Parks and Recreation Department has been working with organizations and a group of individuals who have been managing the Bangor Community Garden. Among those individuals are representatives from National Able as well as the University of Maine Cooperative Extension. The Community Garden is located on the former Naval Reserve property on Essex Street. This will allow the Parks and Recreation Department to continue to work with the groups as described in a Memorandum of Understanding as well as continue to assess and accept rental fees. This has been reviewed and recommended for approval by the Government Operations Committee at their meeting on February 4, 2015.

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

**ASSIGNED TO
COUNCILOR**

None.

**UNFINISHED BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

**15-057 ORDINANCE Amending Land Development Code – Zone Change – NEALLEY
312 Hogan Road (Tax Map R62-05F) from a General
Commercial and Service District to a Government
and Institutional Service District**

Executive Summary: The applicant, Maine Community College System, is requesting a zone change for a parcel of land (2.63 acres) located at 312 Hogan Road (Tax Map R62-05F) from a General Commercial and Service District to a Government and Institutional Service District. The zoning change will facilitate using the existing commercial building as a nonprofit educational facility. The Government and Institutional Service District (G&ISD) is the standard district for institutional and nonprofit uses, such as municipal facilities, hospitals, and educational facilities. This was reviewed and recommended for approval by a vote of 6 – 1 at the January 20, 2015 Planning Board meeting.

**15-059 RESOLVE Authorizing the City Manager to enter into a CIVIELLO
Memorandum of Understanding with and to Accept
and Appropriate \$23,308.00 in Grant Funds from
Penobscot Community Health Care for the Maine
Health Access Foundation (MeHAF) Access to
Quality Care Planning Grant**

REGULAR MEETING BANGOR CITY COUNCIL –FEBRUARY 9, 2015

NEW BUSINESS ITEM NO.

ASSIGNED TO COUNCILOR

Executive Summary: This order will authorize the City Manager to apply for \$40,000 in planning grant funds from the Maine Health Access Foundation for more intensive planning regarding substance abuse in the Healthy Maine Partnership. If approved, the Health and Community Services Department will use the funds over the next 16 months to identify gaps, barriers and determine our best approach to dealing with substance abuse addiction, treatment and recovery.

Having successfully completed the first pre-planning phase, the Public Health and Community Services Department has been invited to apply for the second phase of the Maine Health Access Foundation grant program. The pre-planning phase brought together a diverse group representing public and private organizations across multiple industries and sectors to work collectively to identify 1-2 critical health issues that warrant attention in the Healthy Maine Partnership service area including Bangor, Brewer, Clifton, Eddington, Glenburn, Hampden, Hermon, Holden, Levant, Newburgh, Orono, Orrington, and Veazie.

The critical issue selected for the second planning phase is Substance Abuse. This issue was chosen because of its documented impact on health. Momentum exists to make substantive positive changes to address the substance abuse-related needs of our community. There is demonstrated commitment from influential stakeholder leadership and area organizations. Strategies are in place to meaningfully engage those with life experiences and maintaining communication and inclusivity. This item was reviewed and recommended for approval by the Government Operations Committee at its meeting on February 4, 2014.



**CONSENT
AGENDA**

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 26, 2015

*Meeting Called to Order at 7:30 PM
 Chaired by Council Chairman Durgin
 Absent: None
 Meeting Adjourned at 8:52 PM*

PUBLIC COMMENT

Caroline Dube of EMCC thanked the City Council for their support of the East Coast Snocross.

Senator Geoffrey Gratwick stated he was concerned with the Governor’s budget and the shift of taxes. He indicated that everyone needs to stand up early on the issues. Senator Gratwick would send the City a copy of the budget summary.

Paul LeClair asked why the City’s rating was downgraded with Standard & Poors and if the City bought the police cruisers that were budgeted for in the FY15 budget. He also asked why it was necessary to have such a high unassigned fund balance. Finance Director Debbie Cyr responded that the rating was nothing specific to Bangor and did not have a negative impact on the issuance of bonds. She also responded that the city did purchase the cruisers. City Solicitor Norman Heitmann responded that the unassigned fund balance was in accordance with what is set by City Charter.

*Action: Motion made and seconded to Suspend the Rules to consider Order 15-077.
 Passed*

15-077 ORDER *Confirming the Appointment of Thomas E. Higgins as Fire Chief and Authorizing Execution of an Employment Contract* **CIVIELLO**

*Action: Motion made and seconded for Passage
 Passed*

Chief Higgins’ wife pinned his badge. City Clerk Lisa Goodwin administered the fire chief’s oath of office.

CONSENT AGENDA ITEM NO.	ASSIGNED TO COUNCILOR
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MINUTES OF: *Bangor City Council Regular Meeting of January 12, 2015, Business and Economic Development Committee Meeting of November 18, 2014, School Committee Meetings of June 26, 2013, July 24, 2013, August 14, 2013 and August 26, 2013, Airport Committee Meeting of December 23, 2014*

Action: Accepted and Approved

LIQUOR LICENSES: *Application for Liquor License Renewal, Malt, of Capital Pizza Huts Inc. d/b/a Pizza Hut, 49 Bangor Mall Boulevard* **CIVIELLO**

Action: Approved

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 26, 2015

CONSENT AGENDA		ASSIGNED TO
ITEM NO.		COUNCILOR
	<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of Chase's Family Restaurant Inc. d/b/a Chase's Family Restaurant, 1575 Hammond Street</i>	CIVIELLO
	<i>Action: Approved</i>	
<u>15-065</u>	<u>ORDER</u> <i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 11 I Street, Birch Hill Estates (Map B39, Lot 002)</i>	BLANCHETTE
	<i>Action: Passed</i>	
<u>15-066</u>	<u>ORDER</u> <i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 13 Mount Desert Drive (Map 64, Lot 18)</i>	SPRAGUE
	<i>Action: Passed</i>	
<u>15-067</u>	<u>ORDER</u> <i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 14 Manners Avenue (Map 12, Lot 93A)</i>	NEALLEY
	<i>Action: Passed</i>	
<u>15-068</u>	<u>ORDER</u> <i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 38 Madison Street (Map 39, Lot 22)</i>	CIVIELLO
	<i>Action: Passed</i>	
<u>15-069</u>	<u>ORDER</u> <i>Authorizing Execution of Municipal Quitclaim Deed – Properties Located at 71 First Street (Map 35, Lots 155 and 156A)</i>	BALDACCI
	<i>Action: Passed</i>	
<u>15-070</u>	<u>ORDER</u> <i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 76 Smith Street (Map 31, Lot 28)</i>	SPRAGUE
	<i>Action: Passed</i>	
<u>15-071</u>	<u>ORDER</u> <i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 102 Cedar Falls (Map R21 Lot 11)</i>	FAIRCLOTH
	<i>Action: Passed</i>	
<u>15-072</u>	<u>ORDER</u> <i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 695 Kenduskeag Avenue (Map 63, Lot 25)</i>	GRAHAM
	<i>Action: Passed</i>	
<u>15-073</u>	<u>ORDER</u> <i>Authorizing Execution of an Easement to Bangor Gas Company, LLC – Maine Avenue, Bangor International Airport Buildings 123 & 210</i>	PLOURDE
	<i>Action: Passed</i>	

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 26, 2015

CONSENT AGENDA ITEM NO.		ASSIGNED TO COUNCILOR
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<u>15-074</u>	<u>ORDER</u>	Authorizing Execution of an Amended and Restated Development Agreement with Edward G. Ernst Manor Housing Associates Limited Partnership and Broadway Housing, Inc.	BALDACCI
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Action: Passed

<u>15-075</u>	<u>ORDER</u>	Expanding CDBG Facade Grant Eligibility Area	FAIRCLOTH
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Action: Passed

REFERRALS TO COMMITTEE AND FIRST READING ITEM NO.	ASSIGNED TO COUNCILOR
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<u>15-076</u>	<u>RESOLVE</u>	Appropriating \$76,500 from the General Fund Unassigned Fund Balance to Purchase and Equip 3 Police Cruisers	SPRAGUE
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Action: First Reading

UNFINISHED BUSINESS ITEM NO.	ASSIGNED TO COUNCILOR
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<u>15-056</u>	<u>ORDINANCE</u>	Amending Chapter 260, Signs, of the Code of the City of Bangor, By Clarifying Window Sign Requirements and Allowing Umbrella Logos	GRAHAM
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*Action: Motion made and seconded for Passage
Vote: 9 – 0
Councilors Voting Yes: Baldacci, Blanchette, Civiello, Faircloth, Graham, Nealley, Plourde, Sprague, Durgin
Councilors Voting No: None
Passed*

<u>15-057</u>	<u>ORDINANCE</u>	Amending Land Development Code – Zone Change – 312 Hogan Road (Tax Map R62-05F) from a General Commercial and Service District to a Government and Institutional Service District	NEALLEY
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*Action: Motion made and seconded to Postpone to the next City Council Meeting on February 9, 2015
Passed*

<u>15-058</u>	<u>RESOLVE</u>	Appropriating \$8,000 from the State Seizure Trust Account to Purchase a Police Canine	BLANCHETTE
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*Action: Motion made and seconded for Passage
Passed*

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 26, 2015

NEW BUSINESS ITEM NO.			ASSIGNED TO COUNCILOR
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15-078 ORDER *Authorizing Grant of \$2,500 to the Bangor Symphony Orchestra to Support Various Ensemble Performances in Bangor* **BALDACCI**

City Solicitor indicated that the Committee had determined that Councilor Plourde had a conflict of interest in regard to this order. If the Council agreed then the conflict would stand. Councilor Plourde left the room.

*Action: Motion made and seconded for Passage
Passed
Councilor Plourde returned to the meeting.*

15-079 ORDER *Authorizing Grant of \$2,000 to the Maine Discovery Museum to Support the Maine Science Festival* **FAIRCLOTH**

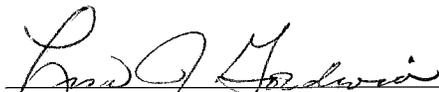
*Action: Motion made and seconded that Councilor Plourde has a conflict
Motion Doubted
Vote: 6 – 2
Councilors Voting Yes: Baldacci, Civiello, Faircloth, Graham, Sprague, Durgin
Councilors Voting No: Blanchette, Nealley
Passed
Councilor Plourde left the room.
Motion made and seconded that Councilor Sprague has a conflict
Passed
Councilor Sprague left the room.
Motion made and seconded that Councilor Durgin has a conflict
Councilor Faircloth assumed the Chair's position.
Vote: 4 – 2
Councilors Voting Yes: Baldacci, Civiello, Faircloth, Graham
Councilors Voting No: Blanchette, Nealley
Passed
Councilor Durgin left the room.
Motion made and seconded for Passage
Motion Doubted
Vote: 5 – 1
Councilors Voting Yes: Baldacci, Civiello, Faircloth, Graham, Nealley
Councilors Voting No: Blanchette
Passed
Councilors Plourde, Sprague & Durgin returned to the meeting.*

15-080 ORDER *Authorizing Grant of \$1,500 to the Penobscot Theatre Company to Support Production and Community Programs as Part of "End Days"* **PLOURDE**

*Action: Motion made and seconded for Passage
Passed*

15-081 ORDER *Authorizing the Execution of Fixed Rate Pricing Contracts with the City's Current Fuel Suppliers* **SPRAGUE**

*Action: Motion made and seconded for Passage
Passed*


Lisa J. Goodwin, MMC, City Clerk

MINUTES

BANGOR SCHOOL COMMITTEE
REGULAR MEETING

7:00 p.m., Wednesday, September 11, 2013

School Committee Members present: Chairman Phyllis Guerette, Vice Chair Warren Caruso, Marc Eastman, Sarah Smiley, Christine Szal, and Jay Ye.

A. 1.&2. The Bangor School Committee Regular Meeting was called to order by Chairman Guerette at 7:00 p.m. and the Pledge of Allegiance followed.

3. a. The Bangor School Department and the Bangor School Committee recognized, Tammy Wyman, a Bangor School Department teacher who was awarded the 2013 Special Educator of the Year award by Maine Administrators of Services for Children with Disabilities (MADSEC).

b. The Bangor School Department and the Bangor School Committee recognized, Benjamin Burt, a Bangor High School student for his First Place win in the Cornerstone Read, Write and Win Competition while attending James F. Doughty School. The competition was created because Cornerstones of Science knows an appreciation for science grows out of a natural curiosity about the work, which is often fed by reading scientific literature. To encourage early reading in science, Cornerstones hosts the Read, Write & Win contest, now in its 9th year. The competition requires that students read a Cornerstones-nominated nonfiction science book and write a review inspired by the book.

D. 1. a. Superintendent Webb recommended receipt of the First Reading of the Revised FY14 School Budget. The final approved biennial budget shifted the State's previous responsibility of teacher retirement costs to local school units. Bangor received additional revenues from the state for the additional expenditures. Therefore, there will not be an additional impact on the taxpayers of Bangor.

2. a. Superintendent Webb provided an update on the Bangor School Department's Opening of School. School Committee Members expressed appreciation for the planning, hard work, partnerships, focus on safety, and student success in the opening of school process. Chairman Guerette gave a special thank you to the Bangor Police Department for their support of all Bangor Schools.

b. Superintendent Webb reported the following resignation:

Heather Lamson	Special Education Teacher	Bangor High School
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E. 1.a.1&2 VOTED 6-0 to approve the Minutes of the August 14, 2013 Regular School Committee Meeting and the August 26, 2013 Special School Committee Meeting.

b. 1. Superintendent Webb recommended approval of the July 2013 Financial Statement.

VOTED 6-0 to approve the July 2013 Financial Statement as presented.

c. 1. Superintendent Webb recommended approval of the following extra-duty assignments for the 2013-2014 school year:

IEP Coordinator	Bangor High School	Nicole Downing (½)
JV Field Hockey Coach	Bangor High School	Elizabeth Anderson (1st yr)

Freshman Football Coach	Bangor High School	Michael Hersom
Freshman Boys' Soccer Coach	Bangor High School	Justin Marks (1st yr)
IEP Coordinator	Vine Street School	Alice Brown (1/2)
Art Club	Bangor High School	Susan Bryand
JV Fall Cheerleading Coach	Bangor High School	Stephanie Conner (2nd)
Freshman Class Advisor	Bangor High School	Felecia Lyons-Dicker
Freshman Class Advisor	Bangor High School	Christine Robertson (sec)

VOTED 6-0 to approve the nominations as presented.

d. Superintendent Webb reported the following donation:

To the Bangor School Department from the Stephen and Tabitha King Foundation, \$50,000 to renovate the stage at Peakes Auditorium. This donation was a result of a grant application.

VOTED 6-0 to approve the donation from the King Foundation with great appreciation.

F. 2. Vice Chairman Caruso shared that the UTC Board had met. The enrollment at UTC is the largest to date with approximately 625 students attending.

G. 1. Principal Paul Butler provided a report on the Maine High School Assessment results from the 2012-2013 school year.

School Committee members asked questions and complimented the administration and faculty for their dedication to review and use the data in order to support students' progress.

2. Assistant Superintendent Robert MacDonald reported on the Grade 5 and Grade 8 NECAP state science assessment results from 2012-2013.

Committee members expressed their pleasure at seeing the outstanding science achievement scores.

H. Chairman Guerette reviewed the important dates and encouraged parents and community members to contact principals or the Superintendent regarding volunteering opportunities.

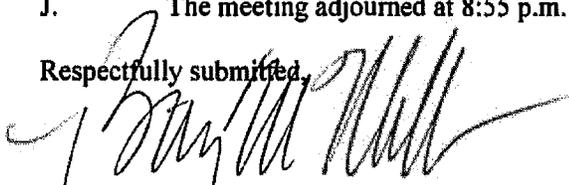
I. Vice Chairman Caruso highlighted the quality of the facilities and the positive impact on the academic and athletic environments for the schools and the community.

Chairman Guerette echoed Mr. Caruso's statement and re-emphasized the importance of extra- and co-curriculars for the success of all students. She also thanked the King Foundation for their donation once again and commented what a difference it will make for the renovation of Peakes Auditorium stage floor.

Chairman Guerette asked Superintendent Webb to clarify the Governor's Executive Order and the impact on the Bangor School Department.

J. The meeting adjourned at 8:55 p.m.

Respectfully submitted,



Betsy M. Webb, Ed.D.
Superintendent of Schools

Bangor School Department
Special School Committee Meeting
5:30 p.m., Monday, September 23, 2013
City Hall Council Chambers

Members Present: Chairman Phyllis Guerette, Marc Eastman, Sarah Smiley, Christine Szal, and Jay Ye. Committee Member Warren Caruso was unable to attend.

1. Chairman Guerette called the meeting to order at 5:30 p.m. and the Pledge of Allegiance followed.
2. Superintendent Webb recommended approval of the following revised articles to cover the Teacher retirement costs shifted from the State to the local unit as voted on by the Maine Legislature for the biennial budget:

Revised Articles Requiring School Committee Approval

ARTICLE 1 To see what sum the school administrative unit will be authorized to expend for Regular Instruction for the Fiscal Year 2013-2014.

Recommend ~~\$19,054,268~~ ~~\$19,420,614~~

VOTED 5-0 to approve Article 1 as revised.

ARTICLE 2 To see what sum the school administrative unit will be authorized to expend for Special Education for the Fiscal Year 2013-2014.

Recommend ~~\$6,398,803~~ ~~\$6,553,641~~

VOTED 5-0 to approve Article 2 as revised.

ARTICLE 3 To see what sum the school administrative unit will be authorized to expend for Career and Technical Education for the Fiscal Year 2013-2014.

Recommend \$450,000

ARTICLE 4 To see what sum the school administrative unit will be authorized to expend for Other Instruction for the Fiscal Year 2013-2014

Recommend ~~\$1,337,901~~ ~~\$1,358,051~~

VOTED 5-0 to approve Article 4 as revised.

ARTICLE 5 To see what sum the school administrative unit will be authorized to expend for Student and Staff Support for the Fiscal Year 2013-2014.

Recommend ~~\$3,566,524~~ ~~\$3,630,240~~

VOTED 5-0 to approve Article 5 as revised.

ARTICLE 6 To see what sum the school administrative unit will be authorized to expend for System Administration for the Fiscal Year 2013-2014.

Recommend ~~\$998,407~~ ~~\$1,004,727~~

VOTED 5-0 to approve Article 6 as revised.

ARTICLE 7 To see what sum the school administrative unit will be authorized to expend for School Administration for the Fiscal Year 2013-2014.

Recommend ~~\$2,357,736~~ \$2,390,289

VOTED 5-0 to approve Article 7 as revised.

ARTICLE 8 To see what sum the school administrative unit will be authorized to expend for Transportation and Buses for the Fiscal Year 2013-2014.

Recommend \$1,875,000

ARTICLE 9 To see what sum the school administrative unit will be authorized to expend for Facilities Maintenance for the Fiscal Year 2013-2014.

Recommend \$4,329,657

ARTICLE 10 To see what sum the school administrative unit will be authorized to expend for Debt Service and Other Commitments for the Fiscal Year 2013-2014.

Recommend \$1,517,864

ARTICLE 11 To see what sum the school administrative unit will be authorized to expend for All Other Expenditures for the Fiscal Year 2013-2014.

Recommend \$91,402

ARTICLE 12 To see what sum the district/unit will appropriate for the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act.

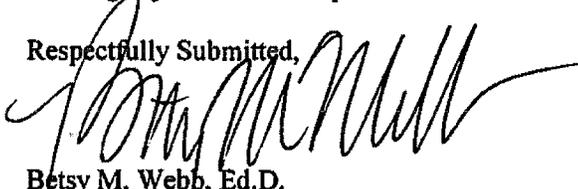
Recommend ~~\$41,977,562~~ \$42,621,485

VOTED 5-0 to approve Article 12 as revised.

ARTICLE 13 To see if (the school administrative unit) will appropriate \$508,170 for Adult Education and raise \$180,000 as the local share; with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for the well-being of the adult education program

Meeting adjourned at 5:36 p.m.

Respectfully Submitted,



Betsy M. Webb, Ed.D.
Superintendent of Schools

MINUTES

BANGOR SCHOOL COMMITTEE REGULAR MEETING

7:00 p.m., Wednesday, September 25, 2013

School Committee Members present: Vice Chairman Warren Caruso, Sarah Smiley, Christine Szal, and Jay Ye. Chairman Phyllis Guerette and Committee Member Marc Eastman were unable to attend.

A. 1.&2. The Bangor School Committee Regular Meeting was called to order by Vice Chairman Caruso at 7:00 p.m., and the Pledge of Allegiance followed.

D. 2. a. University of Maine Researchers Stacy Doore and Janet Nichols presented a summary of their findings on non-promotional mobility and the impact on student achievement. Committee members asked questions and expressed their appreciation of the University working with the Bangor School Department to study policy and educational implications.

b. Dr. Mohamad Musavi, UMaine Associate Dean of the College of Engineering and Professor of Electrical and Computer Engineering, and BHS Science Department Chairman Cary James provided an update on the recent awarding of a National Science Foundation Grant in the amount of approximately \$750,000 over three years to further students' study of stormwater management. Committee members asked questions and shared their excitement about students being involved in experiential learning and working to solve real world problems in the community.

c. Director of Business Services Alan Kochis reviewed the completed Summer Projects made to the Bangor schools and facilities. Committee Members were especially pleased with the security improvements made within the schools.

d. Superintendent Webb reported the following reassignments for the 2013-2014 school year:

Dana Andrews from Special Education Teacher (RR) at Bangor High School to Special Education Teacher (ISISS) at Fruit Street School

Suzanne Bell from Special Education Teacher (ISISS) at Fruit Street School to Special Education Teacher at Acadia

Stuart Noble from Special Education Teacher Acadia to Special Education Teacher (RR) at Bangor High School

E. 1. a. 1. VOTED 4-0 to approve the Minutes of the September 11, 2013 Regular School Committee Meeting.

b. 1. Superintendent Webb recommended approval of the August 2013 Financial Statement.

VOTED 4-0 to approve the financial statement as presented.

c. 1. Superintendent Webb recommended the following Teacher nominations for the 2013-2014 school year:

Tina L. Ruggles, Special Education Teacher at Bangor High School, with a one-year Probationary Contract for 2013-2014.

Debra A. Swett, Reading Recovery/Title I Teacher at Downeast and Fairmount Schools, with a one-year Probationary Contract for 2013-2014.

The Committee adjourned to review the files.

VOTED 4-0 to approve the nominations as presented.

2. Superintendent Webb recommended approval of the following extra-duty assignments for the 2013-2014 school year:

JV Fall Cheerleading Coach	Bangor High School	Sarah Conner (2 nd)
Student Council Advisor	Bangor High School	Eric Hutchins
Academic Decathlon	Bangor High School	Carl Robbins

VOTED 4-0 to approve the nominations as presented.

- d. Superintendent Webb reported the following donation and Camp Directors Martha Gladstone and Barbara Clewelly presented a check:

To William S. Cohen School from Invent Now, a cash donation in the amount of \$600.

VOTED 4-0 to approve the donation with thanks.

2. a. 1. Superintendent Webb recommended receipt of the First Reading of revised Policy JICK Bullying in Schools.

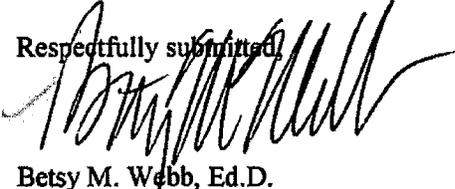
VOTED 4-0 to receive the First Reading of revised Policy JICK Bullying in Schools as presented.

H. 1. Vice Chairman Caruso reviewed the important dates.

I. Vice Chairman Caruso again expressed his excitement over the NSF grant and the opportunity for our students and teachers to engage in a collaborative effort, improve their skills, and have a positive impact on the community.

J. The meeting adjourned at 8:19 p.m.

Respectfully submitted,



Betsy M. Webb, Ed.D.
Superintendent of Schools

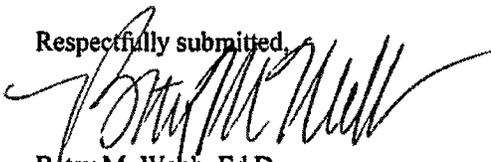
MINUTES

BANGOR SCHOOL COMMITTEE
REGULAR MEETING
7:00 p.m., Wednesday, October 9, 2013

School Committee Members present: Chairman Phyllis Guerette, Vice Chair Warren Caruso, Marc Eastman, and Sarah Smiley. Committee Member Christine Szal was unable to attend. Committee Member Jay Ye arrived at 7:40 p.m. during the Executive Session.

- A. 1.&2. The Bangor School Committee Regular Meeting was called to order by Chairman Guerette at 7:02 p.m. and the Pledge of Allegiance followed.
- D. 2. a. Superintendent Webb reviewed the reason for the revised FY14 budget, the potential impact of the federal government shutdown on the Bangor School Department, and the Governor's proposal to cut \$9.5 million from general purpose aid.
- b. Superintendent Webb reported the following resignation:
- Lorrie Springer School Nurse Downeast and Vine Street Schools
- c. Superintendent Webb reported the following reassignment for the 2013-2014 school year:
- Kelly Paul from (3/5) Speech Language Clinician Private School to (1/2) Speech Language Clinician Private School
- E. 1.a.1.&2. VOTED 4-0 to approve the Minutes of the September 23, 2013 Special School Committee Meeting and the September 25, 2013 Regular School Committee Meeting.
- b. VOTED 4-0 to approve the following donations with thanks:
- To Mary Snow School in memory of Michael Pechinski, a donation for Art Education having a total dollar value of \$250.
- To Downeast School from Bangor Savings Bank, a donation for school supplies having a total dollar value of \$150.
- To Downeast School from employees of Pepsi Bottling Group, a donation for various classroom supplies having a total dollar value of \$350.
- c. 1. Superintendent Webb recommended approval of the Second Reading of revised Policy JICK Bullying in Schools.
- VOTED 4-0 to approve the revised Policy JICK as presented.
- J. By roll call vote, Bangor School Committee voted to enter into Executive Session for the purpose of consultation with the school attorney concerning the legal rights and duties of the School Committee pursuant to 1 M.R.S.A. Subsection 405(6)(F) at 7:19 p.m.
- Returned to Public Session at 9:35 p.m.
- K. The meeting adjourned at 9:36 p.m.

Respectfully submitted,



Betsy M. Webb, Ed.D.
Superintendent of Schools

MINUTES

BANGOR SCHOOL COMMITTEE
REGULAR MEETING
7:00 p.m., Wednesday, October 23, 2013

School Committee Members present: Chairman Phyllis Guerette, Vice Chair Warren Caruso, Marc Eastman, Sarah Smiley, Christine Szal, and Jay Ye.

A. 1.&2. The Bangor School Committee Regular Meeting was called to order by Chairman Guerette at 7:01 p.m. and the Pledge of Allegiance followed.

D. 2. a. Superintendent Webb reviewed the reason for the revised FY14 budget and urged citizens to be informed and to vote at the November 5th election.

E. 1. a. 1. VOTED unanimously to approve the Minutes of the October 9, 2013 Regular School Committee Meeting.

b. Superintendent Webb recommended approval of the Comprehensive Emergency Plan. The Bangor School Department worked closely with the Bangor Police Department, Bangor Fire Department, and Sheriff Glen Ross to update the confidential Comprehensive Emergency Plan.

Committee Members expressed appreciation for the thoroughness of the plan and the drills that the schools follow throughout the school year.

VOTED 6-0 to approve the plan as presented.

c. Superintendent Webb recommended approval of the September 2013 Financial Statement.

VOTED 6-0 to approve the statement as presented.

d. 1. Superintendent Webb recommended approval of the following extra-duty assignments for the 2013-2014 school year:

Girls JV Basketball Coach	Bangor High School	Shannon Fotter
Boys JV Basketball Coach	Bangor High School	John Trull
Asst Varsity Ice Hockey Coach	Bangor High School	Michael Hersom
Girls Freshman Basketball Coach	Bangor High School	Breianna Tocci (1st yr)
Assistant Spring Track Coach	Bangor High School	Nicholas Bryant (1yr exp w/BSD)
JV Ice Hockey Coach	Bangor High School	John Hersom
Assistant Softball Coach	Bangor High School	Jordan Fitzpatrick (1yr exp w/BSD)
JV Softball Coach	Bangor High School	Thor Gower (2 yrs exp w/BSD)

Chairman Guerette asked if all were employees of the Bangor School Department.

VOTED 6-0 to approve the nominations as presented.

e. Superintendent Webb reported the following donations:

To Vine Street School from St. Paul the Apostle, sneakers and socks for students having a total dollar value of \$300.

To Mary Snow School from St. Paul the Apostle, twelve pairs of sneakers for students having a total dollar value of \$420.

VOTED 6-0 to approve the donations with thanks.

2. a. Superintendent Webb recommended receipt of the First Reading of Revised Policy GCQAB – Tutoring for Pay.

VOTED 6-0 to receive the First Reading of Revised Policy GCQAB.

- F. 1. Committee Member Smiley updated the Committee on the Military Youth Task Force meeting that she attended in Augusta. At the meeting, members reviewed the Maine Interstate Compact, which the State of Maine adopted in 2009. The intention of this compact is to level the playing field for military connected youth.

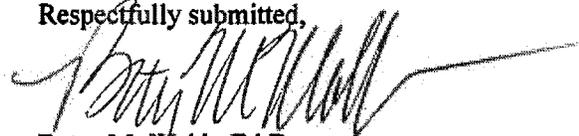
2. g. 1. Chairman Guerette appointed herself as the MSBA Delegate.

- I. Committee Member Szal commented on the quality of the student artwork on display at Bangor City Hall and encouraged community members to take a moment to enjoy these pieces.

Committee Member Ye encouraged citizens to vote on the Bangor School Department revised FY14 budget on November 5, 2013.

- J. The meeting adjourned at 7:40 p.m.

Respectfully submitted,



Betsy M. Webb, Ed.D.
Superintendent of Schools

MINUTES

BANGOR SCHOOL COMMITTEE
SPECIAL MEETING
5:00 p.m., Thursday, November 7, 2013

School Committee Members present: Chairman Phyllis Guerette, Vice Chairman Warren Caruso, Marc Eastman, Sarah Smiley, Christine Szal and Jay Ye.

Also present : Daniel Stockford Legal Counsel for the Bangor School Committee
Administrators: Betsy M. Webb, Ed.D., Superintendent of Schools
Paul Butler, Principal at Bangor High School
Tim Reed, Assistant Principal at Bangor High School
Alan Kochis, Director of Business Services

The Bangor School Committee Special Meeting was called to order by Chairman Phyllis Guerette at 5:05 p.m. and the Pledge of Allegiance followed.

A. A motion was made to enter Executive Session for the purpose of conducting an expulsion hearing according to 1 MRSA § 405 (6)(B).

By roll call, the VOTE was unanimous (6-0) to enter Executive Session.

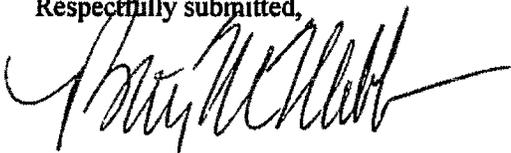
At 6:15 p.m., the Committee reconvened into Public Session. Motion to adopt the following School Committee resolution regarding Student X. The Bangor School Committee finds:

1. On October 24, 2014, Student X* lit a fire in the girl's bathroom at Bangor High School that set off the fire alarms and caused a full evacuation of the High School;
2. Student X's conduct was deliberately disobedient and deliberately disorderly.
3. It is necessary for the peace and usefulness of the school to expel Student X from school.
4. Student X is expelled from school indefinitely and the Superintendent of Schools is authorized to provide Student X with a reentry plan that specifies the conditions that must be met in order for the student to be readmitted to school.

VOTED 5 for (Guerette, Caruso, Smiley, Szal and Ye) to accept the resolution and expel Student X and 1 opposed (Eastman).

The meeting adjourned at 6:16 p.m.

Respectfully submitted,



Betsy M. Webb, Ed.D.
Superintendent of Schools

(*Designated for the purpose of confidentiality)

MINUTES

BANGOR SCHOOL COMMITTEE ORGANIZATIONAL MEETING 11:00 a.m., Wednesday, November 13, 2013

School Committee Members present: Warren Caruso, Marc Eastman, Phyllis Guerette, Sarah Smiley, Christine Szal, and Jay Ye. Susan Hawes was unable to attend.

The meeting was called to order at 11:00 a.m. by Superintendent Betsy Webb and the Pledge of Allegiance followed.

- A. Assistant Clerk Dianne Lovejoy swore in newly elected member Jay Ye.

Superintendent Webb shared that newly elected member Susan Hawes was unable to attend this meeting. Member Hawes was sworn in at the Clerk's Office on Friday, November 8, 2013.

- B. 1. Committee Member Guerette nominated Warren Caruso for Chairman. There were no other nominations for Chairman.

VOTED 5 (Caruso, Guerette, Smiley, Szal, Ye) for and 1 (Eastman) opposed to approve the nomination as presented.

Chairman Caruso addressed the Committee thanking them for the opportunity to fill the role as Chairman and expressed his desire to continue to work for Bangor School Department's success.

2. Committee Member Szal nominated Jay Ye for Vice Chairman. There were no other nominations for Vice Chairman.

VOTED 6-0 to approve the nomination as presented.

- C. 1. Superintendent Webb recommended the Building Principals be designated as Attendance Officers.

VOTED 6-0 to approve the Principals as the Attendance Officers.

- 2.-6. Chairman Caruso stated the following committee appointments will be made at a later date: Representatives to United Technology Center & Southern Penobscot Regional Program for Children with Exceptionalities, Negotiations Subcommittee, Dropout Prevention, and Friends of Cameron Stadium.

7. Superintendent Webb recommended approval of the Finance Committee Rotation List.

VOTED 6-0 to approve the list as presented.

8. Superintendent Webb recommended Dr. Kristen Martin as the School Physician.

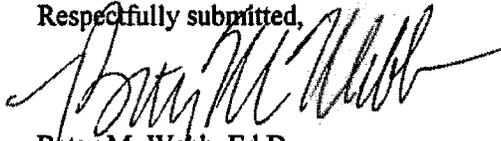
VOTED 6-0 to approve the nomination as presented.

9. Superintendent Webb recommended the continued legal services of Brann & Isaacson with Daniel Stockford to serve as General Legal Counsel and Chief Negotiator for the Bangor School Department.

VOTED 6-0 to approve the nomination as presented.

The meeting adjourned at 11:09 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Betsy M. Webb", written over the printed name.

Betsy M. Webb, Ed.D.
Superintendent of Schools

BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

Tuesday, December 16, 2014 5:15 PM
City Council Chambers

Minutes

Committee Members Present: Chair Baldacci, Councilor Faircloth, Councilor Nealley, Councilor Civiello, Councilor Plourde, and Councilor Graham

City Staff Present: Tanya Emery, Cathy Conlow, Steve Bolduc, and Norm Heitmann

Chair Baldacci called the meeting to order at 5:15 p.m.

1. Bangor Innovation Center Update

Steve Bolduc, Economic Development Officer, explained that the Bangor Innovation Center is a business "incubator" designed to support small businesses during their start-up and early growth stages. This facility can accommodate manufacturers, distributors and business service companies on a short term lease basis after which they "graduate" to other locations within the community. The building is operated by the BanAir Corporation in a 25,000 sq. ft. building which is leased from the City of Bangor and located at 40 Johnson Avenue. There is a mixture of office space and flex space and the building has a loading dock and four overhead doors. Rental space and rents are based upon the business plan of the tenant.

Mr. Bolduc indicated that the current tenants are Maine Alternative Comfort, Genotyping Center of America, RJ Allen Construction, and L & K Manufacturing. He noted some of the better known "graduates" from the Innovation Center are Chute Chemicals, My Maine Bag, Anzac Electronics and Ansewn Shoe.

Committee Members had questions regarding how rents are calculated, if this could be something that could be marketed to other Universities and Colleges throughout Maine, and if classes from the University of Maine and Husson University could be invited to see the facility.

Chair Baldacci asked if Staff could do some research and report back to the Committee on the New Markets Credit Program and Pine Tree Zones. Also, Chair Baldacci asked if the Committee could be updated on the status of the Foreign Trade Zone Expansion application.

2. Waterfront Architecture/Engineering Contract

Director Tanya Emery indicated that Staff wanted to bring the Committee up-to-date on the status of the Waterfront Architecture/Engineering Contract. She explained that the product will be a Planning Guide and not a specific plan for this area of the waterfront. Staff has been negotiating with FTL which is one of the top firms in the country.

Councilor Civiello asked why the contract price had increased from the budgeted \$50,000 to \$65,000. Director Emery indicated that because of the quality of the work done by FTL and the desire to have the best possible firm working with the City on this, Staff has been negotiating with them to bring the cost down to \$65,000 from their original proposal. The extra cost will be paid for by reallocating funds from within her Department's Budget.

3. Review of Bangor Federal Credit Union's preliminary plans

Staff distributed copies of preliminary plans for the Committee's review of Bangor Federal Credit Union's proposed project to be located off of Maine Avenue in the Maine Business Enterprise Park.

There being no further items for discussion, the meeting was adjourned at 5:40 p.m.

BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

Tuesday, January 6, 2015 5:00 PM
City Council Chambers

Minutes

Committee Members Present: Chair Baldacci, Councilor Plourde, Councilor Graham, Councilor Nealley, Councilor Faircloth and Councilor Durgin.

City Staff Present: Tanya Emery, Steve Bolduc, Cathy Conlow, Caitlin Brooke and Jason Bird.

Chair Baldacci called the meeting to order at 5:15 p.m.

1. Amendment to a Lease Agreement with Ntension Corporation.

Steve Bolduc, Economic Development Officer, indicated that Staff has been working with Ntension Corporation to extend their lease until March, 2015 for space at 110 Hildreth Street. The building is fully occupied. The other tenant, JSI Store Fixtures, is proposing to expand its operations at 110 Hildreth Street after March. Staff recommended approval of this lease amendment.

Councilor Nealley moved staff recommended. Councilor Graham seconded the motion. The vote was not doubted and passed.

2. Commission on Cultural Development:

a. Signage for "Continuity of Community" Sculpture on Bangor Waterfront

Caitlin Brooke, Business Development Specialist and Downtown Coordinator explained that the Commission on Cultural Development is requesting to spend \$614.80 on signage to identify the "Continuity of Community" sculpture that was relocated to the Bangor Waterfront. Presently there is no identifying marker for the sculpture. The Commission voted to approve this expenditure at its meeting on December 11, 2014. Staff recommended approval.

The Committee discussed the source of funding and the Commission's charter.

Chair Baldacci suggested that markers be installed along the waterfront noting the history that has taken place such as the Civil War battle, etc.

Councilor Nealley moved Staff recommendation. Councilor Plourde seconded the motion. The motion was not doubted and, therefore, passed.

b. Individual Artist Grant Recommendation

Caitlin Brooke indicated that this application is the first received by the Cultural Commission for an Individual Artist Grant. This an incredible opportunity for the City of Bangor as Anna Hepler, a Maine artist whose work is displayed nationally, as well as worldwide, is seeking funds to support the construction of a public art installation in the Kenduskeag Stream outside of the University of Maine Art Museum. The piece will be on display from June 2015 until late September 2015 and will coincide with the University of Maine Art Museum's exhibition featuring Ms. Hepler's work. The proposed sculpture is an abstract buoy made from fiberglass and will be anchored in the Kenduskeag Stream. The sculpture will not be identified as the artist would like the viewer to make their own interpretation or go inside to the Museum to ask questions. Staff recommended that this grant be awarded.

Councilor Plourde moved Staff recommendation. Councilor Faircloth seconded the motion. The motion was not doubted and passed.

3. Ernst Manor Development Agreement Amendment

Jason Bird, Community and Economic Development Officer, explained that this is a request to amend a previously approved development agreement with Ernst Manor Housing Associates LP (a subsidiary of Penquis). The original agreement (in September of 2013) was to renovate the 27-unit housing development (located off Broadway) which is reserved for low-income handicapped and elderly persons. Because of a series of delays outside of their control, Ernst Manor Housing Associates was unable to finalize the financing agreements necessary to complete the project on schedule. Mr. Bird indicated that Staff supports the development of a new agreement with the same provisions as previously approved but with a new starting date of May 1, 2015 and a completion date of April 30, 2015. The City Solicitor is in talks with their attorney as to the final form of the agreement amendment. Staff recommended authorizing the City Manager to execute the amended development agreement in a final form approved by the City Solicitor.

Councilor Plourde moved Staff recommendation. Councilor Nealley seconded the motion. The motion passed as it was not doubted.

The meeting adjourned at 5:30 p.m.

BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

Tuesday, January 20, 2015 5:15 PM
City Council Chambers

MINUTES

Councilors Present: Chair Baldacci, Councilor Graham, Councilor Nealley, Councilor Plourde, and Councilor Faircloth

Staff Present: Cathy Conlow, Tanya Emery, Jason Bird, Caitlin Brooke, and Paul Nicklas

Chair Baldacci called the meeting to order at 5:15 p.m.

1. C&L Aerospace Update

Chris Kilgour, with C & L Aerospace, provided an informational update regarding the progress of C&L's move to their new facility at Bangor International Airport and the expansion of their business.

2. Commission on Cultural Development Grant Recommendations

a. Bangor Symphony Orchestra

Caitlin Brooke, Business Development Specialist/Downtown Coordinator, introduced the grant recommendation from the Commission on Cultural Development (CCD) for the Bangor Symphony Orchestra (BSO). Councilor Plourde indicated he may have a conflict as he serves on the board of the BSO. Councilor Graham moved and Councilor Nealley seconded the motion that Councilor Plourde did indeed have a conflict of interest. Vote unless doubted. Councilor Plourde left the room. Councilor Nealley moved approval of the grant, Councilor Faircloth seconded the motion. Councilor Graham asked about the in-kind match. Brooke indicated that they have raised some and will raise the rest. Councilor Graham asked to see documentation of the match. The motion passed as it was not doubted. Councilor Plourde rejoined the meeting.

b. Maine Discovery Museum/Maine Science Festival

Caitlin Brooke introduced the grant recommendation from the CCD for the Maine Discovery Museum/Maine Science Festival. Councilor Plourde indicated he may have a conflict as he is a presenter (unpaid) and also on the marketing committee for the Maine Science Festival. Councilor Graham moved and Councilor Nealley seconded the motion that Councilor Plourde did indeed have a conflict of interest. Councilor Faircloth indicated he would like to see the rules about conflicts, as he did not feel this was a conflict. Nicklas responded

regarding special interests, and the determination is ultimately up to the vote of the Committee. Councilor Faircloth questioned the applicability of this provision. Councilor Nealley asked to withdraw his second. Councilor Baldacci seconded the motion. Vote was 3-1 in favor, with Councilor Nealley voting against the motion and Councilor Plourde abstaining. Councilor Plourde left the room. Councilor Nealley moved approval of the grant, Councilor Faircloth seconded the motion. Councilor Graham asked about the fact that this and the next grant recommended are both for the Maine Science Festival, which is not necessarily in the direct charge of the Cultural Commission. Brooke indicated the CCD had a lengthy discussion about this very fact, but determined that the Maine Science Festival is an important part of bringing down silos between arts, culture, and science. The motion passed as the vote was not doubted. Councilor Plourde rejoined the meeting.

c. Penobscot Theatre Company

Caitlin Brooke introduced the grant recommendation from the CCD for the Maine Discovery Museum/Maine Science Festival. Councilor Graham expressed concern about continually funding PTC and that the CCD should be funding things that will become self-sustaining, not ongoing operations and programming. Additionally, he was concerned about the CCD only having \$1,000 left for the year with another round of organizational grants advertised and an ongoing rolling deadline for individual artist grants. Brooke explained that the PTC is one of the groups that has the capacity to apply for the funds. The CCD did discuss the limited funding left, and explained they had determined they could potentially fund one or two small individual grants for the remainder of the year. Councilor Plourde asked if Councilor Graham could clarify his areas of concern about the CCD or things he would like to see them do differently. Councilor Graham responded that he feels that it is his part of his job to be critical and that the grant guidelines indicate things should be self-sustaining. Councilor Plourde asked if there is a way the CCD could communicate differently or better to be more proactive in giving Councilor Graham the information he needs. Councilor Nealley moved approval of the grant, and Councilor Plourde seconded the motion. Councilor Nealley stated this is about 1/100 of 1 percent of our overall budget and the City has a great track record of supporting arts and culture. Vote was 4-1 in favor, with Councilor Graham opposed.

3. Expansion of CDBG Facade Grant Eligibility Area

Community and Economic Development Director Tanya Emery introduced the expansion of the CDBG-funded façade grant program into all census tracts that are more than 51% low-moderate income, also known as "LMI neighborhoods" in CDBG language. Councilors expressed support for the program and interest in seeing a list of past recipients and photos of the accomplishments of the funding. Councilor Plourde moved Staff recommendation. Councilor Nealley seconded the motion which passed as the vote was not doubted.

4. REFERRAL – ORDINANCE 15-056, Amending Chapter 260, Signs, of the Code of the City of Bangor, By Clarifying Window Sign Requirements and Allowing Umbrella Logos

Assistant City Solicitor Paul Nicklas explained that this amendment is to clarify language regarding window signage and umbrella logos. Downtown businesses have requested that they be allowed umbrellas with logos. Umbrellas without logos are expensive and must be replaced each year. Umbrellas can be found for free from vendors/sponsors. However, they are not allowed under the current ordinance.

The amendment for window sign requirements would allow for 20% coverage of the area of the window and for all floors of a building. Staff requested a positive recommendation from the Committee.

Committee Members discussed the proposed language amendments and where they would be allowed.

Councilor Nealley moved staff recommendation. Councilor Graham seconded the motion. It was not doubted and the motion passed.

5. Executive Session – Economic Development – Property Acquisition – 1 M.R.S.A. § 405(6)(C)

Councilor Nealley moved to go into executive session under – 1 M.R.S.A. § 405(6)(C) at 6:20 p.m. Councilor Graham seconded the motion, which passed.

6. Committee Action on Above Item

No action was taken.

7. Executive Session – Economic Development – Business Development – 1 M.R.S.A. § 405(6)(C)

Councilor Graham moved to go into executive session under – 1 M.R.S.A. § 405(6)(C) at 6:28 p.m. Councilor Plourde seconded the motion. The motion passed.

8. Committee Action on Above Item.

Councilor Plourde moved staff recommendation for approval of the TIF and Credit Enhancement Agreement for 28 Broad Street. Councilor Graham seconded the motion. The motion passed unanimously.

The meeting adjourned at 6:36 pm.

COUNCIL ACTION

Item No. 15-082

Date: February 9, 2015

Item/Subject: Order, Amending the City of Bangor Procurement Policy

Responsible Department: Finance

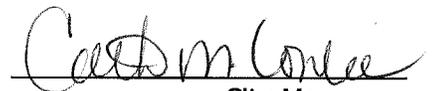
Commentary:

The proposed amendment to the City's procurement policy would incorporate the federal requirements for Community Development Block Grant (CDBG) purchases. There are no new federal requirements and the amendment is representative of the current and past practices. This amendment is being proposed as more of a housekeeping item, which will result in a procurement policy that is all encompassing and clear.

This amendment was reviewed and recommended for approval by the Finance Committee on February 3, 2015.

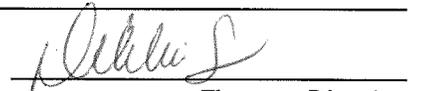
Department Head

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 Sprague

CITY OF BANGOR

(TITLE.) Order, Amending the City of Bangor Procurement Policy

By the City Council of the City of Bangor:

ORDERED, THAT the City of Bangor Procurement Policy is hereby amended by adding Article 13 – Community Development Block Grant Program as follows:

ARTICLE 13 – Community Development Block Grant Program

13-101 General Provisions

- (1) When procuring goods or services using Community Development Block Grant funding, the City and its subrecipients, must follow federal procurement rules when purchasing services, supplies, materials, or equipment.
- (2) The City must adhere to federal procurement requirements found in 24 CFR Part 85 and as amended. Subrecipients must adhere to federal procurement requirements found in 2 CFR Part 215.44, as implemented through 24 CFR Part 84 and as amended.
- (3) Subrecipients are those entities and individuals receiving loans or grants to fulfill a CDBG national objective using CDBG funding and/or matching funds. Subrecipients include, but are not limited to, businesses, non profit organizations, housing developers and single family home owners. Sub recipients are not required to receive the City's authorization to award contracts using CDBG funding so long as these procurement policies are adhered to and documented.
- (4) There are four categories of procurement pertaining to CDBG funding:
 - (a) Small purchase procedures,
 - (b) Sealed bids,
 - (c) Competitive proposals and
 - (d) Non-competitive proposals.

13-102 Small Purchase Procedures

FEBRUARY 9, 2015

This category may be used for goods and services totaling no more than \$100,000. The Director of Community & Economic Development, or his/her designee, has authority to award contracts within this category.

- (1) Non Housing Rehabilitation - Under the small purchases method, a request for quotes may be sent to a reasonable number of potential vendors with a detailed description of the goods or services needed. Once three or more competitive written quotations are received from qualified sources, a contract may be awarded to the lowest responsive and responsible source.
- (2) Housing Rehabilitation – Under the small purchases method, a request for quotes shall be sent to a reasonable number of pre-qualified vendors with a detailed description of the goods or services needed. Once three or more competitive written quotations are received from qualified sources, a contract may be awarded to the lowest responsive and responsible source.

13-103 Sealed Bids

- (1) This category may be used for construction contracts and goods totaling over \$100,000. The City Council must approve all contracts within this category.
- (2) Competitive and publicly solicited sealed bids are required for this category. A firm-fixed-price lump sum or unit price contract shall be awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is lowest in price. A minimum of two bidders is required.
- (3) The invitation for bids must be publicly advertised in a newspaper of general circulation and a minimum of two bids must be received in order to award the contract. All bids must be opened publicly at the time and place stated in the invitation for bids. The public is allowed at that time to review the bids. All bids may be rejected when sound documented reasons exist.

13-104 Competitive Proposals

- (1) Competitive proposals are used to purchase professional services where the total cost will exceed \$100,000. The Director of Community & Economic Development, or his/her designee, has authority to award contracts within this category.
- (2) Bids may be solicited under this category using two methods:
 - (a) A request for proposals
 - (b) A request for qualifications for architect and engineering services.
- (3) The invitation for bids must be publicly advertised in a newspaper of general circulation and a minimum of two bids/qualifications must be received in order to award the contract.

13-105 Non-Competitive Proposals

- (1) Non-competitive procurement may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids, or competitive proposals and one of the following circumstances applies:
 - (a) Where the item is available only from a single source;
 - (b) Where a public emergency or urgent situation is such that the urgency will not permit a delay beyond the time needed to employ one or the other procurement methods;
 - (c) Where after solicitation of a number of sources, competition is determined inadequate.

Any contract in excess of \$100,000 must be awarded by the City Council. Contracts under \$100,000 may be awarded by the Director of Community & Economic Development, or his/her designee.

13-106 Ineligible Beneficiaries

- (1) No member of the Bangor City Council, nor any other public official, officer, employee or agent of the City, shall have any personal or pecuniary interest, direct or indirect, in this agreement or the proceeds thereof.
- (2) No member or delegate to the Congress of the United States, nor any Resident Commissioner, shall be permitted any share or part of the proceeds of this Agreement or any benefit that may arise herefrom.

FEBRUARY 9, 2015

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 - (a) Where the item is available only from a single source;
 - (b) Where a public emergency or urgent situation is such that the urgency will not permit a delay beyond the time needed to employ one or the other procurement methods;
 - (c) Where after solicitation of a number of sources, competition is determined inadequate.

Any contract in excess of \$100,000 must be awarded by the City Council. Contracts under \$100,000 may be awarded by the Director of Community & Economic Development, or his/her designee.

13-106 Ineligible Beneficiaries

- (1) No member of the Bangor City Council, nor any other public official, officer, employee or agent of the City, shall have any personal or pecuniary interest, direct or indirect, in this agreement or the proceeds thereof.
- (2) No member or delegate to the Congress of the United States, nor any Resident Commissioner, shall be permitted any share or part of the proceeds of this Agreement or any benefit that may arise herefrom.

COUNCIL ACTION

Item No. 15-083

Date: February 9, 2015

Item/Subject: ORDER, Awarding a \$25,000 Loan to Broadway Housing, Inc.

Responsible Department: Community & Economic Development

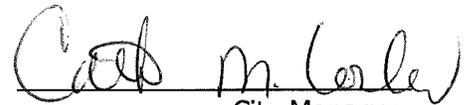
Commentary:

This Order would authorize the City Manager to execute an agreement with Broadway Housing, Inc., a subsidiary of Penquis, to provide up to \$25,000 in a forgivable CDBG funded loan to renovate the existing 27 unit Ernst Manor, a facility reserved for low income handicapped and elderly persons. The agreement is contingent upon Penquis securing the additional funding needed for the project. Forgiveness of the loan would be based upon meeting a CDBG national objective by providing housing for the identified population.

The Business & Economic Development Committee reviewed and recommended this item for approval at its February 3, 2015 meeting.

Tanya Emery
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 Faircloth

CITY OF BANGOR

(TITLE.) **ORDER,** Awarding a \$25,000 Forgivable Loan to Broadway Housing, Inc.

WHEREAS, Broadway Housing Inc, a subsidiary of Penquis, has made the request as a part of its planned renovations at the existing 27 unit facility reserved for low income handicapped and elderly persons, called Ernst Manor; and

WHEREAS, Ernst Manor has been a valuable asset in the community that has met an important need in the City and the planned renovations will ensure the facility is viable for many years to come; and

WHEREAS, the forgivable loan will be contingent upon the project securing the remaining funding needed and will be forgiven at a rate of 25% percent for every year that housing is provided to the identified population, meeting a CDBG national objective:

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

The City Manager is authorized to enter into a forgivable loan agreement for \$25,000 with Broadway Housng, Inc. in a final form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 15-084

Date: February 9, 2015

Item/Subject: **Order**, Authorizing the City Manager to Accept \$1,071.50 in U.S. Currency, or a Portion Thereof, as a result of a State Criminal Forfeiture.

Responsible Department: Police

Commentary:

This order authorizes the City Manager to accept and transfer \$1,071.50 State Criminal Forfeiture Funds. Members of the Bangor Police Department were instrumental in an arrest leading to the seizure of drugs, cash and property that was subsequently forfeited by the individual who was arrested. As a result, the City is entitled to a portion of the seized funds. This Order will authorize the acceptance of the funds and the execution of the approval of the fund transfer.

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 the City Manager to Accept \$1,071.50 in U.S. Currency, or a Portion Thereof, as a result of a State Criminal Forfeiture

By the City Council of the City of Bangor:

ORDERED, THAT the City Manager is authorized to accept \$1,071.50 in U.S. currency, or a portion thereof, as a result of a State criminal forfeiture and deposit it in the State Forfeiture Account (60020309050).

COUNCIL ACTION

Item No. 15-085

Date: February 9, 2015

Item/Subject: Resolve, Ratifying Execution of Acceptance of \$1,711.00 in U.S. Currency, or a Portion Thereof, as a result of a State Criminal Forfeiture.

Responsible Department: Legal

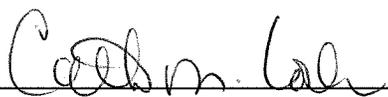
Commentary:

Members of the Bangor Police Department were instrumental in an arrest leading to the seizure of cash that was subsequently forfeited by the individual who was arrested. As a result, the City is entitled to part or all of the seized funds.

This Resolve will ratify the acceptance and transfer of the funds.

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 Plourde



CITY OF BANGOR

(TITLE.) RESOLVE, Ratifying Execution of Acceptance of \$1,711.00 in U.S. Currency, or any Portion Thereof, as a Result of a State Criminal Forfeiture.

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT RESOLVED,

THAT the actions of City staff to accept \$1,711.00 in U.S. currency, or any portion thereof, as a result of a State criminal forfeiture and deposit it in the State Forfeiture Account (60020309050) are hereby ratified.

COUNCIL ACTION

Item No. 15-086

Date: February 9, 2015

Item/Subject: **Resolve**, Ratifying Execution of Acceptance of \$3,283.00 in U.S. Currency, or a Portion Thereof, as a result of a State Criminal Forfeiture.

Responsible Department: Legal

Commentary:

Members of the Bangor Police Department were instrumental in an arrest leading to the seizure of cash that was subsequently forfeited by the individual who was arrested. As a result, the City is entitled to part or all of the seized funds.

This Resolve will ratify the acceptance and transfer of the funds.

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.) RESOLVE, Ratifying Execution of Acceptance of \$3,283.00 in U.S. Currency, or any Portion Thereof, as a Result of a State Criminal Forfeiture.

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT RESOLVED,

THAT the actions of City staff to accept \$3,283.00 in U.S. currency, or any portion thereof, as a result of a State criminal forfeiture and deposit it in the State Forfeiture Account (60020309050) are hereby ratified.

COUNCIL ACTION

Item No. 15-087

Date: February 9, 2015

Item/Subject: **Resolve**, Ratifying Execution of Acceptance of \$6,783.00 in U.S. Currency, or a Portion Thereof, as a result of a State Criminal Forfeiture.

Responsible Department: Legal

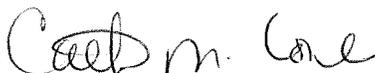
Commentary:

Members of the Bangor Police Department were instrumental in an arrest leading to the seizure of cash that was subsequently forfeited by the individual who was arrested. As a result, the City is entitled to part or all of the seized funds.

This Resolve will ratify the acceptance and transfer of the funds.

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.) RESOLVE, Ratifying Execution of Acceptance of \$6,783.00 in U.S. Currency, or any Portion Thereof, as a Result of a State Criminal Forfeiture.

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT RESOLVED,

THAT the actions of City staff to accept \$6,783.00 in U.S. currency, or any portion thereof, as a result of a State criminal forfeiture and deposit it in the State Forfeiture Account (60020309050) are hereby ratified.

COUNCIL ACTION

Item No. 15-088

Date: 2-2-15

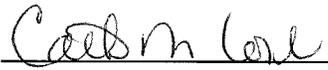
Item/Subject: Authorizing the City Manager to Execute a Memorandum of Understanding for the Bangor Community Garden Project – Essex Street.

Responsible Department: Parks and Recreation

Commentary: This Order will authorize the City Manager to Execute a Memorandum of Understanding for the Community Garden on Essex Street. The Parks and Recreation Department has been working with organizations and a group of individuals who have been managing the Bangor Community Garden. Among those individuals are representatives from National Able as well as the University of Maine Cooperative Extension. The Community Garden is located on the former Naval Reserve property on Essex Street. This will allow the Parks and Recreation Department to continue to work with the groups as described in a Memorandum of Understanding as well as continue to assess and accept rental fees. This has been reviewed and recommended for approval by the Government Operations Committee at their meeting on February 4, 2015.

Tracy Willette
Department Head

Manager's Comments:


City Manager

Associated Information: Order, MOU, Background Memo

Budget Approval:

Finance Director

Legal Approval:


City Solicitor

Introduced for
 Passage
 First Reading
 Referral

Page __ of __

Assigned to Councilor Civiello



CITY OF BANGOR

(TITLE.) ORDER, Authorizing the City Manager to Execute a Memorandum of Understanding for the Bangor Community Garden Project – Essex Street

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

1. The City Manager is authorized to execute a Memorandum of Understanding in conjunction with the National ABLE Network and University of Maine Cooperative Extension to allow the Parks and Recreation Department to continue with the Bangor Community Garden Project on Essex Street; and
2. If necessary, fundraising efforts to assist with the costs of the garden are hereby authorized, and the Finance Director is hereby authorized to accept such donations; and
3. The Parks and Recreation Director or his designee is authorized to work with those volunteers/individuals involved with the management of the garden including incidental use of Department funds, materials, supplies, and City equipment; and
4. The Finance Director shall establish such procedures as she deems necessary to insure that any donated funds, goods, or services that are eligible for a tax deduction are appropriately received and accounted for and are used specifically for the purpose intended by the donors.

MEMORANDUM OF UNDERSTANDING
BANGOR COMMUNITY GARDEN PROJECT
ARTICLE I PARTIES TO THE MEMORANDUM

1. National ABLE Network, Maine Office, Bangor, Maine (hereinafter referred to as ABLE)
2. City of Bangor, Maine (hereinafter referred to as the "City")
3. University of Maine Cooperative Extension, Bangor, Maine (hereinafter referred to as Cooperative Extension)

Any references to "Parties" contained herein refer to these parties collectively.

ARTICLE II Reasons for the Memorandum

This memorandum clarifies the purpose of a community garden to be assembled and located at a site known as the "Former Naval Reserve Property" located on Essex Street in Bangor, Maine and sets forth the respective roles and responsibilities of the collaborating parties.

ARTICLE III Location of the Community Garden

The community garden will be located on a parcel of City owned property identified on City Tax maps as lot 63 on sheet 46. It is more commonly referred to as the "Former Naval Reserve Property" on Essex Street. It is understood by all parties to this memorandum that this parcel has been identified as a potential site for future development and may be sold by the City for such purposes. In the event the City enters into a purchase and sale agreement for the above parcel, all parties to this memorandum will work cooperatively to attempt to identify an alternate location for the community garden.

ARTICLE IV Purpose of the Community Garden

The parties agree that the community garden is for use by the Citizens of Bangor for the following purposes:

1. Provide educational programs regarding effective gardening techniques; sustainable gardening, and other educational purposes as the Parties may identify. The Parties agree that the area identified (Exhibit or site plan) is designated for educational and workforce development purposes. So long as National ABLE and/or UCME are parties to this MOU, they shall have priority in using this area to further educational training and workforce development needs over any other potential uses for the designated area.
2. Provide gardening opportunities for local citizens.
3. Provide a gardening opportunity as described through a set of criteria and guidelines set forth by a committee established by the Parties to this memorandum and further described in this memorandum.

ARTICLE V Bangor Community Garden Committee

The Bangor Community Garden ("BCG") project shall constitute an Organizing Committee formed to provide the design, planning, development, fundraising, and to oversee new construction and maintenance of the area. BCG shall also have an Executive Committee which will have the ability to make routine or time-sensitive decisions on behalf of BCG. All decisions of either committee are subject to a majority vote at any meeting attended by a quorum of Committee members although the EC retains veto power.

1. Organizing Committee (OC) shall consist of any individuals attending BCG meetings which are open to the community at large. Anyone with interest in the BCG may attend meetings and vote on questions brought to the meeting.
 - a. Leadership within the OC shall consist of members of the OC interested and willing to take on the responsibilities of the following positions: Garden Coordinator, Grounds Manager, Fundraising Coordinator/Community Outreach Officer, and City Liaison. Duties of these positions are described in Appendix 1.
2. Executive Committee (EC): The City, ABLE, UMCE, and the Organizing Committee shall each appoint a representative to serve on the EC. Each nominating party may replace its own appointed committee members at any time at its own discretion.

ARTICLE VI Future construction and implementation.

The Bangor Community Garden Committee shall oversee the future construction phases with individual duties being determined within the committee through a process administered as described in Article V. Individual roles over and above that process are as follows:

- 1 ABLE shall:
 - a. Be a co-applicant with the City and Cooperative Extension in state, federal or other applications for grant opportunities.
 - b. Provide staffing as needed and as available through their activities and programs at the Community Garden for the purpose of "day to day" management of the garden and assist with programming. ABLE may seek funding opportunities with respect to that area of the BCG reserved for educational purposes or workforce development efforts which it shall coordinate through the EC. ABLE may also support efforts by the BCG to seek other funding opportunities.
 - c. For all components in which the City of Bangor and UMCE are involved, acknowledge the City of Bangor and UMCE (with prior approval) in printed, web, and audio/visual materials, publicity, evaluation and reporting.
- 2 The City shall:
 - a. Authorize the construction of the Community Garden on its land, subject to the conditions described in Article III.

- b. Be a co-applicant with ABLE and Cooperative Extension in state, federal, or other applications for grant opportunities.
 - c. Be the fiscal agent for the community garden until such time that the Bangor Community Garden committee has determined that an alternate agent can be established, pursuant to all applicable state and federal guidelines for the establishment of a non-profit entity.
 - d. Provide other assistance as needed and available that supports this effort.
 - e. Provide insurance certificates for the other Parties to this MOU.
 - f. Indemnify, defend, and hold harmless ABLE and UMCE, their governing boards, officers, and employees, agents, volunteers and contractors, and each and all thereof, of and from any and all manner of actions, suits, fines, damages, attorney fees, and claims of whatsoever kind or nature, arising out of or in connection with the ownership, operation, use or condition of the "Former Naval Reserve Property, " including but not limited to, actions, suits, fines, damages, attorney fees, and claims related to conditions or substances on, in or under the soil at that location.
 - g. Make a available (for a reasonable fee) the following resources: irrigation water, electricity, the McGruff shed, and bathroom facilities as requested by the EC. The Committee shall decide how the fees will be paid if they are not paid directly through dues.
 - h. Provide ongoing repair or maintenance on gate, mowing of public areas at the site, and trim unsafe or overcrowding limbs on trees.
 - i. For all components in which UMCE and ABLE are involved, acknowledge UMCE and ABLE in printed, web, and audio/visual materials, publicity, evaluation and reporting. Extension must have prior approval authority over the publicity materials using the University's name.
- 3 Cooperative Extension shall:
- a. Provide assistance and guidance as needed.
 - b. Host at least one free educational program at the garden per year.
 - c. Assist others in developing educational programs at the garden.
 - d. Share program impact assessment with the City and ABLE.
 - e. Advertise programming and announcements in UMCE newsletters and other outlets.
 - f. For all components in which the City of Bangor and ABLE are involved, acknowledge the City of Bangor and ABLE in printed, web, and audio/visual materials, publicity, evaluation and reporting.

- g. Be a co-applicant with the City and ABLE in state, federal and other applications for grant opportunities.

ARTICLE VII Modifications of the memorandum

This memorandum may be modified by the unanimous consent of the parties.

ARTICLE VIII Endorsement

On behalf of the parties to this Memorandum of Understanding, we the undersigned indicate our agreement with the provisions of the memorandum.

ARTICLE IX Termination

Any party to this Memorandum of Understanding may withdraw from this Memorandum and terminate its responsibilities hereunder at any time upon providing 90 days written notice to the other parties. In addition, the following shall constitute terminating events.

1. That any party hereto violates this Agreement and fails to cure said breach within thirty (30) days; or
2. Upon notification by the City of Bangor that the parcel will cease to be available for gardening and no alternative location is identified.

ARTICLE x General Provisions

Nondiscrimination: The parties shall not discriminate on the grounds of race, color, religion, sex, sexual orientation, including transgender status and gender expression, national origin, citizenship status, age, disability, genetic information or veterans status. The City shall ensure that the community garden site and facilities are physically accessible to individuals with disabilities.

Agreement Validity: In the event one or more clauses of this agreement are declared invalid, void, unenforceable or illegal, that shall not affect the validity of the remaining portions of this agreement.

Independent Entities: The three Parties to this agreement are independent entities, not partners, agents or joint venturers, of each other and not party shall hold itself out contrary to these terms by advertising or otherwise, nor shall any party be bound by any representation, act or omission whatsoever of any other party.

Entire Agreement: This MOU sets forth the entire agreement between the parties on the subject matter hereof and replaces and supersedes all prior agreements between the parties on the subject, whether oral or written, express or implied.

Waiver: The failure of a party to exercise any of its rights under this agreement for a breach thereof shall not be deemed to be a waiver of such rights, and no waiver by a party, whether written or oral, express or implied, of any rights under or arising from this agreement shall be binding on any subsequent occasion; and no concession by a party shall be treated as an implied modification of the agreement unless specifically agreed in writing.

Binding Effect: This MOU shall be a binding agreement upon, and shall extend to the benefit of, the parties hereto and their permitted successors and assigns.

City of Bangor

National ABLE

Catherine Conlow, City Manager

Daniel Muth, Director

Date:_____

Date:_____

University of Maine

Printed Name:_____

Date:_____



**REFERRALS TO COMMITTEES
& FIRST READINGS**



**UNFINISHED
BUSINESS**

COUNCIL ACTION

Item No. 15-057

Date: **January 12, 2015**

Item/Subject Amending Land Development Code – Zone Change – 312 Hogan Road (Tax Map R62-05F) from a General Commercial and Service District to a Government and Institutional Service District.

Responsible Department: Planning Division

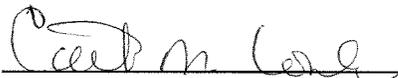
Commentary:

The applicant, Maine Community College System, is requesting a zone change for a parcel of land (2.63 acres) located at 312 Hogan Road (Tax Map R62-05F) from a General Commercial and Service District to a Government and Institutional Service District. The zoning change will facilitate using the existing commercial building as a nonprofit educational facility. Government and Institutional Service District (G&ISD) is the standard district for institutional and nonprofit uses, such as municipal facilities, hospitals, and educational facilities.

/s/ Tanya L. Emery
Dept. Head

Manager's Comments:

For Referral to Planning Board Meeting of January 20, 2015 at 7:00 p.m.

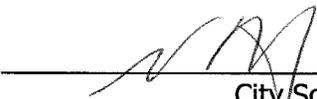

City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:


City Solicitor

Introduced for

Passage

First Reading

Referral to Planning Board Meeting of January 20, 2015, 7:00 p.m.



Assigned to Councilor Nealley

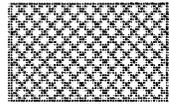
CITY OF BANGOR

(TITLE.) Ordinance , Amending Land Development Code – Zone Change – 312 Hogan Road (Tax Map R62-05F) from a General Commercial and Service District to a Government and Institutional Service District.

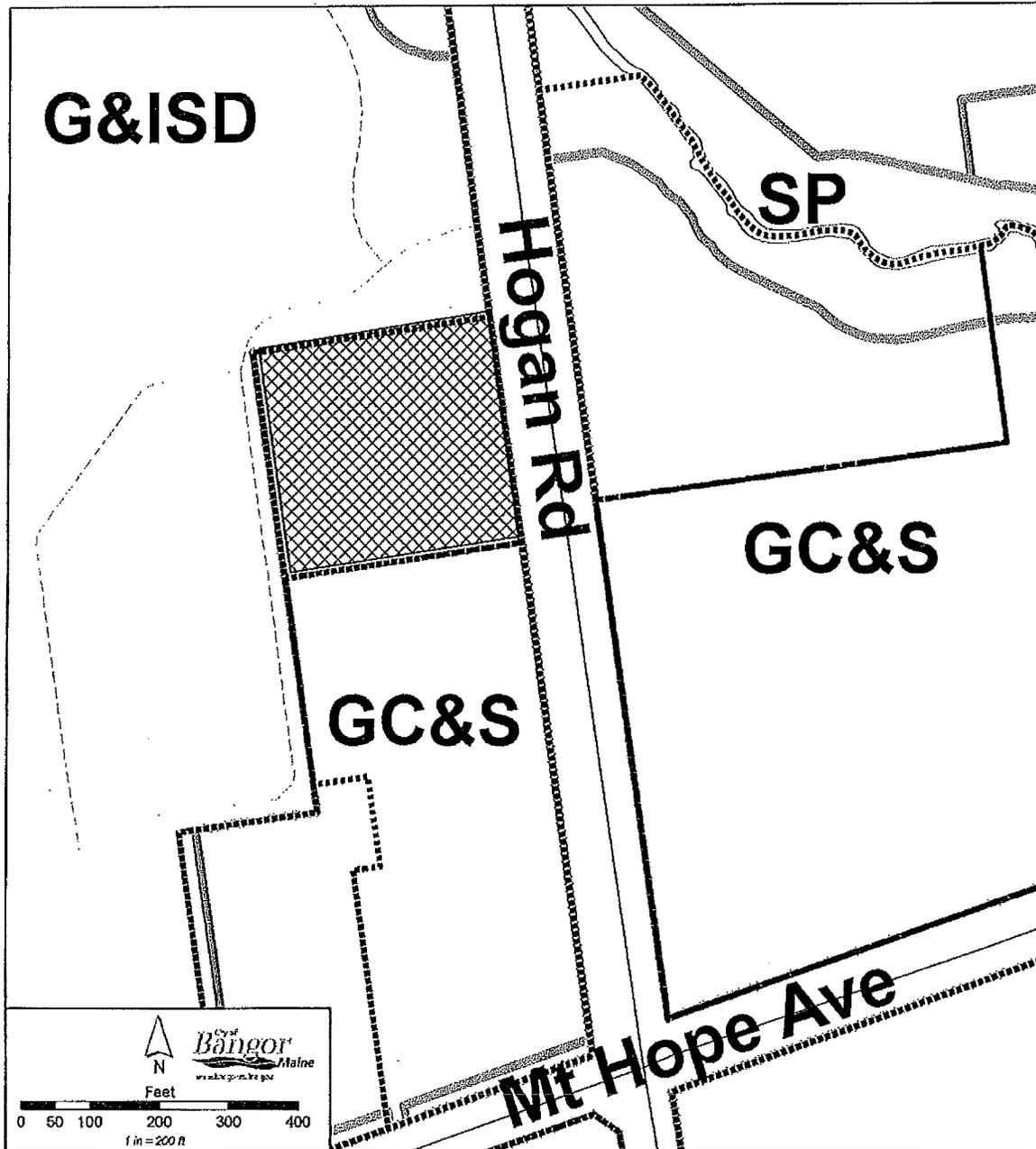
Be it ordained by the City Council of the City of Bangor, as follows:

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

By changing a parcel of land located at 312 Hogan Road (Tax Map No. R-62, Parcel No. 5F) from a General Commercial and Service Distreict to a Government and Insitutional Service District. Said parcel of land containing approximately 2.63 acres and being more particularly indicated on the map attached hereto and made a part hereof.



GC&S to G&ISD



7/1/2012

APPLICATION FOR LAND DEVELOPMENT CODE AND MAP AMENDMENT

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

DATE: December 29, 2014

1. I(WE) Maine Community College System
2. of 323 State Street, Augusta, Maine 04330 Tel. (207) 767-0116
Address City or Post Office Telephone

hereby petition to amend the Land Development Code of the City of Bangor, Maine by reclassifying from General Commercial district to the Govt & Inst. Service district for the property outlined in red on the maps attached hereto, which are part of this application, and described as follows:

3. ADDRESS OF PROPERTY (if any) 312 Hogan Road
Total Area (acres or square feet) 2.63+/- acres
4. PROPERTY LOCATION (General location); Example - South side of
State Street 400 yards. East of Pine Street West-side of Hogan Road
5. LEGAL DESCRIPTION OF PROPERTY - Assessors Map No. R62 Parcel 005-F
6. EXISTING USE: Vacant warehouse building
7. PROPOSED USE: Office space and public services educational facility
8. NAME AND ADDRESS OF OWNER OF RECORD: Name [See Schedule A attached]
Address [See Schedule A attached]
9. NAME AND ADDRESS OF CONTRACT OWNER (if such): Don Belyea
354 Hogan Road
Bangor, ME 04401
10. SIGNATURE OF OWNER OR CONTRACT OWNER: [Signature]
11. REPRESENTATIVE OF APPLICANT; Name Derek P. Langhauser, General Counsel
(if applicable)
Address 3 Adams Street, South Portland, Maine 04106
12. ATTACH ANY CONDITIONS PROPOSED FOR A CONTRACT ZONE REQUEST.

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

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

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

PLEASE READ PROCESSING PROCEDURE ON REVERSE SIDE

MEMORANDUM

DATE: January 21, 2015
TO: The Honorable City Council
FROM: David G. Gould, Planning Officer
SUBJECT: Amending Zoning Ordinance
312 Hogan Road - General Commercial and Service District
(GC&S) to Government and Institutional Service District
(G&ISD) - Council Ordinance 15-057

Please be advised that the Planning Board at its meeting on January 20, 2015, held a Public Hearing on the above zone change request.

Chairman Paul Bolin asked the applicant or their representative to make a brief presentation of the request.

Member Kenney informed the Board that being employed by WBRC, who was the firm doing work for the applicant, he may have a conflict of interest. Member Williams moved that Member Kenney be excused. Member Boothby seconded the motion, and the Board voted unanimously that Member Kenney be excused.

Chairman Bolin noted that Alternate Member Pete Parizo could vote on this item given the absence of Member Kenney.

Mr. Dan Belyea Director of Administrative Services for Eastern Maine Community College representing Maine Community College System indicated that the College is seeking to change the zoning of this property to allow the school to expand its facilities in the existing vacant building. The property was previously owned by the school and through a property swap the land was sold for private commercial use. The land is situated so it can be easily merged into the existing EMCC Campus.

There were no other proponents or opponents to the rezoning request.

Member Mallar asked how traffic would work given the property has a shared driveway with the automobile dealership and no connections to the remainder of the campus.

Mr. Belyea noted that they have looked at a potential inter-connection between the building and the rest of the campus. While the existing access on Hogan Road would serve the car dealership they did not see the need to utilize that drive.

Planning Officer Gould explained the prior actions by the City to amend the Land Use Plan and zoning to facilitate private commercial use. The application requires the Board to consider the guidance the plan offers and where the property is located. It would not be unreasonable to view the request as a shift in the boundary of the institutional boundary. Mr. Gould noted that the specific land use guidance of the Comprehensive Plan is not zoning it's a basis to help the City make decisions. Certainly without that framework, day-to-day decisions would be much less focused, but the Board is free to exercise its judgment in arriving at a recommendation. What is most helpful is to be clear as to why the Board reaches the conclusions it does.

Member Mallar noted that the property, which is assessed at nearly a million dollars, would become nontaxable. Mr. Boothby asked if some means of payment in lieu of taxes would be possible.

Mr. Belyea indicated that current State Law would prohibit it. However, the building is currently idle and the Community College System is willing to invest substantial money in Bangor to enhance its programs, which will be lost if the land use issues are not resolved.

Member Boothby made a motion to recommend the proposed rezoning to the City Council. Member McCarthy seconded the motion. The Board voted six in favor and one opposed to recommend that the City Council approve the rezoning from General Commercial and Service District (GC&S) to Government and Institutional Service District (G&ISD) as contained in C.O. # 15-057.

COUNCIL ACTION

Item No. 15-0059

Date: January 12, 2015

Item/Subject: Resolve, Authorizing the City Manager to enter into a Memorandum of Understanding with and to Accept and Appropriate \$23,308.00 in Grant Funds from Penobscot Community Health Care for the Maine Health Access Foundation (MeHAF) Access to Quality Care Planning Grant.

Responsible Department: Public Health and Community Services

Commentary: This resolution would authorize the Bangor Public Health and Community Services to serve as a sub recipient of \$23,308 Penobscot Community Health Care cost-extension grant from the Maine Health Access Foundation (MeHAF). The purpose of the grant is to support the development of collaborative partnerships of non-affiliated/ separately owned organizations to create a sustainable and coordinated community level approach for providing health care services to their low income, uninsured community members. Each collaborative partnership is to include a broad group of stakeholders representing health care, social services, and low income patients/consumers. The continuation grant will utilize the *Community Health Leadership Board*, of which the City of Bangor is a founding and active member, to strengthen a comprehensive plan to develop a more coordinated system of care for community members affected by substance abuse and addiction. The term of the grant term is February 15, 2015 through August 31, 2015.

Department Head

Manager's Comments:

Carol M. Conley
City Manager

Associated Information:

Resolve

Budget Approval:

William J. [Signature]
Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for

Passage
 First Reading

Page 1 of

Referral to Government Operations 2-2-15



Assigned to Councilor CIVIELLO

CITY OF BANGOR

RESOLVE: Authorizing the City Manager to enter into a Memorandum of Understanding with and to Accept and Appropriate \$23,308.00 in Grant Funds from Penobscot Community Health Care for the Maine Health Access Foundation (MeHAF) Access to Quality Care Planning Grant.

BE IT RESOLVED THAT: The City Manager is hereby authorized to enter into a Memorandum of Understanding with Penobscot Community Health Care and to Accept & Appropriate grant funds in the amount of \$23,308 from PCHC for the period February 15, 2015 to August 31, 2015. Funds originate from the Maine Health Access Foundation (MeHAF) for the Access to Quality Care Planning Grant. The purpose is to support the development of collaborative partnerships of non-affiliated/separately owned organizations to create a sustainable and coordinated community level approach for providing health care services to low income, uninsured community members.

COUNCIL ACTION

Item No. 15-076

Date: January 26, 2015

Item/Subject: Resolve, Appropriating \$76,500 from the General Fund Unassigned Fund Balance to Purchase and Equip 3 Police Cruisers

Responsible Department: Finance

Commentary:

The attached resolve would appropriate \$76,500 from the General Fund unassigned fund balance to purchase and equip three police cruisers.

Staff received notification of an opportunity to purchase new 2013 Chevrolet Caprice police package sedans, with full manufacturer warranty from a dealership in MA at a significantly reduced cost of \$18,999 each, which represents a savings of over \$8,000 per vehicle when compared to current year pricing. There will be one-time additional costs to outfit the patrol cars, with lights/sirens, paint, cages, radio changeover, etc estimated at \$6,500 per vehicle.

The Finance Committee reviewed and approved the request to purchase four of these vehicles. As funding for one vehicle is available from existing TSA Bomb dog grant funds, this resolve will appropriate the funding for only three patrol vehicles.

On January 12, 2015 the Finance Committee recommended passage of the attached resolve.

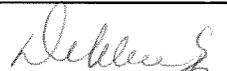
Department Head

Manager's Comments:


City Manager

Associated Information:

Budget Approval:


Finance Director

Legal Approval:


City Solicitor

Introduced for
 Passage
 First Reading
 Referral

15-076
JANUARY 26, 2015

Assigned to Councilor Sprague



CITY OF BANGOR

(TITLE.) Resolve, Appropriating \$76,500 from the General Fund Unassigned Fund Balance to Purchase and Equip 3 Police Cruisers

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT RESOLVED, that \$76,500 is hereby appropriated from the General Fund unassigned fund balance to purchase and equip three police cruisers.



**NEW
BUSINESS**

COUNCIL ACTION

Item No. 15-089

Date: February 9, 2015

Item/Subject: Order, Authorizing the City Manager to Apply for Funding in the Amount of \$40,000 from the Maine Health Access Foundation.

Responsible Department: Health and Community Services

Commentary: This order will authorize the City Manager to apply for \$40,000 in planning grant funds from the Maine Health Access Foundation for more intensive planning regarding substance abuse in the Healthy Maine Partnership. If approved, the Health and Community Services Department will use the funds over the next 16 months to identify gaps, barriers and determine our best approach to dealing with substance abuse addiction, treatment and recovery.

Having successfully completed the first pre-planning phase, the Public Health and Community Services Department has been invited to apply for the second phase of the Maine Health Access Foundation grant program. The pre-planning phase brought together a diverse group representing public and private organizations across multiple industries and sectors to work collectively to identify 1-2 critical health issues that warrant attention in the Healthy Maine Partnership service area including Bangor, Brewer, Clifton, Eddington, Glenburn, Hampden, Hermon, Holden, Levant, Newburgh, Orono, Orrington, and Veazie.

The critical issue selected for the second planning phase is Substance Abuse. This issue was chosen because of its documented impact on health. Momentum exists to make substantive positive changes to address the substance abuse-related needs of our community. There is demonstrated commitment from influential stakeholder leadership and area organizations. Strategies are in place for meaningfully engaging those with lived experiences and maintaining communication and inclusivity. This item was reviewed and recommended for approval by the Government Operations Committee at its meeting on February 4, 2014.

Department Head

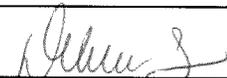
Manager's Comments:



City Manager

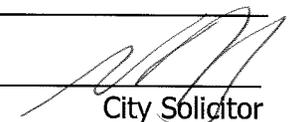
Associated Information: Order

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

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

15-089
FEBRUARY 9, 2015



Assigned to Councilor Graham

CITY OF BANGOR

(TITLE.) Order, Authorizing the City Manager to Apply for Funding in the Amount of \$40,000 from the Maine Health Access Foundation.

BE IT ORDERED THAT: The City Manager is Authorized to Apply for funding in the amount of \$40,000 from the Maine Health Access Foundation, for the period May 1, 2015 to October 31, 2016, for planning purposes related to substance abuse issues.