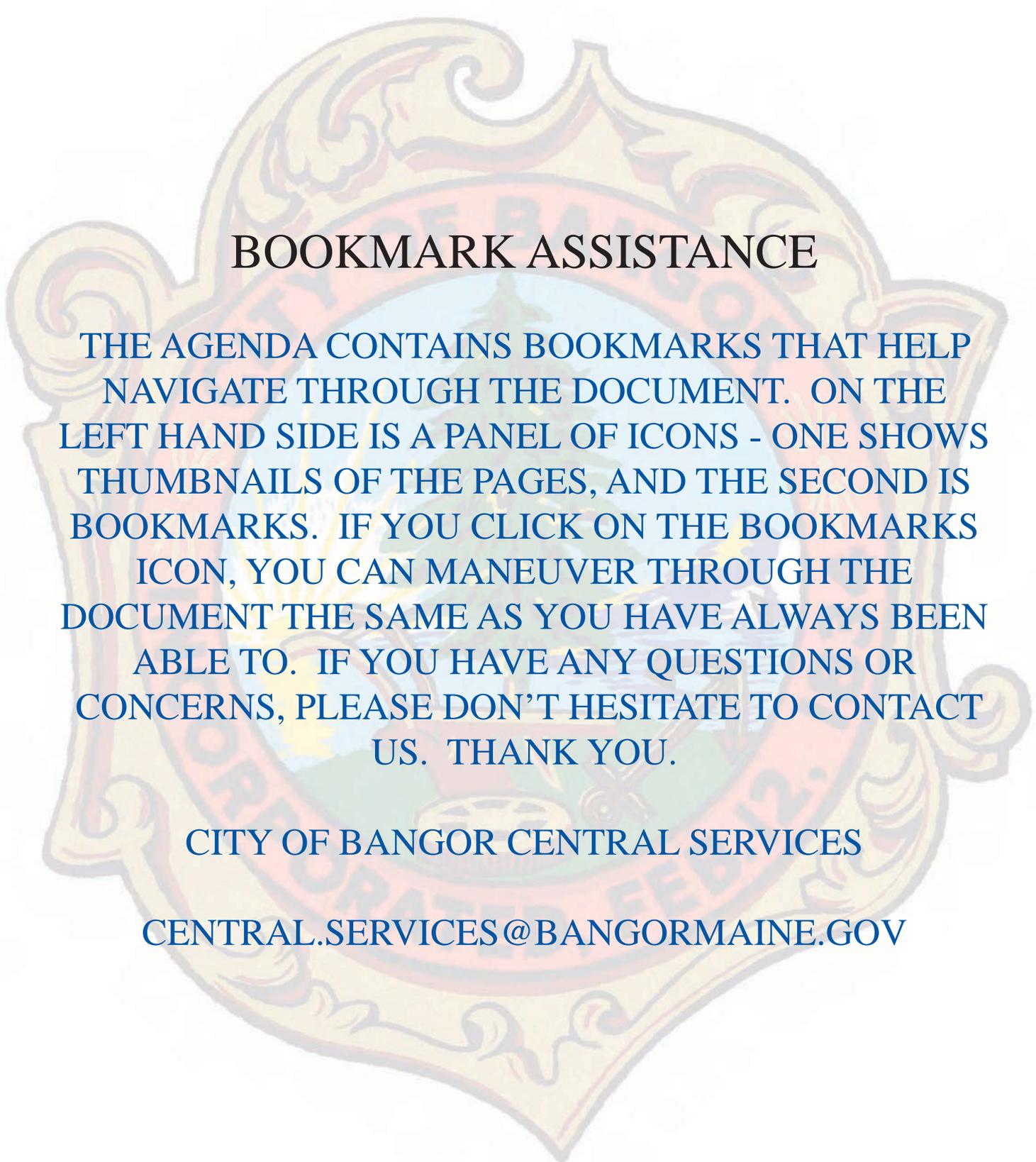




CITY COUNCIL AGENDA

November 14, 2016





BOOKMARK ASSISTANCE

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

CITY OF BANGOR CENTRAL SERVICES

CENTRAL.SERVICES@BANGORMAINE.GOV

REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 14, 2016

PLEDGE ALLEGIANCE TO THE FLAG

RECOGNITION: Recognizing Eastern Maine Community College on Their 50th Anniversary for Their Commitment and Service to the Greater Bangor Area

RECOGNITION: Recognizing the Hammond Street Congregational Church for Its Historical and Cultural Treasure- The Libbey-McClure Organ

PUBLIC COMMENT

CONSENT AGENDA ITEM NO.	ASSIGNED TO COUNCILOR
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*Explanatory Note: All items listed in the Consent Agenda are considered routine and are proposed for adoption by the City Council by one motion without discussion or deliberation. If discussion on any item is desired any member of the Council or public may merely request removal of the item to its normal sequence in the regular agenda prior to a motion for passage of the Consent Agenda.

MINUTES OF: Bangor City Council Meeting of October 24, 2016, Bangor City Council Special Meeting of November 1, 2016, Bangor School Committee Workshop and Meeting of October 13, 2016, Finance Committee Meeting of November 1, 2016 and Business and Economic Development Committee Meeting of October 18, 2016

<u>Liquor License Renewal:</u> Application for Liquor License Renewal, Malt, Spirituous, Vinous of Bafs, Inc d/b/a Bafs, Inc., 61 Florida Avenue	GRAHAM
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Application for Liquor License Renewal, Malt, Spirituous, Vinous of The Back Alley Restaurant d/b/a The Back Alley Restaurant, 15 Hildreth Street	GRAHAM
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Application for Liquor License Renewal, Malt, Spirituous, Vinous of Spectacular Event Center d/b/a Spectacular Event Center, 395 Griffin Road	GRAHAM
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Application for Liquor License New, Malt, Spirituous, Vinous of Cutler LLC d/b/a Novio's, 130 Hammond Street	GRAHAM
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<u>17-002</u> <u>ORDER</u>	Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 20 Sixth Street (Map 034 Lot 036)	FAIRCLOTH
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REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 14, 2016

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

Executive Summary: Real estate tax liens matured on the property of Cynthia Barraclough of 20 Sixth Street. All outstanding charges due the City have been paid. There are no outstanding sewer charges or property issues. Because the liens had matured, a municipal quitclaim is required to release the City's interest in the property. Staff recommends approval.

17-003 ORDER Authorizing Execution of Municipal Quitclaim Deed – **GRAHAM
Real Estate Located at 222 Cedar Falls Mobile Home
Park (Map R21 Lot 011)**

Executive Summary: Real estate tax liens have matured on the property located at 222 Cedar Falls Mobile Home Park. All outstanding charges have been paid. There are no outstanding sewer charges or code issues. Because the liens had matured, a municipal quitclaim is required to release the City's interest in the property. Staff recommends approval.

17-004 RESOLVE Ratifying Execution of Municipal Quitclaim Deed – Real **NICHOLS
Estate Located at 68 Pier Street (Map 023 Lot 119)**

Executive Summary: Real estate tax, sewer and stormwater liens and a lien to secure payment of mortgage matured on the property located at 68 Pier Street. All outstanding charges due the City have been paid. There are no property issues. Because the liens matured and in order to facilitate the closing, the quitclaim deed has been executed releasing the City's interest in the property. This Resolve will ratify the staff action.

17-005 ORDER Authorizing the City Manager to Accept \$6070.50 in U.S. **NEALLEY
Currency, or a Portion Thereof, as a result of a State
Criminal Forfeiture**

Executive Summary: This order authorizes the City Manager to accept and transfer \$6070.50 in 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. Staff recommends approval.

17-006 ORDER Authorizing the City Manager to Accept \$8596.50 in U.S. **SPRAGUE
Currency, or a Portion Thereof, as a result of a State
Criminal Forfeiture**

Executive Summary: This order authorizes the City Manager to accept and transfer \$8596.50 in 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. Staff recommends approval.

REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 14, 2016

CONSENT AGENDA ITEM NO.	ASSIGNED TO COUNCILOR
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<u>17-007</u> <u>ORDER</u> Authorizing the City Manager to Accept \$326.00 in U.S. Currency, or a Portion Thereof, as a result of a State Criminal Forfeiture	NICHOLS
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Executive Summary: This order authorizes the City Manager to accept and transfer \$326.00 in 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.

<u>17-008</u> <u>ORDER</u> Authorizing the City Clerk to Cast Voting Ballot for the Municipal Review Committee, Inc. Board of Directors	PERRY
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Executive Summary: As a Charter Municipal member of the Municipal Review Committee, the City of Bangor is entitled to vote for representatives to the Board of Directors. The MRC represents municipal interests and oversees jointly owned assets regarding the operation of the PERC Waste-to-Energy facility in Orrington and future Fiberight plant in Hampden. City Manager Conlow currently holds one of the nine seats on the MRC Board through December 31, 2018. This order authorizes the City Clerk to cast Bangor’s ballot for Charles “Chip” Reeves of Bar Harbor for a three year term. Mr. Reeves is a current member and serves as Board president.

This has been reviewed and recommended for approval by the Finance Committee on November 1, 2016.

<u>17-009</u> <u>RESOLVE</u> Acknowledging Receipt of the Official Results and the Declaration Results of the November 8, 2016 General Election and Municipal Election	BALDACCI
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Executive Summary: This Resolve will acknowledge the results of the General Election and Municipal Election held on November 8, 2016.

REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 14, 2016

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

**ASSIGNED TO
COUNCILOR**

**17-010 ORDINANCE Amending Land Development Code – Zone
Change – Odlin Road (Tax Map R10 parcels
002, 002A, and 003) from an Industry and
Service District to Urban Industry (First
Reading and Referral to Planning Board
Meeting of November 15, 2016)**

GRAHAM

Executive Summary: The applicant, Lane Construction Corporation, is requesting a zone change for several parcels of land (approximately 7.9 acres) located on Odlin Road (Tax Map R10, Parcels 002, 002A, and 003) from an Industry and Service (I&S) District to an Urban Industry District (UID). In 2013, the City amended the Land Development Code to direct quarries to Urban Industry District. The Lane quarry was an existing grandfathered use, however over the past few decades some of the quarry and its road and buffering has expanded into I&S. The owners would like to maintain access to the quarry and a buffer around the quarry so as to maintain safe operations and minimize impact on the neighbors. Because the land owned by Lane encompasses several parcels in a different zone, the request is provide for one consistent zone. If approved, the UID zone will allow them to move and maintain the existing landscape berm around the Lane Quarry.

**UNFINISHED BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

**16-342 ORDINANCE Amending Land Development Code – Contract
Zone Change – 900 State Street (Tax Map R 71,
Parcel 22) from a Low Density Residential
District to a Contract Government &
Institutional Service District**

NEALLEY

Executive Summary: The applicant, Julie Sites is requesting a contract zone change for a 6.2 acre parcel of land located at 900 State Street (Tax Map R71, 22), from Low Density Residential District to a Contract Government and Institutional Service District. The proposed contract conditions will allow the existing large single family home, known as the William Peters House to be used as a nonprofit wellness center. The William Peters House, built in 1911, was designed by architect Milton Stratton in the Neo Rationalist style. In addition, the property includes gardens designed by Olmsted Brothers, Landscape Architects. Both elements give it some historical significance in the City of Bangor.

If approved, the proposed conditions for the contract zone will require the structure to be designated under the Historic Preservation Ordinance. Any new structures will be limited to 35 feet in height, 10,000 square feet in floor area and not exceed an Impervious Surface Ratio of 40%. The Planning Board voted two in favor and four opposed to the proposal at its meeting on September 20, 2016.

REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 14, 2016

**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

PUBLIC HEARING: **Application for Special Amusement License Renewal of Spectacular Event Center d/b/a Spectacular Event Center, 395 Griffin Road** **GRAHAM**

17-011 **RESOLVE** **Pledging the City of Bangor’s support for the Maine Global Culture and Economic Center** **FAIRCLOTH**

Executive Summary: This Resolve supports the efforts of the Maine Global Culture and Economic Center, which is a network of educational, business, and cultural services designed to promote community enrichment and economic growth through diversity. If approved, this resolve also authorizes the City Manager to assign staff to work with the group.

The Maine Global Culture and Economic Center, founded in 2016, is intended to serve as a welcome for immigrants to the Bangor region and create a space to share various cultures, traditions, and perspectives with each other. Further, the Maine Global Culture and Economic Center looks to support and encourage efforts to generate economic development opportunities through the development of business opportunities that are generated by new immigrant populations.

17-012 **ORDER** **Authorizing an Easement with Ice Holdings LLC. – Coffey Street** **NEALLEY**

Executive Summary: This Order will authorize the City Manager to execute an easement between the City of Bangor and Ice Holdings, LLC to provide for the construction of a pad and installation of mechanical equipment within the setback limits of Coffey Street, and for no other purpose.

Ice Holdings, LLC is the owner of a parcel of land and building on Coffey Street, which is a dead end street. They are developing their property to include the installation of mechanical equipment on a cement pad outside of the building. The Code of the City of Bangor requires a 30 foot setback for structures, including pads and mechanical equipment. Because of the design and footprint of the building, it is necessary to develop the pad and mechanical equipment within the 30 foot setback area.

The City is proposing an amendment to the Land Development Code for Planning Board and Council consideration that would change the setbacks for exterior mechanical equipment to reflect modern mechanical structural needs. However, that will take several weeks. Because of the timing of this project and the need to place the cement pad prior to a hard freeze, the mechanical needs to be done as soon as possible. Therefore, Ice Holdings, LLC has requested an easement from the City in order to proceed with the construction of the pad pending any amendments to the Code of the City of Bangor. The easement as requested will not create any burden for the City or safety issues for pedestrians or traffic.

BANGOR CITY COUNCIL



RECOGNIZING EASTERN MAINE COMMUNITY COLLEGE ON THEIR 50th ANNIVERSARY FOR THEIR COMMITMENT AND SERVICE TO THE GREATER BANGOR AREA

- WHEREAS,** Eastern Maine Community College was established by the Maine State Legislature in 1966 under the authority of the State Board of Education; and
- WHEREAS,** Eastern Maine Community College has served the educational and vocational needs of the greater Bangor area for these fifty years; and
- WHEREAS,** the College has offered associate degree, diploma, and certificate programs directed at the technical and occupational needs of the community; and
- WHEREAS,** the College has helped to cultivate and grow an educated and adaptable labor force that has contributed to the economic life of the community as well as statewide economic development efforts; and
- WHEREAS,** the City of Bangor and Eastern Maine Community College together recognize the dignity of work and the ability for people to better themselves through technical and vocational training and education.

NOW, THEREFORE, I, _____, **Mayor of the City of Bangor,** on behalf of the City Council and the citizens of Bangor, do hereby recognize and congratulate Eastern Maine Community College on the occasion of their 50th anniversary and pledge our support and cooperation for many years to come.

Given this the 4th day of November, 2016.

, Mayor

BANGOR CITY COUNCIL



RECOGNIZING THE HAMMOND STREET CONGREGATIONAL CHURCH FOR ITS HISTORICAL AND CULTURAL TREASURE- THE LIBBEY-MCCLURE ORGAN

WHEREAS, the Hammond Street Congregational Church was founded in 1833 and continues to be an important part of the Bangor community with a long history of service to the greater Bangor area; and

WHEREAS, Hammond Street Congregational Church has welcomed the recent installation of the recently renovated E. & G.G. Hook Organ, Opus 304, pipe organ of 1861 that was acquired from a church in Boston, saving it from destruction; and

WHEREAS, the new pipe organ was named after, and dedicated in honor of, the Libbey-McClure Family for their generous donation that made the purchase and restoration possible; and

WHEREAS, Hammond Street Congregational Church wishes to share this high caliber musical instrument and its beautiful sound with the community through recitals, concerts, and worship services.

NOW, THEREFORE, I, _____, **Mayor of the City of Bangor,** on behalf of the City Council and the citizens of Bangor, do hereby recognize and congratulate the Hammond Street Congregational Church for its valuable and culturally significant addition of the Libbey-McClure organ.

Given this the 14th day of November, 2016.

, Mayor



**CONSENT
AGENDA**

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 24, 2016

*Meeting called to order at 7:30 PM
 Chaired by Council Chair Faircloth
 Councilors Absent: Plourde
 Meeting Adjourned at 8:42 PM*

RECOGNITION: *Recognized Beal College On Their 125th Anniversary For Their Commitment And Service To The Greater Bangor Area*

PROCLAMATION: *Proclaimed October To Be Domestic Violence Awareness Month In The City Of Bangor*

PUBLIC COMMENT *Larry Willey spoke about the Pro Maine Conference he attended.*

Melissa Newbury invited the City Council to the Transportation for All Halloween kickoff event.

Chief Mark Hathaway introduced 3 officers who had recently received promotions.

CONSENT AGENDA ITEM NO.		ASSIGNED TO COUNCILOR
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MINUTES OF:	<i>Bangor City Council Meeting of October 12, 2016, Bangor School Committee Workshop and Meeting of September 28, 2016 and Finance Committee Meeting of October 17, 2016</i>	
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Action: Accepted and Approved

Liquor License Renewal:	<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of New Fay Da Restaurant Inc d/b/a Happy China Buffet, 753 Stillwater Avenue</i>	GRAHAM
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Action: Approved

	<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of Fandom Group LLC d/b/a Seasons on Main, 427 Main Street</i>	GRAHAM
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Action: Approved

	<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of Bangor Lodge of Elks #244 d/b/a Elks BPO Bangor Lodge #244, 108 Odlin Road</i>	GRAHAM
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Action: Approved

	<i>Application for Liquor License New, Vinous of Kumar Inc d/b/a Taste of India, 68 Main Street</i>	GRAHAM
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Action: Approved

	<i>Application for Liquor License New, Malt, Vinous of DMF International Inc. d/b/a Post Security Café, 299 Godfrey Boulevard</i>	GRAHAM
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Action: Approved

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 24, 2016

**UNFINISHED BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

16-378 RESOLVE *Authorizing the City Manager to Accept and Appropriate \$55,000 in Grant Funds from Eastern Maine Healthcare Systems, for the Partnerships to Improve Community Health (PICH) Program* **DURGIN**

Action: *Motion made and seconded for Passage Passed*

**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

PUBLIC HEARING: *Application for Special Amusement Permit Renewal of Fandom Group LLC d/b/a Seasons on Main, 427 Main Street* **GRAHAM**

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

Application for Special Amusement Permit Renewal of Bangor Lodge of Elks #244 d/b/a Elks BPO Bangor Lodge #244, 108 Odlin Road **GRAHAM**

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

Attest:



Lisa J. Goodwin/MMC, City Clerk

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 24, 2016

CONSENT AGENDA ITEM NO.		ASSIGNED TO COUNCILOR
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<u>16-381</u>	<u>ORDER</u>	<i>Authorizing the Parks and Recreation Department to work with the Maine Junior Black Bears to Purchase and Install a new scoreboard at Sawyer Arena</i>	PERRY
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Action: Passed

<u>16-382</u>	<u>ORDER</u>	<i>Accepting Rutland Street as a Public Street</i>	SPRAGUE
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Action: Passed

<u>16-383</u>	<u>ORDER</u>	<i>Appointing Nominees to Various Boards, Commissions, and Committees</i>	BALDACCI
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Action: Passed

<u>16-384</u>	<u>ORDER</u>	<i>Authorizing an Amendment of the Purchase Option and Development Agreement with John Karnes for Development of Former Pine Tree Inn – 22 Cleveland Street (Tax Map 001-017)</i>	GRAHAM
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Action: Passed

<u>16-385</u>	<u>ORDER</u>	<i>Authorizing an Amendment to the Indenture of Lease with USABFIT, LLC at 366 Griffin Road (Map 100-006)</i>	NEALLEY
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Action: Passed

<u>16-386</u>	<u>ORDER</u>	<i>Authorizing the City Manager to Accept a \$5,043.70 Donation from an “Anonymous Donor” for the Special Account: Pay It Forward Fund</i>	NICHOLS
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Action: Passed

REFERRALS TO COMMITTEE AND FIRST READING ITEM NO.		ASSIGNED TO COUNCILOR
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None.

UNFINISHED BUSINESS ITEM NO.		ASSIGNED TO COUNCILOR
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<u>16-363</u>	<u>ORDINANCE</u>	<i>Amending Land Development Code – Zone Change – At 647 Main Street (Tax Map 27-Lot 001) from an Industry and Service District to Government & Institutional Service District</i>	SPRAGUE
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*Action: Motion made and seconded for Passage
Vote 8 – 0
Councilors Voting Yes: Baldacci, Durgin, Graham, Nealley, Nichols, Perry, Sprague, Faircloth
Councilors Voting No: None*

MINUTES OF SPECIAL MEETING BANGOR CITY COUNCIL – NOVEMBER 1, 2016

*Meeting called to order at 7:30 PM
Chaired by Council Chair Faircloth
Councilors Absent: Nealley*

PUBLIC COMMENT *None*

**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

16-387 ORDINANCE *Enacting a Moratorium on Retail Marijuana Social Clubs* **DURGIN**

Action: Motion made and seconded for Passage

*Motion made and seconded to Amend by Substitution 16-387 to include all retail marijuana establishments.
Amendment Passed*

*Motion made and seconded to waive Second Reading of 16-387
Second Reading Waived*

Bill Shook and Bruce Campbell spoke in favor of the moratorium.

Jay Nutting spoke to dispel any misconceptions of establishments being able to open immediately if this measure passes. He indicated it could take quite some time before rules and regulations are in place to allow for these establishments.

Motion made and seconded for Passage as Amended

Vote: 8 – 0

Councilors Voting Yes: Baldacci, Durgin, Graham, Nichols, Perry, Plourde, Sprague, Faircloth

Councilors Voting No: None

Passed as Amended

ATTEST:



Lisa J. Goodwin, MMC, City Clerk

MINUTES

BANGOR SCHOOL COMMITTEE
Workshop
6:30 p.m. Thursday, October 13, 2016

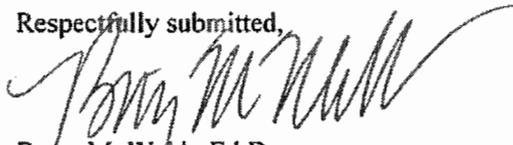
School Committee Members present: Chairman Warren Caruso, Vice Chair Jay Ye, Brian Doore, Sue Hawes, and Marlene Susi. Members Jennifer DeGroff and Sue Sorg were unable to attend.

The meeting began at 6:30 p.m.

The Committee reviewed Policy sections H, I, J, and K.

The workshop adjourned at 7:00 p.m.

Respectfully submitted,

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

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

MINUTES

BANGOR SCHOOL COMMITTEE

REGULAR MEETING

7:00 p.m., Thursday, October 13, 2016

School Committee Members present: Chairman Warren Caruso, Vice Chair Jay Ye, Brian Doore, Sue Hawes, Sue Sorg, and Marlene Susi. Member Jennifer DeGroff was unable to attend.

A. The meeting was called to order by Chairman Caruso at 7:04 p.m. and the Pledge of Allegiance followed.

3. The Bangor School Department and the Bangor School Committee recognized Jay Ye for his six years of loyal and dedicated service to the Bangor School Committee.

B. Superintendent Webb requested to amend the agenda to include E.I.e. First Reading of Policy JN.

VOTED 6-0 to amend the agenda as requested.

D. 2. a. Committee Member Sue Hawes reviewed the MSBA Proposed Resolutions.

b. Superintendent Webb reported the following resignation(s):

Lindsey Hackett, Kindergarten Teacher	Fruit Street School
Jacqueline Ireland, Gr. 4-8 Nurse	WSCS/Mary Snow School
Fred Lower, JV Baseball Coach	Bangor High School
Lauren O'Reilly, Asst. Coach, Girls Swim	Bangor High School
Cathy Lemin, Girls' Tennis Coach	Bangor High School

E. 1. a.1-2 VOTED 5 (Caruso, Doore, Hawes, Sorg, Susi) for 0 opposed and 1 (Ye) abstained to approve the minutes of the September 28, 2016 School Committee Workshop Meeting and the September 28, 2016 Regular School Committee Meeting.

b.1 Superintendent Webb recommended approval of the August 2016 Financial Report.

VOTED 6-0 to approve the Financial Report as presented.

b.2 Superintendent Webb recommended approval of the revised October 2016 Bid & Quotation Report.

VOTED 6-0 to approve the report as presented.

e. 1. Superintendent Webb recommended First Reading Policy JN Student Fees, Fines, and Charges.

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

- f. 1. Superintendent Webb recommended approval of Second Reading of a Policy FF Naming of School Facilities.

VOTED 6-0 to approve Policy FF as presented.

- F. 2. d. Member Doore shared that the UTC Board met on October 6th. The Board reviewed the new Maker Space and learned more about the EMCC-UTC Partnership and expanded collaboration efforts.

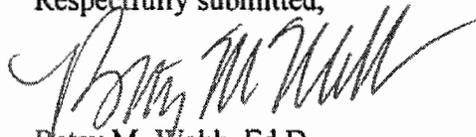
- f. Member Susi asked about the recent In-service Day. Superintendent Webb shared the types of activities teachers, staff, and administration worked on throughout the day including curriculum work and mandated trainings.

Member Ye expressed his appreciation for his time on the School Committee. He shared he has learned over the six years the high quality of the system, the faculty and staff, and the administration and leadership of Dr. Webb. Further, Member Ye thanked the community of their support of the budget.

- H. Chairman Caruso reviewed the important dates and he shared with the community the work of the School Committee to review the policies.

Meeting adjourned at 7:30 p.m.

Respectfully submitted,



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

FINANCE COMMITTEE MINUTES

November 1, 2016 @ 5:15 pm

Councilors in Attendance: Graham, Durgin, Sprague, Faircloth, Nichols

Staff in Attendance: Willett, Cyr, Conlow

1. Bids/Purchasing

- a.** Portable Four Column Truck Lift – Fleet Maintenance – Power Washer Sales LLC - \$37,595

Motion made and seconded to award contract. Motion passed unanimously.

2. Municipal Review Committee Ballot

Each year, Charter municipalities of the MRC have an opportunity to elect 3 members to the Board of Directors, which is comprised of nine members. The MRC represents municipal interests in the joint public /private venture involving the PERC Waste to Energy facility in Orrington. There are 8 candidates for the 3 three year terms, and there is one 1 year vacancy to be filled as well. That position will be filled by the candidate with the fourth highest vote total. It is recommended that Bangor cast its vote for Charles "Chip" Reeves of Bar Harbor. Mr. Reeves has a background in construction management and served as the most recent Board president. With the construction of the Fiberright plant, Mr. Reeves skills will be valuable. Councilor Graham asked if the communities of each candidate had signed on to the Fiberright agreement. The City Manager confirmed that each of the communities had. Motion made and seconded to recommend adoption by the City Council. Motion passed unanimously.

Meeting adjourned at 5:20 pm

BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

Tuesday, October 18, 2016 @ 5:15 PM
City Council Chambers

Meeting Minutes

Councilors Present: Baldacci, Durgin, Graham, Plourde

City Staff Present: Bolduc, Collins, Conlow, Heitmann, Emery

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

1. **Extension of Lease Agreement with USABFIT, LLC**

Councilor Plourde moved staff recommendation to approve the lease extension, Councilor Baldacci seconded. Vote unless doubted, no doubt.

2. **Pine Tree Inn Redevelopment Extension**

John Karnes, developer, provided a project update.

Councilor Durgin moved staff recommendation to approve the extension, Councilor Baldacci seconded. Vote unless doubted, no doubt.

3. **Waterfront Concerts Discussion**

Jason Doucette from Walter Street spoke regarding the fence impeding his view. No problem with the fence around the venue, but has a problem with the piece backstage to Tim Horton's.

Michael Alpert spoke regarding the continuance of concerts, but suggested Council should control the sound, and use the Citizen Committees recommendations.

Alex Gray from Waterfront Concerts was present to answer questions and hear the discussion.

No other business.

Meeting adjourned at 6:19 p.m.

Respectfully submitted,
Melissa Bickford
Administrative Assistant
C&ED

COUNCIL ACTION

Item No. 17-002

Date: November 14, 2016

Item/Subject: **ORDER**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 20 Sixth Street (Map 034 Lot 036).

Responsible Department: Legal

Commentary:

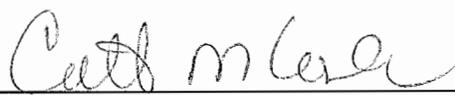
Real estate tax liens matured on the property of Cynthia Barraclough of 20 Sixth Street. All outstanding charges due the City have been paid. There are no outstanding sewer charges or property issues. Because the liens had matured, a municipal quitclaim is required to release the City's interest in the property.

Staff recommends approval.



Department Head

Manager's Comments:



City Manager

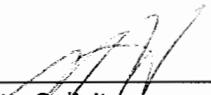
Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for Consent Agenda

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



Assigned to Councilor Faircloth

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 20 Sixth Street (Map 034 Lot 036).

By the City Council of the City of Bangor:

ORDERED, Deborah A. Cyr, Finance Director, is hereby authorized and directed, on behalf of the City of Bangor, to execute a Municipal Quitclaim Deed releasing any interest the City may have by virtue of undischarged real estate tax liens recorded in the Penobscot County Registry of Deeds in Book 13561, Page 312, Book 13907, Page 215 and Book 14187, Page 38. Said deed shall be directed to Cynthia Barraclough in final form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 17-003

Date: November 14, 2016

Item/Subject: **ORDER**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 222 Cedar Falls Mobile Home Park (Map R21 Lot 011).

Responsible Department: Legal

Commentary:

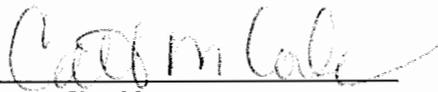
Real estate tax liens have matured on the property located at 222 Cedar Falls Mobile Home Park. All outstanding charges have been paid. There are no outstanding sewer charges or code issues. Because the liens had matured, a municipal quitclaim is required to release the City's interest in the property.

Staff recommends approval



Department Head

Manager's Comments:



City Manager

Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for Consent Agenda

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

Assigned to Councilor Graham



CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at Lot 222, Cedar Falls Mobile Home Park (Map R21 Lot 011).

By the City Council of the City of Bangor:

ORDERED, that Deborah A. Cyr, Finance Director, is hereby authorized and directed, on behalf of the City of Bangor, to execute a Municipal Quitclaim Deed releasing any interest the City may have by virtue of undischarged real estate tax liens recorded in the Penobscot County Registry of Deeds in Book 12508, Page 64, Book 12852, Page 51, Book 13223, Page 104, Book 13562, Page 68 and Book 13907, Page 323. Said deed shall be directed to Timothy McCann in final form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 17-004

Date: November 14, 2016

Item/Subject: **RESOLVE**, Ratifying Execution of Municipal Quitclaim Deed – Real Estate
Located at 68 Pier Street (Map 023 Lot 119).

Responsible Department: Legal

Commentary:

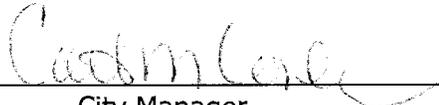
Real estate tax, sewer and stormwater liens and a lien to secure payment of mortgage matured on the property located at 68 Pier Street. All outstanding charges due the City have been paid. There are no property issues. Because the liens matured and in order to facilitate the closing, the quitclaim deed has been executed releasing the City's interest in the property.

This Resolve will ratify the staff action.



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 Nichols



CITY OF BANGOR

(TITLE.) Resolve, Ratification of Execution of Municipal Quitclaim Deed – Property Located at 68 Pier Street (Map 023 Lot 119).

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT RESOLVED,

The actions of Deborah Cyr, Finance Director, of executing and delivering a Municipal Quitclaim Deed from the City of Bangor to Heirs of Gary R. Wozneak for property at 68 Pier Street in Bangor, Maine are hereby ratified and affirmed.

COUNCIL ACTION

Item No. 17-005

Date: November 14, 2016

Item/Subject: **Order**, Authorizing the City Manager to Accept \$6070.50 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 \$6070.50 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: Order

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for Consent Agenda

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

Assigned to Councilor Nealley



CITY OF BANGOR

(TITLE.) ORDER, Authorizing the City Manager to Accept \$6070.50 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 \$6070.50 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. 17-006

Date: November 14, 2016

Item/Subject: **Order**, Authorizing the City Manager to Accept \$8596.50 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 \$8596.50 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. Staff recommends approval.

Department Head

Manager's Comments:



City Manager

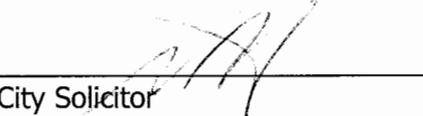
Associated Information: Order

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for Consent Agenda

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



Assigned to Councilor Sprague

CITY OF BANGOR

(TITLE.) ORDER, Authorizing the City Manager to Accept \$8596.50 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 \$8596.50 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. 17-007

Date: November 14, 2016

Item/Subject: **Order**, Authorizing the City Manager to Accept \$326.00 in U.S. Currency, or a Portion Thereof, as a result of a State Criminal Forfeiture.

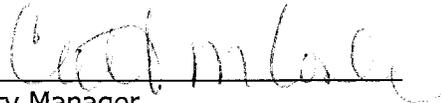
Responsible Department: Police

Commentary:

This order authorizes the City Manager to accept and transfer \$326.00 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

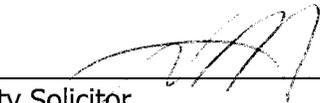
Associated Information: Order

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for Consent Agenda

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

Assigned to Councilor Nichols



CITY OF BANGOR

(TITLE.) ORDER, Authorizing the City Manager to Accept \$326.00 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 \$326.00 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. 17-008

Date: November 14, 2016

Item/Subject: Order, Authorizing the City Clerk to Cast Voting Ballot for the Municipal Review Committee, Inc. Board of Directors

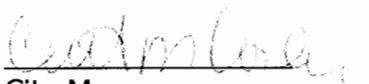
Responsible Department: Executive

Commentary: As a Charter Municipal member of the Municipal Review Committee, the City of Bangor is entitled to vote for representatives to the Board of Directors. The MRC represents municipal interests and oversees jointly owned assets regarding the operation of the PERC Waste-to-Energy facility in Orrington and future Fiberight plant in Hampden. City Manager Conlow currently holds one of the nine seats on the MRC Board through December 31, 2018. This order authorizes the City Clerk to cast Bangor's ballot for Charles "Chip" Reeves of Bar Harbor for a three year term. Reeves is a current member and serves as Board president.

This has been reviewed and recommended for approval by the Finance Committee on November 2, 2016.

Department Head

Manager's Comments: Recommend approval



City Manager

Associated Information: Order

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

Passage Consent Agenda
 First Reading
 Referral

Page __ of



Assigned to Councilor Perry

CITY OF BANGOR

(TITLE.) Order, Authorizing the City Clerk to Cast Voting Ballot for the Municipal Review Committee, Inc. Board of Directors

Be it Ordered by the Bangor City Council that:

the City Clerk is hereby authorized to cast the voting ballot for the Municipal Review Committee Board of Directors for Charles Reeves of Bar Harbor for a three year term commencing January 1, 2017 and ending December 31, 2019.

COUNCIL ACTION

Item No. 17-009

Date: November 12, 2016

Item/Subject: **Resolve**, Acknowledging Receipt of the Official Results and the Declaration Results of the November 8, 2016 General Election and Municipal Election

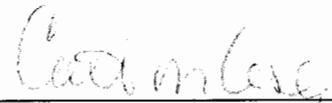
Responsible Department: City Clerk

Commentary:

This Resolve will acknowledge the results of the General Election and Municipal Election held on November 8, 2016.

Department Head

Manager's Comments:



City Manager

Associated Information: Resolve

Budget Approval:

Finance Director

Legal Approval:



City Solicitor

Introduced for CONSENT

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

Page ___ of



Assigned to Councilor Baldacci

CITY OF BANGOR

(TITLE.) RESOLVE, Acknowledging Receipt of the Official Results and the Declaration Results of the November 8, 2016 General Election and Municipal Election

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT the attached election results are received and acknowledged for the General Election and Municipal Election held on November 8, 2016.

Official Election Results - City of Bangor - November 8, 2016

<i>PRESIDENT & VICE PRESIDENT of the United States</i>	
Clinton, Hillary Rodham - Kaine, Timothy Michael (Democratic)	8156
Johnson, Gary - Weld, Bill (Libertarian)	868
Stein, Jill - Baraka, Ajamu (Green Independent)	310
Trump, Donald J. - Pence, Michael R. (Republican)	6001
Write-in Castle, Darrell L. and Bradley, Scott N. (Constitution)	5
Write-in Fox, Dherunda L. and Kushner, Roger M. (Non-Party)	0
Write-in Kotlikoff, Laurence J. and Leamer, Edward E. (It's Our Children)	1
Write-in McMullin, David Evan and Johnson, Nathan Daniel (Courage, Character, Service)	84
Blanks	488
<i>REPRESENTATIVE TO CONGRESS DISTRICT 2</i>	
Cain, Emily Ann - Orono (Democratic)	8341
Poliquin, Bruce - Oakland (Republican)	7119
Write-in Dresser, Jay Parker - Bangor (Independent)	2
Blanks	451
<i>STATE SENATOR DISTRICT 9</i>	
Gratwick, Geoffrey M. - Bangor (Democratic)	9267
Willey, N. Laurence, Jr. - Bangor (Republican)	6033
Blanks	613
<i>REPRESENTATIVE TO LEGISLATURE DISTRICT 124</i>	
Frey, Aaron M. - Bangor (Democratic)	2233
LaPointe, Daniel - Orono (Republican)	1521
Blanks	259
<i>REPRESENTATIVE TO LEGISLATURE DISTRICT 125</i>	
Capehart, Gary E. - Bangor (Republican)	1818
Kornfield, Victoria P. - Bangor (Democratic)	2091
Turcotte, Michael P. - Bangor (Unenrolled)	232
Blanks	162
<i>REPRESENTATIVE TO LEGISLATURE DISTRICT 126</i>	
Damon, Douglas K. - Bangor (Republican)	1458
Schneck, John C. - Bangor (Democratic)	1796
Blanks	188
<i>REPRESENTATIVE TO LEGISLATURE DISTRICT 127</i>	
Cardone, Barbara A. - Bangor (Democratic)	2208
Veilleux, John Glenn - Bangor (Republican)	1719
Blanks	228
<i>REGISTER OF PROBATE</i>	
Stupak, Renee M. - Bangor (Democratic)	12572
Blanks	3341
<i>COUNTY COMMISSIONER</i>	
Baldacci, Peter K. - Bangor (Democratic)	12906
Blanks	3007

Official Election Results - City of Bangor - November 8, 2016

STATE REFERENDUM	
<i>State Question 1: Citizen Initiative</i>	
YES	7929
NO	7714
BLANKS	270
<i>State Question 2: Citizen Initiative</i>	
YES	8618
NO	6951
BLANKS	344
<i>State Question 3: Citizen Initiative</i>	
YES	8558
NO	7111
BLANKS	244
<i>State Question 4: Citizen Initiative</i>	
YES	8630
NO	7005
BLANKS	278
<i>State Question 5: Citizen Initiative</i>	
YES	8152
NO	7151
BLANKS	610
<i>State Question 6: Bond Issue</i>	
YES	9724
NO	5700
BLANKS	489

Official Election Results - City of Bangor - November 8, 2016

CITY COUNCIL	
WESTON, CARY M.	6970
BENNETT, ANDREW PATRICK	5534
GRAHAM, GIBRAN VOGUE	5972
EASTMAN, MARC G.	4997
TREMBLE, DANIEL J.	7607
BLANKS	16146
SCHOOL COMMITTEE	
HAWES, SUSAN MARIE	11158
SYCHTERZ, CARIN LOUISE	8295
BLANKS	12031



**REFERRALS TO COMMITTEES
& FIRST READINGS**

COUNCIL ACTION

Item No. 17-010

Date: November 14, 2016

Item/Subject **ORDINANCE**, Amending Land Development Code – Zone Change – Odlin Road (Tax Map R10 parcels 002, 002A, and 003) from an Industry and Service District to Urban Industry District.

Responsible Department: Planning Division

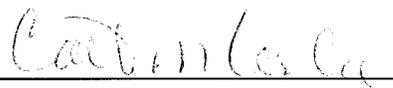
Commentary:

The applicant, Lane Construction Corporation, is requesting a zone change for several parcels of land located on Odlin Road (Tax Map R10, Parcels 002, 002A, and 003) from an Industry and Service (I&S) District to an Urban Industry District (UID). The combined area of the three parcels being rezoned is 7.9 acres. The UID zone will allow them to move and maintain the existing landscape berm around the Lane Quarry. In 2013, the City amended the Land Development Code to direct quarries to Urban Industry District.

/s/ Tanya Emery
Dept. Head

Manager's Comments:

For Referral to Planning Board Meeting of November 15, 2016 at 7:00 p.m.


City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:


City Solicitor

Introduced for
 Passage
 X **First Reading**

Assigned to Councilor Graham



CITY OF BANGOR

(TITLE.) Ordinance, Amending Land Development Code – Zone Change – Odlin Road from Industry and Service District to Urban Service District.

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

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

By changing two parcels of land and a portion of another parcel of land located on Odlin Road (Tax Map R10, Parcel Numbers 002, 002A and 003) from Industry and Service District (I&S) to Urban Industry District (UID). Said parcels containing approximately 7.9 acres and being more particularly indicated on the map attached hereto and made a part hereof.



RECEIVED

OCT 21 2016

C & ED and Planning

953 Odin Road
P.O. Box 103
Bangor, ME 04402-0103
207-945-0873
207-945-0874 Fax
www.laneconstruct.com

David Gould
Planning Officer
City of Bangor Maine
73 Harlow Street
Bangor, Maine 04401

Date: October 21, 2016

Re: The Lane Construction Corporation Bangor Zoning Change Request

Mr. Gould,

The Lane Construction Corporation is formally requesting zoning boundaries be amended surrounding our existing quarry based on current uses. Please find our application and map attached, as well as the additional information below.

Application for Land Development Code and Map Amendment

Questions 3 & 5

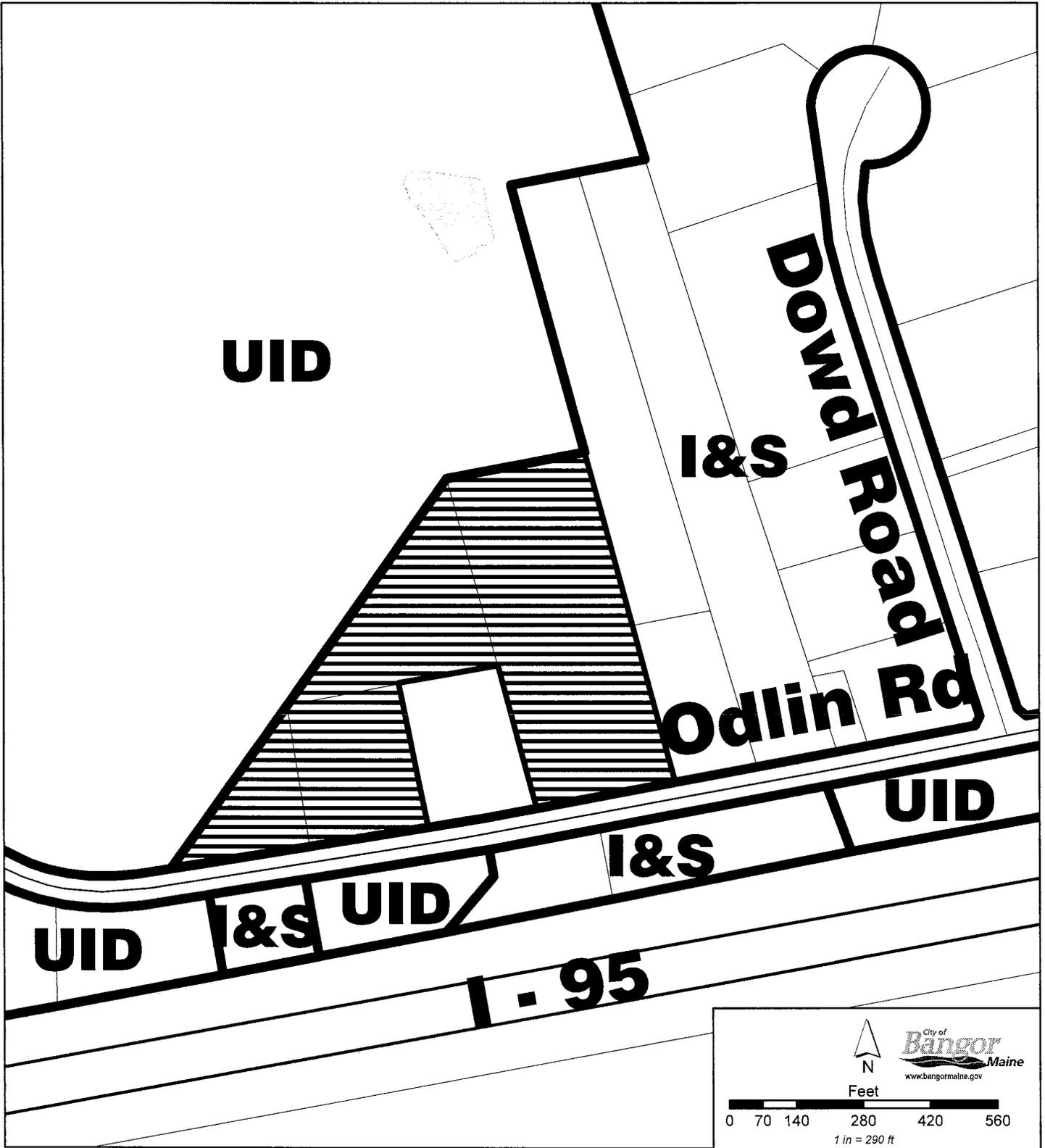
Map #	Lot #	Lot Size (Ac.)	I & S existing	UID existing	UID proposed
R10	002	1.10	1.10	0	+ 1.10
R10	002-A	94.1	3	91.1	+ 3
R10	003	3.8	3.8	0	+ 3.8

If you should have any questions or require any further information, please do not hesitate to call me at 207-945-0858, or by email epweldon@laneconstruct.com

Thank You,

Eugene P. Weldon
Sr. Environmental Manager

cc: John Theriault, Jeremy Martin, RPL, EGR, BAR



I&S to UID



**UNFINISHED
BUSINESS**

COUNCIL ACTION

Item No. 16-342

Date: September 12, 2016

Item/Subject Amending Land Development Code – Contract Zone Change – 900 State Street (Tax Map R 71, Parcel 22) from a Low Density Residential District to a Contract Government & Institutional Service District.

Responsible Department: Planning Division

Commentary: The applicant, Julie Sites is requesting a contract zone change for a 6.2 acre parcel of land located at 900 State Street (Tax Map R71, 22), from Low Density Residential District to a Contract Government and Institutional Service District.

The proposed contract conditions will allow the existing large single family home, known as the William Peters House to be used as a nonprofit wellness center. The William Peters House, built in 1911, was designed by architect Milton Stratton in the Neo Rationalist style. In addition, the property includes gardens designed by Olmsted Brothers, Landscape Architects. Both elements give it some historical significance in the City of Bangor.

If approved, the proposed conditions for the contract zone will require the structure to be designated under the Historic Preservation Ordinance. Any new structures will be limited to 35 feet in height, 10,000 square feet in floor area and not exceed an Impervious Surface Ratio of 40%.

/s/ Tanya L. Emery
Dept. Head

Manager's Comments:

For Referral to Planning Board Meeting of September 20, 2016 at 7:00 p.m.

Carol M. Coe
City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for

Passage

First Reading

Referral to Planning Board Meeting of September 20, 2016, 7:00 p.m.

Page 1 of 1

Assigned to Councilor Nealley



CITY OF BANGOR

(TITLE.) Ordinance, Amending Land Development Code – Contract Zone Change – 900 State Street (Tax Map R71-022) from a Low Density Residential District to a Contract 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 900 State Street (Tax Map No. R71, Parcel No. 022) from an Low Density Residential District to a Contract Government and Insitutional Service District. Said parcel of land containing approximately 6.22 acres and being more particularly indicated on the map attached hereto and made a part hereof.

PROVIDED, HOWEVER THAT, in addition to the mandatory conditions imposed by Chapter 165-7 of the Ordinances of the City of Bangor, said change of zone is granted subject to the following conditions:

1. Limited to the following Permitted Uses:
 - a. Facilities operated by a private nonprofit organization such as a holistic wellness center which shall be primarily located in the former Dr. William Peters House and designated as a Historic Landmark under the Bangor Historic Preservation Ordinance.
2. New structures or additions shall not exceed 35 feet in height.
3. Total gross floor area per structure shall not exceed 10,000 SF.
4. Maximum Impervious Surface Ratio (ISR) shall not exceed 40%
5. Prohibited Uses: Any use not specifically listed above.

2. Execution by those parties with an interest in the affected property of an agreement providing for the implementation and enforcement of all the terms and conditions set forth above and the recording of said executed agreement in the Penobscot County Registry of Deeds by the property owner, a copy of said agreement being on file in the office of the City Clerk and incorporated herein by

reference. In the event that said agreement is not so executed within ninety (90) days from the date of passage hereof, this Ordinance shall become null and void.

RECEIVED

MAY 11 2016

01/2012 and Planning

APPLICATION FOR LAND DEVELOPMENT CODE AND MAP AMENDMENT

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

DATE: 5/10/16

1. I(WE) JULIE B. SITES

2. of 810 STATE ST., BANGOR, ME
Address City or Post Office Telephone

hereby petition to amend the Land Development Code of the City of Bangor, Maine by reclassifying from LDR district to the GSD 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) 900 State STREET
Total Area (acres or square feet) 6.22 ACRES

4. PROPERTY LOCATION (General location): Example - South side of State Street 400 yards. East of Pine Street

5. LEGAL DESCRIPTION OF PROPERTY - Assessors Map No R77 Parcel 22

6. EXISTING USE: RESIDENTIAL

7. PROPOSED USE: PRIVATE NON-PROFIT

8. NAME AND ADDRESS OF OWNER OF RECORD: Name JULIE B. SITES

Address 810 STATE STREET

9. NAME AND ADDRESS OF CONTRACT OWNER (if such): SAME AS ABOVE

10. SIGNATURE OF OWNER OR CONTRACT OWNER: [Signature]

11. REPRESENTATIVE OF APPLICANT: Name Julie Sites

(if applicable)

Address _____

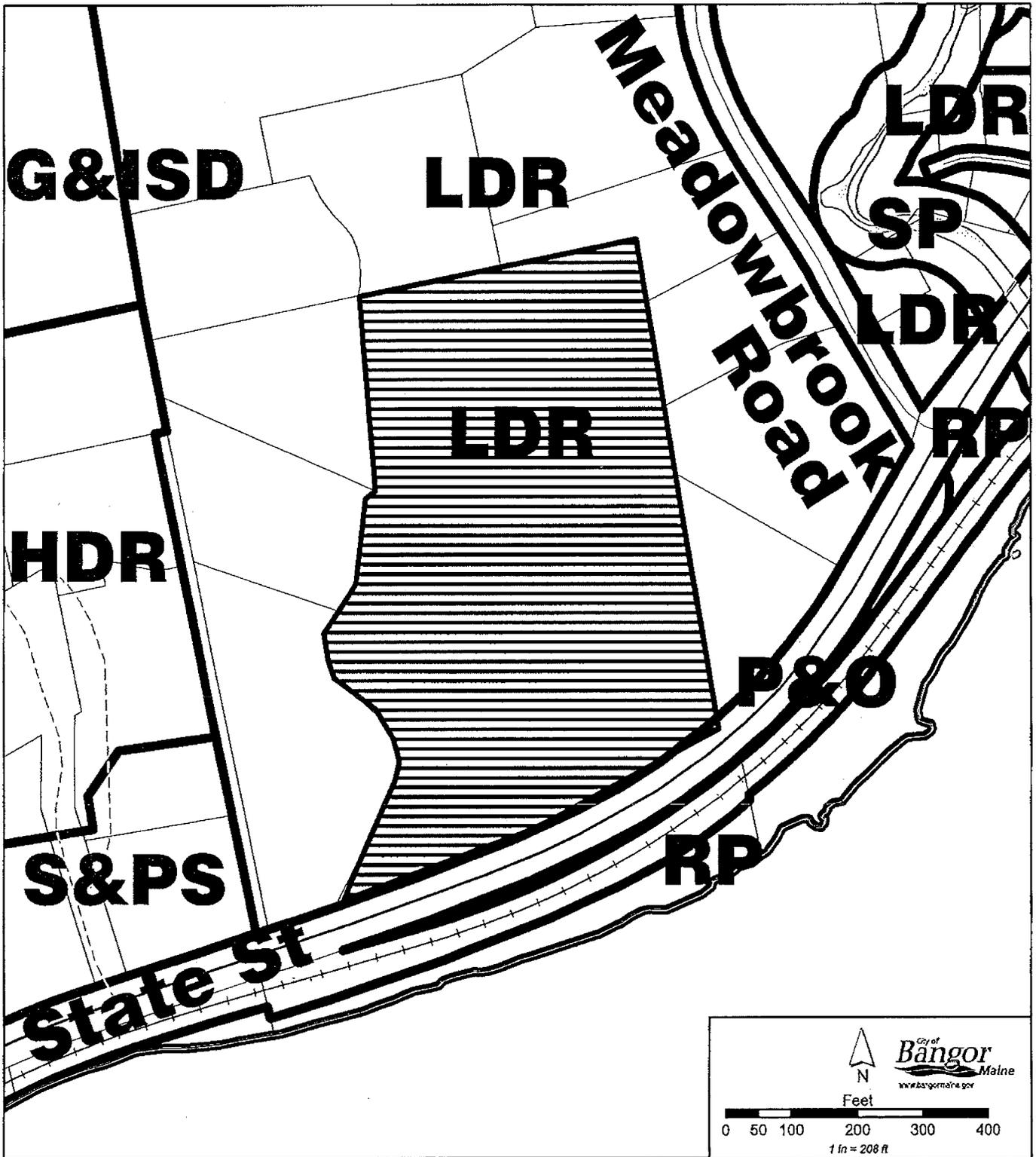
12. ATTACH ANY CONDITIONS PROPOSED FOR A CONTRACT ZONE REQUEST.

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

Application fee	Processing	Advertising	Total
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 ⁵⁰
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



 **LDR to G&ISD Contract**

900 Hammond Street
Map R71, Lot 22

RECEIVED

AUG 26 2016

C & ED and Planning

Existing Zoning: Low Density Residential
Existing Use: Single Family Residential

Proposed Zone Change: Government & Institutional Service District - Contract

Proposed Contract Zone Language:

1. Limited to the following Permitted uses:
 - a. Facilities operated by a private nonprofit organization such as a holistic wellness center which shall be primarily located in the former Dr. William C. Peters House and designated as a Historic Landmark under the Bangor Historic Preservation Ordinance.
2. New structures or additions shall not exceed 35 feet in height.
3. Total gross floor area per structure shall not exceed 10,000 SF.
4. Maximum Impervious Surface Ration (ISR) of 40%
5. Prohibited Uses: Any use not specifically noted above.

MEMORANDUM

DATE: September 21, 2016
TO: The Honorable City Council
FROM: David G. Gould, Planning Officer
SUBJECT: Amending Zoning Ordinance
900 State Street – Low Density Residential District (LDR)
to Contract Government and Institutional Service District
(G&ISD) – Council Ordinance 16-342

Please be advised that the Planning Board at its meeting on September 20, 2016, held a Public Hearing on the above contract zone change request.

Chairman Kenney opened the Public Hearing and asked the applicant or their representative to make a brief presentation of their application.

Ms. Julie Sites, owner of the property indicated the request was intended to reuse the big house and preserve the property.

Sandy Fortin, stated she represented Green Gem who operates a nonprofit center which seeks to preserve the historic property.

Claire Ackroyd, a landscape designer noted while some landscape work has been detrimental to the environment, they have embraced a concept where the landscape would be a part of the overall wellness plan. Ms. Ackroyd noted she had done previous work in the gardens originally designed by the Olmstead Bothers.

Sandy Cyrus a yoga instructor and schedule coordinator for Green Gem was in support of the concept.

Joe Harkins, 62 Meadowbrook Road, an abutting property owner indicated he thought the plan was a good one for the property. He noted he did not have a good deal of background in zoning but found the proposed plan was good.

Cindy Conner-Self, 50 Meadowbrook Road, was favorable to the plan and was happy to see the property stay open and provide linkages to nearby trails.

Sarah Barnard stated the property reflects Bangor's development over time.

Chairman Kenney asked if there were any present in opposition to the proposed rezoning request.

Mr. Al Holzwarth stated he lived at the corner of State Street and Meadowbrook Road for 48 years. He was concerned that the property may become multi-family buildings all uphill of his lot. As the Green Gem becomes more popular it will bring more traffic and noise to the building. He noted the contract conditions provided for other 10,000 square foot structures.

Mike D'Errico, 22 Meadowbrook Road, noted people had cited the stand of trees, he recalls when they were planted some years ago. The area is developed as single family homes and more development is not what he would favor.

Member Williams noted the contract language allowed for additional buildings.

Ms. Sites stated the current zoning, Low Density Residential, will allow many more structures be built.

Planning Officer Gould indicated that the contract rezoning allows the applicant to add additional limitations to the district than would otherwise not appear. The Board will need to make a recommendation to the City Council based on the contract before them. One key element not to be overlooked is the site does contain a valuable historic resource, which is not currently protected.

Chairman Kenney indicated that he understands what the petitioners are requesting but does not feel comfortable at this time with the contact conditions as proposed.

Member Williams made a motion to recommend the Council adopt C. O. # 16-342. Member Boothby seconded the Motion.

The Board voted two in favor and four opposed, a recommendation to not recommend the contract zoning change at 900 State Street from Low Density residential to contract Governmental and Service District – Council Ordinance #16-342.



**NEW
BUSINESS**

COUNCIL ACTION

Item No. 17-011

Date: November 12, 2016

Item/Subject: **Resolve**, Pledging the City of Bangor's support for the Maine Global Culture and Economic Center.

Responsible Department: City Manager

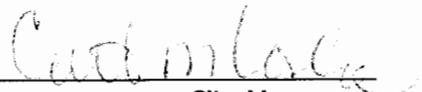
Commentary: This Resolve supports the efforts of the Maine Global Culture and Economic Center, which is a network of educational, business, and cultural services designed to promote community enrichment and economic growth through diversity. If approved, this resolve also authorizes the City Manager to assign staff to work with the group.

the Maine Global Culture and Economic Center, founded in 2016, is intended to serve as a welcome for immigrants to the Bangor region and create a space to share various cultures, traditions, and perspectives with each other. Further, the Maine Global Culture and Economic Center looks to support and encourage efforts to generate economic development opportunities through the development of business opportunities that are generated by new immigrant populations.

At a Workshop on October 24, 2016, the Council indicated support for this initiative as a means to both celebrate cultural diversity and address serious demographic challenges that the City, Region, and state are facing. The proposal from the group at this time does not include any financial commitment or staff resources beyond participating as a member.

Department Head

Manager's Comments:



City Manager

Associated Information: Resolve

Budget Approval:

Finance Director

Legal Approval:



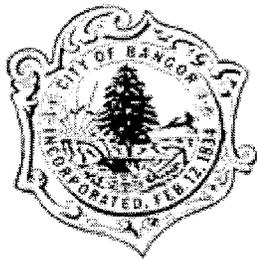
City Solicitor

Introduced for CONSENT

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

NOVEMBER 14, 2016

ASSIGNED TO COUNCILOR FAIRCLOTH



CITY OF BANGOR

(TITLE.) Resolve, Pledging the City of Bangor's support for the Maine Global Culture and Economic Center.

By the City Council of the City of Bangor:

WHEREAS, the Maine Global Culture and Economic Center is a network of educational, business, and cultural services designed to promote community enrichment and economic growth through diversity; and

WHEREAS, the Maine Global Culture and Economic Center was founded in 2016 in an effort to encourage the economic development and business opportunities that immigrants spark; and

WHEREAS, the City of Bangor supports this initiative as a means to both celebrate cultural diversity and address serious demographic challenges that the City faces; and

WHEREAS, the work of the Maine Global Culture and Economic Center will welcome immigrants to the Bangor region and create a space to share various cultures, traditions, and perspectives with each other; and

WHEREAS, the Maine Global Culture and Economic Center is poised to become an important educational, cultural, and business resource to Bangor and we are grateful for their unwavering support for the City of Bangor and the new Mainers that may be welcomed by its efforts.

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT RESOLVED, THAT the City of Bangor hereby pledges its support for the Maine Global Culture and Economic Center for their efforts to make Bangor a more welcoming and connected community for immigrants and look forward to continuing a strong relationship with the Maine Global Culture and Economic Center well into the future; and

BE IT FURTHER RESOLVED, THAT the City Manager be authorized to appoint staff representation to assist in the efforts of the Maine Global Culture and Economic Center; and

BE IT FURTHER RESOLVED, THAT this Resolve will be distributed to the appropriate parties adding the City's support to this important regional need.

COUNCIL ACTION

Item No. 17-012

Date: November 14, 2016

Item/Subject: **ORDER**, Authorizing Execution of an Easement to Ice Holdings, LLC – Coffey Street

Responsible Department: Legal

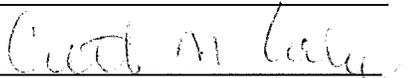
Commentary: This Order, if approved, will authorize the City Manager to execute an easement between the City of Bangor and Ice Holdings, LLC to provide for the construction of a pad and installation of mechanical equipment within the setback limits of Coffey Street, and for no other purpose.

Ice Holdings, LLC is the owner of a parcel of land and building on Coffey Street, which is a dead end street. They are developing their property to include the installation of mechanical equipment on a cement pad outside of the building. The Code of the City of Bangor requires a 30 foot setback for structures, including pads and mechanical equipment. Because of the design and footprint of the building, it is necessary to develop the pad and mechanical equipment within the 30 foot setback area.

The City is proposing an amendment to the Land Development Code for Planning Board and Council consideration that would change the setbacks for exterior mechanical equipment to reflect modern mechanical structural needs. However, that will take several weeks. Because of the timing of this project and the need to place the cement pad prior to a hard freeze, the mechanical needs to be done as soon as possible. Therefore, Ice Holdings, LLC has requested an easement from the City in order to proceed with the construction of the pad pending any amendments to the Code of the City of Bangor. The easement as requested will not create any burden for the City or safety issues for pedestrians or traffic.

Department Head

Manager's Comments:



City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:



City Solicitor

Introduced for
 Passage
 First Reading
 Referral

Page __ **of** __

Assigned to Councilor Nealley



CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of an Easement to Ice Holdings, LLC – Coffey Street

WHEREAS, Ice Holdings, LLC is the owner of a parcel of land and building on Coffey Street, a dead end street, in Bangor; and

WHEREAS, Ice Holdings, LLC is developing its property including the installation of mechanical equipment on a cement pad outside of the building; and

WHEREAS, the Code of the City of Bangor requires a 30 foot setback for structures, including pads and mechanical equipment; and

WHEREAS, the City is considering an amendment to the Code of the City of Bangor to change the setbacks for exterior mechanical equipment; and

WHEREAS, construction of the cement pad for the mechanical needs to be done as soon as possible because of the time of year; and

WHEREAS, Ice Holdings, LLC has requested an easement from the City in order to proceed with the construction of the pad pending any amendments to the Code of the City of Bangor; and

WHEREAS, an easement as requested will not create any burden for the City or safety issues for pedestrians or traffic.

By the City Council of the City of Bangor:

ORDERED

THAT the City Manager is hereby authorized on behalf of the City of Bangor to execute an easement between the City of Bangor and Ice Holdings, LLC to provide for the construction of a pad and installation of mechanical equipment within the setback limits of Coffey Street, and for no other purpose. Said easement shall be in a final form as approved by the City Solicitor.