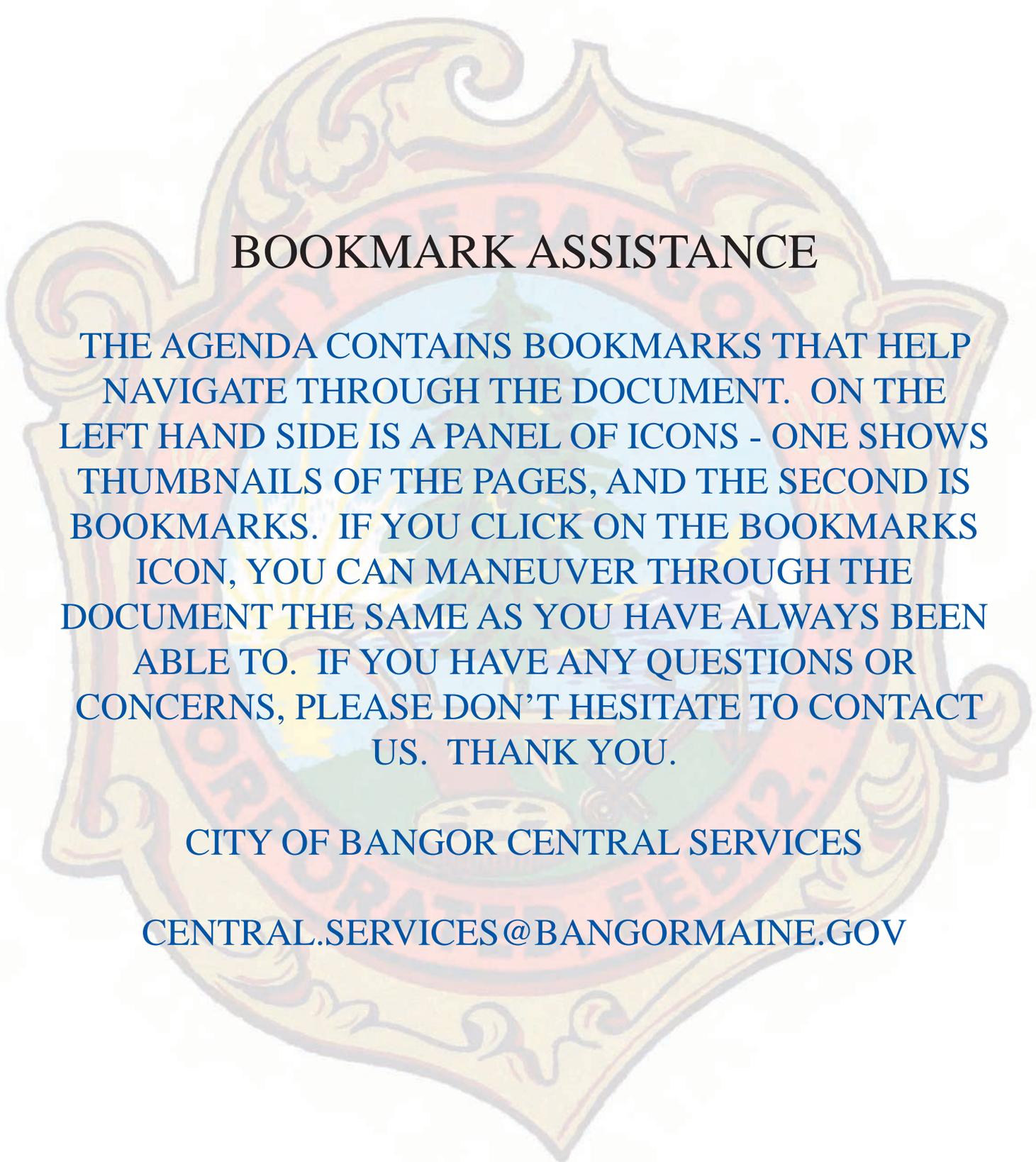




CITY COUNCIL AGENDA

September 12, 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 – SEPTEMBER 12, 2016

PLEDGE ALLEGIANCE TO THE FLAG

PROCLAMATION **Proclaiming September Childhood Cancer Awareness Month In The City Of Bangor**

PUBLIC COMMENT

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

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

MINUTES OF: Bangor City Council Regular Meeting of August 22, 2016, Finance Committee Meeting of September 7, 2016 and Business and Economic Development Committee of August 22, 2016

Liquor License Renewal: Application for a New Liquor License Malt, Spirituous, Vinous of AK George d/b/a Ipanema 10 Broad Street **GRAHAM**

Application for Liquor License Renewal, Malt, Spirituous, Vinous of Ninja House Inc. d/b/a Kobe Ninja House, 829 Hogan Road **GRAHAM**

Application for Liquor License Renewal, Malt, Spirituous, Vinous of Dorks R Us d/b/a Bangor Courtyard Marriott, 236 Sylvan Road **GRAHAM**

Application for Liquor License Renewal, Malt, Spirituous, Vinous of Apple New England, LLC d/b/a Applebee's Neighborhood Grill & Bar, 718 Hogan Road **GRAHAM**

Application for Liquor License Renewal, Malt, Spirituous, Vinous of Eleven Central Inc. d/b/a Eleven Central, 11 Central Street **GRAHAM**

16-332 ORDER **Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 77 Walter Street (Map 035 Lot 006)** **DURGIN**

Executive Summary: In 1970, a real estate tax lien matured on the property located at 77 Walter Street owned by Paul and Rosalie Aldrich. All outstanding charges due the City had been paid, but it appears this lien was never discharged. Because the lien has matured, a municipal quitclaim is required to release the City's interest in the property.

REGULAR MEETING BANGOR CITY COUNCIL – SEPTEMBER 12, 2016

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

16-333 RESOLVE **Ratifying Execution of Municipal Quitclaim Deed – Real Estate Located at 156 Elm Street (Map 047 Lot 174) **NEALLEY****

Executive Summary: Real estate tax liens matured on the property of Noreen Peters of 156 Elm Street. All outstanding charges due the City have been paid. There are no outstanding sewer charges or 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.

16-334 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 **SPRAGUE****

Executive Summary: This order authorizes the City Manager to accept and transfer \$6,070.50 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.

16-335 ORDER **Authorizing the lease of a fuel truck from SkyMark Refuelers, LLC. for Bangor International Airport **BALDACCI****

Executive Summary: This Order will authorize the lease of a fuel truck for the airport in the amount of \$195,000 with SkyMark Refuelers, LLC of Kansas City, Kansas. The airport is in the process of replacing its aging fuel truck fleet and it was decided that leasing was more preferable to purchasing since staff is able to ensure the airport has newer equipment well within its useful life. At the end of the lease the City has the option to either purchase the fuel truck or lease a newer model. Additionally, with this lease the airport will trade-in 2 existing fuel trucks that are well past their useful life and have been taken out of service.

If approved, this lease will be for an annual cost of \$31,800 for a term of 5 years. The Airport’s FY 2017 approved budget included funding for this lease.

The contract award recommendation must be reviewed and approved by the City Council as it is over \$100,000.

16-336 ORDER **Authorizing Bid Award to JM Brown General Contractor for Building 456 Fuel Containment Building Modifications **NICHOLS****

REGULAR MEETING BANGOR CITY COUNCIL – SEPTEMBER 12, 2016

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

Executive Summary: On August 31, 2016, the City received five (5) bids for modifications to BIA’s fuel containment building 456. The bid prices ranged from \$191,658 to \$248,957. Staff recommends awarding the contract to JM Brown General Contractor, the low bidder.

Originally, the airport was working in phases to relocate the aircraft deice fluid tanks and equipment, and budget accordingly with minimal disruption to C&L and to our winter operations. However, through recent developments, the site determined to relocate the tanks and equipment to become available now. The scope of work needed to relocate the tanks/equipment and make modifications to an existing facility includes installing a heat system, installing overheads doors, running a water line, electrical upgrades and general building modifications.

Previously, the Council authorized the use of Airport reserves to undertake this work. The bid prices exceed the estimated budget. Airport staff will work with the low bidder to reduce the scope of the work.

This bid was reviewed and recommended for approval at the Finance Committee meeting of September 7, 2016.

The contract award recommendation must be reviewed approved by the City Council as it is over \$100,000.

**16-337 ORDER Designating Maine Power Options as the City of SPRAGUE
Bangor’s Electricity Supply Aggregator**

Executive Summary: This order would designate Maine Power Options (MPO) as the City of Bangor’s Electricity Supply Aggregator. MPO is a member-based not-for-profit energy consortium co-sponsored by the Maine Municipal Bond Bank and by Maine Health and Higher Educational Facilities Authority. MPO was established after deregulation in 2000 to provide competitive electricity supply options with reliable, secure terms and conditions for over 400 members including municipalities, schools, universities, hospitals and other non-profits.

While the deregulation of the industry created more opportunities for the City to realize cost savings and stabilize budgets, it also presented a significant challenge as staff does not have the knowledge or expertise to navigate the electricity supply market without professional experience. This industry, while still highly regulated, is also highly specialized. Since 2000 MPO has provided the city with the market knowledge, consumer support, actively reviews market conditions and trends, and possesses the specialized knowledge necessary to ensure the City’s best interest. Over the years, the City has been approached by other groups in the private sector that offer similar services. Because the MPO represents a consortium of other public agencies with common goals, City staff recommends that we continue our relationship with MPO to purchase energy.

This item was reviewed and recommended for approval by the Finance Committee on September 7, 2016.

**16-338 ORDER Authorizing the Execution of Fixed Rate Pricing PERRY
Contracts with the City’s Current Fuel Suppliers**

REGULAR MEETING BANGOR CITY COUNCIL – SEPTEMBER 12, 2016

CONSENT AGENDA ITEM NO.

ASSIGNED TO COUNCILOR

Executive Summary: The attached order would authorize the Finance Director or City Manager to execute fixed rate pricing contracts and extend the contract term with the City's current fuel suppliers for purchases through June 30, 2018. The expiring contract does not provide for a fixed rate. However, the City's fuel supplier has offered the City the opportunity to have a fixed rate for up to eighteen months into the future.

Both of the City's current fuel vendors, Maine Energy and Dysarts, have the ability to provide fixed pricing for diesel gasoline, heating oil and propane.

This is a method the City employed during the last two years. FY 2017's average price for diesel deliveries is \$1.60/gallon.

As timing may be of the essence to capture the current favorable market pricing, the intent would be to minimize the downside risk to the City. If adopted, staff will provide an update at the next Finance Committee meeting following any such action.

This item was reviewed and recommended for approval by the Finance Committee on September 7, 2016.

**16-339 ORDER Authorizing the City Manager to Execute a Landlord's PLOURDE
Consent to Assignment – portion of Map R17 Lot 013B**

Executive Summary: This order will authorize the City Manager to execute a consent to assign a leased parcel of City owned land on Odlin Road. The lease is formerly held by Hotel Equities Inc. who managed the Days Inn on Odlin Road. Giri Bangor LLC has taken over management of the Day's Inn and would like to assume the lease for the parcel of land. The assignment must be approved by the City of Bangor (portion of R17-013B).

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its September 7, 2016 meeting.

**16-340 ORDER Authorizing Execution of Documents for the Sale of 91 DURGIN
Larkin Street (Map 025 Lot 090) to Jennifer DeGroff in
the Amount of \$2,200**

Executive Summary: This Order would authorize the sale of 91 Larkin to Jennifer DeGroff for \$2,200. The City acquired this property due to matured tax liens. The City offered this property for sale to the abutters and through an initial RFP process to no avail. A subsequent RFP process resulted in one bidder, Jennifer DeGroff. The bidder intends to construct a small home on this lot.

The Finance Committee reviewed and recommended this item for approval at its September 7, 2016 meeting.

REGULAR MEETING BANGOR CITY COUNCIL – SEPTEMBER 12, 2016

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

**ASSIGNED TO
COUNCILOR**

16-341 ORDINANCE Amending Chapter 260, Signs, of the Code of the City of Bangor, By Allowing for Banners on Municipal Buildings Advertising the Downtown and City Amenities (First Reading and Referral to Planning Board Meeting of September 20, 2016) **GRAHAM**

Executive Summary: This ordinance will amend Chapter 260, Signs, of the Code of the City of Bangor to allow for banners on the parking garage and other City-owned buildings. In an effort to improve the look and functionality of the parking garage, the City wishes to erect a series of artistic and informative banners, designed by local artists. If approved, the proposed ordinance change allows for such banners or signs to be erected on City owned buildings upon approval of the City Council.

This item was reviewed and recommended for approval at the Business and Economic Development Committee Meeting on September 7, 2016.

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 (First Reading and Referral to Planning Board Meeting of September 20, 2016) **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%.

16-343 RESOLVE Authorizing the City Manager to Accept and Appropriate Grant Funds from the Maine Department of Health and Human Services – WIC Nutrition Program (First Reading) **PLOURDE**

REGULAR MEETING BANGOR CITY COUNCIL – SEPTEMBER 12, 2016

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

**ASSIGNED TO
COUNCILOR**

Executive Summary: This resolve will accept and appropriate \$2,651,712.20 in grant funds for the Women, Infants, and Children Supplemental Nutrition Program (WIC). The Public Health and Community Service WIC Nutrition Program currently services a monthly average of 3,000 participants at their Bangor, Dexter, Dover, Corinth, Lincoln, Millinocket, Milo, Newport, and Greenville sites. The proposed agreement provides \$550,703.00 for administration, \$2,000.00 in Farmer’s Market Administration, \$25,624.00 in WIC Breastfeeding Peer Counseling, and \$2,073,385.20 for food vouchers. The grant covers the period from October 1, 2016 through September 30, 2017. This was reviewed and recommended for approval at the September 7, 2016 Government Operations Committee meeting.

16-344 RESOLVE **Accepting and Appropriating a Grant from the U.S. Economic Development Administration, in the amount of \$1,243,004 to Support an Expansion at C&L Aerospace Holdings at Bangor International Airport (First Reading) **BALDACCI****

Executive Summary: This Resolve will accept and appropriate \$1,243,004 from the US Economic Development Administration to support an expansion of C&L Aerospace Holdings, LLC in the premises it leases from the City of Bangor to include a commercial aircraft refurbishment and painting facility. The City applied for and received a grant award in the amount of \$1,243,004 for the aforementioned Project. The grant requires that the City match the grant amount of \$1,243,004 which will include \$310,000 from the City to relocate the glycol tanks and the remainder will be provided by C&L. This item will be reviewed in a precouncil meeting on September 12, 2016.

This Order, if approved will authorize the City Manager to accept and appropriate the funds for these renovations and improvements.

**UNFINISHED BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

16-327 RESOLVE **Accepting and Appropriating \$880 from the Optional Cultural Investment Fund for Support of Artober 2016 **PLOURDE****

Executive Summary: This resolve will accept and appropriate \$880 from the Optional Cultural Investment Fund to be used by the Commission on Cultural Development to support Artober 2016. The Optional Cultural Investment Fund was established in 2013 to allow for donations to support the work of the Commission on Cultural Development. Donations are to be invested by the Commission for Cultural Development using its existing guidelines and procedures. The City Council retains the ability to review all funding recommendations from the Commission.

This was reviewed and recommended for approval at the August 22, 2016 Business and Economic Development Committee meeting.

REGULAR MEETING BANGOR CITY COUNCIL – SEPTEMBER 12, 2016

**UNFINISHED BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

16-328 RESOLVE **Accepting and Appropriating a Grant from the Maine Department of Health and Human Services, Public Health Nursing Dept., in the amount of \$61,048 to support Bridging Services **SPRAGUE****

Executive Summary: This Resolve will accept and appropriate \$61,048 from the ME DHHS Public Health Nursing Dept. to support specialized maternal & child health nursing for families in Bangor who are affected by substance use disorder during the prenatal, post-partum, and newborn stages. Referrals will be received from primary care providers, EMMC NICU Champ Program, and the DHHS Office of Child & Family Services. A City of Bangor Public Health Nurse has been specifically trained to provide a high level of care using a strengths-based, trauma informed wrap-around model that assists the family with accessing available community resources. The term of the grant is 8/15/2016 – 8/14/2017. This was reviewed and recommended for approval at the August 15, 2016 Government Operations Committee meeting.

16-329 RESOLVE **Accepting and Appropriating an Additional \$80,700 for the Supplemental Nutrition Education Grant Program (SNAP-ED) **NICHOLS****

Executive Summary: This resolve will accept and appropriate an additional \$80,700 for the Supplemental Nutrition Education Grant Program (SNAP ED) through the River Coalition. This will expand the service area for providing nutrition education to people who are eligible for Supplemental Nutrition Assistance Program to include Piscataquis County. This funding is in addition to the funds previously accepted by Council Resolve 16-286

The amended total grant funding is \$230,679. The amended service area is Greater Bangor and Piscataquis County. The grant term is 10/1/2016 to 9/30/2017. This was reviewed and recommended for approval at the August 15, 2016 Government Operations Committee meeting.

**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

PUBLIC HEARING: **Application for a New Special Amusement License of AK George d/b/a Ipanema, 10 Broad Street **GRAHAM****

16-345 ORDER **Authorizing the City Manager to Apply for a Maine Health Access Foundation Healthy Communities Phase III Implementation Grant **PLOURDE****

REGULAR MEETING BANGOR CITY COUNCIL – SEPTEMBER 12, 2016

**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

Executive Summary: This order will authorize the City to apply for the third phase of the Healthy Community Grants Program. The goal is to build on the community collaboration that occurred during the first two phases of the MEHAF Healthy Communities program. During Phase One the community identified substance use disorder as a significant issue. During Phase Two the community is collaboratively creating action steps to reduce stigma and to identify gaps in services and supports for people affected by substance use disorder.

The implementation plan for Phase Three would focus on building successful, accessible and sustainable recovery coaching in the Greater Bangor area. This goal was identified by people living with substance use disorder and by the professionals working in recovery as a best practice for recovery and as a gap in the current array of services available

If the application is successful, the City of Bangor, through its Department of Public Health and Community Services, would provide staff support, coordination and technical assistance for the development of recovery coaching. A program of recovery coaching would be delivered under the auspices of one or more community based partners.

This three-year project would begin November 15, 2016 and end December 31, 2019 with total funding of \$187,000. The grant, if awarded, would be renewable for years two and three. The term of the first year would be November 15, 2016 – December 31, 2017 with funding of \$67,000. A Resolve to Accept and Appropriate the first year funding will be prepared, if awarded. This was reviewed and recommended for approval at the September 7, 2016 Government Operations Committee Meeting.

16-346 ORDER Authorizing Agreement with Waterfront Concerts, LLC **DURGIN
Concert Venue Access Road**

Executive Summary: Waterfront Concerts, LLC and the City are parties to an agreement dated July 27, 2012 for Waterfront Concerts, LLC to present a summer concert series on the Bangor Waterfront through 2016. The City and Waterfront Concerts have agreed to negotiate a ten year Lease for Waterfront Concerts to continue to present a summer concert series on the Bangor Waterfront through the 2026 concert season.

The City and Waterfront Concerts had previously discussed an access road to the venue and this year the City acquired a parcel on Lincoln Street for the purpose of having road access from Lincoln Street to the concert venue. The parties had agreed that they would share the cost of the construction of an access road, and in order to complete the construction of the road prior to the first event of the 2016 concert season, the parties began construction of the road earlier this year.

If approved, this Order will authorize the City Manager to execute an agreement with Waterfront Concert for the cost sharing of the construction of the access road and its use. Under the terms of the agreement, the City shall pay \$234,862.90 of the total cost of \$494,844.79. Waterfront Concerts may use the access road to access the concert venue and the city will use the site for overflow at the Cross Insurance Center, when not in use by Waterfront Concerts LLC. This item was discussed on several occasions with the City Council.

REGULAR MEETING BANGOR CITY COUNCIL – SEPTEMBER 12, 2016

**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

**16-347 ORDER Authorizing Lease Agreement with Tilton Flying Service
LLC for a parcel of City-owned land located at Bangor
International Airport** **BALDACCI**

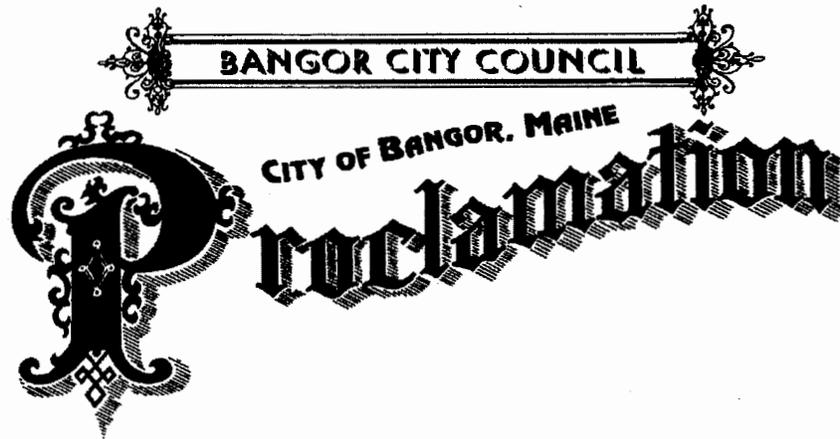
Executive Summary: This Order will authorize the execution of a lease agreement with Tilton Flying Service LLC. Kevin Tilton of Tilton Flying Service LLC has approached the Airport about leasing a parcel of City-owned land located at Bangor International Airport for the purpose of constructing an aircraft hangar. If approved, the terms of the lease will include a lease payment of \$2,160 annually for a 10 year initial term with (3) additional 10 year renewal options. The annual lease rate will be adjusted each year based on CPI. The hangar will comply with all applicable Code regulations and all building specifications will be approved by the City. The lease will be in a final form as approved by the City Solicitor or Assistant City Solicitor. This item is to be reviewed in a pre-council workshop on September 12, 2016.

**16-348 ORDER Authorizing Execution of Agreement with C&L
Aerospace Holdings LLC - Bangor International Airport** **PERRY**

Executive Summary: C&L Aerospace Holdings, LLC wishes to have renovations to the premises it leases from the City of Bangor to include a commercial aircraft refurbishment and painting facility. The cost of this is estimated to be \$2,486,008, and C&L Aerospace Holdings, LLC requested assistance from the City to obtain an Economic Development Administration grant for one-half the project cost. The City applied for and received an Economic Development Administration grant in the amount of \$1,243,004 for the aforementioned Project. The grant requires that the City match the grant amount of \$1,243,004.

The City has agreed to fund \$310,000 of the required matching funds for specific parts of the Project and C&L has agreed to fund the balance of the matching funds for the Project.

This item will be reviewed in a pre-council executive session on September 12, 2016.



**PROCLAIMING SEPTEMBER CHILDHOOD CANCER AWARENESS MONTH
IN THE CITY OF BANGOR**

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection report cancer is the leading cause of death by disease among U.S. children between infancy and age 15. This tragic disease is detected in nearly 16,000 of our country's young people each and every year; and

WHEREAS, one in five of our nation's children loses his or her battle with cancer. Many infants, children and teens will suffer from long-term effects of comprehensive treatment, including secondary cancers; and

WHEREAS, founded more than twenty years ago by Steven Firestein, a member of the philanthropic Max Factor cosmetics family, the American Cancer Fund for Children, Inc. and Kids Cancer Connection, Inc. are dedicated to helping these children and their families; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection provide a variety of vital patient psychosocial services to children undergoing cancer treatment at The Barbara Bush Children's Hospital at Maine Medical Center in Portland, Raish Peavey Haskell Children's Cancer and Treatment Center at EMMC Cancer Care in Brewer, as well as participating hospitals throughout the country, thereby enhancing the quality of life for these children and their families; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection also sponsor Courageous Kid Recognition Awards, family sailing, pet assisted therapy, community get well cards and hospital celebrations in honor of a child's determination and bravery to fight the battle against childhood cancer.

NOW, THEREFORE, I, Sean Faircloth, Mayor of the City of Bangor, on behalf of the City Council do hereby proclaim September to be CHILDHOOD CANCER AWARENESS MONTH in the City of Bangor.

Given this the 12th day of September, 2016.

Sean Faircloth, Mayor



**CONSENT
AGENDA**

REGULAR MEETING BANGOR CITY COUNCIL – AUGUST 22, 2016

*Meeting Called to Order at 7:30 PM
Chaired by Council Chair Faircloth
Councilor Absent: None
Meeting Adjourned at 9:37 PM*

PRESENTATION: *Presented Key to the City to Christina Baker Klein*

PUBLIC COMMENT *Michael Gleason, 114 Walter Street, read a letter to the City Council regarding traffic flow in the downtown area and the fencing near the Waterfront. A copy is attached to the minutes.*

David Blethen, Parkview Avenue, invited the City Council to the Concerts to End Violence Across America scheduled for September 25th at the Broadway Park.

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

Action: *A motion was made and seconded to amend by substitution order 16-325.
Passed*

MINUTES OF: *Bangor City Council Regular Meeting of August 8, 2016, Bangor School Committee Regular Meeting of July 27, 2016, Airport Committee Meetings of July 25, 2016 and August 8, 2016, Business and Economic Development Committee Meeting of August 8, 2016, Finance Committee Meeting of August 15, 2016 and Government Operations Committee Meeting of August 15, 2016*

Action: *Accepted and Approved*

Liquor License Renewal: *Application for Liquor License Renewal, Malt, Spirituous, Vinous of Half Acre, Inc d/b/a Half Acre Nightclub, 190 Harlow Street*

GRAHAM

Action: *Approved*

Application for Liquor License Renewal, Malt, Spirituous, Vinous of New Waverly Restaurant, Inc d/b/a New Waverly Restaurant, 36 Merchants Plaza

GRAHAM

Action: *Approved*

Application for Liquor License Renewal, Malt, of Verve, Inc d/b/a Verve, 91 Main Street

GRAHAM

Action: *Approved*

REGULAR MEETING BANGOR CITY COUNCIL – AUGUST 22, 2016

PLEDGE ALLEGIANCE TO THE FLAG

PRESENTATION: *Presented Key to the City to Christina Baker Klein*

PUBLIC COMMENT *Michael Gleason, 114 Walter Street, read a letter to the City Council regarding traffic flow in the downtown area and the fencing near the Waterfront. A copy is attached to the minutes.*

David Blethen, Parkview Avenue, invited the City Council to the Concerts to End Violence Across America scheduled for September 25th at the Broadway Park.

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

Action: *A motion was made and seconded to amend by substitution order 16-325.
Passed*

MINUTES OF: *Bangor City Council Regular Meeting of August 8, 2016, Bangor School Committee Regular Meeting of July 27, 2016, Airport Committee Meetings of July 25, 2016 and August 8, 2016, Business and Economic Development Committee Meeting of August 8, 2016, Finance Committee Meeting of August 15, 2016 and Government Operations Committee Meeting of August 15, 2016*

Action: *Accepted and Approved*

Liquor License Renewal: *Application for Liquor License Renewal, Malt, Spirituous, Vinous of Half Acre, Inc d/b/a Half Acre Nightclub, 190 Harlow Street*

GRAHAM

Action: *Approved*

Application for Liquor License Renewal, Malt, Spirituous, Vinous of New Waverly Restaurant, Inc d/b/a New Waverly Restaurant, 36 Merchants Plaza

GRAHAM

Action: *Approved*

Application for Liquor License Renewal, Malt, of Verve, Inc d/b/a Verve, 91 Main Street

GRAHAM

Action: *Approved*

Application for a New Liquor License, Malt, Vinous of 2 Feet Brewing Inc d/b/a 2 Feet Brewing, 80 Columbia Street pending department approvals

GRAHAM

Action: *Approved*

REGULAR MEETING BANGOR CITY COUNCIL – AUGUST 22, 2016

CONSENT AGENDA ITEM NO.			ASSIGNED TO COUNCILOR
<u>16-319</u>	<u>ORDER</u>	<i>Authorizing Bid Award in the Amount of \$117,800 to Methuen Construction for Butterfly Valve Replacement</i>	DURGIN
	<i>Action:</i>	<i>Passed</i>	
<u>16-320</u>	<u>ORDER</u>	<i>Authorizing Bid Award in the Amount of \$103,971 to RBG, Inc. for Electrical Boom & Body</i>	SPRAGUE
	<i>Action:</i>	<i>Passed</i>	
<u>16-321</u>	<u>ORDER</u>	<i>Authorizing Bid Award in the Amount of \$103,845 to Roof Systems for Roof Replacement</i>	NEALLEY
	<i>Action:</i>	<i>Passed</i>	
<u>16-322</u>	<u>ORDER</u>	<i>Authorizing Bid Award in the Amount of \$144,625 to Eastwood Contractors for Sunny Hollow Detention Pond Rehabilitation</i>	BALDACCI
	<i>Action:</i>	<i>Passed</i>	
<u>16-323</u>	<u>ORDER</u>	<i>Authorizing Settlement of Workers' Compensation Claim</i>	NICHOLS
	<i>Action:</i>	<i>Passed</i>	
<u>16-324</u>	<u>ORDER</u>	<i>Designating CMI Inc. Tentative Developer of a Portion of a Lot of Land on Maine Avenue and Union Street – 511 Maine Avenue (Map 001- Lot 001-W)</i>	GRAHAM
	<i>Action:</i>	<i>Passed</i>	
<u>16-325</u>	<u>ORDER</u>	<i>Authorizing Execution of Documents for the Sale of 76 Market Street (Map 042 Lot 038 B) to Pamela Johnson in the Amount of \$8,300</i>	DURGIN
	<i>Action:</i>	<i>Passed as Amended</i>	
<u>16-326</u>	<u>ORDER</u>	<i>Authorizing Execution of an Option and Development Agreement with TIMKA, INC. – Dutton Street</i>	PLOURDE
	<i>Action:</i>	<i>Passed</i>	

REGULAR MEETING BANGOR CITY COUNCIL – AUGUST 22, 2016

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

16-327 RESOLVE *Accepting and Appropriating \$880 from the Optional Cultural Investment Fund for Support of Artober 2016* **PLOURDE**

Action: First Reading

16-328 RESOLVE *Accepting and Appropriating a Grant from the Maine Department of Health and Human Services, Public Health Nursing Dept., in the amount of \$61,048 to support Bridging Services* **SPRAGUE**

Action: First Reading

16-329 RESOLVE *Accepting and Appropriating an Additional \$80,700 for the Supplemental Nutrition Education Grant Program (SNAP-ED)* **NICHOLS**

Action: First Reading

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

16-314 ORDINANCE *Amending Map Entitled "Downtown Parking Management District" By Eliminating Two Spaces on Main Street* **GRAHAM**

Brian Ames, owner of 115 Main Street spoke against passage of this item as it would negatively affect the businesses currently in his building.

Action: Motion made and seconded for Passage

Vote: 4 – 5

Councilors Voting Yes: Durgin, Graham, Nichols, Plourde

Councilors Voting No: Baldacci, Nealley, Perry, Sprague,

Faircloth

Motion Failed

16-315 ORDINANCE *Amending Chapter 231 of the Code of the City of Bangor – Smoking Prohibited in Certain Public Parks* **PLOURDE**

Skip Black suggested adding the Cross Insurance Center to the smoking ban.

Mike Gleason didn't feel the ban went far enough.

Pete Hansen, Justin Grard and Megan Thibodeau spoke in favor of the ordinance.

REGULAR MEETING BANGOR CITY COUNCIL – AUGUST 22, 2016

UNFINISHED BUSINESS
ITEM NO.

ASSIGNED TO
COUNCILOR

*Action: Motion made and seconded for Passage
 Motion made and seconded to amend to include all city parks.
 Motion withdrawn.
 Motion made and second to amend to include all public parks
 with the exception of the Bangor Municipal Golf Course
 Amendment Vote: 4 -5
 Councilors Voting Yes: Baldacci, Durgin, Graham, Plourde
 Councilors Voting No: Nealley, Nichols, Perry, Sprague,
 Faircloth
 Amendment Failed
 Vote on Main Motion: 8 – 1
 Councilors Voting Yes: Baldacci, Durgin, Graham, Nichols,
 Perry, Plourde, Sprague, Faircloth
 Councilors Voting No: Nealley
 Passed*

16-316 RESOLVE

*Appropriating \$150,000 of Airport Reserves to Fund Relocation
 of Aircraft Deicing Operations and Appropriating the Proceeds
 from the Sale of Aircraft Parts to Reimburse the Airport
 Reserves*

BALDACCI

*Action: Motion made and seconded for Passage
 Passed*

16-317 RESOLVE

*Accepting and appropriating a grant in the amount of
 \$1,763,719 from the Federal Aviation Administration and
 \$97,984 from the Maine Department of Transportation under
 the Airport Improvement Plan (AIP) program, grant # 70 at
 Bangor International Airport (BGR)*

NEALLEY

*Action: Motion made and seconded for Passage
 Passed*

NEW BUSINESS
ITEM NO.

ASSIGNED TO
COUNCILOR

PUBLIC HEARING:

*Application for Special Amusement License Renewal of Half
 Acre Inc d/b/a Half Acre Nightclub, 190 Harlow 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*

REGULAR MEETING BANGOR CITY COUNCIL – AUGUST 22, 2016

**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

16-330 ORDER

Authorizing the City Manager to accept funding in the amount of \$4,000 from EMHS/Acadia Hospital to provide Project Coordination services

SPRAGUE

*Action: Motion made and seconded for Passage
Passed*

*Action: Motion made and seconded to suspend the rules to take up
Order 16-331.*

Passed

16-331 ORDER

Authorizing the Execution of a Purchase and Sale Agreement for 169 Thornton Road (Tax Map 42, Lot 042)

*Action: Motion made and seconded for Passage
Passed*

Attest:



Lisa J. Goodwin, MMC, City Clerk

BANGOR CITY COUNCIL
73 Harlow Street
Bangor ME 04401-5118

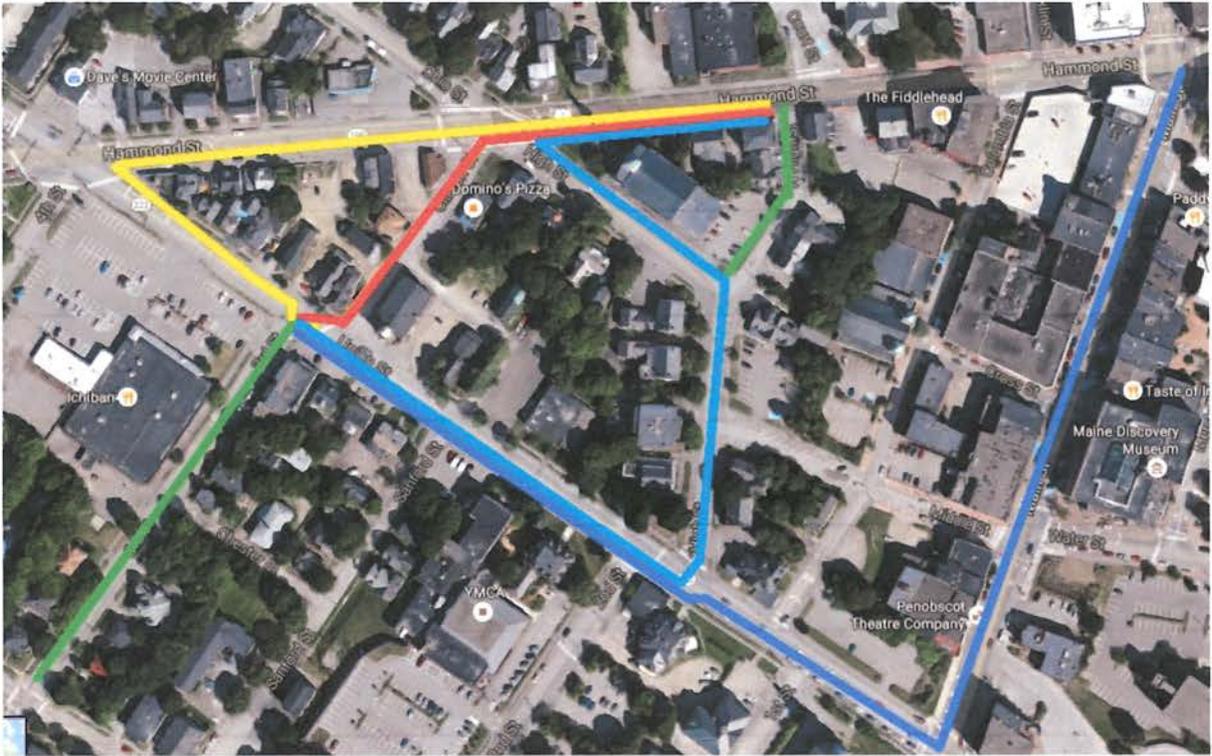
1. WHEREAS the City of Bangor has consented to allow the Maine Department of Transportation, in spite of multiple resident and citizen protests to the contrary, to eliminate the only "direct route" into Downtown Bangor from Third Street and the (so called)"West Side Village" area by designating CLINTON STREET as "ONE WAY" in a Southerly, out-bound direction only, and WHEREAS between Central Street and High Street all of the streets heading South from Hammond Street are currently ONE WAY out of Downtown, preventing travel into Downtown, I hereby propose to have NORTH HIGH STREET's current ONE-WAY, SOUTH direction of travel REVERSED to ONE-WAY, NORTH, thereby eliminating at least some of the "round-robin" alternative travel now required to reach Downtown. (See Illustration 1, attached.)
2. WHEREAS traffic leaving the Bangor Post Office trying to reach the intersection of HAMMOND, MAIN, and STATE STREETS is PROHIBITED from turning LEFT from Franklin Street onto Hammond Street, and whereas the Penobscot County Sherriff's Office, not wishing to be "bothered" with traffic through their parking lot has decreed that ONLY truck traffic can turn left from the Post Office Lot into the Penobscot County Sherriff's Office parking lot (see Illustration 2) to get to Court Street from which one can turn LEFT onto Hammond Street, and WHEREAS the shortest alternative route to the intersection of HAMMOND, MAIN, and STATE STREETS is to turn LEFT from the Post Office sallyport onto Franklin Street, proceed to the often-congested intersection of Harlow Street and turn right, proceed to the often-congested intersection of Central Street and turn right, and proceed another long block to intersection of HAMMOND, MAIN, and STATE STREETS, a distance of four-tenths of a mile (see Illustration 3), I hereby propose to have the unnecessary and often unheeded NO LEFT TURN prohibition from Franklin Street onto Hammond Street removed.
3. WHEREAS the aforementioned intersection of Franklin and Harlow Streets is often congested and backed-up by traffic on Harlow Street, especially traffic turning left from Harlow onto Franklin, I am again proposing that that intersection be designated a THREE-WAY STOP intersection, so that all motorists transiting that intersection have fair opportunity to proceed, and to reduce the traffic hazards to pedestrians in that high-pedestrian-traffic area.
4. WHEREAS the City of Bangor has spent hundreds of thousands of dollars redeveloping the Bangor Waterfront into an esthetically pleasing, multi-use area for all residents of and visitors to the City, and WHEREAS much of that area has for all intents and purposes been "given up" to the dictates of the Waterfront Concerts, and WHEREAS Waterfront Concerts - by precedent - has been required to remove visual barriers of the waterfront during the "off" season when no performances were scheduled, and WHEREAS with the erection of a tall cedar fence, giving an appearance of being "Fort Alex Gray", said Waterfront Concerts has chosen to deny residents and visitors to Bangor any view of said waterfront for much of the distance of Main Street between the Tim Horton's Café and Bakeshop and Railroad Street, I hereby hope and propose that Waterfront Concerts be required by the City to remove said fencing for the duration of the "off" season.

Respectfully submitted,



MICHAEL P. GLEASON, SMSgt (Ret) USAF
Resident and Taxpayer

Atch: Illus 1-3



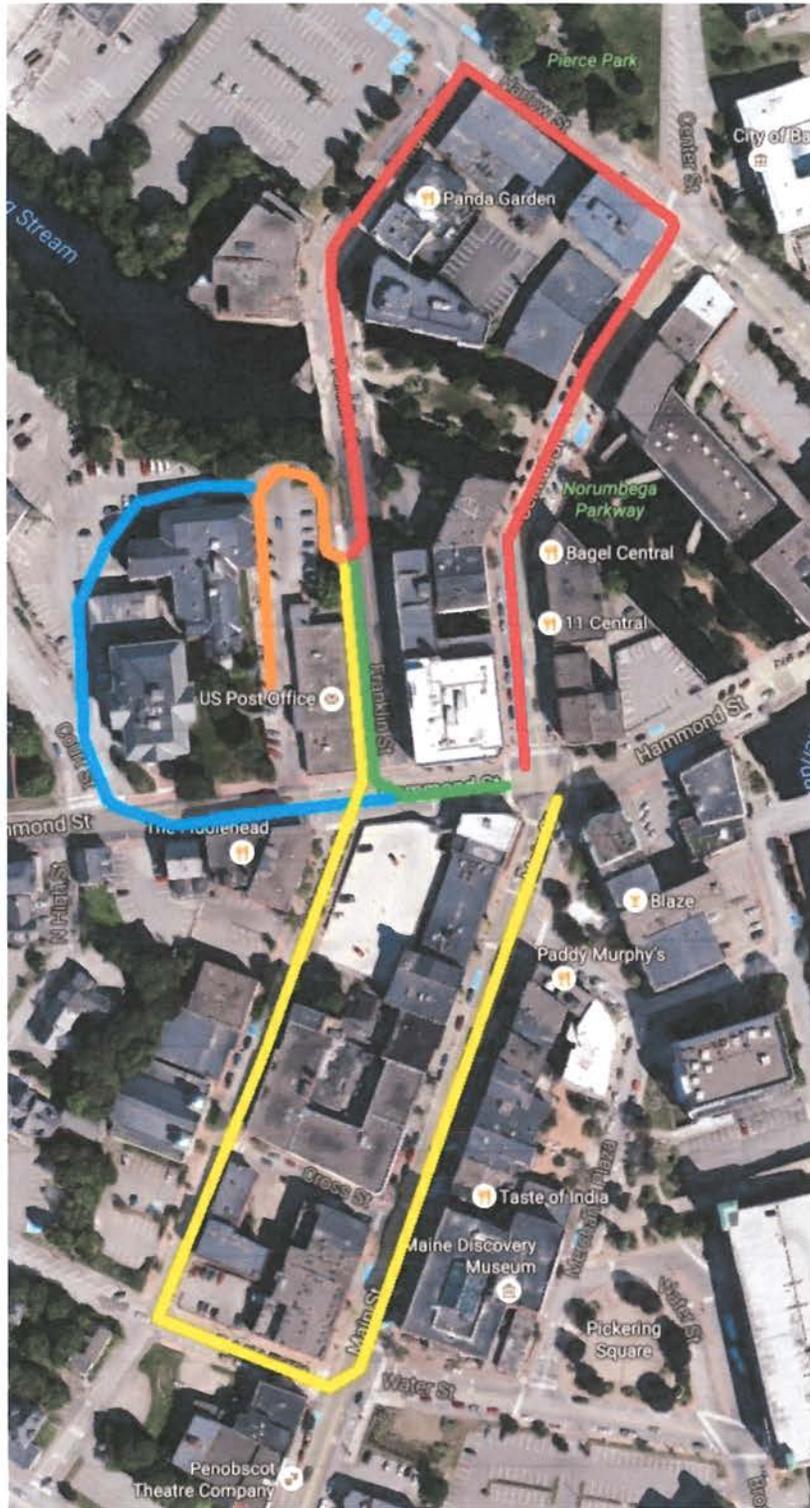
CURRENT "WEST SIDE VILLAGE" ALTERNATIVES TO CONVERSION OF CLINTON STREET AS "OUTBOUND" ONLY

- Former most-expedient "direct" route prior to ONE-WAY (Out) Designation
- City's and State's proposed "Alternative Route 1" (dangerous left turn at crest of Union St Hill and still with awkward - but slightly less-dangerous - 30° turn "back")
- City's and State's proposed "Alternative Route 2" (awkward, perhaps dangerous 30° turn "back")
- Only other route into Downtown Bangor involving left turn onto Main Street at very busy intersection of Union and Main, with no control signal for left-turning traffic, and three (3) additional traffic signals to get to Market Square.
- Proposed new more-direct route with redesignation of North High Street from "Outbound" (Southerly) to "Inbound" (Northerly) direction, still with dangerous left turn at crest of Union St Hill, but eliminating turning back on one's self at Hammond St.

Illustration 1



Illustration 2 - Exiting Bangor Post Office Parking Lot



ONLY POSSIBLE EXIT ROUTES FROM POST OFFICE

To get from Post Office to Intersection of Main/Hammond/State

- Route currently PROHIBITED by County Sherriff's Office
- Current "shortest legal route", Northerly (.4 mi)
- Current "shortest legal route", Southerly (Distance?)
- Actual most-direct, shortest, desirable route, CURRENTLY PROHIBITED by archaic "NO LEFT TURN" designation, preventing turn from FRANKLIN ST onto HAMMOND ST

Illustration 3

FINANCE COMMITTEE MINUTES

September 7, 2016

(Immediately following Business & Economic Development Committee)

Councilors in Attendance: Plourde, Perry, Baldacci, Graham, Durgin, Nealley, Nichols

Staff in Attendance: Cyr, Conlow, Swann, Canders, Wardwell

1. Consent Agenda

- a. Ratifying Quitclaim Deed - 156 Elm Street
- b. Quitclaim Deed - 25 Randolph Drive

Motion made and seconded to accept consent agenda. Motion passed unanimously.

2. Bids/Purchasing

- a. Request to Waive Bid – Traffic Detection Equipment – Public Works – Highway Tech - \$22,320

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

- b. Sewer Department Roof Insulation – WWTP – Standard Waterproofing - \$46,650

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

- c. Jet A Refueler (Lease/Purchase) – Airport – SkyMark Refuelers LLC - \$195,000

Staff provided an update on this item. The recommendation is to lease a unit from SkyMark Refuelers for a five-year term in the amount of \$31,800 annually. This is the first effort in replacing the aging aircraft refueler fleet that was acquired by BIA from Exxon Mobil. The newest unit is 15 years old and the estimated useful life is 10 years. At the end of the five year term the City will have the option to acquire the vehicle for its fair market value at that time.

Motion made and seconded to recommend to the City Council to execute lease documents for a SkyMark Refueler. Motion passed unanimously.

- d. Building 456 Modifications – Airport – JM Brown - \$191,658

Staff provided an update on this item. This work involves moving the deicing operations from its current location that is being newly leased to C&L Aviation. The Council previously approved using \$150,000 of BIA reserves to provide the funding. The reserves will be replenished from the sale proceeds of airplane parts and tires. The initial bid price is in excess of the appropriation. BIA staff is working with the low bidder contractor to value engineer (reduce expenses by making changes to scale and scope of the work that does not impact its operation or safety) the project costs to the approved

budget. BIA staff have accepted changes bringing the project cost to within \$10k of the budget.

Motion made and seconded to recommend award of the contract to JM Brown to the City Council. Motion passed unanimously.

e. Electricity Supply – Maine Power Options

Staff reviewed the options currently available in the marketplace to purchase electricity supply. Electricity supply can be purchased directly from a supplier, through a broker or an aggregator. Each option has benefits and risks. The City has been working with Maine Power Options (MPO) for approximately 15 years and have received excellent service. Navigating the electricity supply market is technical and requires highly specialized knowledge.

Motion made and seconded to recommend designating Maine Power Options as the City's aggregator for electricity supply to the City Council. Motion passed unanimously.

f. Fuel Contracts – Dysart's and Maine Energy

For the last couple of years, the City has fixed its price for diesel fuel for up to 18 months into the future. The current fuel contracts are set to expire at June 30, 2017. Staff is seeking authorization to extend the contracts for one year and allow staff to execute fixed rate pricing fuel contracts. If such contracts are executed an update will be provided to the Finance Committee.

Motion made and seconded to recommend extending the fuel supply contracts and allowing staff to execute fixed rate contracts to the City Council. Motion passed unanimously.

g. Sale of 91 Larkin Street – Jennifer DeGroff - \$2,200

Staff reviewed the processes undertake to sell this property – offer to abutters and two sealed bid processes. The recommendation is to sell the property to the sole respondent to the second sealed bid process. It was noted that the respondent is a member of the Bangor School Committee.

Motion made and seconded to recommend sale of property to the City Council. Motion passed unanimously.

Meeting adjourned at 5:58 pm

BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

Monday, August 22, 2016
City Council Chambers

Meeting Minutes

Council Members Present: Baldacci, Durgin, Graham, Nealley, Nichols, Plourde

City Staff Present: Parke Clemons, Collins, Conlow, Emery, Heitmann, Lundy, Wallace

Committee Chair Graham called the meeting to order at 6:00 p.m.

1. Pickering Square Garage Banners

Councilor Plourde moved staff recommendation, Councilor Baldacci, seconded. Vote unless doubted, no doubt.

- Replacement timeline?
- Ordinance not specific to the garage, also other city buildings
- 4 sides maybe

2. ARTober Funding – Optional Cultural Investment Fund

Councilor Plourde moved staff recommendation, Councilor Baldacci, seconded. Vote unless doubted, no doubt.

Councilor Baldacci moved for Executive Session, Councilor Plourde seconded at 6:12 p.m.

3. Executive Session – Economic Development – Parking Lease – 1 M.R.S.A. § 405(6)(C)

Out of Executive Session at 6:28 p.m.

No action on item.

Councilor Plourde moved for Executive Session, Councilor Baldacci seconded at 6:28 p.m.

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

Out of Executive Session at 6:40 p.m.

No action on item.

Meeting adjourned at 6:40 p.m.

Respectfully submitted,
Melissa Bickford
Administrative Assistant
C&ED

COUNCIL ACTION

Item No. 16-332

Date: September 12, 2016

Item/Subject: **ORDER**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 77 Walter Street (Map 035 Lot 006)

Responsible Department: Legal

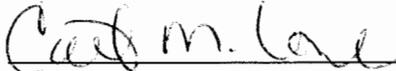
Commentary:

In 1970, a real estate tax lien matured on the property located at 77 Walter Street owned by Paul and Rosalie Aldrich. All outstanding charges due the City had been paid, but it appears this lien was never discharged. Because the lien has matured, a municipal quitclaim is required to release the City's interest in the property.

Staff recommends approval.

Department Head

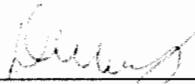
Manager's Comments:



City Manager

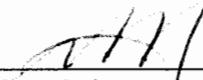
Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for Consent Agenda

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



Assigned to Councilor Dugin

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 77 Walter Street (Map 035 Lot 006)

By the City Council of the City of Bangor.

ORDERED, Deborah A. Cyr, Finance Director, is hereby authorized and directed, on behalf of the City of Bangor, to execute a Municipal Quitclaim Deed releasing any interest the City may have by virtue of an undischarged real estate tax lien recorded in the Penobscot County Registry of Deeds in Book 2158, Page 157. Said deed shall be directed to Paul S. Aldrich and Rosalie A. Aldrich in final form as approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 16-333

Date: September 12, 2016

Item/Subject: **RESOLVE**, Ratifying Execution of Municipal Quitclaim Deed – Real Estate
Located at 156 Elm Street (Map 047 Lot 174).

Responsible Department: Legal

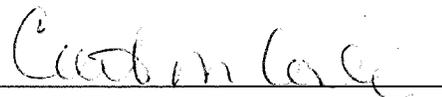
Commentary:

Real estate tax liens matured on the property of Noreen Peters of 156 Elm Street. All outstanding charges due the City have been paid. There are no outstanding sewer charges or 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

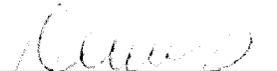
Manager's Comments:



City Manager

Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for Consent Agenda

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

Assigned to Councilor Nealley



CITY OF BANGOR

(TITLE.) Resolve, Ratifying Execution of Municipal Quitclaim Deed – Property Located at 156 Elm Street (Map 047 Lot 174).

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 Noreen Peters for property at 156 Elm Street in Bangor, Maine are hereby ratified and affirmed.

COUNCIL ACTION

Item No. 16-334

Date: September 12, 2016

Item/Subject: **Order**, Authorizing the City Manager to Accept \$6,070.50 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 \$6,070.50 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:

Carl M. Cole
City Manager

Associated Information: Order

Budget Approval:

[Signature]
Finance Director

Legal Approval:

[Signature]
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 \$6,070.50 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 \$6,070.50 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).

Date: September 12, 2016

Item/Subject: ORDER, Authorizing the lease of a fuel truck from SkyMark Refuelers, LLC. for Bangor International Airport.

Responsible Department: Airport

Commentary: This Order will authorize the lease of a fuel truck for the airport in the amount for a period of five years. The truck will be provided by SkyMark Refuelers and the leasing company will be National Equipment leasing. The annual lease payment will be \$31,800. The airport is in the process of replacing its aging fuel truck fleet and it was decided that leasing was preferable to purchasing since staff is able to ensure the airport has newer equipment well within its useful life. At the end of the lease the City has the option to either purchase the fuel truck, at its fair market value, or lease a newer model. Additionally, with this lease the airport will trade-in 2 existing fuel trucks that are well past their useful life and have been taken out of service.

If approved, this lease will be for an annual cost of \$31,800 for a term of 5 years. The Airport's FY 2017 approved budget included funding for this lease.

The contract award recommendation must be reviewed and approved by the City Council as it is over \$100,000.

Tony Caruso
Department Head

Manager's Comments:

City Manager

Associated Information:

Bid tabulation

Budget Approval:

Finance Director

Legal Approval:

City Solicitor

Introduced for

Passage
 First Reading
 Referral



Assigned to Councilor Baldacci

CITY OF BANGOR

(TITLE.) **Order**, Authorizing the lease of a fuel truck from SkyMark Refuelers, LLC. for Bangor International Airport.

By the City Council of the City of Bangor:

ORDERED,

THAT, Deborah Cyr, Finance Director is hereby authorized to execute a lease agreement for the lease of a fuel truck from SkyMark Refuelers, LLC.

City of Bangor Bid Tabulation
Bid No.: Jet A Refueler
Bid Opening: 8/19/16

Item	Description	SkyMark Refuelers, LLC	Garsite/Progress, LLC
		Kansas City, KS 66105	Kansas City, KS
		Total Price	Total Price
1	Jet A Refueler Total Price	\$265,000.00	\$289,440.00
2	Less: trade-in for two (2) used tankers	\$70,000.00	\$42,000.00
	Net (Line 1 minus Line 2)	\$195,000.00	\$247,440.00
3	Annual Lease Payment Amount	\$31,800.00	\$52,762.36
	Year/Make/Model	2016 SkyMark 7k-450-J-MRSC	2017 International 7400

Date: September 12, 2016

Item/Subject: ORDER, Authorizing Bid Award to JM Brown General Contractor for Building 456 Fuel Containment Building Modifications

Responsible Department: Airport

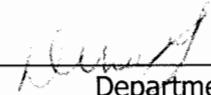
Commentary: On August 31, 2016, the City received five (5) bids for modifications to BIA's fuel containment building 456. The bid prices ranged from \$191,658 to \$248,957 (see attached bid tabulation). Staff recommends awarding the contract to JM Brown General Contractor, the low bidder.

Originally, the airport was working in phases to relocate the aircraft deice fluid tanks and equipment, and budget accordingly with minimal disruption to C&L and to our winter operations. However, through recent developments, the site determined to relocate the tanks and equipment has become available now. The scope of work needed to relocate the tanks/equipment and make modifications to an existing facility includes installing a heat system, installing overheads doors, running a water line, electrical upgrades and general building modifications.

Previously, the Council authorized the use of Airport reserves to undertake this work. The bid prices exceed the estimated budget. Airport staff will work with the low bidder to reduce the scope of the work.

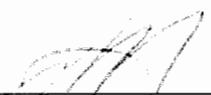
This bid was reviewed and recommended for approval at the Finance Committee meeting of September 7, 2016.

The contract award recommendation must be reviewed approved by the City Council as it is over \$100,000.



Department Head

Manager's Comments:

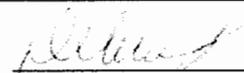


City Manager

Associated Information:

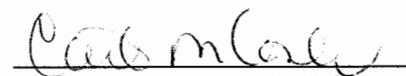
Bid Tabulation

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

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



Assigned to Councilor Mccjps

CITY OF BANGOR

**(TITLE.) Order, Authorizing Bid Award to JM Brown General Contractor for Building
456 Fuel Containment Building Modifications**

By the City Council of the City of Bangor:

ORDERED,

THAT, Deborah Cyr, Finance Director is hereby authorized to execute a contract with JM Brown General Contractor in the amount of \$191,658 for modifications to BIA's fuel containment building 456.

City of Bangor Bid Tabulation
Bid: Bldg 456, Fuel Containment Building Modification
Bid Opening: 8/31/16

		The Sheridan Corporation Fairfield, ME	Peachey Builders Augusta, ME	Ganneston Construction Corp. Augusta, ME
Item	Description	Total Price	Total Price	Total Price
1	Modification of Existing Building	\$205,473	\$193,987	\$248,957
	Warranty:	1 year	1 year	1 year
	Number of days to complete:	60 days	42 days	90 calendar days

		Bowman Contractors Newport, ME	JM Brown General Contractor Hermon, ME
Item	Description	Total Price	Total Price
1	Modification of Existing Building	\$215,500	\$191,658
	Warranty:	1 year	1 year
	Number of days to complete:	90 days	12 working days

COUNCIL ACTION

Item No. 16-337

Date: September 12, 2016

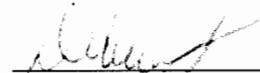
Item/Subject: Order, Designating Maine Power Options as the City of Bangor's Electricity Supply Aggregator

Responsible Department: Finance

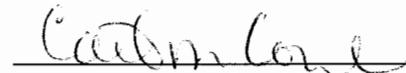
Commentary: This order would designate Maine Power Options (MPO) as the City of Bangor's Electricity Supply Aggregator. MPO is a member-based not-for-profit energy consortium co-sponsored by the Maine Municipal Bond Bank and by Maine Health and Higher Educational Facilities Authority. MPO was established after deregulation in 2000 to provide competitive electricity supply options with reliable, secure terms and conditions for over 400 members including municipalities, schools, universities, hospitals and other non-profits.

While the deregulation of the industry created more opportunities for the City to realize cost savings and stabilize budgets, it also presented a significant challenge as staff does not have the knowledge or expertise to navigate the electricity supply market without professional experience. This industry, while still highly regulated, is also highly specialized. Since 2000 MPO has provided the city with the market knowledge, consumer support, actively reviews market conditions and trends, and possesses the specialized knowledge necessary to ensure the City's best interest. Over the years, the City has been approached by other groups in the private sector that offer similar services. Because the MPO represents a consortium of other public agencies with common goals, City staff recommends that we continue our relationship with MPO to purchase energy.

This item was reviewed and recommended for approval by the Finance Committee on September 7, 2016.

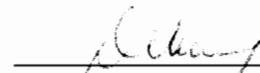


Department Head

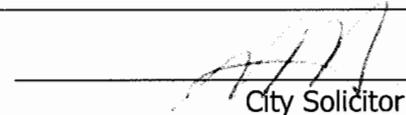
Manager's Comments: 

City Manager

Associated Information: _____

Budget Approval: 

Finance Director

Legal Approval: 

City Solicitor

Introduced for
 Passage
 First Reading
 Referral



Assigned to Councilor Sprague

CITY OF BANGOR

**(TITLE.) Order, Designating Maine Power Options as the City of Bangor's
Electricity Supply Aggregator**

By the City Council of the City of Bangor:

ORDERED, THAT Maine Power Options is the designated aggregator for electricity supply for the City of Bangor.

COUNCIL ACTION

Item No. 16-338

Date: September 12, 2016

Item/Subject: Order, Authorizing the Execution of Fixed Rate Pricing Contracts with the City's Current Fuel Suppliers

Responsible Department: Finance

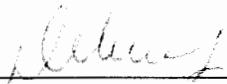
Commentary: The attached order would authorize the Finance Director or City Manager to execute fixed rate pricing contracts and extend the contract term with the City's current fuel suppliers for purchases through June 30, 2018. The expiring contract does not provide for a fixed rate. However, the City's fuel supplier has offered the City the opportunity to have a fixed rate for up to eighteen months into the future.

Both of the City's current fuel vendors, Maine Energy and Dysarts, have the ability to provide fixed pricing for diesel gasoline, heating oil and propane.

This is a method the City employed during the last two years. FY 2017's average price for diesel deliveries is \$1.60/ gallon.

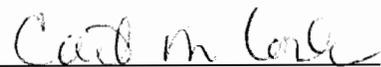
As timing may be of the essence to capture the current favorable market pricing, the intent would be to minimize the downside risk to the City. If adopted, staff will provide an update at the next Finance Committee meeting following any such action.

This item was reviewed and recommended for approval by the Finance Committee on September 7, 2016.



Department Head

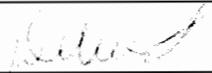
Manager's Comments:



City Manager

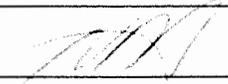
Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

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



Assigned to Councilor Perry

CITY OF BANGOR

(TITLE.) Order, Authorizing the Execution of Fixed Rate Pricing Contracts with the City's Current Fuel Suppliers

WHEREAS, the City of Bangor currently has a contract for fixed rate diesel fuel through June 30, 2017; and

WHEREAS, this contract is set to expire on June 30, 2017; and

WHEREAS, the City has an opportunity to have fixed rates for fuel through June 30, 2018.

By the City Council of the City of Bangor:

ORDERED, THAT the Finance Director or City Manager is hereby authorized to execute documents necessary to extend the supplier contract and fix the rate for fuel with the City's current fuel suppliers for purchases through June 30, 2018.

COUNCIL ACTION

Item No. 16-339

Date: September 12, 2016

Item/Subject: ORDER, Authorizing the City Manager to Execute a Landlord's Consent to Assignment
– portion of Map R17 Lot 013B

Responsible Department:

Commentary: This order will authorize the City Manager to execute an consent to assign a leased parcel of City owned land on Odlin Road. The lease is formerly held by Hotel Equities Inc. who managed the Days Inn on Odlin Road. Giri Bangor LLC has taken over management of the Day's Inn and would like to assume the lease for the parcel of land. The assignment must be approved by the City of Bangor (portion of R17-013B).

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its September 7, 2016 meeting.

Tanya Emery
Department Head

Manager's Comments:

Caitlin Corcoran
City Manager

Associated Information:

Budget Approval:

[Signature]
Finance

Director

Legal Approval:

[Signature]
City Solicitor

Introduced for

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



Assigned to Councilor Plourde

CITY OF BANGOR

(TITLE.) ORDER, Authorizing the City Manager to Execute a Landlord's Consent to Assignment – portion of Map R17 Lot 013B

WHEREAS, the Lessor is the owner of an airport commonly known as "Bangor International Airport", formerly known as Dow Air Force Base, located in the City of Bangor, County of Penobscot, State of Maine (hereinafter sometimes referred to as the "Airport"); and

WHEREAS, the Lessor is the owner of a parcel of land on the northeasterly side of the Odlin Road, in Bangor, County of Penobscot and State of Maine; and

WHEREAS, the Lessor leased this parcel of land to Sheldon Hartstone and Barry Hartstone as Trustees of Financial Realty Trust pursuant to the terms of an Indenture of Lease dated November 15, 1982; and

WHEREAS, Giri Bangor LLC is the current Lessee of the parcel pursuant to the terms of an Assignment of Lease;

WHEREAS, Giri Bangor LLC has agreed to be bound by the obligations and provisions of the above said Indenture of Lease.

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

the City Manager is hereby authorized, on behalf of the City of Bangor, to execute a "Landlord's Consent to Assignment".

COUNCIL ACTION

Item No. **16-340**

Date: **September 12, 2016**

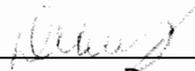
Item/Subject: ORDER, Authorizing Execution of Documents for the Sale of 91 Larkin Street (Map 025 Lot 090) to Jennifer DeGroff in the Amount of \$2,200

Responsible Department: Finance

Commentary:

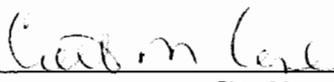
This Order would authorize the sale of 91 Larkin to Jennifer DeGroff for \$2,200. The City acquired this property due to matured tax liens. The City offered this property for sale to the abutters and through an initial RFP process to no avail. A subsequent RFP process resulted in one bidder, Jennifer DeGroff. The bidder intends to construct a small home on this lot.

The Finance Committee reviewed and recommended this item for approval at its September 7, 2016 meeting.



Department Head

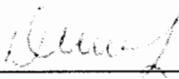
Manager's Comments:



City Manager

Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral



Assigned to Councilor Durgin

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of Documents for the Sale of 91 Larkin Street
(Map 025 Lot 090) to Jennifer DeGroff in the Amount of \$2,200

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

The City Manager is hereby authorized, on behalf of the City of Bangor, to execute an Agreement, and all other necessary documents, for the sale of real estate located at 91 Larkin Street to Jennifer DeGroff, in the amount of \$2,200. Said documents shall be a final form as approved by the City Solicitor or Assistant City Solicitor.



**REFERRALS TO COMMITTEES
& FIRST READINGS**

COUNCIL ACTION

Item No. 16-341

Date: September 12, 2016

Item/Subject: **ORDINANCE**, Amending Chapter 260, Signs, of the Code of the City of Bangor, By Allowing for Banners on Municipal Buildings Advertising the Downtown and City Amenities

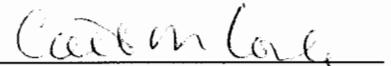
Responsible Department:

Commentary: This ordinance will amend Chapter 260, Signs, of the Code of the City of Bangor to allow for banners on the parking garage and other City-owned buildings. In an effort to improve the look and functionality of the parking garage, the City wishes to erect a series of artistic and informative banners, designed by local artists. If approved, the proposed ordinance change allows for such banners or signs to be erected on City owned buildings upon approval of the City Council.

This item was reviewed and recommended for approval at the Business and Economic Development Committee Meeting on September 6, 2016.

Department Head

Manager's Comments:



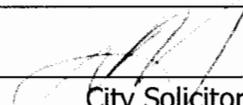
City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral to Planning Board?

Assigned to Councilor Graham



CITY OF BANGOR

ORDINANCE, Amending Chapter 260, Signs, of the Code of the City of Bangor, By Allowing for Banners on Municipal Buildings Advertising the Downtown and City Amenities

WHEREAS, the City of Bangor wishes to improve the look and function of certain City owned buildings by erecting banners or signs on those buildings; **THEREFORE**

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

Chapter 260 of the Code of the City of Bangor be amended as follows:

§ 260-5. Signs exempt from permit.

Permits are not required for the following signs:

...

- J. Signs on buildings owned and used by the City of Bangor advertising the downtown or City amenities.

...

§ 260-6. General standards and limitations.

...

- L. City banners. Notwithstanding the restrictions found in this chapter, and upon the approval of the City Council, a building owned and used by the City of Bangor may display signs advertising the downtown and City amenities.

...

§ 260-13. Signs allowed outside the right-of-way without a permit.

The following off-premises signs may be erected and maintained outside the public right-of-way without a permit from the Code Enforcement Officer:

...

- G. City banners. Notwithstanding the restrictions found in this chapter, and upon the approval of the City Council, a building owned and used by the City of Bangor may display signs advertising the downtown and City amenities.

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

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 Institutional 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.

SEPTEMBER 12, 2016

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 G1SD 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 _____

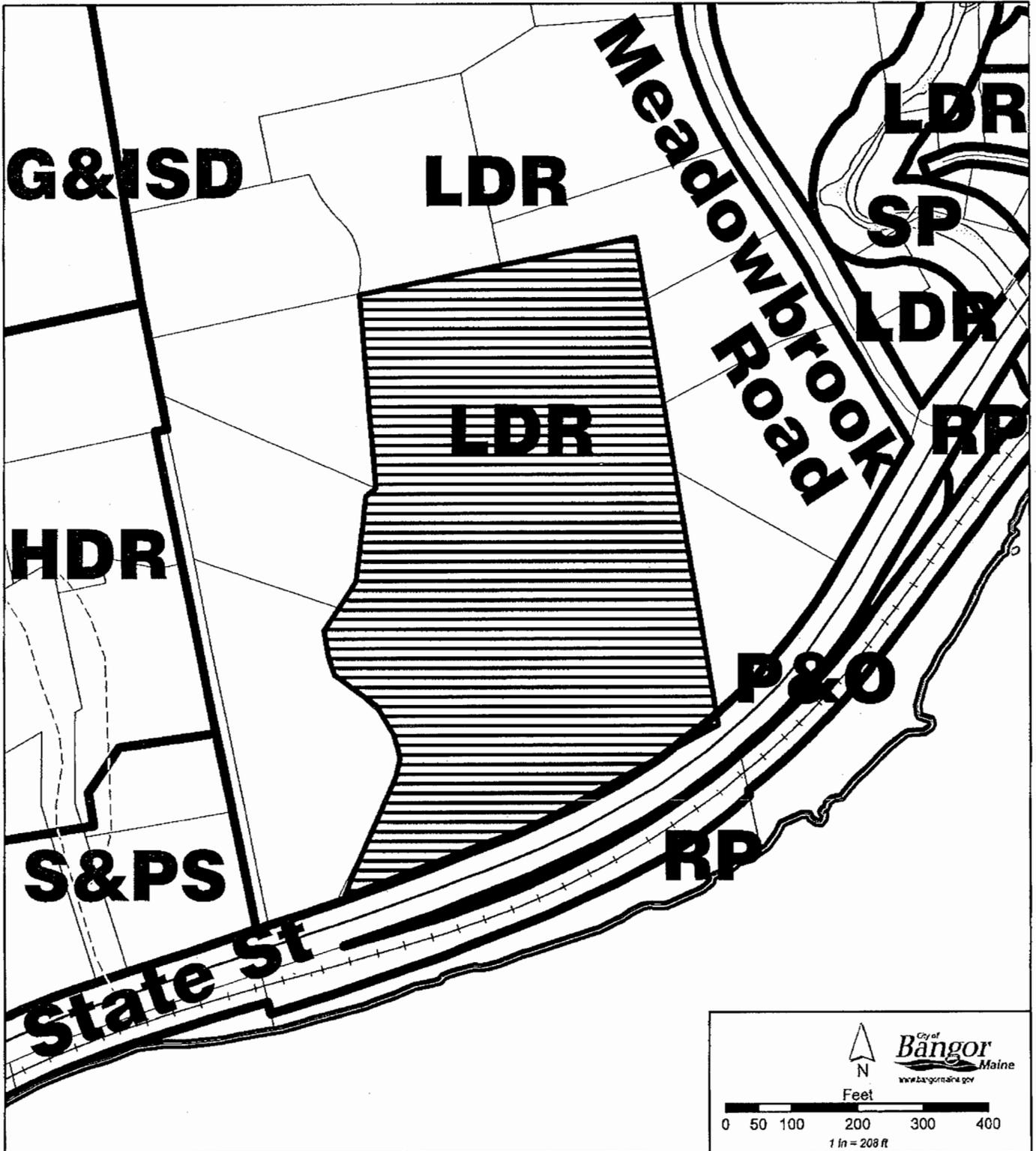
12. ATTACH ANY CONDITIONS PROPOSED FOR A CONTRACT ZONE REQUEST.

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

<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*	<u>\$1,330.00</u> 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

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

C & ED and Planning

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.

COUNCIL ACTION

Item No. 16-343

Date: September 12, 2016

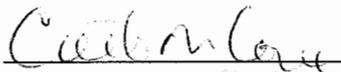
Item/Subject: RESOLVE, Authorizing the City Manager to Accept and Appropriate Grant Funds from the Maine Department of Health and Human Services – WIC Nutrition Program.

Responsible Department: Public Health and Community Services

Commentary: This resolve will accept and appropriate \$2,651,712.20 in grant funds for the Women, Infants, and Children Supplemental Nutrition Program (WIC). The Public Health and Community Service WIC Nutrition Program currently services a monthly average of 3,000 participants at their Bangor, Dexter, Dover, Corinth, Lincoln, Millinocket, Milo, Newport, and Greenville sites. The proposed agreement provides \$550,703.00 for administration, \$2,000.00 in Farmer's Market Administration, \$25,624.00 in WIC Breastfeeding Peer Counseling, and \$2,073,385.20 for food vouchers. The grant covers the period from October 1, 2016 through September 30, 2017. This was reviewed and recommended for approval at the September 7, 2016 Government Operations Committee meeting.

Department Head

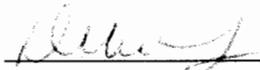
Manager's Comments:



City Manager

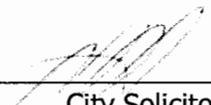
Associated Information: Resolve

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

Passage
 First Reading
 Referral

Page __ of __

Assigned to Councilor Plourde



CITY OF BANGOR

(TITLE.) Resolve, Authorizing the City Manager to Accept and Appropriate a Grant from the Maine Department of Health and Human Services – WIC Nutrition Program.

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT RESOLVED, that the City Manager is hereby authorized to accept and appropriate \$2,651,712.20 from the Maine Department of Health and Human Services to administer the WIC Nutrition Program in Penobscot and Piscataquis counties during the period 10/01/16 – 9/30/17.

COUNCIL ACTION

Item No. 16-344

Date: September 12, 2016

Item/Subject: Resolve, Accepting and Appropriating a Grant from the U.S. Economic Development Administration, in the amount of \$1,243,004 to Support an Expansion at C&L Aerospace Holdings at Bangor International Airport

Responsible Department: Airport

Commentary: This Resolve will accept and appropriate \$1,243,004 from the US Economic Development Administration to support an expansion of C&L Aerospace Holdings, LLC in the premises it leases from the City of Bangor to include a commercial aircraft refurbishment and painting facility. The City applied for and received a grant award in the amount of \$1,243,004 for the aforementioned Project. The grant requires that the City match the grant amount of \$1,243,004 which will include \$310,000 from the City to relocate the glycol tanks and the remainder will be provided by C&L. This item will be reviewed in a pre-council meeting on September 12, 2016.

Tony Caruso
Department Head

Manager's Comments:

Robert M. Corle
City Manager

Associated Information: Resolve

Budget Approval:

[Signature]
Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for
 Passage
 First Reading
 Referral

Page

SEPTEMBER 12, 2016

Assigned to Councilor Baldacci



CITY OF BANGOR

(TITLE.) Resolve, Accepting and Appropriating a Grant from the U.S. Economic Development Administration, in the amount of \$1,243,004 to Support an Expansion at C&L Aerospace Holdings at Bangor International Airport.

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

RESOLVED THAT, there is hereby accepted and appropriated a grant from the US Economic Development Administration in the amount of \$1,243,004 to support the expansion of C&L Aerospace Holdings, LLC in their leased premises at Bangor International Airport.



**UNFINISHED
BUSINESS**

COUNCIL ACTION

Item No. 16-327

Date: 8-22-16

Item/Subject: RESOLVE, Accepting and Appropriating \$880 from the Optional Cultural Investment Fund for Support of Artober 2016

Responsible Department: Community and Economic Development

Commentary: This resolve will accept and appropriate \$880 from the Optional Cultural Investment Fund to be used by the Commission on Cultural Development to support Artober 2016. The Optional Cultural Investment Fund was established in 2013 to allow for donations to support the work of the Commission on Cultural Development. Donations are to be invested by the Commission for Cultural Development using its existing guidelines and procedures. The City Council retains the ability to review all funding recommendations from the Commission.

This was reviewed and recommended for approval at the August 22, 2016 Business and Economic Development Committee meeting.

/s/ Tanya L. Emery
Department Head

Manager's Comments:

Carl M. Gale
City Manager

Associated Information: Resolve

Budget Approval:

[Signature]
Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for

- Passage
- First Reading
- Referral



Assigned to Councilor Plourde

CITY OF BANGOR

RESOLVE, Accepting and Appropriating \$880 from the Optional Cultural Investment Fund for Support of Artober 2016

By the City Council of the City of Bangor:

RESOLVED, THAT \$880 is hereby accepted and appropriated from the Optional Cultural Investment Fund for the Commission on Cultural Development for support of programming for Artober 2016.

COUNCIL ACTION

Item No. 16-328

Date: August 22, 2016

Item/Subject: Resolve, Accepting and Appropriating a Grant from the Maine Department of Health and Human Services, Public Health Nursing Dept., in the amount of \$61,048 to support Bridging Services

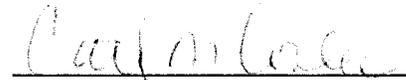
Responsible Department: Public Health & Community Services

Commentary:

This Resolve will accept and appropriate \$61,048 from the ME DHHS Public Health Nursing Dept. to support specialized maternal & child health nursing for families in Bangor who are affected by substance use disorder during the prenatal, post-partum, and newborn stages. Referrals will be received from primary care providers, EMMC NICU Champ Program, and the DHHS Office of Child & Family Services. A City of Bangor Public Health Nurse has been specifically trained to provide a high level of care using a strengths-based, trauma informed wrap-around model that assists the family with accessing available community resources. The term of the grant is 8/15/2016 – 8/14/2017. This was reviewed and recommended for approval at the August 15, 2016 Government Operations Committee meeting.

Department Head

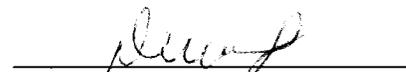
Manager's Comments:



City Manager

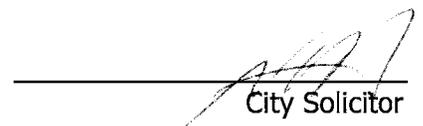
Associated Information: Resolve

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral

Page

Assigned to Councilor Sprague



CITY OF BANGOR

(TITLE.) Resolve, Accepting and Appropriating a Grant from the Maine Department of Health and Human Services, Public Health Nursing Dept. in the Amount of \$61,048 to Support Bridging Services

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

RESOLVED THAT, there is hereby accepted and appropriated a grant from the Maine Department of Health and Human Services, Public Health Nursing Dept. in the amount of \$61,048 to Support Bridging Services in Bangor for the period August 15, 2016 to August 14, 2017.

COUNCIL ACTION

Item No. 16-329

Date: 8-22-16

Item/Subject: RESOLVE, Accepting and Appropriating an Additional \$80,700 for the Supplemental Nutrition Education Grant Program (SNAP-ED)

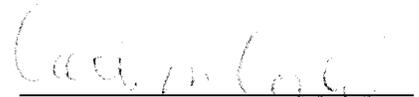
Responsible Department: Health & Community Services

Commentary: This resolve will accept and appropriate an additional \$80,700 for the Supplemental Nutrition Education Grant Program (SNAP ED) through the River Coalition. This will expand the service area for providing nutrition education to people who are eligible for Supplemental Nutrition Assistance Program to include Piscataquis County. This funding is in addition to the funds previously accepted by Council Resolve 16-286

The amended total grant funding is \$230,679. The amended service area is Greater Bangor and Piscataquis County. The grant term is 10/1/2016 to 9/30/2017. This was reviewed and recommended for approval at the August 15, 2016 Government Operations Committee meeting.

Department Head

Manager's Comments:



City Manager

Associated Information: Resolve

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for
 Passage
 First Reading
 Referral



Assigned to Councilor Nichols

CITY OF BANGOR

RESOLVE, Accepting and Appropriating an additional \$80,700 for the for the Supplemental Nutrition Education Grant Program

By the City Council of the City of Bangor:

RESOLVED, THAT an additional \$80,700 is hereby accepted and appropriated for the Supplemental Nutrition Education Program for the period October 1, 2016 – September 30, 2017



**NEW
BUSINESS**

COUNCIL ACTION

Item No. 16-345

Date: September 12, 2016

Item/Subject: Order, Authorizing the City Manager to Apply for a Maine Health Access Foundation Healthy Communities Phase III Implementation Grant.

Responsible Department: Public Health and Community Services

Commentary: This order will authorize the City to apply for the third phase of the Healthy Community Grants Program. The goal is to build on the community collaboration that occurred during the first two phases of the MEHAF Healthy Communities program. During Phase One the community identified substance use disorder as a significant issue. During Phase Two the community is collaboratively creating action steps to reduce stigma and to identify gaps in services and supports for people affected by substance use disorder.

The implementation plan for Phase Three would focus on building successful, accessible and sustainable recovery coaching in the Greater Bangor area. This goal was identified by people living with substance use disorder and by the professionals working in recovery as a best practice for recovery and as a gap in the current array of services available

If the application is successful, the City of Bangor, through its Department of Public Health and Community Services, would provide staff support, coordination and technical assistance for the development of recovery coaching. A program of recovery coaching would be delivered under the auspices of one or more community based partners.

This three-year project would begin November 15, 2016 and end December 31, 2019 with total funding of \$187,000. The grant, if awarded, would be renewable for years two and three.

The term of the first year would be November 15, 2016 – December 31, 2017 with funding of \$67,000. A Resolve to Accept and Appropriate the first year funding will be prepared, if awarded. This was reviewed and recommended for approval at the September 7, 2016 Government Operations Committee meeting.

Department Head

Manager's Comments:

Carol M. Long
City Manager

Associated Information: Order

Budget Approval:

D. [Signature]

Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for

Passage - Consent

First Reading

Page __ of __

Assigned to Councilor Plourde



CITY OF BANGOR

(TITLE.) ORDER, Authorizing the City Manager to Apply for a Maine Health Access Foundation Healthy Communities Phase III Implementation Grant

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT ORDERED, that the City Manager is here authorized to apply for a Maine Health Access Foundation Healthy Communities Phase III Implementation Grant in the amount of \$187,000 for a term of November 15, 2016 to December 31, 2019.

COUNCIL ACTION

Item No. 16-346

Date: September 12, 2016

Item/Subject: Authorizing Agreement with Waterfront Concerts, LLC – Concert Venue Access Road

Responsible Department: Legal

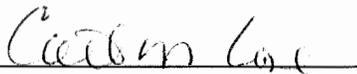
Commentary: Waterfront Concerts, LLC and the City are parties to an agreement dated July 27, 2012 for Waterfront Concerts, LLC to present a summer concert series on the Bangor Waterfront through 2016. The City and Waterfront Concerts have agreed to negotiate a ten year Lease for Waterfront Concerts to continue to present a summer concert series on the Bangor Waterfront through the 2026 concert season.

The City and Waterfront Concerts had previously discussed an access road to the venue and this year the City acquired a parcel on Lincoln Street for the purpose of having road access from Lincoln Street to the concert venue. The parties had agreed that they would share the cost of the construction of an access road and in order to complete the construction of the road prior to the first event of the 2016 concert season the parties began construction of the road earlier this year.

If approved, this Order will authorize the City Manager to execute an agreement with Waterfront Concert for the cost sharing of the construction of the access road and its use. Under the terms of the agreement, the City shall pay \$234,862.90 of the total cost of \$494,844.79. Waterfront Concerts may use the access road to access the concert venue and the city will use the site for overflow at the Cross Insurance Center, when not in use by Waterfront Concerts LLC. This item was discussed on several occasions with the City Council.

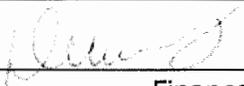
Department Head

Manager's Comments:

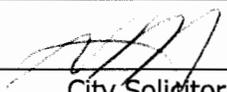

City Manager

Associated Information:

Budget Approval:


Finance Director

Legal Approval:


City Solicitor

Introduced for

- Passage
- First Reading
- Referral

Page **of**

Assigned to Councilor Durgin



CITY OF BANGOR

(TITLE.) ORDER, Authorizing Agreement with Waterfront Concerts, LLC – Concert Venue Access Road

WHEREAS, Waterfront Concerts, LLC and the City are parties to an agreement dated July 27, 2012 for Waterfront Concerts, LLC to present a summer concert series on the Bangor Waterfront through 2016; and

WHEREAS, the parties have agreed to negotiate a ten year Lease for Waterfront Concerts to continue to present a summer concert series on the Bangor Waterfront through the 2026 concert season; and

WHEREAS, the City of Bangor had acquired a parcel on Lincoln Street consisting of land and building for the sole purpose of having road access from Lincoln Street to the Concert Venue; and

WHEREAS, the parties had agreed that the construction of an access road from Lincoln Street to the Premises is in the best interest of the parties; and

WHEREAS, in order to complete the construction of the road prior to the first event of the 2016 concert season the parties began construction of the road prior to this concert season; and

WHEREAS, the parties have agreed upon cost sharing and other responsibilities regarding the construction of the road.

By the City Council of the City of Bangor:

ORDERED, THAT, Catherine M. Conlow, City Manager, is hereby authorized on behalf of the City of Bangor to execute an Agreement with Waterfront Concerts, LLC for the payment of construction and use of the access road from Lincoln Street to the Concert Venue. Said Agreement shall in substantially the form as attached hereto and in a final form as approved by the City Solicitor.

AGREEMENT

Agreement made this _____ day of _____, 2016 by and between the City of Bangor, a municipal corporation having its place of business at 73 Harlow Street, Bangor, Maine (hereinafter the "City") and Waterfront Concerts, LLC, of Old Town, Maine (hereinafter WFC).

WHEREAS, WFC and the City are parties to an agreement dated July 27, 2012 for the WFC to present a summer concert series on the Bangor Waterfront (the Premises) through 2016; and

WHEREAS, the parties have agreed to negotiate a Lease for the Promoter to present a summer concert series on the Premises through the 2026 concert season; and

WHEREAS, the parties have agreed that the construction of a road from Lincoln Street to the Premises is in the best interest of the parties; and

WHEREAS, the City of Bangor has acquired a parcel on Lincoln Street consisting of land and building for the sole purpose of having road access from Lincoln Street to the Premises; and

WHEREAS, the City of Bangor demolished the building on the Lincoln Street property in order to construct the road to the Premises; and

WHEREAS, in order to complete the construction of the road prior to the first event of the 2016 concert season the parties have begun construction of the road; and

WHEREAS, the parties have agreed upon cost sharing and other responsibilities regarding the construction of the road.

NOW, THEREFORE, in consideration of the covenants and agreement hereinafter contained, the City and Waterfront Concerts mutually agree to all obligations, terms, and conditions for the construction of a road from Lincoln Street to the Premises as follows:

1. Road Construction

An access road has been constructed from Lincoln Street to the Premises as shown on a site plan approved by the City of Bangor Planning Board on December 1, 2015.

2. Contract

WFC entered into a contract for the construction of the road after consultation with the City. WFC has obtained lien waivers from the contractor and sub-contractor.

3. Costs

The parties agree to share the costs of the construction of the road as per the attached Exhibit A.

4. Payment

WFC will pay the cost of the road pursuant to the terms of its contract for the road construction. The City shall reimburse WFC the amount to be contributed by the City as shown on the cost sharing on Exhibit A.

5. Infrastructure

The City and WFC agreed that construction of the road may include infrastructure for the support of WFC's use of the Premises, the cost sharing of which shall be as set for in Exhibit A attached hereto.

6. Use

So long as WFC is the Lessee of the Premises it shall have the right to use the road and infrastructure referenced above as necessary for its use of the Premises. The City shall have the right to use the road so long as it does not interfere with WFC's use and occupancy of the Premises as allowed under its Lease with the City.

7. Maintenance and Repair

So long as WFC is the Lessee of the Premises it shall be responsible for the maintenance and repair of the drive during the term of its Lease with the City of Bangor, provided that, however, Lessor shall be responsible for the cost of repairs for any damage caused by its use of the drive.

8. Governing Law

This agreement shall be governed by the laws of the State of Maine without regard to choice of laws.

9. Authority to Execute

The undersigned hereby warrant and represent that they have proper authority to enter into this agreement on behalf of their respective parties.

WATERFRONT CONCERTS, LLC

Witness

Name: Alexander Gray
Title:

CITY OF BANGOR

Witness

Name: Catherine M. Conlow
Title: City Manager

WATERFRONT BACKSTAGE ACCESS DRIVE PROJECT - COST SHARING BREAKDOWN
 SOURCE: BID RESULTS 1/22/2016
 UPDATED: 3/24/2016

Appendix A

SCOPE: Construction of backstage access drive, 20' paved width and 4' gravel shoulders each side, including common excavation, grading, and filling, paving, curbing, installation of underground conduit and lighting, 2" diameter force main, new 6" water main for fire service, hydrant and 2" domestic tap with curb stop, service box, rod, and hot box, fencing, gates, signage, construction of a wet pond for stormwater treatment, buffer plantings, and all other incidentals or appurtenances required to complete the project.

Item	Description	Est. Qty.	Unit	BID Unit Price	City Units	WFC Units	City Total Price	WFC Total Price	Total Construction Bid Price	Notes
1	Mobilization	1	LS	\$27,546.60	0.5	0.5	\$13,773.30	\$13,773.30	\$27,546.60	
2	Common Excavation, Grading, and	5040	CY	\$16.00	2520	2520	\$40,320.00	\$40,320.00	\$80,640.00	
3	18" Thick Gravel Subbase	2300	CY	\$21.00	1150	1150	\$24,150.00	\$24,150.00	\$48,300.00	
4	6" Thick Gravel Base	800	CY	\$19.00	400	400	\$7,600.00	\$7,600.00	\$15,200.00	
5	6" Ø Underdrain Piping	140	LF	\$15.00	70	70	\$1,050.00	\$1,050.00	\$2,100.00	
6	Pond inc. excavation	1	LS	\$25,425.00	0.5	0.5	\$12,712.50	\$12,712.50	\$25,425.00	
7	6' Black Coated Chain Link Non Security Fence w/ 6' wide gate	546	LF	\$37.50	273	273	\$10,237.50	\$10,237.50	\$20,475.00	
8	2" HDPE Force Main	1060	LF	\$20.00	530	530	\$10,600.00	\$10,600.00	\$21,200.00	
9	Pump Station (No City Share)	1	LS	\$10,800.00	0	1	\$0.00	\$10,800.00	\$10,800.00	
10	8" Ø PVC Sewer	10	LF	\$30.00	5	5	\$150.00	\$150.00	\$300.00	
11	Water inc. fittings, fire, domestic, hydrant, hot box, curb stop	1	LS	\$9,450.00	0.5	0.5	\$4,725.00	\$4,725.00	\$9,450.00	
12	4' Ø Manhole with FM core and link seal	8	VF	\$350.00	4	4	\$1,400.00	\$1,400.00	\$2,800.00	
13	4' Ø CB with beehive grate	6	VF	\$350.00	3	3	\$1,050.00	\$1,050.00	\$2,100.00	
14	8" Ø SICPE drain	285	LF	\$15.00	142.5	142.5	\$2,137.50	\$2,137.50	\$4,275.00	
15	Fee to tap exist. power source (Emera) (No City Share)	1	LS				\$0.00	\$0.00	\$0.00	
16	3" Ø Sch. 80 PVC Electrical Conduit and Wire	1200	LF	\$5.00	600	600	\$3,000.00	\$3,000.00	\$6,000.00	
17	Light Posts and Lamps	7	EA	\$6,023.27	3.5	3.5	\$21,081.45	\$21,081.45	\$42,162.89	
18	No Parking Signage	3	EA	\$250.00	1.5	1.5	\$375.00	\$375.00	\$750.00	
19	HMA Pavement - 20' width 4" depth Concrete Curb along Lincoln Street	800	TON	\$113.78	400	400	\$45,512.00	\$45,512.00	\$91,024.00	
20	radius	230	LF	\$10.17	115	115	\$1,169.55	\$1,169.55	\$2,339.10	
21	Pavement Marking Lines	1000	LF	\$2.00	500	500	\$1,000.00	\$1,000.00	\$2,000.00	
22	Rip Rap	150	CY	\$25.00	75	75	\$1,875.00	\$1,875.00	\$3,750.00	
23	Buffer Plantings - Evergreen Fir Tree	15	EA	\$45.00	7.5	7.5	\$337.50	\$337.50	\$675.00	
24	Buffer Plantings - Deciduous Tree	2	EA	\$20.00	1	1	\$20.00	\$20.00	\$40.00	
25	Buffer Plantings - Shrubs	12	EA	\$60.00	6	6	\$360.00	\$360.00	\$720.00	
26	28' wide x 4' tall black dec. driveway gate inc. posts, freight	1	EA	\$8,350.00	0.5	0.5	\$4,175.00	\$4,175.00	\$8,350.00	
27	Sedimentation and Erosion Control	1	LS	\$5,000.00	0.5	0.5	\$2,500.00	\$2,500.00	\$5,000.00	
28	Loam and Seed	3600	SY	\$3.95	1800	1800	\$7,110.00	\$7,110.00	\$14,220.00	
29	SLODA Minor Amendment Fee	1	LS	\$1,363.00	1		\$1,363.00	\$0.00	\$1,363.00	Paid by City with 2/9/2015 DEP application
30	Field Inspection	300	HR	\$47.44	150	150	\$7,116.00	\$7,116.00	\$14,232.00	
31	Permits - Street/Sewer Connection	1	LS	\$1,817.20	0.5	0.5	\$908.60	\$908.60	\$1,817.20	
31	Pavement Fabric	1	LS	\$5,040.00	0.5	0.5	\$2,520.00	\$2,520.00	\$5,040.00	
32	Bangor Gas Relocation	1	LS	\$6,000.00	0.5	0.5	\$3,000.00	\$3,000.00	\$6,000.00	
32	4" UD Install adj. Gravel Area	1	LS	\$8,750.00	0.5	0.5	\$4,375.00	\$4,375.00	\$8,750.00	
33	Pond liner	1	LS	\$10,000.00	0.5	0.5	\$5,000.00	\$5,000.00	\$10,000.00	
	Total Cost of Construction						\$242,703.90	\$252,140.90	\$494,844.79	
	Deductions to City									
	Reimburse 1/2 of Demolition Costs of 17 Lincoln Street with Total Cost of \$12,956.00						\$6,478.00			
	Sloda Permit Fee Already Paid						\$1,363.00			
	Total Amount City Owes WFC						\$234,862.90			

COUNCIL ACTION

Item No. 16-347

Date: September 12, 2016

Item/Subject: Order, Authorizing Lease Agreement with Tilton Flying Service LLC for a parcel of City-owned land located at Bangor International Airport.

Responsible Department: Airport

Commentary: This Order will authorize the execution of a lease agreement with Tilton Flying Service LLC. Kevin Tilton of Tilton Flying Service LLC has approached the Airport about leasing a parcel of City-owned land located at Bangor International Airport for the purpose of constructing an aircraft hangar. If approved, the terms of the lease will include a lease payment of \$2,160 annually for a 10 year initial term with (3) additional 10 year renewal options. The annual lease rate will be adjusted each year based on CPI. The hangar will comply with all applicable Code regulations and all building specifications will be approved by the City. The lease will be in a final form as approved by the City Solicitor or Assistant City Solicitor. This item is to be reviewed in a pre-council workshop on September 12, 2016.

Tony Caruso
Department Head

Manager's Comments:

Cecil McA...
City Manager

Associated Information:

Budget Approval:

Dennis...
Finance Director

Legal Approval:

M...
City Solicitor

Introduced for

- Passage
- First Reading
- Referral

SEPTEMBER 12, 2016

Assigned to Councilor Baldacci



CITY OF BANGOR

(TITLE.) ORDER, Authorizing Lease Agreement with Tilton Flying Service LLC for a parcel of City-owned Land Located at Bangor International Airport

WHEREAS, the City of Bangor supports new investment and development and the creation of an additional hangar at Bangor International Airport; and

WHEREAS, a City-owned parcel located adjacent to taxiway Y is currently undeveloped and available for lease; and

WHEREAS, Tilton Flying Service LLC wishes to lease this parcel for the purpose of constructing an aircraft hangar.

By the City Council of the City of Bangor:

ORDERED,

That Catherine M. Conlow, City Manager, is hereby authorized to enter into a Lease Agreement with Tilton Flying Service LLC. The terms of the lease shall include an annual lease payment of \$2,160 for an initial 10 year term, three (3) options to renew for ten (10) years with rent increases for each renewal, a requirement that Tilton Flying Service LLC' construct an aircraft hangar and such terms and conditions considered appropriate by the Airport Director and City Solicitor or Assistant City Solicitor; and in a final form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 16-348

Date: September 12, 2016

Item/Subject: Order, Authorizing Execution of Agreement with C&L Aerospace Holdings LLC - Bangor International Airport

Responsible Department: Legal

Commentary:

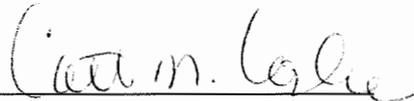
C&L Aerospace Holdings, LLC wishes to have renovations to the premises it leases from the City of Bangor to include a commercial aircraft refurbishment and painting facility. The cost of this is estimated to be \$2,486,008, and C&L Aerospace Holdings, LLC requested assistance from the City to obtain an Economic Development Administration grant for one-half the project cost. The City applied for and received an Economic Development Administration grant in the amount of \$1,243,004 for the aforementioned Project. The grant requires that the City match the grant amount of \$1,243,004.

The City has agreed to fund \$310,000 of the required matching funds for specific parts of the Project and C&L has agreed to fund the balance of the matching funds for the Project.

This Order, if approved will authorize the execution of an agreement between the City and C&L for the payment of these renovations and improvements.

Department Head

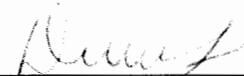
Manager's Comments:



City Manager

Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral

SEPTEMBER 12, 2016

Assigned to Councilor Perry



CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of Agreement with C&L Aerospace Holdings LLC - Bangor International Airport

WHEREAS, C&L Aerospace Holdings, LLC wishes to have renovations to the premises it leases from the City of Bangor to include a commercial aircraft refurbishment and painting facility; and

WHEREAS, the cost of this is estimated to be \$2,486,008, and C&L Aerospace Holdings, LLC requested assistance from the City to obtain an Economic Development Administration grant for one-half the project cost; and

WHEREAS, the City applied for and received an Economic Development Administration grant in the amount of \$1,243,004 for the aforementioned Project; and

WHEREAS, the EDA grant required that the City match the grant amount of \$1,243,004; and

WHEREAS, the City has agreed to fund \$310,000 of the required matching funds for specific parts of the Project and C&L has agreed to fund the balance of the matching funds for the Project.

By the City Council of the City of Bangor:

ORDERED,

That Catherine M. Conlow, City Manager, is hereby authorized to execute an Agreement with C&L Aerospace Holdings, LL for payment from C&L of matching funds for an Economic Development Administration grant received by the City. Said agreement provides for payment in advance by C&L for each phase of construction and such other terms as appropriate. Said agreement shall be in a final form approved by the City Solicitor.