Government Operations Committee
Wednesday, February 19, 2014 at 5:15pm
City Council Chambers

MINUTES

Council Members: Civiello, Durgin, Sprague, Graham, Nealley, Plourde, Blanchette
Staff: Conlow, Farrar, Hamilton, Heitmann, Willette, Nicklas
Others: Bangor Band, Media, Members of the Ethics Board

1. **Women, Infants, and Children (WIC) Grant Amendment – Additional Funding for FY14**

   The WIC Program has been notified of additional grant funding in the amount of $31,362 for FY14. These funds will be used to provide additional client services.

Patty Hamilton explained that our WIC program is the highest performing program in the State. The director spoke to people at the State level and stated that if they want the City of Bangor to continue doing well, we will need more money and more people. The State has agreed to give an additional amount of $31,362 and this is the reason for the increased grant amount.

Councilor Sprague moved, Councilor Nealley seconded, staff recommendation so approved.

2. **Proposed Revisions to the Agreement between the City of Bangor and the Bangor Band**

   Council Order 14-052 authorized an Agreement between the City and the Bangor Band covering the acquisition and use of the portable band shell for performances. Bangor Band identified several areas of concern in the Agreement, and the City has been able to modify some provisions to satisfy those concerns. There remains, however, certain requested changes that exceed the general authority provided in the Council Order. City and Band representatives are planning to meet prior to the Committee meeting to discuss these issues, and they will be prepared to update the Committee.

City Solicitor Norm Heitmann explained that the Council passed an order in December 2013 but there were 3 issues from the Bangor Band's view. There was language added to include the use of risers if the band so chooses throughout the season. There was also an issue about Article 8 which is the discussion at a later date of another possible venue such as a gazebo. The inflatable structure is new to all and it may go over well, but it may not. So there is language was built in to the agreement for a future discussion regarding a different venue and to negotiate accordingly. The third issue was the possibility of a fee after the first year to offset any set up and/or take down costs or having the band help with set up/take down in place of a fee.

Councilor Durgin moved the adoption of the proposal, Councilor Sprague seconded, so approved.

3. Duties and Responsibilities of the Board of Ethics

Board of Ethics member Al Banfield explained that they are looking for a bit of clarification on how things can be brought to the Board of Ethics and if it is possible to go directly to the board, bypassing the full Council. As it currently stands, a person with a grievance has to bring their concerns to the full Council and the Council would vote on whether to bring to the Board of Ethics or not.

Assistant City Solicitor Paul Nicklas explained what has been done in the past and the City's policy on this matter.

Council Chair Sprague understands the reasons for the request but is leery that it could cause a lot of negative stories that could be untrue to come about from personal vendettas. He feels that as long as communication remains open between the Chair of the Board and the Chair of the Council then that should be enough at this time.

Assistant City Solicitor Nicklas stated that if an issue comes before the Board of Ethics or the Council, more often than not, the Council has been able to come to a conclusion about issues that have arisen. For example a few Councilors have been censored in the past due to ethics issues.

Council Chair Sprague stated that he often gets messages from citizens that bring personal issues up rather then ethical issues. He also explained that any citizen has the right to speak in front of the full Council as well as the public at every Council meeting during its public comment time at 7:30pm.

Councilor Nealley feels that our City Solicitor has been very considerate of any potential liabilities that the Council may be affected by and he makes sure they steer clear of these potential issues.

Board member John Canfield sees a potential for abuse and feels that citizens should have the option to bring ethical issues directly to the Board of Ethics instead of having it approved by the full Council first. He feels that having to stand in front of the full Council with an issue that could potentially be about a Councilor can be very nerve wracking.

Council consensus is to leave the policy as is.

Adjourned at 6:05pm.