

Government Operations Committee

Monday April 6, 2015 at 5:15 pm

City Council Chambers

AGENDA

- 1. Proposed Ordinance, Amending Chapter 23, Boards, Committees, and Commissions of the Code of the City of Bangor, by Clarifying the Notification Process for Decisions of the Board of Appeals.**

Please see the attached Memorandum from Assistant City Attorney Nicklas, Council Action Page, and proposed Ordinance.

- 2. Orono Bog Boardwalk Presentation**

Please see the attached Memorandum from Parks and Recreation Director Willette.

- 3. Discussion regarding a proposal to draft a Council Resolve in Support of the Governor's Plan for additional funding to combat drug issues and to urge Legislative support .**

Councilors Baldacci and Civiello have asked for the Committee to discuss whether there is interest in drafting a Resolve indicating the Council's support for the Governor's proposal for additional funding for enforcement and prosecution of drug related crime.

Memorandum

To: Government Operations Committee
From: Paul Nicklas, Assistant City Solicitor
Date: April 6, 2015
Re: Ordinance Amendment - Board of Appeals Notification Process

This ordinance amendment would clarify the notification process that follows a decision of the Board of Appeals.

Both state law and the City Code lay out procedural rules for the City's Board of Appeals. These rules include procedures for notifying the person appearing before the Board and others of the Board's decision in a case.

Our City Code currently differs from state law in some respects, leading to potential for confusion. The proposed ordinance change would clarify the City Code and bring it into alignment with State law.

COUNCIL ACTION

Item No.

Date: April 13, 2015

Item/Subject: **ORDINANCE**, Amending Chapter 23, Board, Committees and Commissions, of the Code of the City of Bangor, By Clarifying the Notification Process for Decisions of the Board of Appeals

Responsible Department: Legal

Commentary:

This ordinance amendment would clarify the notification process that follows a decision of the Board of Appeals.

Both state law and the City Code lay out procedural rules for the City's Board of Appeals. These rules include procedures for notifying the person appearing before the Board and others of the Board's decision in a case.

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Department Head

Manager's Comments:

City Manager

Associated Information: Ordinance

Budget Approval:

Finance Director

Legal Approval:

City Solicitor

Introduced for

- Passage
- First Reading
- Referral



CITY OF BANGOR

ORDINANCE, Amending Chapter 23, Board, Committees and Commissions, of the Code of the City of Bangor, By Clarifying the Notification Process for Decisions of the Board of Appeals

WHEREAS, State law requires the Board of Appeals to comply with certain procedures regarding notification of parties in the course of an appeal;

WHEREAS, modifying the City's Board of Appeals ordinance to meet these requirements will reduce the potential for confusion or delay in the appeal process;

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

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

§ 23-3. Appeals and variances.

...

(6) Within 20 days of the public hearing, the Board of Appeals shall reach a decision on the requested appeal and shall inform, in writing, the appellant, the Code Enforcement Officer, the Planning Officer, the City Council and the Planning Board of its decision. Notice of any decision must be mailed or hand delivered to the appellant, the appellant's representative or agent, the Planning Division and the City Council within seven days of the board's decision. Failure of the Board to render a decision within 20 days of the hearing will result in a denial of the appeal, unless the appellant agrees to an extension of the twenty-day period.

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

MEMORANDUM

TO: Government Operations Committee

FROM: Tracy Willette, Director
Parks and Recreation

SUBJ: Orono Bog Boardwalk Presentation

DATE: March 31, 2015

The Orono Bog Boardwalk is a 4,200 foot walkway that was opened in 2003 and is a joint venture between the City of Bangor, The University of Maine, and the Orono Land Trust. The boardwalk begins in the Rolland Perry City Forest and continues onto University of Maine land that is protected by a conservation easement that is held by the Orono Land Trust. The boardwalk is managed through a Memorandum of Understanding between the groups and each group is represented on the management committee. I serve as the representative for the City of Bangor.

The original boardwalk sections were constructed entirely of wood. Those sections are showing significant wear and are deteriorating. A capital campaign committee was formed to start the process of fundraising to purchase replacement sections. The campaign and replacement schedule was divided into three phases. The new sections are constructed of composite and aluminum materials which should extend the life of the sections. The group was able to raise enough fund Phase I of the replacement project. Phase I has been completed and 104 sections have been replaced.

The group is now in Phase II of the project along with the fundraising activity for that phase. Jim Bird, who is the Director of the Orono Bog Boardwalk has asked to make a presentation to the committee with further information about the boardwalk, the effort to replace the sections and request a donation from the City.

I will be joining Jim at your meeting to answer any questions you may have.