

Government Operations Committee

Monday, June 15, 2015

Immediately Following the Finance Committee Meeting

City Council Chambers

AGENDA

1. Presentation from the "Build Babe in Bangor" Group.
 - As the Committee may be aware, there is interest in building Babe the Blue Ox to accompany Paul Bunyan in the park in front of the Cross Insurance Center. A group led by Mr. Jay Martin will be present to discuss their plan with the Committee. They have prepared a background memorandum, which is attached.

2. Referral- Council Ordinance 15-203, Amending Chapter 28, City Departments of the Code of the City of Bangor, by updating Departmental Structure.
 - This Ordinance amendment would update the Departmental Structure contained in the City Code to reflect various changes that have occurred and that are being proposed. Please see the attached Council Action Page and Ordinance Amendment.

Build Babe the Blue Ox in Bangor

Concept Paper Outline

June 9, 2015

Goal: Secure support needed to design and install a statue of Babe the Blue Ox sited next to the Paul Bunyan statue in Bangor for unveiling on July 4, 2016.

1) Why build Babe the Blue Ox statue in Bangor?

- a) Spotlight Bangor as Paul Bunyan's birthplace
- b) Promote Bangor's unique history and forestry/agriculture heritage to residents and visitors
- c) Create stunning attraction for the Cross Center and downtown Bangor for years to come
- d) Complete the "Paul and Babe" twin statues concept as envisioned in 1958

2) How will this statue be built and paid for?

- a) Complete scale model by J. Normand Martin, the original designer of the Paul Bunyan statue
- b) Secure site permission and construction cooperation with the City of Bangor
- c) Establish and convene volunteer planning and fundraising committee
- d) Define and manage budget; solicit, award, and oversee construction contract
- e) Design, build, and install base and statue based upon the scale model

3) Who will be involved with fulfilling this goal?

- a) Bangor City Council – site permission and construction cooperation
- b) Bangor Public Works – build statue plinth (stone base)
- c) Planning and Fundraising Committee – statue site permission, design, and installation; project budget management; public relations; major gifts campaign; public fundraising campaign; merchandise sales; July 4th celebrations planning and implementation
- d) Bangor Lions Club – 501(c)3 non-profit to manage tax-deductible donations/expenses
- e) Peoples United Bank – financial institution to process donations and expenses
- f) Tech Advisors, Medfield, MA – Develop and manage promotional and fundraising websites
- g) Bangor Public Library – engage community with Bunyan and Babe story through "Bangor Reads" program;

- h) Area schools – engage students in Bangor’s forestry and agriculture history via Paul and Babe tall tales; display statue scale model
- i) National Register of Historic Places – register Paul Bunyan and Babe statues

4) When will these things happen?

2015

- a) July - complete statue scale model
- b) August - secure site permission from Bangor City Council and coordinate construction plans; establish and convene planning and fundraising committee
- c) September - finalize fundraising and promotional campaign design; identify potential major gift donors; launch major gifts campaign
- d) October and onward – convene committee; launch public fundraising campaign; promote and manage merchandise sales; display statue scale model at local events to promote project; advance and complete fundraising campaign

2016

- e) April – complete fundraising campaign; solicit construction bids
- f) May - finalize contracts with base and statue fabricators; begin building base and statue; prepare statue unveiling event
- g) June – complete statue fabrication and installation; announce statue completion and listing of Paul Bunyan and Babe statues on National Registry of Historic Places
- h) July 4th – unveil Babe the Blue Ox statue at Bangor’s parade festivities; publicly acknowledge supporters; project completion party



Assigned to Councilor Blanchette

CITY OF BANGOR

ORDINANCE, Amending Chapter 28, City Departments, of the Code of the City of Bangor, by Updating Departmental Structure

WHEREAS, in the past several years, a number of changes have been made to the City's departmental structure;

WHEREAS, these changes have not always been reflected in the City's ordinances;

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

Chapter 28 of the Code of the City of Bangor be amended as follows:

Article I. Administrative Services Department

§ 28-1. Establishment; divisions.

There is hereby established an Administrative Services Department for the City of Bangor. This Department shall consist of the Human Resources and Labor Relations, Central Services, Fleet Maintenance and Bus Divisions.

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~~C. Fleet Maintenance Division. The Fleet Maintenance Division shall be responsible for and maintain all city-owned vehicles and equipment.~~

D. Bus Division. The Bus Division shall be responsible for operating the city's bus system.

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Article II. Airport Department

§ 28-5. Airport Manager.

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A. Represent city. The Airport Manager and/or the City Manager ~~or the Director of the Office of Business and Economic Development~~ shall represent the city in all airport matters before the Federal Aviation Administration (FAA), the Department of Transportation and such other agencies as deemed necessary.

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- C. Other duties. The Airport Manager shall prepare plans, standards and directives as required by the FAA or other federal agency for the operation of the airport and promulgate, subject to the approval of the appropriate Council committee, such plans, standards or directives in the form of rules and regulations of the airport as provided in § 28-4B. In preparation of required security directives, the Airport Manager and the Police Chief shall, for the safety of the traveling public, cooperate to provide maximum protection against hijacking, bomb explosions, bomb threats, civil disturbance, vandalism, property destruction or other violence. The Manager shall also perform such other duties as may be prescribed by the City Manager, the Director of the Office of Business and Economic Development or any applicable federal, state or local laws or ordinances.
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§ 28-8. Residency requirements.

- A. ~~Effective January 1, 1976, no person shall be qualified for hire or appointment to positions of employment except for clerk typists, clerk stenographers, account clerks, cost accountants and custodial workers in the Airport Department, whether on a temporary or permanent status, unless he or she shall, within six months of his or her date of hire, establish a permanent domicile within a linear distance of the motor pool garage (Building No. 285), Bangor International Airport, as shown on a map dated October 15, 1975, entitled "Residency Requirements," on file in the office of the City Clerk and made a part hereof. The period for establishing a domicile hereunder may be extended for an additional period not exceeding six months by the department head with approval of the City Manager. All qualifying persons so hired or appointed shall continue to maintain their domicile within said linear distance for the entire period of their employment with the City of Bangor.~~
- B. ~~The requirements of this section shall not apply to those persons hired or appointed to such positions of employment in the Airport Department prior to January 1, 1976, and who, on that date, maintain a permanent domicile beyond said linear distance. The requirements of this section shall be in addition to all other qualifications for employment by the Airport Department as may be imposed by statute, ordinance or regulation of any duly constituted governmental authority.~~
- C. ~~The provisions of this section shall not apply to any Airport Department employee covered by a collective bargaining agreement if the agreement concerned addresses employee residency requirements. In that event, the provisions of the collective bargaining agreement shall control.~~
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Article IV. Bass Park Complex

§ 28-13. Department created; powers and duties.

- A. In accordance with Article V, Section 2(a) of the City Charter, there is hereby established a City department to be known as the "Bass Park Complex."

- B. It shall be the function of the Bass Park Complex to operate and maintain the Bass Park facility, to include the ~~Bangor Auditorium, Civic Center, Cross Insurance Center,~~ Bangor State Fair and Bangor Raceway.

§ 28-14. Restrictions on use of facilities.

The use of the Bass Park facilities shall be limited to those activities which are authorized under Chapter 90, Section 1, Private and Special Laws of 1951, establishing the Bangor Recreation Center, and to those activities which are consistent with the will and codicils of the late Joseph P. Bass.

§ 28-15. Director.

- A. There is hereby authorized and established the position of Bass Park Complex Director. This position shall be included in the Personnel Classification and Compensation Plan for the City of Bangor. ~~The Bass Park Complex Director and~~ shall be appointed by the City Manager on the basis of merit and fitness alone, subject to confirmation by the City Council. Alternatively, the Bass Park Complex Director position shall be contracted out in accordance with City policy.
- B. Duties. The Bass Park Complex Director shall serve as Department Director of the Bass Park Complex and shall manage the whole operation of the Department. The Director shall make a report to the City Manager before the first Council meeting of each month as to the business of his or her office during the preceding month. He or she shall also perform such additional duties as may be prescribed by the City Manager, ~~the Director of the Office of Business and Economic Development~~ or by applicable state or local law.

Article V. Community and Economic Development Department

§ 28-16. Establishment; divisions.

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- D. Code Enforcement Division. The Code Enforcement Division shall be responsible for administering and enforcing all ordinances and state and federal statutes and programs coming within its jurisdiction, including but not limited to the ~~BOCA Basic National Building Code, BOCA Basic Property Maintenance Code,~~ Maine Uniform Building and Energy Code, Chapter 223, Property Maintenance, of this Code, state plumbing regulations, ~~BOCA Basic Mechanical Code, Chapter 165,~~ Land Development, of this Code, Chapter 71, Bangor Center Revitalization Area, of this Code, the ~~One and Two-Family Dwelling Code~~ and Chapter 148, Historic Preservation, of this Code.

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§ 28-17. Community and Economic Development Director.

There is hereby established the position of Community and Economic Development Director to be appointed by the City Manager, subject to confirmation by the City Council. The Community and Economic Development Director shall appoint and supervise all employees assigned to the Department, subject to the general supervision of the City Manager ~~and the Director of the Office of Business and Economic Development.~~

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Article VIII. Fire Department

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~~§ 28-38. Residency requirements.~~

~~Upon the appointment of any applicant to the Fire Department not already having a domicile within the City of Bangor, such applicant shall, within six months thereafter, establish his or her domicile and remain within a linear distance of the Central Fire Station in the City of Bangor as shown on the map dated September 22, 1975, entitled "Firemen and Policemen Residency Limitations," on file in the office of the City Clerk and made a part thereof. If residency requirements have been addressed in a collective bargaining agreement, the provisions of the agreement concerned, rather than this section, shall apply.~~

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~~Article X. Nursing Facility Department~~

~~§ 28-43. Establishment.~~

~~In accordance with Article V, Section 2(a) of the City Charter, there is hereby established a City Nursing Facility Department.~~

~~§ 28-44. Powers and duties.~~

~~It shall be the function of this Department to provide long term nursing care on the skilled level of care and on the intermediate level of care.~~

~~§ 28-45. Residency requirements.~~

~~A. Admission to the Bangor City Nursing Facility. Any patient may be admitted on the skilled level of care regardless of city or town of legal residence. On the intermediate level of care the patient must be a legal resident of Bangor.~~

~~B. Waiver of residency requirements:~~

~~(1) The residency requirements of Subsection A above shall be waived when the Nursing Facility occupancy rate falls below 98% and no Bangor residents are waiting for admission. In addition, subject to approval by the City Council, the Administrator of the Nursing Facility may waive the residency requirements of Subsection A for persons requiring immediate medical care who have no other recourse except the Bangor City Nursing Facility for nursing care.~~

~~(2) Notwithstanding any waiver of residency requirements, Bangor residents shall be given first priority for admission to the Nursing Facility.~~

~~§ 28-46. Administrator.~~

~~There is hereby established the position of Administrator of the Bangor City Nursing Facility. The Administrator of the Bangor City Nursing Facility shall supervise the entire operation of the Bangor City Nursing Facility. This position shall be included in the Personnel Classification and Compensation Plan for the City of Bangor. The Administrator shall be appointed by the City Manager on the basis of merit and fitness alone, subject to confirmation of the City Council.~~

- ~~A. Admissions to the Bangor City Nursing Facility. The Administrator of the Bangor City Nursing Facility shall be responsible for all admissions to the Bangor City Nursing Facility.~~
- ~~B. Monthly report to City Manager. The Administrator of the Bangor City Nursing Facility shall make a report to the City Manager before the first Council meeting of each month as to the business of his/her office during the preceding month.~~
- ~~C. Other duties. The Administrator shall perform such other duties as may be prescribed by the City Manager, the Director of the Office of Government Operations or any applicable state or local laws and ordinances.~~

Article X. Public Works Department

§ 28-43. Establishment.

There is hereby established a Public Works Department for the City of Bangor.

§ 28-44. Powers and duties.

It shall be the function of the Public Works Department.

- A. Construction and maintenance. To perform construction and maintenance of city facilities.
- B. Garbage. To provide municipal garbage collection and disposal.
- C. Streets. To operate and maintain municipal roads, streets, and highways.
- D. Gravel pits. To operate and maintain municipal gravel pits.
- E. Cemeteries. To operate and maintain municipal cemeteries.
- F. Electrical. To operate and maintain the streetlighting and traffic lighting system, to operate and maintain the fire and police alarm system, to supervise and maintain the City's Electrical Division, if any, and to perform related functions as may be assigned.
- G. Forestry. To supervise and maintain the City's Forestry Division, if any.
- H. Fleet. To operate and maintain the municipal fleet.
- I. Other duties. To perform other duties as assigned by the City Manager.

§ 28-45. Public Works Director.

There is hereby authorized and established the position of Public Works Director. The Public Works Director shall be appointed by the City Manager on the basis of merit and fitness alone, subject to the confirmation of the City Council. The Public Works Director shall appoint and supervise all employees assigned to the Public Works Department, subject to the general supervision of the City Manager. The Public Works Director, or his or her designee, is hereby designated as City Electrician and shall assume the powers and duties conferred upon this position under the laws and ordinances of the City of Bangor. The Public Works Director shall also perform such other duties as may be prescribed by the City Manager or any applicable state or local laws or ordinances.

§ 28-46. Divisions.

The Public Works Department shall include within it such divisions as the City Manager may deem advisable from time to time.

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Article XIV. Public Services Department

§ 28-60. Establishment.

In accordance with Article V, Section 2(a) of the City Charter, there is hereby established a Public Services Department.

§ 28-61. Powers and duties.

It shall be the function of the Public Services Department to oversee and supervise the operations of the Engineering Division, the Public Works Division, the Electrical Division, the Sewer Fund and the Harbor.

§ 28-62. Director of Public Services.

There is hereby authorized and established the position of Director of Public Services who shall supervise the entire operations of the Public Services Department. This position shall be included in the Personnel Classification and Compensation Plan of the City of Bangor. The Director of the Public Services shall be appointed by the City Manager on the basis of merit and fitness alone, subject to the confirmation of the City Council.

- A. Other capacities. The Director of the Public Services, or his or her duly authorized agent, is hereby designated as City Engineer, City Electrician and Public Works Director and shall assume the powers and duties conferred upon these positions under the laws and ordinances of the City of Bangor.
- B. Monthly report to City Manager. The Director of Public Services shall make a report to the City Manager before the first Council meeting of each month as to the business of his or her Department during the preceding month.
- C. Other duties. The Director of Public Services shall perform such other duties as may be prescribed by the City Manager or any applicable state or local laws or ordinances.

~~§ 28-63. Divisions.~~

~~There are hereby authorized and established the following divisions and agencies within the Public Services Department:~~

~~A. Engineering Division.~~

~~(1) It shall be the function of the Engineering Division:~~

- ~~(a) Make surveys. To make surveys, including levels, prepare plans and profiles, write specifications and perform other related engineering work in connection with streets, sewers and other public structures.~~
- ~~(b) Construction of public structures. To make quantity and cost estimates, inspect and approve the construction of public structures and perform all other related engineering work for the City not specifically herein enumerated.~~
- ~~(c) Record new streets. To record new streets as laid out in the City Road Book and establish the lines and grades for building new streets and for regrading old streets.~~
- ~~(d) Erection of monuments. To superintend the erection of monuments at the intersection of streets and preserve and reset all street monuments disturbed or liable to be disturbed in grading or building streets.~~
- ~~(e) Maintain records. To maintain and safely keep all engineering records, instruments, plans, profiles, records of surveys and all other property and papers relating to engineering work of every description belonging to the City of Bangor.~~
- ~~(f) Services for other departments. To perform all engineering services the Public Services Department and for such departments of the City as may from time to time require such service.~~

~~(2) The City Engineer shall supervise the entire operation of the Engineering Division. In addition to other duties required by law, the City Engineer shall have charge of and regulate the opening and excavation of all City streets and shall have the authority to grant applications for the location of utility poles, wires and other utility structures in the public rights of way, provided that the City Engineer's authority to grant utility location permits shall not be in substitution for any franchise agreement or similar agreement otherwise required by law, e.g., cable television franchise agreements required under 30-A M.R.S.A. § 3008.~~

~~B. Operations and Maintenance Division. It shall be the function of the Operations and Maintenance Division to perform construction and maintenance of City buildings and facilities; to provide municipal garbage and refuse disposal; and to operate and maintain municipal highways, municipal gravel pits, cemeteries and sanitation facilities. For purposes of performing such functions, the Operations and Maintenance Division shall be organized in such subdivisions as the City Manager may deem advisable from time to time.~~

~~C. Electrical Division. It shall be the function of the Electrical Division to perform the operation and maintenance of the streetlighting and traffic lighting system, to operate and maintain the fire and police alarm system and to perform related functions as may be assigned.~~

~~§ 28-64. Division heads.~~

~~There are hereby authorized and established the positions of division heads for the divisions enumerated in § 28-63 above. The division heads shall supervise the operation of their particular division. The positions shall be included in the Personnel Classification and Compensation Plan for the City of Bangor. The division heads shall be appointed by the City Manager on recommendation of the Director of Public Services on the basis of merit and fitness alone.~~

- ~~A. Monthly report to Director of Public Services. The division heads shall report to the Director of Public Services before the first Council meeting of each month as to the business of their division during the preceding month.~~
- ~~B. Other duties. The division heads shall perform such other duties as may be prescribed by the Director of Public Services.~~

Article XIV. Water Quality Management Department

§ 28-60. Establishment.

There is hereby established a Water Quality Management Department for the City of Bangor.

§ 28-61. Powers and duties.

It shall be the function of the Water Quality Management Department to oversee and supervise the operations of the wastewater treatment plant, the wastewater collection system, and the stormwater system.

§ 28-62. Director of Water Quality Management.

There is hereby authorized and established the position of Director of Water Quality Management. The Director of Water Quality Management shall be appointed by the City Manager on the basis of merit and fitness alone, subject to the confirmation of the City Council. The Director shall appoint and supervise all employees assigned to the Water Quality Management Department, subject to the general supervision of the City Manager. The Director shall also perform such other duties as may be prescribed by the City Manager or any applicable state or local laws or ordinances.

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Article XVI. Office of Government Operations and Office of Business and Economic Development

§ 28-70. Establishment; departments, divisions and agencies.

There is hereby established the Office of Government Operations and the Office of Business and Economic Development.

- A. ~~Office of Government Operations.~~ The Office of Government Operations shall consist of the following Departments and Agencies: Police, Fire, Parks and Recreation, Health and Community Services, Administrative Services and the City Nursing Facility.
- B. ~~Office of Business and Economic Development.~~ The Office of Business and Economic Development shall consist of the following Departments and Agencies: Community and Economic Development, Bangor International Airport and Bass Park.

§ 28-71. Directors Director.

There is hereby authorized and established the ~~positions~~ position of Director of Government Operations and Director of ~~Business and Economic Development.~~ These ~~Directors~~ This Director shall provide general supervision to the various departments and agencies of their ~~offices~~ his or her office. These ~~positions~~ This position shall be included in the Personnel Classification and Compensation Plan for the City of Bangor. ~~These Directors~~ This Director shall be appointed by the City Manager on the basis of merit and fitness alone, subject to confirmation by the City Council.

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Article XVIII. Engineering Department

§ 28-85. Establishment.

There is hereby established an Engineering Department for the City of Bangor.

§ 28-86. Powers and duties.

It shall be the function of the Engineering Department:

- A. Make surveys. To make surveys, including levels, prepare plans and profiles, write specifications and perform other related engineering work in connection with streets, sewers and other public structures.
- B. Construction of public structures. To make quantity and cost estimates, inspect and approve the construction of public structures and perform all other related engineering work for the City not specifically herein enumerated.
- C. Record new streets. To record new streets as laid out in the City Road Book and establish the lines and grades for building new streets and for regrading old streets.
- D. Erection of monuments. To superintend the erection of monuments at the intersection of streets and preserve and reset all street monuments disturbed or liable to be disturbed in grading or building streets.
- E. Maintain records. To maintain and safely keep all engineering records, instruments, plans, profiles, records of surveys and all other property and papers relating to engineering work of every description belonging to the City of Bangor.

F. Services for other departments. To perform all engineering services the departments of the City may from time to time require.

§ 28-87. City Engineer.

There is hereby authorized and established the position of City Engineer. The City Engineer shall supervise the entire operation of the Engineering Department. In addition to other duties required by law, the City Engineer shall have charge of and regulate the opening and excavation of all City streets and shall have the authority to grant applications for the location of utility poles, wires and other utility structures in the public rights-of-way, provided that the City Engineer's authority to grant utility location permits shall not be in substitution for any franchise agreement or similar agreement otherwise required by law, e.g., cable television franchise agreements required under 30-A M.R.S.A. § 3008. The City Engineer shall also perform such other duties as may be prescribed by the City Manager or any applicable state or local laws or ordinances.

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