

Government Operations Committee  
Wednesday, September 9, 2015 at 5:15 pm  
City Council Chambers

**Agenda**

1. Order, Authorizing the City Manager to Apply for \$115,638 in Partnership for Success (PFS) 2015 Project Grant Funds from the State of Maine's Substance Abuse and Mental Health Services (SAMHS)
  - Please see the attached Council Action Page and Council Order.
  
2. Resolve, Authorizing the City Manager to Accept and Appropriate Grant Funds from the Maine Department of Health and Human Services – WIC Nutrition Program
  - Please see the attached Council Action page and Council Resolve.
  
3. Resolve, Accepting and Appropriating a Grant in the Amount of \$125,000 from the Substance Abuse and Mental Health Services Administration ( SAMHSA) to Implement Drug Free Communities Program
  - Please see the attached Council Action Page and Council Resolve.
  
4. Resolve, Authorizing the City Manager to Accept and Appropriate \$132,000 in Grants Funds from the Maine Department of Health and Human Services, Center for Disease Control and Prevention(CDCP) for the Sodium Reduction in Communities Program
  - Please see the attached Council Action Page and Council Resolve.
  
5. FY 2015 Homeland Security Allocation- Resolve to Accept and Appropriate \$179,023 in Grant Funds
  - Please see attached Council Action page, Council Resolve and project list.
  
6. City Council Attendance/Absence Policy Discussion
  - See attached memorandum from City Manager Conlow.

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**COUNCIL ACTION**

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**Item No. \_\_\_\_\_**

**Date: 9-14-15**

**Item/Subject:** **Order**, Authorizing the City Manager to Apply for \$115,638 in Partnership for Success (PFS) 2015 Project funds from the State of Maine's Substance Abuse and Mental Health Services (SAMHS).

**Responsible Department:** **Public Health and Community Services**

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**Commentary:** This Resolve would authorize the City Manager to direct PHCS staff to apply for \$115,638 in grant funds from the Office of Substance Abuse and Mental Health Services for the first of a five-year project, renewable each year, for substance abuse prevention programs. The term of the first year would be October 1, 2015 to June 30, 2016.

The purpose of Maine's PFS 2015 project is to reduce underage drinking among the 12-20 year old population and to reduce high risk drinking, prescription drug abuse and marijuana use among the 12-25 year old population. During this five year project, evidence-based environmental strategies and programs will be implemented state-wide through community prevention coalitions located in all nine of Maine's Public Health Districts.

Bangor Public Health and Community Services would serve as the lead agency to receive funding on behalf of the three Penquis District Healthy Maine Partnerships. This includes the thirteen municipalities of the Bangor region; the Partnership for Healthy Northern Penobscot; and the Piscataquis Public Health Council.

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Department Head

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**Manager's Comments:**

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City Manager

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**Associated Information:** **Order**

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**Budget Approval:**

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Finance Director

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**Legal Approval:**

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City Solicitor

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**Introduced for**

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

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Assigned to Councilor



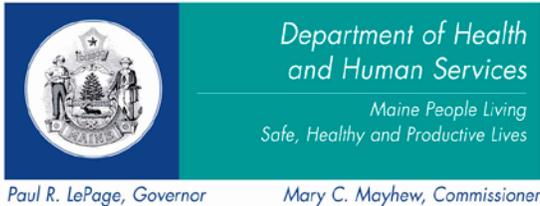
# CITY OF BANGOR

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**(TITLE.) Order, Authorizing the City Manager to Apply for \$115,638 in Partnership for Success (PFS) 2015 Project funds from the State of Maine's Substance Abuse and Mental Health Services (SAMHS).**

**BY THE CITY COUNCIL OF THE CITY OF BANGOR:**

**BE IT RESOLVED, that the City Manager is hereby authorized to Apply for \$115,638 Partnership for Success (PFS) 2015 Project funds from the State of Maine's Substance Abuse and Mental Health Services (SAMHS) for the period October 1, 2015 to September 30, 2016.**



Department of Health and Human Services  
 Division of Contract Management  
 221 State Street  
 11 State House Station  
 Augusta, Maine 04333-0011  
 TTY Users: Dial 711 (Maine Relay)

August 12, 2015

Dear Provider,

Allocation for an agreement(s) with your agency effective October 1, 2015 is shown below. This allocation is based on the funding and initiatives included in the approved State budget.

Your agreement requires budget pages to be completed. Current budget forms for SFY2016 can be found on our web site at <http://www.maine.gov/dhhs/contracts/contract-2016/rider-f/Rider-F-Budget-Forms-CS.xlsx>, and the instructions are located at <http://www.maine.gov/dhhs/contracts/contract-2016/rider-f/Rider-F-Budget-Forms-Instructions-CS.pdf>. Please note that your budget pages should be emailed to [Contract-Budgets.DHHS@maine.gov](mailto:Contract-Budgets.DHHS@maine.gov) no later than the close of business on August 25, 2015. All other correspondence regarding your proposed agreement should be sent to me.

*The budget instructions have been changed for the Restricted Revenue shown on Budget form 1, Lines 12, 13, 14 and 29. If there are restricted revenues shown on these lines, a copy of the commitment letter must accompany the budget.*

<b>Agency Name: City of Bangor</b>			<b>Start Date: 10/1/2015</b> <b>End Date: 9/30/2016</b>		<b>DHHS Agreement Number:</b> <b>CDC-16-168</b>	
<b>Services</b>	<b>Funding Amount</b>					
	<i>State</i>	<i>State FHM</i>	<i>Other Special Revenue</i>	<i>Federal</i>	<i>Federal Block Grant</i>	<i>Total for Service</i>
WIC Services - Administration				\$550,703.00		\$550,703.00
<b>Total Agreement Amount:</b>						<b>\$550,703.00</b>

As your single point of contact for your contract with DHHS, I am available to answer any questions you may have about the process using the contact information provided below. Thank you for your continued collaboration in providing quality services to the people of Maine.

Sincerely,

Patti Wall  
 (207) 287-1927  
 Patricia.Wall@maine.gov

10-144 Chapter 24 MAINE DEPARTMENT OF HEALTH & HUMAN SERVICES PURCHASE OF SERVICE RULE  
 As needed, the Department may select providers by issuing a Request for Proposals (RFP). An RFP is a document listing the scope of work, requirements of the state and all evaluation criteria for a service needed by the state. The Department follows the rules for the RFP process as established by the Division of Purchases (See Department of Administrative and Financial Services, Division of Purchases, "Rules for the Purchase of Services and Awards," 18-554 C.M.R. Ch. 110, § 2).

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**COUNCIL ACTION**

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**Item No.**

**Date: 9-14-15**

**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

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**Commentary:** This resolve will accept and appropriate \$3,043,703.00 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 3,300 participants at their Bangor, Dexter, Dover, Corinth, Lincoln, Millinocket, Milo, Newport, and Greenville sites. The proposed agreement provides \$550,703.00 for administration and \$2,493,000 for food vouchers. The grant covers the period from October 1, 2015 through September 30, 2016.

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Department Head

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**Manager's Comments:**

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City Manager

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**Associated Information:** Resolve, Allocation Letter

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**Budget Approval:**

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Finance Director

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**Legal Approval:**

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City Solicitor

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**Introduced for**

Passage  
 First Reading  
 Referral

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Assigned to

## CITY OF BANGOR

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**(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 \$3,043,703.00 from the Maine Department of Health and Human Services to administer the WIC Nutrition Program in Penobscot and Piscataquis counties during the period 10/01/15 – 9/30/16.

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**COUNCIL ACTION**

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**Item No. 15-**

**Date: 9-14-15**

**Item/Subject:** Resolve, Accepting and Appropriating a Grant in the amount of \$125,000 from the Substance Abuse and Mental Health Services Administration (SAMHSA) to Implement Drug Free Communities Program.

**Responsible Department:** Public Health & Community Services

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**Commentary:** This resolve will accept and appropriate a grant in the amount of \$125,000 from SAMHSA to implement the Drug Free Communities Program in Brewer, Hermon and Hampden. This is the fourth year of a five-year grant to address substance abuse prevention in three towns covered by Bangor Region Public Health and Community Services: Healthy Maine Partnership (Brewer, Hampden, and Hermon). The term of the fourth year is September 30, 2015 to September 29, 2016.

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Department Head

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**Manager's Comments:**

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City Manager

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**Associated Information:** Resolve

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**Budget Approval:**

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Finance Director

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**Legal Approval:**

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City Solicitor

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**Introduced for**  
 Passage  
 First Reading  
 Referral



Assigned to Councilor

## CITY OF BANGOR

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**(TITLE.) Resolve, Accepting and Appropriating a Grant in the amount of \$125,000 from the Substance Abuse and Mental Health Services Administration (SAMHSA) to Implement Drug Free Communities Program.**

*By the City Council of the City of Bangor:*

**RESOLVED, THAT** the City Manager is hereby authorized to accept and appropriate \$125,000 from the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration to implement the Drug Free Communities Program in the Healthy Maine Partnership Region communities of Brewer, Hermon, and Hampden for the period September 30, 2015 to September 29, 2016

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**COUNCIL ACTION**

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**Item No.**

**Date: 9-14-15**

**Item/Subject:** RESOLVE, Authorizing the City Manager to Accept and Appropriate \$132,000 in Grant Funds from the Maine Department of Health and Human Services, Center for Disease Control and Prevention (CDCP), for the Sodium Reduction in Communities Program.

**Responsible Department:** Public Health and Community Services

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**Commentary:** The Maine Center for Disease Control and Prevention (CDCP) invited the Bangor Public Health and Community Services Department, along with the City of Portland Health Department, to participate in this two-year U.S. CDC program. The second-year grant term is September 30, 2015 - September 29, 2016. The grant amount for Bangor Public Health and Community Services is \$132,000.

The purpose is to improve health outcomes in Penobscot County, including the City of Bangor, by increasing the availability and accessibility of lower sodium food products in selected venues including food banks and pantries, and hospitals.

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Department Head

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**Manager's Comments:**

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City Manager

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**Associated Information:**

Resolve

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**Budget Approval:**

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Finance Director

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**Legal Approval:**

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City Solicitor

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**Introduced for**

Passage

First Reading

Referral

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Assigned to Councilor

## CITY OF BANGOR

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RESOLVE: Authorizing the City Manager to Accept and Appropriate \$132,000 in Grant Funds from Maine Department of Health and Human Services, Center for Disease Control and Prevention (CDCP), for the Sodium Reduction in Communities Program.

BE IT RESOLVED THAT: The City Manager is hereby authorized to Accept & Appropriate grant funds in the amount of \$132,000 from the Maine Department of Health and Human Services, Center for Disease Control and Prevention (CDCP) for the period September 30, 2015 to September 29, 2016 for the Sodium Reduction in Communities Program.

**TO: Government Operations Committee**  
**FR: Tom Higgins, Fire Chief / Mark Hathaway, Chief of Police**  
**DT: September 2, 2015**  
**RE: Homeland Security Grant Funding**

The Police & Fire Departments have been notified of our annual Homeland Security Grant Funding from Maine Emergency Management Agency (MEMA). The award for FY2015 is \$179,023. These funds are awarded to better prepare our response capabilities. The funding also allows enhanced training opportunities and to purchase and/or maintain current equipment.

The preliminary budget being submitted to MEMA for approval includes:

Special Teams (EOD, SRT, MCV, Tech Res)	\$55,000
Robot Rebuild	\$45,000
EMA SUV	\$30,000
Active Shooter Training	\$20,000
Extrication Cutters	\$11,023
MDTs replacement	\$13,000
Program administration	\$ 5,023
Total	\$179,023

Staff will attend the meeting to answer any questions.

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**COUNCIL ACTION**

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**Item No.**

**Date:** September 14, 2015

**Item/Subject:** RESOLVE, Authorizing the City Manager to Accept and Appropriate \$179,023.00 in Homeland Security Grant Funding from the Maine Emergency Management Agency (MEMA)

**Responsible Department:** Fire

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**Commentary:** This Resolve will accept and appropriate \$179,023.00 in FY 2015 Homeland Security Grant Funding from the Maine Emergency Management Agency to improve Police and Fire preparedness and response capabilities for Homeland Security related events. This funding will be utilized for the purpose of providing enhanced training in various disciplines for police and fire department personnel. Funding will also be used to purchase equipment and to maintain/upgrade current equipment. A plan outlining the various anticipated projects and expenditures is attached to the Resolve. This list may not represent the exact final expenditures, as priorities and needs may change during the grant period.

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Department Head

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**Manager's Comments:**

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City Manager

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**Associated Information:** Resolve, Proposed Project List

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**Budget Approval:**

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Finance Director

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**Legal Approval:**

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City Solicitor

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**Introduced for**

- Passage
- First Reading
- Referral

SEPTEMBER 14, 2015

Assigned to Councilor



# CITY OF BANGOR

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**(TITLE.) Resolve , Authorizing the City Manager to Accept and Appropriate \$179,023.00 in FY 2015 Homeland Security Grant Funding from the Maine Emergency Management Agency (MEMA)**

*By the City Council of the City of Bangor:*

**RESOLVED** that \$179,023.00 in FY 2015 Homeland Security Grant Funds from the Maine Emergency Management Agency (MEMA) to improve Police and Fire Department preparedness and response capabilities for Homeland Security related events is hereby accepted and appropriated.

**And Be it Further Resolved that** the Finance Director is authorized to establish such financial accounts as may be necessary to accept and disperse such funds in accordance with Homeland Security and MEMA requirements.

# Memo

To: Bangor City Council  
From: Catherine Conlow, City Manager  
CC: Norm Heitmann, City Solicitor  
Date: September 1, 2015  
Re: Policies for Dealing with Council Absences

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## **Background**

At the direction of the Government Operations Committee, staff has researched the issue of how to proceed when a Councilor is absent for a prolonged period of time. There are several options for the Council to consider when contemplating a procedural change, including Charter, Ordinance, and Policy.

Charter - The City Charter governs the powers and duty of the City Council, including the election of Councilors, meetings and certain procedures. The Charter also addresses elections and vacancies. The Charter also provides for the removal of Councilors by the voters.

The Charter can only be amended by the voters. If the Council wishes to provide for the removal of a Councilor, in addition to what is already in the Charter, it must be done through a Charter amendment.

Ordinance – The Code of the City of Bangor, Chapter 9, sets forth procedures at meetings. It also addresses the issue of attendance at meetings. The Code can be amended to require notice to the Council Chair (and others, if desired) of any expected Council absence or resignation. It would not provide for removal of a Councilor by the City Council. Code amendments are done by the Council.

Policy – The Council could also deal with any issues regarding Councilor absences or resignations with a policy, which would be adopted by the Council by an Order. The pros of a policy are that it offers the greatest flexibility and is easily re-affirmed on an annual basis. Because this has been a rare occurrence in the City, a policy on behavior, adopted annually by the council may be appropriate. A policy cannot compel the removal of a Councilor, without a charter amendment.

## Different Models

Minnesota League of Cities – Guidance to Minnesota Cities is twofold. First, the Council can declare the office is abandoned after a 90 day absence, however it may ultimately result in a court determination if the office is legally abandoned. Secondly, Minnesota League of Cities has a 90 day absence rule. If an absence, excused for illness extends beyond 90 days, the council can declare the vacancy and fill it at a regular council meeting with an alternate. If the absent Council member returns, the council can return the Council member to that seat. Given that the Council has the right to remove folks from duly elected office it would suggest that any City would need Charter authority and ordinance language to specify that procedure and those powers.

Town of Hampden - Sec. 207 of the Town Charter Vacancies; Forfeiture of Office; Filling of Vacancies

(a) Vacancies - The office of councilor shall become vacant upon no acceptance, resignation, abandonment, death, permanent disability, permanent incompetency, failure to qualify for the office within 10 days after written demand by the council, forfeiture of office, or failure of the municipality to elect a person for the office. (Amended: November 6, 1990)

(b) Forfeiture of Office - A councilor shall forfeit that person's office if that person (1) lacks at any time during that person's term of office any qualification for the office prescribed by this charter or by law, (2) violates any express prohibition of this charter, (3) is convicted of a crime or offense which is, during that person's term, reasonably related to that person's ability to serve as councilor, or (4) fails to attend six (6) regular or special meetings of the council in the prior twelve month period. (Amended: November 5, 1985, November 6, 1990, November 5, 2013)

Grosse Pointe, Michigan - Policy Forfeiture of Office. An elective officer shall forfeit that office if that officer: a. At any time during the term of office for which elected or appointed lacks any qualification for the office prescribed by this Charter or by law; 5 Charter of Village of Grosse Pointe Shores, A Michigan City; b. Is convicted of a felony; or c. **Fails to attend three consecutive regular meetings of the Council without being excused by the Council. A vacancy resulting from a forfeiture of office shall be filled as provided in this Charter.** An elective officer who forfeits an office upon conviction of a felony shall be ineligible for election or appointment to an elective office in the City for a period of 20 years after conviction.

Centralia, WA – Members of the City Council may be excused from attending any City Council meeting by contacting the Mayor prior to the meeting and stating the reason for the absence. Three consecutive unexcused absences shall cause a Council vacancy.

Montgomery, Ohio - City Council Member Attendance. An excused absence is one due to the death of a family member, illness of the City Council member or a member of his or her family, a business conflict or a vacation. If reasonably possible a City Council member shall notify the Mayor, City Manager, or Clerk of Council in advance of the fact that he or she will be unable to attend a City Council meeting and the reason for his or her absences. The record of the meeting will state the fact that the City Council member is absent from the meeting and the reason for the absence. The City Council may at that point vote to excuse the City Council member from the meeting. **Unexcused absences from any three consecutive meetings of the City Council may be cause for removal from office in accordance with Section 3.08 of the Montgomery City Charter.**

## **Conclusion**

The research shows that some cities have some type of charter provision that requires Councilor attendance. Either requiring councilors to not miss more than three consecutive meetings (unexcused) or not be absent more than a certain number of months prior to some forfeiture of office. In order to implement a compulsory attendance policy, a charter change would be required.

The City Council could implement a policy such as Centralia Washington's that requires the members of City Council notify the Mayor of their intended absence. Whether that is excused or not can be determined by the Council Chair or the Council. Through a policy or a code amendment the Council can require that Councilors give notice if they will be absent from a Council meeting and the reason for the absence. Additionally, that code or policy could require that a Councilor resignation be in writing.