

Government Operations Committee

May 16, 2016

*Immediately following the Finance Committee meeting*

City Council Chambers

AGENDA

1. Referral, Council Resolve 16-188, Accepting and Appropriating \$159,060 from the Maine Department of Health and Human Services to extend the term of grants from the Fund for Healthy Maine and the Office of Substance Abuse that respond to Public Health Issues in the Penquis District
  - Please see the attached Council Action Page and Council Resolve 16-188
2. Draft Order, Authorizing the City Manager to Respond to a Request for Proposals and to apply for funding in the amount of \$550, 703 from the State of Maine, Department of Health and Human Services, Maine Center for Disease Control and Prevention, WIC Nutrition Program
  - Please see that attached draft Council Action page and Council Order
3. Draft Order, Accepting \$10,000 from the Maine Department of Health and Human Services to extend the term of a grant from the Lead Poisoning Prevention Fund
  - Please see the attached draft Council Action page and Council Order
4. Request for Designated Customer Parking Space at 624 Hammond Street
  - Please see the attached background memorandum from Public Works Director Wardwell
5. Golf Course Guidebooks
  - Please see the attached memorandum form parks and Recreation Director Willette
6. Discussion of Abandoned Shopping Carts
  - Please see combined background memorandum from City Solicitor Heitmann and Administrative Assistant Courtney O'Donnell

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**COUNCIL ACTION**

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**Item No. 16-188**

**Date: May 9, 2016**

**Item/Subject:** **Resolve**, Accepting and Appropriating \$159,060.00 from the Maine Department of Health and Human Services to extend the term of grants from the Fund for Healthy Maine and the Office of Substance Abuse that respond to Public Health Issues in the Penquis District.

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

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**Commentary:** This resolve will accept and appropriate \$159,060.00 in funds to continue implementation of Fund for Healthy Maine and Office of Substance Abuse services for the first three months of FY 17. The term of the contract will be 7/1/16 to 9/30/16.

The contract amendment will allow Bangor Public Health and sub recipients Katahdin Shared Services and Mayo Regional Hospital to complete specific grant funded work with community partners in preventing problem alcohol, prescription drug and marijuana use; in preventing problem gambling; and in supporting and enhancing efforts to reduce obesity and tobacco use through work place wellness policies and programs.

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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 to Gov't Ops 5-16-16

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Assigned to Councilor Baldacci



## CITY OF BANGOR

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**(TITLE.) Resolve,** Accepting and Appropriating \$159,060.00 from the Maine Department of Health and Human Services to extend the term of Grants from the Fund for Healthy Maine and Office of Substance Abuse that respond to Public Health Issues in the Penquis District.

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

**BE IT RESOLVED THAT,** a \$159,060.00 Grant from the Maine Department of Health and Human Services is hereby accepted and appropriated to extend the term of Fund for Healthy Maine and Office of Substance Abuse grants that respond to Public Health Issues in the Penquis District for the contract period July 1, 2016 to September 30, 2016.

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**COUNCIL ACTION**

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**Item No.**

**Date: May 23, 2016**

**Item/Subject:** ORDER, Authorizing the City Manager to Respond to a Request for Proposal (RFP) and to apply for funding in the amount of \$550,703 from the State of Maine Department of Health and Human Services, Maine Center for Disease Control and Prevention, WIC Nutrition Program.

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

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**Commentary:**

This Order will authorize the City Manager to respond to a Request for Proposal (RFP) from the DHHS/Maine Center for Disease Control (CDC) and to apply for grant funding in the amount of \$550,703 to administer the Women, Infants and Children (WIC) Nutrition Program in Penobscot and Piscataquis Counties.

The period of performance resulting from this RFP is October 1, 2016 to September 30, 2018, including year one (10-1-16 to 9-30-17) grant funding in the amount of \$550,703. Year two grant funding levels under the RFP will be determined at a later point in time. Also, if awarded, the RFP provides an opportunity to renew the grant for two additional renewal periods following September 30, 2018.

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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 Respond to a Request for Proposal (RFP) and to apply for funding in the amount of \$550,703 from the State of Maine Department of Health and Human Services, Maine Center for Disease Control and Prevention, WIC Nutrition Program.

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

ORDERED, that the City Manager (or designee) is hereby authorized to respond to a Request for Proposal (RFP) from the State of Maine Department of Health and Human Services, CDC, WIC Nutrition Program for the period October 1, 2016 to September 30, 2018, and apply for funding in the amount of \$550,703 for the first year of the grant program.





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**COUNCIL ACTION**

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

**Date: May 23, 2016**

**Item/Subject:** **Order**, Accepting \$10,000.00 from the Maine Department of Health and Human Services to extend the term of a grant from the Lead Poisoning Prevention Fund.

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

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**Commentary:** This order authorizes the City Manager to accept \$10,000.00 for the continuation of lead poisoning prevention activities in Bangor. The current grant expires 6-30-16. The amended term of the grant will be 7/1/15 to 12/31/16, a six-month extension. The total amount of the grant will increase from the current \$27,500.00 to \$37,500.00.

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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** , Accepting \$10,000.00 from the Maine Department of Health and Human Services to extend the term of a grant from the Lead Poisoning Prevention Fund.

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

**BE IT ORDERED THAT**, a \$10,000.00 Grant from the Maine Department of Health and Human Services is hereby accepted to extend the term of the current one year grant from the Lead Poisoning Prevention Fund an additional six months, through December 31, 2016.



530 MAINE AVE.  
BANGOR, MAINE 04401  
TEL: 207/992-4501

PUBLIC SERVICES DEPARTMENT – OPERATION and MAINTENANCE  
Dana R. Wardwell, Director

To: Government Operations Committee  
From: Dana Wardwell  
Subject: Proposed change in Parking on Hammond St  
Date: May 16, 2016

Melina Frost who owns a business at 624 Hammond Street, contacted me to request that the area in front of 624 Hammond St be designated as 1 hour parking. She states that the space is frequently occupied by one vehicle all day, making it more difficult for her customers to access her business. Council has occasionally approved such requests in the past based on individual situations. Should the committee wish to consider this request this item would go to full council on May 23<sup>rd</sup> and referred back to the Government Operations Committee on June 6<sup>th</sup>. Staff would then notify other property owners that may be affected by this change of the June 6 Government operations meeting.



006-114

013-011

013-013

ROAD-LOCAL

US-2

9 x 20 foot area to be designated as 1 hour parking

624 Hammond St

013-115

013-115-A

013-116

013-117

013-119

013-120

013-114

## MEMORANDUM

TO: Government Operations Committee

FROM: Tracy Willette, Director  
Parks and Recreation

SUBJ: Golf Course Yardage Books

DATE: May 11, 2016

Staff was approached by a representative of Delaware based Direct Fairways, LLC. They produce custom designed golf course guide books in which they sell advertising space to local businesses. These custom designed course guides list the par, yardage, and handicap for each hole as well as the course layout and photographs of the golf course. The guides also contain the golf course contact information as well as course rules and regulations. Direct Fairways also provides up to eight additional pages to feature golf course amenities such as our restaurant operation, youth golf course, practice area, etc. In return, Direct Fairways will supply the golf course will supply copies of these guidebooks for free distribution for our players. There is not a limit to the number of copies to be supplied each season.

Direct Fairways has agreed to screen the content of the advertising to ensure it is appropriate for golf course advertising. Staff will also have final oversight and approval of content of the guide books.

These guidebooks have been a request of our players for some time. This opportunity arose for us and given it had no cost to the golf course, it made sense for us to pursue and we have started some initial work with them. These publications are very technical in nature and require specific knowledge on behalf of the publishing company to produce a document that will meet, or exceed, golf course standards. Direct Fairways produces these for courses across the country. Previously, we have tried to utilize our score cards to distribute course information. This has proven to be a challenge getting as much the course information as possible on limited space. These guidebooks will replace that effort. We have utilized the same approach with the scorecards in that we work with a North Carolina company to produce the cards at no cost to the golf course in return for advertising sales.

Staff is asking the committee's approval to continue to work with Direct Fairways to produce these guidebooks. They will be a good resource for our players and will hopefully encourage return visits. Both myself and Rob Jarvis, our Golf Pro will be at your meeting to answer any questions you might have.



## MEMORANDUM

To: Government Operations Committee  
From: Norman S. Heitmann, III, City Solicitor  
Re: Abandoned shopping carts  
Date: May 10, 2016

On occasion the City receives complaints about abandoned shopping carts in our neighborhoods. At Councilor Graham's request we have researched how other communities have dealt with this issue. In addition, the Public Works Department also drove around several neighborhoods looking for carts.

On May 5<sup>th</sup> three (3) carts were recovered by Public Works. On May 6<sup>th</sup> four (4) carts were recovered. On May 9<sup>th</sup> four (4) carts were recovered. Of the 11 carts 3 were Hannaford's and 8 were Shaws. The purpose of the discussion with the Committee is to determine whether there is any interest in crafting an ordinance to address the issue of abandoned shopping carts. A memo prepared by Courtney O'Donnell is below.

### **Abandoned Shopping Cart Research**

There are several ways other municipalities have addressed abandoned shopping carts: programs, ordinances, and a combination of the two. Most of the information I came across was for larger Cities. Information I found smaller communities were often simpler, such as designated employee to pick up excess carts on regular basis, etc.

#### **Programs:**

Programs largely attempt to create buy in from both retailers and neighborhoods in order to reduce enforcement activities and costs. They work with the retailers in creating a program that addresses both prevention and retrieval efforts, and they generally will include education, incentives to leave or return carts, and reasonable measures by the stores to prevent theft.

Often, retailers with an established amount of carts must submit a plan to the city in how the plan to address the items listed above. This puts the responsibility back onto the retailers. The other approach is to create a city wide program in collaboration with retailers that everyone participates in.

#### **Ordinances:**

Ordinances vary from requiring containment methods such as bollards, wheel locking or stopping mechanisms, and customer service (assisting folks to their cars) to charging fees if the City is required to intervene. Interestingly, some ordinances allow for the removal of carts from a retailer's premise with permission by the retailer for a short amount of time if a citizen needs the cart to transport groceries home.

Examples of things included: mandatory pickup by retailer upon request from citizen or City staff, fees for retrieval by City/impound fees (ranging from \$3- \$50), fining of individuals found in possession of shopping carts off site without permission, application based on number of carts per site, daily or weekly cart retrieval requirements, mandatory employee training, retrieval from public right of ways and/or private property, and identification of all carts. One example from Los Angeles, appeared to have an ordinance with no program attached, so it was left solely up to code to enforce through fines (attached).

### **Ordinances Containing Programs:**

Programs are often backed by ordinances as a way to add credibility and establish an official policy and procedure to guide everyone. However, some municipalities have had success without taking that step.

Programs and ordinances vary but common requirements include- detailed plans submitted to City for approval, all carts must be labeled to identify owner, and alternate procedures for dealing with the carts if retailer fails to successfully implement plan.

### **Things to consider:**

Based on Bangor's layout, resistance can be expected from stores either because retailers feel abandoned shopping cart aren't a problem in their area (such as Broadway shopping plaza) or because they are being targeted (Main Street).

Cost of shopping carts range from \$90 to several hundred with discounts based on quantity purchased.

Enforcement varies from code enforcement to police departments, or some combination.

Most communities with either an ordinance or program have designated contact information in order to report abandoned carts and the appropriate store has a small window of opportunity to retrieve the cart or face possible fine/fee if the City has to remove it.

Most ordinances I've found focus more on retailer cooperation and fees/fines applied to them. However, there are some that aim more so at the customer who removes or is found in possession of a cart. It appears the former is preferred because enforcement is easier and more cost effective than chasing individuals who often can't afford the fine anyhow.

### **Examples from other Communities:**

Portland, ME

-I called Portland City Hall and they have a system similar to QAlert called Fix It! Portland, where people can report abandoned shopping carts and then their Public Works Department will pick them up. They tried reaching out to the stores but they didn't seem to care. She said Public Works will try to return them to where they belong but if that's not possible, they scrap them.

San Jose, California- Population 1 million

-Abandoned cart ordinance- developed to ensure owners are aware of their responsibilities to prevent cart theft and to educate customers. Businesses with more than 26 carts per site must submit a specific Abandoned Cart Prevention Plan (attached).

Phoenix, AZ- Population 1.5 million

-Implemented a Shopping Cart Retrieval Program, following a pilot program, after discussions between the City, retailers, and the neighborhoods. Initially required signage requirements for retailers but this was ineffective given size of City and amount of retailers. They eventually launched an effort to educate the public about the importance of keeping carts on store property and implementing a recovery program, with proper notice, that charged retailers a fee per abandoned cart. This program went beyond the pilot program and is considered a success (see attached).

Disclaimer- Phoenix is significantly larger than Bangor and had thousands of abandoned carts to deal with. They had trouble working with retailers, due to the large amount, etc. They received hundreds of complaints a month, which leveled off at 135 per month after the program was implemented.

Highland Park, NH- Population 14,436

They have an ordinance that requires identification of all carts, removal of carts by the police department, charge fee for retailer to claim carts (\$50 per cart), and the public sale or destruction of leftover carts. PD makes monthly reports. <http://ecode360.com/10613472>