

Government Operations Committee
Monday, April 4, 2016
(Immediately following the Finance Committee meeting)
City Council Chambers

AGENDA

Consent Agenda

1. Referral, Council Resolve 16-127, Accepting and Appropriating \$353,891 in Grant Funds from the US Department of Housing and Urban Development – Shelter Plus Care Renewal
 - Please see attached Council Action Page and Resolve

Regular Agenda

2. Referral, Council Ordinance 16-124, Repealing and Replacing Chapter 378, Taxicabs, of the Code of the City of Bangor
 - Please see attached Council Action Page and Ordinance.
3. Proposed Taxicab Fee Changes
 - Please see the attached memorandum from Assistant City Solicitor Nicklas and draft Council Order.
4. Bags for Bangor Program
 - Please see the attached background memorandum from Parks and Recreation Director Willette.
5. Request to Increase the number of Seasonal Food Vendors on the Waterfront from three to five.
 - Please see the attached memorandum from Parks and Recreation Director Willette and Memorandum from Andrea Beaulieu, Program Sponsor.
6. Referral, Council Order 16-130, Authorizing the Establishment of a Community Stakeholder Steering Committee in conjunction with the AARP Grant Application regarding Livable / Age Friendly Communities and the Innovative Neighborhoods Initiative.
 - Please see the attached Council Action Page and Council Order, and additional proposed / draft language to clarify the role and tasks for the committee.
7. Citywide Wellness Challenge Program
 - Please see the attached background memorandum from City Manager Conlow and associated background information.

COUNCIL ACTION

Item No. 16-128

Date: March 28, 2016

Item/Subject: Resolve, Accepting and Appropriating \$353,891 in Grant Funds from the U.S. Department of Housing and Urban Development - Shelter Plus Care Renewal.

Responsible Department: Health & Community Services

Commentary:

Resolve will accept and appropriate federal grant funds for the Shelter Plus Care Program. The City applies annually for renewal funding to continue several homeless programs under the U.S. Department of Housing and Urban Development's Homeless Continuum of Care. The City's Shelter Plus Care program won initial funding from the federal government in 1993. The program is used to provide subsidized rents for qualified homeless individuals with a primary diagnosis of mental illness, chronic substance abuse or HIV related illness who are receiving support services. The grant period is April 1, 2016 through March 31, 2017.

The amount of the grant is \$353,891 which will support 40 housing units including family housing.

Department Head

Manager's Comments:

City Manager

Associated Information: Resolve

Budget Approval:

Finance Director

Legal Approval:

City Solicitor

Introduced for

- Passage
- First Reading
- Referral to Gov't Ops 4-4 16

Page __ of __

Assigned to Councilor Perry



CITY OF BANGOR

(TITLE.) Resolve, Accepting and Appropriating \$353,891 in Grant Funds from the U.S. Department of Housing and Urban Development – Shelter Plus Care Renewal.

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT RESOLVED, that Shelter Plus Care program grant funds in the amount of \$353,891 from the U.S. Department of Housing and Urban Development are hereby accepted and appropriated for the purpose of supporting 40 housing units including those for qualified homeless individuals and families for the grant period April 1, 2016 to March 31, 2017

COUNCIL ACTION

Item No. 16-126

Date: March 28, 2016

Item/Subject: **ORDINANCE**, Repealing and Replacing Chapter 278, Taxicabs, of the Code of the City of Bangor

Responsible Department: Legal

Commentary:

This ordinance amendment is a comprehensive revision of the City's taxicab ordinance.

Over the last several years, the City has fielded concerns a number of concerns about taxicabs in the City from taxicab companies and drivers, citizens, the Police Department, and others. This new ordinance is the result of many meetings and discussions with taxicab owners, operators, the State, and other interested parties.

The new ordinance would carry forward many provisions of the existing ordinance, but would also make a number of changes. The new ordinance:

- Clearly defines taxicabs, livery vehicles, and other passenger transportation vehicles.
- Requires drivers of livery vehicles, who are currently effectively acting as unlicensed taxicabs, to undergo the same application process and background checks as taxicabs.
- Updates and clarifies taxicab inspection and taxicab driver's license requirements.
- Adds conduct requirements for taxicab drivers.
- Clarifies rules regarding smoking, bringing them into line with state law.
- Amends and clarifies procedures regarding license suspension and revocation, as well as removal of unsafe taxicabs from service.

This item was reviewed and recommended for approval from the Government Operations Committee on March 21, 2016.

Department Head

Manager's Comments:

City Manager

Associated Information: Ordinance

Budget Approval:

Finance Director

Legal Approval:

City Solicitor

Introduced for

- Passage
- First Reading
- Referral

Assigned to Councilor Plourde



CITY OF BANGOR

ORDER, Repealing and Replacing Chapter 278, Taxicabs, of the Code of the City of Bangor

WHEREAS, over the last several years, the City of Bangor has fielded concerns from various parties about taxicabs in the City;

WHEREAS, City staff has spoken with taxicab owners, operators, the State, and other interested parties on numerous occasions about these concerns; and

WHEREAS, the City wishes to provide for the health, safety, and welfare of taxicab drivers, passengers, and the citizens of Bangor and other communities;

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

Chapter 278 of the Code of the City of Bangor be repealed in its entirety and replaced with the following:

Chapter 278: Taxicabs and Livery Vehicles

§ 278-1. Definitions.

For the purposes of this chapter, the following terms are to be deemed and construed to have the meanings indicated in this section:

BUS

An unmetered commercial passenger vehicle which carries more than 15 persons, including the driver, and operates on a fixed route for a fare.

BUSINESS LICENSE YEAR

The period of time commencing on the sixteenth day of May of one year and expiring on the fifteenth day of May of the following year.

CITY

The City of Bangor.

CITY COUNCIL

The City Council of the City of Bangor as established by Article II of the Charter of the City of Bangor.

COURTESY VEHICLE

A commercial vehicle service that carries passengers over a short distance to or from a fixed destination (e.g. the airport) at no charge to the customer.

DISPATCH CENTER

Any person, firm, association, partnership or corporation that provides dispatching services, including any form of electronic dispatch, to owners of taxicabs or liveries, in the City of Bangor.

DRIVER

Any person who is engaged in the driving of a taxicab or livery for hire.

EMPLOYED BY OR EMPLOYEE

Includes, but is not limited to, any employee, independent contractor, lessee or person permitted to drive a taxicab or livery of the business licensee.

FOR HIRE

The transportation of passengers for compensation.

LIVERY

A motor vehicle used for the transportation of passengers for hire, having the following characteristics:

- A. A seating capacity of at least three and no more than fifteen passengers behind the driver's seat;
- B. Hired by means of a request or contract arranged in advance of the time transportation is needed;
- C. Charge is by flat fee or by the minute;
- D. A price estimate is provided to the customer in advance of pickup; and
- E. Does not operate on a fixed route.

LIMOUSINE

Any unmetered luxury vehicle designed to carry no less than five and not more than fourteen passengers behind the driver's seat which is of a type built or modified for use as a luxury "stretch limousine" and is used for the transportation of passengers for-hire, solely by pre-arrangement, on a reserved hourly or flat rate basis.

OPERATE

The act of driving, attempting to drive, or exercising control over a vehicle.

OWNER

The person, firm, association, partnership or corporation to whom or to which a taxicab or livery business license has been issued.

TAXICAB

A motor vehicle used for the transportation of passengers for hire, having the following characteristics:

- A. A seating capacity of nine passengers or fewer, including the driver;
- B. Operated on call and demand;
- C. Operated without fixed routes or termini;
- D. The destination and route of which are under the control of the passenger or passengers being carried therein; and
- E. The fares for which are at rates per mile, or fraction thereof, or wait time, or both.

TAXIMETER

A mechanical instrument or device by which the fare for hire of the taxicab is automatically calculated, either for distance traveled or waiting time or both, and plainly and accurately indicated in figures that are illuminated and clearly visible to the passenger.

§ 278-2. Applicability.

- A. The provisions of this article shall apply to taxicabs and liveries which operate within Bangor City limits.
- B. The following vehicles are exempt from the provisions of this Chapter except as otherwise indicated herein.
 - 1. Limousines.
 - 2. Buses.
 - 3. Courtesy vehicles.
 - 4. Livery operators which hold a current interstate operating authority from the Federal Motor Carrier Safety Administration and the liveries covered by such interstate operating authority.
 - 5. Vehicles used solely in connection with transportation for funerals.

6. Vehicles being used to conduct prearranged rides on behalf of a transportation network company by a transportation network company driver, as defined in 24-A M.R.S § 7302.
- C. No livery or limousine shall operate as a taxicab nor accept passengers on a "hail" or walk-up basis.

§ 278-3. Permitted For-Hire vehicles.

No person shall operate or cause to be operated any vehicle transporting passengers for hire unless they are operating a licensed taxicab or livery, or a vehicle qualifying as exempt under § 278-2(B).

§ 278-4. Licenses Required.

- A. It shall be unlawful for any person to operate or cause to be operated in the City of Bangor any taxicab or livery unless such taxicab or livery is covered by a business license provided for by § 278-5 of this chapter; provided, nevertheless, that it shall not be deemed to be the operation of a taxicab or livery or the causing of a taxicab or livery to be operated within the meaning of this chapter if an owner licensed to operate a taxicab or livery in any municipality which grants the same rights as are granted herein to taxicabs and liveries licensed in the City of Bangor shall, upon previous call therefore, take a passenger or passengers from Bangor to the City in which such taxicab or livery is licensed or to Bangor from the City in which such taxicab or livery is licensed.
- B. Business license. Each taxicab or livery business, whether an individual, corporation, d/b/a, limited liability corporation, partnership, or other legal entity, shall obtain a taxicab or livery license from the City Clerk's office prior to permitting the operation of any taxicab or livery vehicles in the city. A taxicab or livery business license shall be obtained which covers all vehicles which will be used under the license. There shall be a fee for each vehicle listed on the business license in accordance with Chapter 109 of this Code. Only those vehicles listed on the business license may be used by the licensee as a taxicab or livery in the city. Vehicles can only be used for one purpose, i.e. either a taxicab or livery, and can only be listed on one license, either a taxicab business license or a livery business license.
- C. Driver's license. No person shall operate a taxicab or livery, whether or not carrying passengers, within the city unless such taxicab or livery is covered by a taxicab or livery business license and the driver thereof is currently licensed by the city to operate a taxicab or livery; except when a taxicab or livery is clearly marked on at least one door per side of the vehicle with a magnetic "out of service" sign with letters no less than 2.5 inches in height, an unlicensed driver may operate the taxicab or livery for the following purposes:
 - (1) A mechanic operating the vehicle for the purpose of diagnosing a problem or testing to assure that a mechanical issue is resolved.

- (2) Any individual operating the vehicle for the purpose of moving it between locations while not in operation as a taxicab or livery.

D. Licenses non-transferable. Licenses issued hereunder are not transferable.

§ 278-5. Taxicab or Livery Business License.

A. A taxicab or livery business license shall be issued upon compliance with the following:

- (1) Applicants shall obtain and complete application forms from the City Clerk's Office.
- (2) Every application shall be signed and verified by each of the principal officers of the applicant if the applicant is a corporation, and in all other cases by all persons having an actual ownership interest in the applicant. All applications shall state the name, address, and phone number of every person having management authority in the business of the applicant.
- (3) Applicant shall provide a comprehensive list including the make, model, passenger capacity, year, vehicle identification number (VIN), taxicab or livery identification number and license plate number of each vehicle which is to be covered by the taxicab or livery business license.
- (4) Applicants for a taxicab business license shall obtain from the Sealer of Weights and Measures, at their own cost, a written statement that the taximeter installed in each taxicab for which the taxicab business license is sought complies with the requirements of Subsection B, below.
- (5) Applicants shall obtain from the Chief of Police, or his or her designee, a written statement that an inspection has been made of each taxicab or livery for which the taxicab or livery business license is sought and each taxicab or livery has been found to be safe and suitable for taxicab or livery service in accordance with Subsection D, below.
- (6) Applicant shall submit to the City Clerk the applicable items listed in Subsection A(1) through (5) above, the nonrefundable annual fee for a taxicab or livery business license as provided for in § 278-4(B), a valid State of Maine motor vehicle registration certificate for each vehicle listed in Subsection (3), and certificate(s) of insurance from a reputable insurance agency stating that the vehicles for which the taxicab or livery business license is sought ~~is~~ are insured in accordance with Subsection E, below and listing the City of Bangor as an additional insured.
- (7) A person or business may obtain both a livery and taxicab business license, but there must be a separate application form and fee for each such license. A vehicle may not be licensed nor used as both a taxicab and a livery.

B. Taximeters. Every taxicab shall be equipped with a taximeter tested, approved and sealed by the Sealer of Weights and Measures which accurately calculates no more than

the maximum rates of fare hereinafter set forth and mileage by means of clear and distinct figures which are electronically illuminated during the period between sunset and sunrise, and which clearly indicates the type of fare being charged, mileage and/or time. The taximeter shall be placed so that the figures are in plain view of all passengers. The taximeter shall be permanently affixed to the taxicab and sealed by the Sealer of Weights and Measures. It shall be the responsibility of the owner to submit his or her taxicab or taxicabs for inspection to the Sealer of Weights and Measures. If, upon inspection of the taximeter, the Sealer of Weights and Measures determines that the taximeter meets the requirements of this section, he or she shall issue a statement stating that the taximeter complies with the requirements of this section.

C. Updates. It is the responsibility of the applicant to update, in the City Clerk's office, the list of vehicles covered by the taxicab or livery business license throughout the year if any vehicles are removed from or added to the taxicab or livery business fleet. A fee will be charged for each vehicle added in accordance with Chapter 109 of this Code. The City Clerk must be notified of a vehicle being added to the fleet within 15 days of completing the taxicab or livery inspection, and before the vehicle is put in service. It is also the responsibility of the applicant to update, in the City Clerk's office, the list of licensed drivers operating their taxicabs or liveries throughout the year if drivers are hired or no longer employed by the taxicab or livery business licensee; notification must be provided within 15 days of the driver being hired or employment terminating and before the driver begins operating a taxicab or livery, and must include the driver's current address and telephone number. Failure to update the list shall result in the automatic suspension of the taxicab or livery business license until the list is updated and a reinstatement fee of as set out in Chapter 109 of this Code is paid.

D. Inspection of Taxicabs and Livery.

(1) Frequency. The Chief of Police, or his or her authorized agent, shall have the authority to inspect, or cause to be inspected, any and all taxicabs and liveries so as to ensure that any taxicab or livery is safe and suitable for taxicab or livery service as follows:

(a) Prior to issuance of any new taxicab or livery business license;

(b) Once each calendar year prior to the renewal of any existing taxicab or livery business license;

(c) Prior to adding a taxicab or livery to a taxicab or livery business license; and

(d) At any other time, at the discretion of the Chief of Police or his or her authorized agent.

(2) Scope. During any taxicab or livery inspection, the Chief of Police or his or her authorized agent shall inspect each taxicab or livery and find that such vehicle:

- (a) Has a valid State of Maine motor vehicle registration certificate;
- (b) Has a valid State of Maine inspection sticker placed on the windshield in accordance with state law issued the same month or the month immediately preceding the inspection by the Chief of Police, or his or her designee;
- (c) In the case of a taxicab, is equipped with a sealed taximeter placed in accordance with Subsection B of this section;
- (d) Meets the identifying lights and identifying markings requirements of § 278-58 of this chapter;
- (e) In the case of a taxicab, meets the fare markings requirements of § 278-9 of this chapter;
- (f) Has a "No Smoking" sign clearly visible on all passenger windows inside the taxicab or livery.
- (g) Is in a clean and sanitary condition, inside and out, with no unsightly soil spots;
- (h) In all other respects is safe and suitable for taxicab or livery service;
- (i) Complies with the following standards:
 - [1] No dents larger than six inches in diameter.
 - [2] No missing or hanging mirrors, trim or body work.
 - [3] No cracks in the windshield or windows.
 - [4] No missing hubcaps.
 - [5] No visible primer paint.
 - [6] All original and replacement parts and components of the vehicle are similar in appearance and are of the same color or design.
 - [7] No rust greater than one inch in diameter.
 - [8] No loose trash or large amounts of dirt or sand in the interior passenger area, whether or not the area is currently occupied by a passenger.
 - [9] No visible tears in carpeting or seat upholstery.
 - [10] No unpleasant odors or strong fragrances inside.
 - [11] Seat belts for all passenger seats visible and in working order.
 - [12] Two operating doors affording direct entrance and exit to and from the passenger compartment.

- (j) A taxicab or livery shall at all times be maintained in compliance with the laws of the State of Maine relating to passenger vehicles and the rules and regulations of the State Commissioner of Transportation enacted pursuant thereto.
- (3) The City Clerk shall issue a nontransferable Bangor Taxicab or Bangor Livery inspection sticker to each taxicab or livery inspected under this section, valid for one year from the date of issue, unless the vehicle is added to a taxicab or livery business license after the initial date of issuance of said license, in which case the vehicle inspection sticker will expire upon expiration of the taxicab or livery business license. All taxicabs and liveries operating in the City of Bangor shall display said stickers in accordance with § 278-8.
- E. Insurance. Each taxicab or livery shall be insured for the period over which the taxicab or livery business license is to remain in force, insuring persons and property from liability for injuries and damages resulting from the use and operation of such taxicab or livery. Such insurance policy or coverage shall be issued in an amount or amounts sufficient to meet state law requirements.
 - F. Termination and Expiration of taxicab or livery business license. Unless revoked or suspended under §§ 278-15 or 278-16 of this chapter, each taxicab and livery business license shall expire on the 15th day of May next after the date of issuance; provided, however, that any new application filed between May 1 and May 15 and approved shall be valid until May 15 of the following year.
 - G. It shall be a violation of this article for any taxicab or livery business, or the owner thereof, to allow any person not holding a valid City of Bangor taxicab or livery driver's license to operate a taxicab or livery licensed as part of their fleet, unless under the conditions specified in § 278-4(C).

§ 278-6. Driver and vehicle lists.

- A. Every dispatch center shall, on the first day of January and July of each year, file with the City Clerk a current list of all taxicab and livery companies and owners for whom the dispatch center provides dispatching services.
- B. Every taxicab or livery company or owner shall, on the first day of January and July of each year, file with the City Clerk a current list of its taxicab and livery drivers.
- C. Every taxicab or livery company or owner shall, on the first day of January and July of each year, file with the City Clerk a current list of its taxicabs or liveries, including the make, model, passenger capacity, year, vehicle identification number (VIN), taxicab or livery identification number as required by § 278-8(D) and license plate number of each vehicle which is covered by the taxicab or livery business license.

§ 278-7. Taxicab or livery driver's license.

It shall be unlawful for any person to operate any taxicab or livery for hire without first obtaining a taxicab or livery driver's license.

- A. Fees. If a person has not previously held a City of Bangor taxicab or livery driver's license or if a person is renewing an existing license after the 15th of the month in which such license shall expire the nonrefundable new/late licensing fee shall be as set forth in Chapter 109 of this Code. Any person renewing an existing taxicab or livery driver's license between the 1st and 15th of the month in which such license shall expire be charged a nonrefundable renewal fee as set forth in Chapter 109 of this Code. All taxicab or livery driver's licenses shall expire annually on the last day of the month in which the license was issued except that any license renewed within 3 months following the expiration of the license will expire the following year on the last day of the month in which the expired license was issued. Any license renewed more than 3 months after its expiration will be treated as a first time license.
- B. Application and issuance.
- (1) An application for a taxicab or livery driver's license shall be made upon forms furnished by the City Clerk and shall be signed in front of the City Clerk by the applicant. The application shall require the applicant to set out the following information:
- (a) That the applicant is 18 years of age or older.
 - (b) That the applicant has held a valid driver's license for more than two years.
 - (c) Current contact information, including home and work address, and home, work and cell telephone numbers, and e-mail address if available.
 - (d) Maine Driver's License number.
 - (e) List of all states in which the applicant has resided over the past 7 years.
 - (f) List of all criminal convictions from any and all jurisdictions, not including convictions for crimes committed as a juvenile.
 - (g) Whether any driver's license held by the applicant is presently revoked or has been revoked during the three (3) years preceding the application and the reasons for such revocation(s).
 - (h) Applicant's signature certifying that all information provided is complete and accurate and that they understand the taxicab and livery driver rules.
 - (i) Any other information requested by the City Clerk, Chief of Police, or City Council.
- (2) Before such license shall be issued by the City Clerk, the application must be approved by the Chief of Police, or his or her designee, and the applicant must:

- (a) Present a valid State of Maine driver's license.
- (b) Demonstrate to the City Clerk that he or she can read, write and speak the English language.
- (c) Present the taxicab or livery driver's license to be renewed, if renewal is sought.
- (d) Pay the nonrefundable annual fee for a taxicab driver's license as required under § 278-7(A) above.
- (e) In the case of a new application, have his or her photograph taken at a place, time and date designated by the Chief of Police, or his or her designee, for City photo identification to be displayed as provided in Subsection D, below. In the case of a renewal application, the applicant must present their City photo identification.
- (f) Demonstrate to the Chief of Police, or his or her designee, that the applicant is competent to operate a motor vehicle safely and in accordance with all applicable traffic laws and ordinances. In determining whether the applicant is competent to operate a motor vehicle safely and in accordance with law, the Chief of Police, or his or her designee, shall consider factors including but not limited to whether the applicant has any of the following:
 - [1] Three or more convictions for motor vehicle violations within the past 3 years.
 - [2] One or more major moving violations within the past 3 years, including but not limited to attempting to evade the police, reckless driving or driving on a suspended or revoked license.
- (g) Satisfy the Chief of Police, or his or her designee, that the applicant is at present of such good moral character that the applicant can be trusted with the safe care and custody of taxicab passengers. In determining whether the applicant is of "good moral character," the Chief of Police, or his or her designee, shall consider factors including, but not limited to, the following:
 - [1] Whether the applicant has been convicted at any time of murder, manslaughter, or a Class A, B, or C crime against a person;
 - [2] Whether the applicant has been convicted within the past 7 years of operating under the influence of drugs or alcohol, fraud, a sexual offense, use of a motor vehicle to commit a felony, a crime involving property damage or theft, an act of violence or an act of terror, a drug-related crime, criminal threatening, or harassment; and
 - [3] Whether the applicant made any false statement or omission on the application or in the course of the application process.

- (h) No license will be issued until the results of the State Bureau of Investigation (SBI) criminal background check are received and found to be acceptable by the Chief of Police, or his or her designee.
 - (i) Have no outstanding warrants of arrest in Maine or any other jurisdiction; and
 - (j) Not be a convicted sex offender who is required to register as a sex offender within the State of Maine or is on the national sex offender registry.
 - (k) Failure to meet any of the requirements in Subsection (a)-(j) shall be grounds for denial of a taxicab or livery driver's license.
- C. Identification tag. Upon the issuance of the taxicab or livery driver's license, the Chief of Police, or his or her designee, shall also deliver to the licensee an identification tag containing the applicant's photograph. The identification tag shall be worn in a conspicuous place on the licensee's uniform at all times while operating a taxicab within the City of Bangor. Failure to display the identification tag in a conspicuous place at all times constitutes ground for license revocation.
- D. Expiration of taxicab or livery driver's license. Unless suspended or revoked under this chapter, all taxicab and livery driver's licenses shall expire annually on the last day of the month in which the license was issued. Any license renewed within 3 months following the expiration of the license will expire the following year on the last day of the month in which the license was originally issued. Any license renewed more than 3 months after its expiration will be treated as a first time license.
- E. Record of denial. The City Clerk shall make and keep a written record of every decision to deny an application for a taxicab driver's license. Records of denial shall be kept for three years from the date of denial.

§ 278-8. Identification of taxicabs and liveries.

- A. Name and logo. Every taxicab and livery shall have the name of the owner or the owner's dispatch center or trade name and, in the case of a taxicab, the word "taxicab" or "taxi" or "cab," or in the case of a livery, the word "livery" permanently placed on the exterior of one door on each side of the vehicle, or in the case of livery said doors or each rear fender of the vehicle, in letters at least 2 inches high. In lieu thereof, a logo or monogram, approved by the Chief of Police, or his or her designee, containing the same information and being not less than eight inches in diameter, shall be permanently placed on one door on each side of the taxicab or livery.
- B. Lights. In addition to the outside lights required by law, all taxicabs shall be equipped with an identifying light attached to the top of each taxicab. Such identifying light shall be constructed in one unit consisting of an illuminated plate or cylinder upon which is printed the word "taxicab" or "taxi" or "cab" or the name of the taxicab business. The overall dimensions of such identity light shall not exceed eight inches in height and 23

inches in length. Other than the outside lights required by law, a livery vehicle is prohibited from having an exterior light.

- C. Identification sticker. Every taxicab or livery inspected to operate in the City of Bangor shall display a valid Bangor taxicab or livery sticker on the front windshield adjacent to the state inspection sticker.
- D. Identification number. Every taxicab or livery licensed to operate in the City of Bangor shall display their taxicab or livery identification number, on the rear of the vehicle and on the exterior by the door handles in letters and numbers at least 2 inches high. Identification numbers must be in numerical order starting with 1 and must be filed and updated with the City Clerk.
- E. Taxicab contact number. Every taxicab licensed to operate in the City of Bangor shall display a telephone number for the taxicab business or dispatch center on the rear and each side of the vehicle in numbers at least 2 inches high.
- F. Notice to the Public. Every taxicab and livery shall display a card, provided by the City Clerk's office, in clear view of all passengers, in the passenger compartment, illuminated between the hours of sunset and sunrise, displaying the following rules and information:
 - (1) For taxicabs only, maximum fare schedule;
 - (2) Smoking is prohibited in any taxicab or livery vehicle and failure to comply will result in a fine;
 - (3) Taxicab or livery identification number; and
 - (4) Contact information passengers can use for reporting any violations or misconduct observed during taxicab or livery transportation.

§ 278-9. Taxicab Rates of fare.

- A. Fares to be collected from any taxicab passenger or passengers shall be no greater than that shown on the taximeter, and no owner or driver shall charge rates to such passenger or passengers for taxicab services within the limits of the City of Bangor greater than the following:
 - (1) For the first 1/6 of a mile or fraction thereof: \$2.50
 - (2) For each 1/6 of a mile or fraction thereafter: \$0.35
- B. Provided, however, that in addition to the rates of fare permitted under Subsection A(1) and (2) above, a fare of not more than \$0.30 per minute may be charged in the event that any taxicab is forced, by reason of traffic conditions or other circumstances beyond the driver's control, to travel at a speed of less than 10 miles per hour for a continuous period of more than two minutes.

- C. All taxicabs operated under a license granted by the City of Bangor must display the notice to the public card provided by the City of Bangor, which sets forth the maximum rates permitted under this chapter, as outlined in § 278-8. Maximum rates, including for the initial 1/6 mile, for each additional 1/6 mile, and for wait time, shall also be permanently placed on the exterior of one door or fender on each side of the taxicab in letters at least 1 inch high.
- D. Additional passengers. If there is more than one passenger having the same origin and destination, each passenger may be charged not more than an equal proportionate part of the charges shown on the taximeter. At the option of the owner of such taxicab, an additional charge of not more than \$0.25 may be made for each additional passenger having the same origin and destination as the first passenger. If there is more than one passenger and the destinations are different, each passenger may be charged not more than his or her equal proportionate part of the difference between the amount then shown on the taximeter and the amount shown by the taximeter at the next preceding stop.
- E. Waiting time. If the taxicab waits for the passenger after the taxicab has arrived at the place of origin, at the expiration of five minutes after such taxicab has arrived or after being requested to wait by the passenger, whichever comes sooner, the passenger may be charged not more than a maximum rate of \$20 per hour, or any such fraction thereof, as the actual waiting time bears to one hour. No charge shall be made for waiting time in advance of the time at which the taxicab is required in the request for the taxicab service, nor for the delay due to the inefficiency of the taxicab or its operation, nor for mileage or time other than proceeding in the most direct way to the destination.
- F. Hand luggage. Hand luggage shall be carried free of charge.
- G. Surcharge. The Bangor City Council may, by order, authorize the levy of a surcharge per trip in addition to the fare authorized by this section where it determines that such surcharge is warranted by conditions beyond the control of taxicab drivers and companies and where such conditions affect the cost of providing taxicab services.
- H. No taxicab or livery driver shall engage in barter with a passenger in lieu of the arranged compensation.

§ 278-10. Record of daily trips.

The owner or licensed operator of a taxicab or livery shall keep daily records of all trips made by such vehicle, the beginning and end time and place of each trip, and the amount of payment received, not including any tip or gratuity given voluntarily by the customer. Such records, upon demand, shall be open to inspection by the City Clerk or any police officer. Said records shall be kept for a period of not less than three years.

§ 278-11. Taxi stands; soliciting passengers.

- A. Taxi stands. The Chief of Police, or his or her designee, by and with the consent of the City Manager, is hereby empowered to assign, to each and every licensed taxicab owner, suitable taxi stand space on public streets and ways.
- B. Passenger soliciting. No driver of a taxicab shall solicit any passenger or passengers within 50 feet of an established taxicab stand except while parked in said stand.

§ 278-12. Conduct of Taxicab and Livery Drivers.

To facilitate the safe, orderly and professional provision of taxicab and livery services, taxicab and livery drivers are required to follow these guidelines:

- A. Cell Phones. Taxicab and livery drivers shall not use their cell phone while transporting a passenger unless it is an emergency or to receive calls from dispatch or customers.
- B. Appearance. Every taxicab or livery driver operating a taxicab or livery that is in service shall be suitably and professionally dressed, and neat and clean in appearance. No clothing which is ripped or torn or has a large or unsightly stain is permitted. Gym or workout shorts or pajama pants are not permitted. Footwear must be closed-toe and clean.
- C. Personal Hygiene: Taxicab and livery drivers will maintain good personal hygiene.

§ 278-13. No Smoking.

- A. No person, including but not limited to taxicab and livery operators and passengers, may smoke in a taxicab or livery at any time, including times when there are no passengers in the vehicle or when the vehicle is not in operation as a taxicab or livery.
- B. Notwithstanding § 278-13(A) above, if allowed under state law, an owner of a taxicab or livery who is also the sole operator of the taxicab may smoke in the taxicab or livery as long as he or she does not do so while the vehicle is in operation as a taxicab or livery or less than an hour before or after the vehicle is in operation as a taxicab or livery.

§ 278-14. Display of licenses.

A copy of the taxicab or livery business license issued for a taxicab or livery must be kept inside the vehicle. The taxicab or livery driver's license issued to the driver of that taxicab or livery shall be conspicuously displayed on their person.

§ 278-15. License suspension and revocation.

- A. Automatic revocation.
 - (1) Conviction of a crime. No taxicab or livery driver's license shall be valid for purposes of this article upon the licensee's conviction of a crime listed in § 278-7(B)(2)(f). It is the responsibility of the driver and business owner employing said driver to notify the City Clerk of any such conviction.

(2) Conviction of motor vehicle violations. No taxicab or livery driver's license shall be valid for the purposes of this article upon conviction of three or more motor vehicle violations during a license year, or one major moving violation as defined in § 278-7(B)(2)(e)[2]. It is the responsibility of the driver and business owner to notify the City Clerk of any such convictions.

B. Automatic suspension. No taxicab or livery driver's license shall be valid for the purposes of this article during any period in which the state driver's license of the licensee is suspended or revoked. It is a violation of this ordinance for a licensee to continue to operate a taxicab or livery vehicle after suspension or revocation of his or her state driver's license. It is the responsibility of the driver and business owner employing said driver to notify the City Clerk of any such suspension or revocation.

C. Grounds for suspension or revocation of driver's license.

In addition to the grounds for denial of a taxicab driver's license set forth in § 278-7(B), which are also grounds for suspension or revocation of a license, a taxicab or livery driver's license shall be subject to suspension or revocation upon a determination that the licensee:

- (1) Knowingly took a longer route to his or her destination than was necessary unless so requested by the passenger, provided that longer routes may be necessary due to traffic, construction, detours, accidents, weather, road conditions, and other reasonable factors;
- (2) Knowingly conveyed any passenger to a place other than that which the passenger or paying party specified;
- (3) Solicited taxicab or livery passenger business in the manner prohibited by § 278-11;
- (4) In the case of a livery driver, picked up or attempted to pick up a passenger on the street or in a public place, without an agreement arranged in advance for such pick up; the burden shall be on the livery business or driver licensee to show the existence of such a pre-arranged agreement;
- (5) Transported any person in addition to or other than the passenger first engaging the taxicab or livery without the express consent of the original passenger;
- (6) Drove a taxicab or livery when the licensee was not clean and neat in appearance;
- (7) Drove a taxicab or livery that was out of compliance with any of the provisions of this article when the licensee knew or should have known it was out of compliance;
- (8) Refused to transport any orderly person upon request, unless the taxicab or livery was already engaged, or unless, three or more times in the previous six months, a person has failed to appear to be transported from the requested address or when the call for transport was made from the same phone number. Examples of a person

- who is not orderly may include someone who is aggressive, or excessively dirty or unhygienic. Drivers are not required to assist passengers in entering or exiting their vehicle;
- (9) In the case of a taxicab driver, charged more than the maximum fare specified in this chapter;
 - (10) Failed to carry change sufficient to make change for a \$20 bill;
 - (11) Violated the no smoking section of this chapter more than two times within a twelve-month period.
 - (12) Removed or obscured any notice or decal required to be posted in the taxicab or livery by this chapter;
 - (13) Was convicted of a crime in any jurisdiction; or
 - (14) Acted in an aggressive, threatening, verbally abusive or disorderly manner while engaged in taxicab or livery services.

D. Grounds for suspension or revocation of business license.

In addition to the grounds for denial set forth in §278-5, which shall also be grounds for suspension or revocation of a license, a taxicab or livery business license shall be subject to suspension or revocation upon a determination that the owner or manager of the taxicab or livery business:

- (1) Caused another person to transport any person in addition to or other than the passenger first engaging the taxicab or livery without the express consent of the original passenger;
- (2) Caused another person to refuse to transport any orderly person upon request unless, in the case of business operating a single taxicab or livery, the taxicab or livery is engaged, or, in the case of a business operating more than one taxicab or livery, all vehicles were then engaged; or unless, three or more times in the previous six months, a person has failed to appear to be transported from the requested address or when the call for transport was made from the same phone number. Examples of a person who is not orderly may include someone who is aggressive, or excessively dirty or unhygienic. Drivers are not required to assist passengers in entering or exiting their vehicle;
- (3) In the case of a taxicab business, caused or allowed a passenger to be charged more than the maximum fare specified in this chapter;
- (4) Removed, or obscured, or caused to be removed or obscured from a taxicab or livery the notice or decal required to be posted in the vehicle by this chapter;

- (5) Knew of a driver's conviction, repeated motor vehicle offenses, or the suspension or revocation of his or her State of Maine driver's license and failed to notify the City Clerk of the same as required under § 278-15(A) or (B).
- (6) Operated, or any person employed by such licensee operated, a taxicab or livery without a current and valid taxicab or livery driver's license;
- (7) Operated, or any person employed by such licensee operated, a taxicab or livery which is not covered by a current and valid taxicab or livery business license;
- (8) Operated, or any person employed by such licensee operated, a taxicab for which the telephone number required under § 278-8(E) at any time did not ring through to a person capable of dispatching a taxicab; provided that the if the number may ring through to an answering machine or voicemail if the caller is then directed to call a number that does ring through to a person capable of dispatching a taxicab. This Section 278-15(D)(8) shall not be grounds for suspension or revocation of a taxicab or livery business license if the failure to ring through to a person capable of dispatching a taxicab is due to severe weather conditions or unexpected illness or injury.
- (9) Operated a taxicab or livery business after there had been repeated violations by the driver(s) employed by the licensee which resulted in three or more suspensions of the same driver, or five or more suspensions of employees of the licensee, within any three year period; or
- (10) Operated a taxicab or livery business after the taxicabs or liveries covered by the taxicab or livery business license have collectively been the subject of two or more violation notices for failure to comply with the standards set forth in § 278-5.

§ 278-16. Suspension and revocation process.

The Board of Appeals may suspend or revoke a taxicab or livery driver's license or taxicab or livery business license for the grounds listed in § 278-15(C) or (D) according to the following procedure:

- A. The Chief of Police, or his or her designee, shall give notice in writing of the grounds for suspension or revocation of the license. Said notice shall be directed to the licensee and the City Clerk.
- B. Upon receipt of the notice, the City Clerk shall notify the Chair of the Board of Appeals, who shall take action to have the matter heard at a regular or special meeting of the Board of Appeals within 40 days of the City Clerk's receipt of the notice. Before the hearing, the City Clerk shall notify the licensee, the Board of Appeals members, the Chief of Police or his or her designee, and any appropriate members of City staff of the time and place of the hearing.
- C. The hearing shall be conducted in accordance with the following:

- (1) The Chief of Police, or his or her designee, shall be heard first to present the grounds for suspension or revocation of the license. The licensee shall then present his or her position in response.
- (2) All parties shall be given the opportunity to be represented by an attorney or other spokesperson.
- (3) Evidentiary and presentation standards shall be as set in 30-A M.R.S. § 2691, Subdivision 3D.
- (4) A hearing shall not be continued to another time except for good cause.

D. After the hearing, the Board of Appeals may suspend a taxicab or livery driver's license or taxicab or livery business license for a period of up to one year or revoke said license if it finds that the grounds for suspension or revocation presented by the Chief of Police, or his or her designee, were sufficient to warrant suspension or revocation and were consistent with this chapter, including but not limited to § 278-15. Notice of suspension or revocation of a taxicab or livery driver's license shall be sent to the driver and to the business for which the driver works. Notice of suspension or revocation of a taxicab or livery business license shall be sent to the business.

§ 278-17. Removal of taxicab or livery from service.

- A. If a law enforcement officer determines that there is a violation of this Chapter which poses a threat to the health or safety of passengers, they may order the taxicab or livery to be removed from service immediately and may remove or order removed from the vehicle the taxicab or livery inspection sticker. The Chief of Police or his or her authorized agent shall make him- or herself available for a re-inspection of the vehicle no more than three business days thereafter. If, upon appeal of the law enforcement officer's determination that there was a threat to the health or safety of passengers, it is found that there was no such threat, the inspection sticker shall be replaced at no cost.
- B. If a law enforcement officer determines that there is a violation of this Chapter that is not directly linked to the health or safety of passengers, then the officer may issue a written order to correct the violation within thirty days; if, after thirty days, the taxicab or livery does not pass re-inspection, an officer may order the vehicle to be removed from service. There shall be a fee as set in Chapter 109 of this Code for each re-inspection of any taxicab or livery ordered removed from service hereunder.
- C. A law enforcement officer may immediately order any taxicab or livery that fails to display the decal required by § 278-8C be removed from service until said decal is displayed.
- D. The Chief of Police or his or her authorized agent, at his or her discretion, may require a licensee to present a taxicab or livery for inspection.

§ 278-18. Receipt upon demand.

The driver of any taxicab or livery shall, upon demand by the passenger, render to such passenger a receipt for the amount paid. Such receipt shall bear the name of the owner, the name of the driver, the date of transaction and the amount paid.

§ 278-19. Refusal to pay legal fare.

The refusal of any passenger to pay the legal fare as shown on the taximeter of a taxicab shall be unlawful, and, upon conviction therefor, shall be subject to such penalties provided for in § 278-20 of this chapter.

§ 278-20. Violations and penalties.

Violations of this chapter shall be subject to the penalties of 30-A M.R.S. § 4452. Any such fine may be in addition to the provisions of this chapter providing for the suspension or revocation of the taxicab or livery business license and the taxicab or livery driver's license. In the case of a suspension or revocation, both the license and the right of the licensee to apply for or renew a license are suspended or revoked. A licensee whose license is revoked cannot apply for a new/renewal license for one year. If a license is denied, the applicant may not reapply for 6 months thereafter. Suspensions and revocations issued by the Board of Appeals may last up to one year from the date of suspension or revocation.

§ 278-21. Appeals.

- A. Any person aggrieved by a denial by the City Clerk of an application for a taxicab or livery business license or a taxicab or livery driver's license filed under § 278-5 or 278-7 of this chapter, or removal of a vehicle from service or a violation notice under § 278-17, may appeal said denial, removal or violation notice to the Board of Appeals, subject to the following:
 - (1) Notice of said appeal shall be in writing, shall state briefly the grounds therefor, shall be directed to the Board of Appeals, and shall be filed with the City Clerk not more than 15 days after notice of said denial has been received by the applicant. No fee shall be required for the appeal.
 - (2) Upon receipt of a notice of appeal, the City Clerk shall immediately notify the Chair of the Board of Appeals, who shall take action to have it heard at a regular or special meeting of the Board of Appeals within 40 days of receipt of the notice. Before the hearing, the City Clerk shall notify the applicant, the Board of Appeals members, and any appropriate members of City staff of the time and place of the hearing.
 - (3) The hearing shall be conducted in accordance with the following:
 - (a) The appellant's case shall be heard first. The City Clerk or other City representative shall then present the position of the City.
 - (b) All parties shall be given the opportunity to be represented by an attorney or other spokesperson.

- (c) Evidentiary and presentation standards shall be as set in 30-A M.R.S. § 2691, Subdivision 3D.
- (d) A hearing shall not be continued to another time except for good cause.
- (4) Decisions and notices of decisions shall be rendered in public in accordance with 30-A M.R.S. § 2691, Subdivision 3E. This decision must be based solely on evidence presented at the hearing.
- B. Further appeals. Any decision of the Board of Appeals pursuant to Subsection A of this section may be appealed to the Superior Court pursuant to Rule 80B of the Maine Rules of Civil Procedure.
- C. For purposes of this chapter, the procedures outlined in this §278-21 are intended to entirely supplant the administrative appeals procedure outlined in § 23-3A through E of this Code; § 23-3F through H shall still apply.

Memorandum

To: Government Operations Committee
From: Paul Nicklas, Assistant City Solicitor
Date: April 4, 2016
Re: Taxicab Fares

The City presently charges two fees to taxicab operators, one for a taxicab driver's license, and one for registering the taxicab itself. Should the Council pass the taxicab ordinance amendment currently scheduled for passage on April 11, modifications to each of these fees should be made in order to bring them in line with the new ordinance.

The fee for the taxicab driver's license is currently \$32. The fees covers staff time and costs of processing the application. An additional \$25 is charged for new applications, which include licenses that expired more than 30 days before, in order to pay for a state criminal background check.

The new ordinance would require a state criminal background every year, rather than just for new applicants. Adding a yearly fee of \$25, covering the state background check, to the standard fee of \$32 yields a yearly fee for renewal licenses of \$57. Staff recommends adding \$25 for first-time license, in order to compensate staff for the extra effort required to investigate first-time applicants and to encourage timely renewal of licenses.

The fee for licensing taxicabs is currently \$86, and covers the cost of inspection of the cab. No increase to fee is presently recommended, but the fee schedule should be changed to reflect that taxicabs will now be licensed under an overall taxicab business license, rather than each cab receiving a separate license. The taxicab company will end up paying the same amount as they would have in the past.

Finally, under the new ordinance, these fees would apply to livery drivers as well, as they will now largely be subject to the same regulations as taxicabs.

If approved, a Council Order will be placed on the April 25 Council Agenda; the delay is to allow for approval of the taxicab ordinance amendments on April 11. A draft Council Order has been attached. Staff recommends approval, in order to bring the fee schedule in line with the ordinance.



Assigned to Councilor

CITY OF BANGOR

ORDER, Amending the Schedule of Fees - Clerk - Taxicab and Livery Fees

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BANGOR, THAT

The Schedule of Fees, as authorized under Chapter 109 of the Code of the City of Bangor, is hereby amended as follows:

...

E. City Clerk

(1) Business Licensing

...

Taxi Cab <u>or Livery Business License</u>	\$ 86 <u>per vehicle</u>	§§ 278-43; 85-4
Taxi Cab <u>or Livery Operator Driver's License</u>	\$ 32	§§ 278-4; 85-4
<u>New/Late</u>	<u>\$82</u>	<u>§ 278-7</u>
<u>Renewal</u>	<u>\$57</u>	<u>§ 278-7</u>

MEMORANDUM

TO: Government Operations Committee

FROM: Tracy Willette, Director
Parks and Recreation

SUBJ: Bags for Bangor Project

DATE: March 30, 2016

Recently, staff was approached by Andrea Beaulieu of Studio Linear, a business here in Bangor. She started a project approximately three months ago which involved distributing bags of basic items such as bottled water, toiletries, and food to those who were in need of such items. Her intent was to make this a winter project.

She has found that her project has grown in both need as well as those willing to donate items toward her effort. To that end, the Bangor Daily News has donated two metal newspaper dispenser boxes to continue her effort.

She is requesting to locate one box in West Market Square and one in Pickering Square. Staff has been in discussion with Ms. Beaulieu regarding a specific location in both areas. She is aware of the concerns the City would have about detracting from the recent improvements in West Market Square as well as the general concern of adding these structures to either area. Staff would recommend entering into a use agreement similar to the agreement we entered into with the piano project in City parks last fall.

Staff is willing to continue to work with Ms. Beaulieu to identify suitable and acceptable locations for the City and Ms Beaulieu and if the committee approves, enter into an agreement to locate the donation boxes on City property. I have also included Ms. Beaulieu's proposal as well.

Ms. Beaulieu and I will be available at your meeting if you have any further questions.



BAGS FOR BANGOR PROPOSAL
MARCH 21, 2016

PROPOSAL BY:
ANDREA BEAULIEU- STUDIO LINEAR
60 MAY ST.
BANGOR, ME 04401
(207) 631-5017
HELLO@STUDIOLINEAR.COM

To The city of Bangor,

My name is Andrea Beaulieu, and I started a project roughly 3 months ago called Bags For Bangor. The intent with this project was/is to provide clear, zip lock bags full of basic items such as; bottled water, toiletries and food, to people in our community who find themselves without these basic items. I originally intended on running this project through the winter but have received so many donations, that I am now making this a permanent, year long project. I believe the reason this project has taken off to the extent that it has, is because each bag costs roughly \$5 to put together. I have been traveling to local schools, speaking with groups such as Girl Scouts, about how easy it is to put together these bags and what a large impact they have in our community.

I am writing this proposal because I was gifted 2 bins from the Bangor Daily News, to reuse and keep filled with these bags. Currently, I am accepting donations at my office located at 60 May St. in Bangor, where I go through the bags, making sure the contents are safe (removing items such as mouth wash that has alcohol etc) and then, I take these bags and drop off at the local shelters such as the Homeless Shelter and the Shaw House. I also place the bags throughout West Market Square and Pickering Square. Because they are in clear, waterproof bags, they are easy to see the contents. I have also brought examples of these bags into the Bangor Police Department to show them the contents. What I would like to do and what I am proposing is to take the 2 donated newspaper bins and have a vinyl decal placed on them that explains the project and is stocked with these bags for people in need. I propose that one bin sits in West Market Square and one bin in Pickering Square. I will work with the city in finding a spot in these parks that is set back and not a distraction to the new renovations. On each bin, there is my contact phone number and our website to report any problems. If there are any problems, myself and my team at Studio Linear will handle any issues. We also will be the ones responsible for stocking the bins. If at any point, the city finds that this project has become an issue, we will remove the bins.

Local businesses such as Quality Jewelers, have donated funds for us to have the vinyl wraps printed for the bins. We have included a mock-up of the bins. We wanted to keep them a dark, charcoal gray to match the



BAGS FOR BANGOR PROPOSAL
MARCH 21, 2016

PROPOSAL BY:
ANDREA BEAULIEU- STUDIO LINEAR
60 MAY ST.
BANGOR, ME 04401
(207) 631-5017
HELLO@STUDIOLINEAR.COM

benches and waste bins in the parks. Our design is open to change and we welcome feedback. These bins are metal and quite heavy., we have a group that has donated their time to help move them to their permanent home.

Currently, we have received over 500 donated bags and the number is still growing! To provide you with a little more info on each bag, we asked the public to donate items such as:

- bottle water
- granola bars
- warm socks
- gift cards to local stores such as Dunkin' Donuts for a hot cup of coffe
- chapstick
- feminine products
- deoderant
- toothbrushes
- toothpaste
- soap
- knit hats
- toys for children
- chewing gum

We make sure that all items are safe, no aocohol, no razors.

We would love to see this become a permemetnat project, the community was so eager to help, I can only imagine how this could grow if there was an option for it to become a year-round project! Our website has photos and more info: www.studiolinear.com/bfb

Thank you,

Andrea Beaulieu

BIN MOCK-UP



MEMORANDUM

TO: Government Operations Committee

FROM: Tracy Willette, Director
Parks and Recreation

SUBJ: Waterfront Seasonal Concession

DATE: March 30, 2016

In 2010, the City established a process to allow for seasonal concession on the Waterfront. The discussion at the Business and Economic Development Committee meeting at that time, established a process, which included a set of rules and guidelines, a yearly application as well as a per season rental fee. Staff was also given a direction of allowing up to three vendors at once on the site. Since 2010, the locations have changed with the current location in the parking lot along Front Street being the best thus far.

Since that time, interest in the concept has been popular with three vendors, Pompeii Pizza, Wild Cow Creamery, and the Family Dog operating food trailers or trucks in the parking lot along Front Street. Staff has received inquiry of allowing more vendors on the Waterfront. Since the concept started, we have been trying to balance the interest of having this type of popular food option on the Waterfront while maintaining the general popularity of the Waterfront area as an open space.

Our current policy allows for a fifteen foot by thirty foot space for each vendor. That amount space continues to work for each vendor. The current location along Front Street could accommodate two additional spaces with these dimensions. Staff is requesting approval to allow up to five (5) seasonal concessions on the Waterfront per season. We would continue to follow the established rules, guidelines, and application process.

I will be available at your meeting if you have any additional questions.

Steering Committee Innovative Communities/Age Friendly Communities

Council has discussed an order to support the creation of a Steering Committee as part of the recently submitted AARP Age Friendly grant application. The grant involves the Livable / Age Friendly Communities and Innovative Communities Initiative.

- As outlined by the Council Chair and in the grant application proposal summary, the Steering Committee will create measurable action plans that incorporate the eight domains of livability identified by AARP as well as develop action plans identified under the Innovative Communities concept.
- This will be accomplished through facilitated meetings as well as a series of neighborhood meetings which will be focused on the results of a recent AARP community survey conducted in Bangor. In addition, the steering committee will seek to engage the neighborhood connections through dynamic interactions.
- This concept involves an intergenerational village to village model that engages people of all ages helping one another and strengthening neighborhoods and the city through citizen involvement.
- The program would include a steering Committee that includes the following positions: As contained in and part of the recent AARP Age Friendly Community Grant application submitted by the city, a steering committee is hereby established for the purposes outlined in the project proposal summary (attached). The Committee shall be comprised of the following:
 - City of Bangor – Council Chair Faircloth
 - Councilor Nelson Durgin
 - One Representative from AARP
 - One Representative from the Bangor Daily News
 - One Representative from Eastern Area Agency on Aging
 - One Representative Penquis
 - One Representative Bangor Fusion
 - Two individuals shall occupy at large seats as determined by the Council Chair

COUNCIL ACTION

Item No. 16-130

Date: March 28, 2016

Item/Subject: **ORDER**, Authorizing the Establishment of a Community Stakeholder Steering Committee in conjunction with the AARP Grant Application regarding Livable/Age Friendly Communities and the Innovative Communities Initiative

Responsible Department: City Council

Commentary: If approved, this Order would establish the creation of a Steering Committee as part of the recently submitted AARP Age Friendly grant application. The grant involves both the Livable / Age Friendly Communities and Innovative Communities Initiative. As outlined in the grant application project proposal summary, the Steering Committee will create measurable action plans that incorporate the eight domains of livability identified by AARP. This will be accomplished through a series of neighborhood meetings, and by reviewing and sharing the results of a recent AARP community survey conducted in Bangor. Information gathered at these meetings will also serve to provide data to support the Innovative Neighborhood Initiative. This concept involves an intergenerational village to village model that engages people of all ages helping one another and strengthening neighborhoods and the city through citizen involvement.

This was reviewed and recommended for approval at the March 21, 2016 Government Operations Committee meeting.

Department Head

Manager's Comments:

City Manager

Associated Information: AARP Grant Application, (including project proposal summary), Bangor Innovative Neighborhoods Initiative

Budget Approval:

Finance Director

Legal Approval:

City Solicitor

Introduced for

- Passage
- First Reading
- Referral



Assigned to Councilor Perry

CITY OF BANGOR

(TITLE.) Order, Authorizing the Establishment of a Community Stakeholder Steering Committee in conjunction with the AARP Grant Application regarding Livable/Age Friendly Communities and the Innovative Neighborhoods Initiative

Be it Ordered by the Bangor City Council that:

As contained in and part of the recent AARP Age Friendly Community Grant application submitted by the city, a steering committee is hereby established for the purposes outlined in the project proposal summary (attached). The Committee shall be comprised of the following:

- City of Bangor (two members to be appointed by the Council Chair)
- One Representative from AARP
- One Representative from the Bangor Daily News
- One Representative from Eastern Area Agency on Aging
- One Representative Penquis
- One Representative Bangor Fusion
- Two individuals shall occupy at large seats as determined by the Council Chair

And be it Further Ordered that:

Organizations listed above shall be responsible for appointing a member to the Steering Committee. Council Chair shall be responsible for identifying the two individuals to represent at large positions.

MEMORANDUM

TO: CITY COUNCIL
FROM: CATHERINE CONLOW, CITY MANAGER
SUBJECT: CITY WIDE WELLNESS PROGRAM
DATE: MARCH 30, 2016
CC: PATTY HAMILTON, DIRECTOR OF HEALTH AND COMMUNITY SERVICES

In the fall of 2015, Council Chair Faircloth approached Patty Hamilton at Community Health and Services about implementing a city-wide wellness effort. The city utilizes the Employee Health Solutions to implement a portion of the city's employee wellness program. At that time, Director Hamilton and Justin Allen from Employee Health Solutions indicated that to implement the program, the city would need to provide \$3,000. Staff at Community Health indicated that funds did not exist for such a program so it would need to be raised from city funds or private sources. Staff was aware that the President of Bangor Savings Bank has indicated support for a strong wellness programs among staff at Bangor Savings Bank. After learning of that, Council Chair Faircloth reached out to Bangor Savings Bank to determine their interest in supporting the program. Council Chair Faircloth and staff were not aware of that councilors are required to get approval from the full council to solicit funds for city programs.

Currently, the program has been advertised at the Chamber of Commerce so we are asking permission to establish as the program as it was designed and advertised. If approved, the city wide competition will begin May 1. Participants that exercise for 150 minutes a week will be entered to win incentive prizes such as Red Sox merchandise, fitness trackers, and even tickets to see the red sox at Fenway. Challenger participants will be asked to keep track of how long they exercise during the 8 weeks and enter to win a raffle drawing every two weeks.

If approved by the Council, we are asking for the following:

Permission to establish the Red Sox Challenge; and
Acceptance of a \$3,000 contribution from Bangor Savings Bank; and
Authorization to continue fund raising money and/or prizes to support the program.

Should Council support this program and the donation, we will place an order on the Council agenda.

The City of Bangor is excited to announce an upcoming Spring Training challenge for anyone who works or lives in the City of Bangor!

Mayor Sean Faircloth and the city have teamed up with Employee Health Solutions and official sponsor, Bangor Savings Bank, to challenge the people of Bangor to get moving.

The Red Sox- themed challenge will begin on May 1st. Participants who exercise 150 minutes per week will earn raffle entries to win great prizes such as Red Sox merchandise, fitness trackers, and even tickets to see the Red Sox play at Fenway Park!

“Spring is a great time to get up and get moving, and winning prizes for getting healthier is an enticing bonus,” says Mayor Faircloth. “Hopefully this challenge will encourage those who live and work in Bangor to get outside and take advantage of all the resources the city has to offer.”

Bonnie Irwin, member of the City of Bangor Wellness Steering committee, is also excited about the opportunity for city employees and their families. “This will be a great addition to our employee wellness offerings, and an excellent way to involve employees’ families in what our program can offer,” says Irwin.

Challenge participants will be asked to keep track of how long they exercise each week for 8 weeks. Those that meet the 150 minute per week goal will be entered to win every two weeks. Any exercise counts- walking, running, playing in the park with your kids, yardwork and gardening, and spring cleaning are all great activities!

Organizers will be sending out detailed rules and registration information in the coming weeks.

Registration for the challenge will start on April 15th and will run until April 30th.

If you or your business would like more information please contact Justin Allen at challenge@ehsmaine.org



City Of Bangor Citywide/Employee Wellness Challenge

Justin Allen

Employee Health Solutions

3/21/16

Challenge Outline

- The Challenge will have a Red Sox spring training theme.
- The Challenge will start Sunday 5/1 and end on Saturday 6/25 (8 weeks)
- There will be separate tracking for COB employees and other participants.
 - The challenge will be open to all city residents as well as those that work in Bangor.
- The goal for challenge participants will be to log 150 minutes of exercise per week. At least 300 minutes in each two week period will advance you to the next base. A raffle will be held for everyone on that base (separate raffles for COB employees and residents). Exercise can be walking, running, lifting weights, yardwork, playing with the kids- anything that gets you up and moving.
- At the end of 8 weeks everyone who has made it “home” will be eligible for the grand prize raffle (separate raffles for COB employees and residents).



Registration and Tracking

- Constant Contact will be used for registration and tracking exercise.
- Registration will collect the following:
 - Name
 - Email address
 - Phone number
 - Are you a COB employee?
 - Address
 - Age
 - Gender
 - About how much do you currently exercise right now? (multiple choice)
 - None
 - Less than 1 hour per week
 - 1-2 Hours per week
 - More than 2 hours per week
 - On a scale of 1-10, how would you rate your physical health
- Tracking will collect:
 - Name
 - Email (might be able to automate with Constant Contact)
 - Number of exercise minutes since last log in
 - Nature of exercise? (multiple choice)



Updates

- Every two weeks EHS will compile a list of everyone who has made it to the appropriate base and draw raffle winners.
- Every two weeks winners and aggregate totals will be announced via email, Facebook, etc.
- As part of the last data collection we'll ask for the following information:
 - Name
 - Email
 - Number of exercise minutes since last log in
 - Nature of exercise? (multiple choice)
 - About how much do you currently exercise right now? (multiple choice)
 - None
 - Less than 1 hour per week
 - 1-2 Hours per week
 - More than 2 hours per week
 - On a scale of 1-10, how would you rate your physical health
 - I found this challenge to be enjoyable
 - Strongly Agree
 - Agree
 - Neutral
 - Disagree
 - Strongly Disagree
 - Participating in this challenge caused me to increase my exercise levels
 - Strongly Agree
 - Agree
 - Neutral
 - Disagree
 - Strongly Disagree
 - Would you participate in a similar challenge in the future?
 - Comments/ How would you improve future challenges?
 - How do you suggest we make Bangor more friendly to physical activity?
- Final aggregate challenge and survey data will be provided for both challenge cohorts as well as the overall group.

