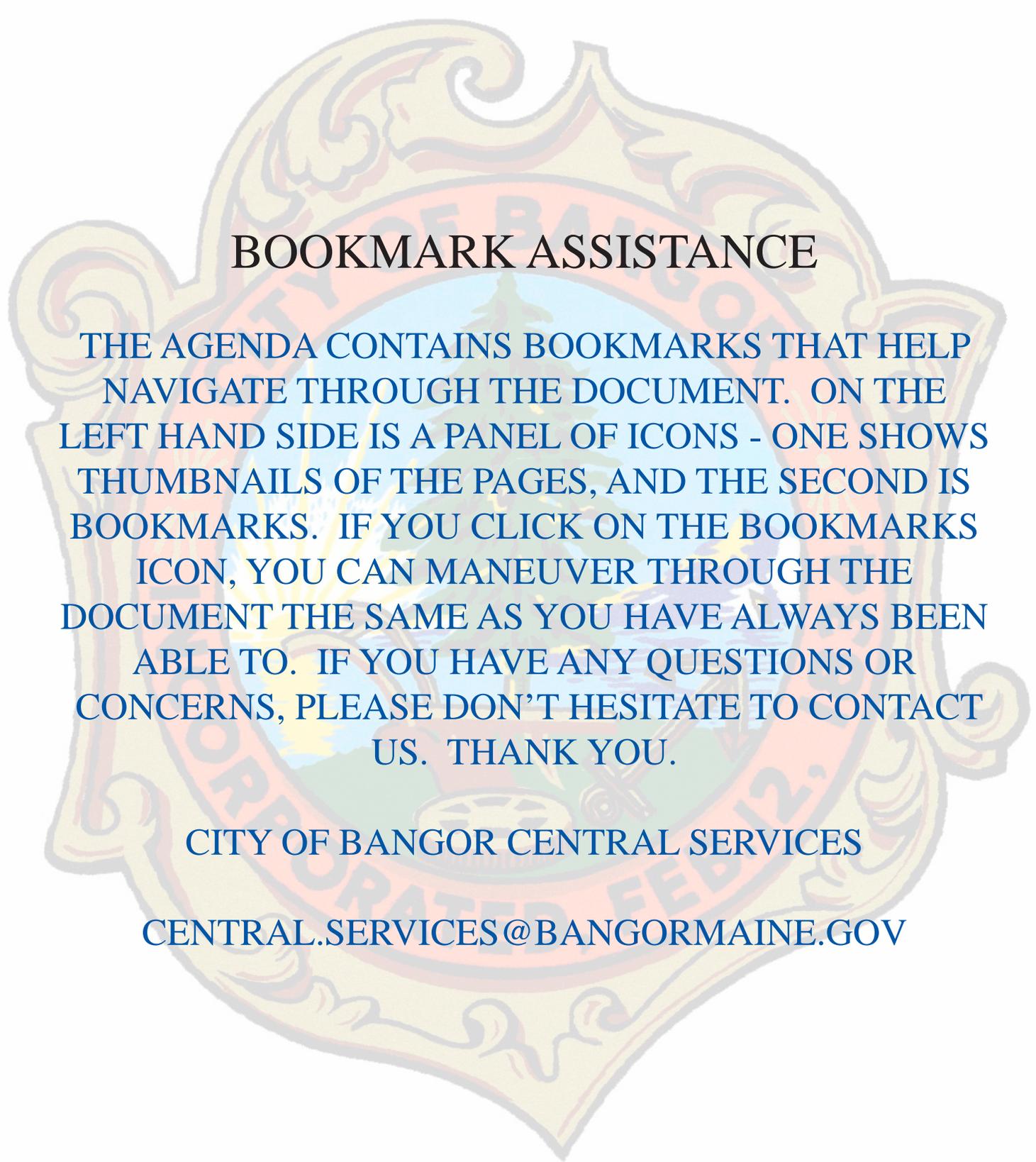


MEDIA  
COPY



# CITY COUNCIL AGENDA

OCTOBER 27, 2014



## BOOKMARK ASSISTANCE

THE AGENDA CONTAINS BOOKMARKS THAT HELP NAVIGATE THROUGH THE DOCUMENT. ON THE LEFT HAND SIDE IS A PANEL OF ICONS - ONE SHOWS THUMBNAILS OF THE PAGES, AND THE SECOND IS BOOKMARKS. IF YOU CLICK ON THE BOOKMARKS ICON, YOU CAN MANEUVER THROUGH THE DOCUMENT THE SAME AS YOU HAVE ALWAYS BEEN ABLE TO. IF YOU HAVE ANY QUESTIONS OR CONCERNS, PLEASE DON'T HESITATE TO CONTACT US. THANK YOU.

CITY OF BANGOR CENTRAL SERVICES

[CENTRAL.SERVICES@BANGORMAINE.GOV](mailto:CENTRAL.SERVICES@BANGORMAINE.GOV)

**REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 27, 2014**

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**PLEDGE ALLEGIANCE TO THE FLAG**

**RECOGNITION**

**Recognizing the Work of Good Shepherd Food Bank**

**Recognizing the Work of the Purple Iris Foundation**

**Recognizing The Contribution Of Annette Sohns Dodd To Public Art In Bangor, Maine**

**PROCLAMATION**

**Proclaiming Extra Mile Day In The City Of Bangor**

**Proclaiming November to be Pancreatic Cancer Awareness Month in the City of Bangor**

**PUBLIC COMMENT**

**CONSENT AGENDA  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

\*Explanatory Note: All items listed in the Consent Agenda are considered routine and are proposed for adoption by the City Council by one motion without discussion or deliberation. If discussion on any item is desired any member of the Council or public may merely request removal of the item to its normal sequence in the regular agenda prior to a motion for passage of the Consent Agenda.

**MINUTES OF: Bangor City Council Regular Meeting of October 15, 2014 and Minutes of Finance Committee Meetings of February 3, 2014, April 22, 2014 and August 25, 2014**

**LIQUOR LICENSE  
RENEWALS:**

**Application for Liquor License Renewal, Malt, Spirituous, Vinous of Fandom Group LLC and AM Entertainment d/b/a Seasons on Main, 427 Main Street**

**BLANCHETTE**

**Application for Liquor License Renewal, Malt, Spirituous, Vinous of Bev, Inc. d/b/a Hilton Garden Inn, 250 Haskell Road**

**BLANCHETTE**

**Application for Liquor License Renewal, Malt, Spirituous, Vinous of New Fay Da Restaurant Inc. d/b/a Happy China Buffet, 753 Stillwater Avenue**

**BLANCHETTE**

**Application for Liquor License Renewal, Malt, Spirituous, Vinous of Verve, Inc. d/b/a Verve, 91 Main Street**

**BLANCHETTE**

## REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 27, 2014

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### CONSENT AGENDA ITEM NO.

### ASSIGNED TO COUNCILOR

**14-322    ORDER            Authorizing Execution of Municipal Quitclaim Deed –    GALLANT  
Real Estate Located at 227 Pine Street**

**Executive Summary:** A sewer lien matured on the property of Phillip Church, currently owned by Stephen, Dawn and Nicole Lovell. All outstanding charges due the City have been paid. There are no outstanding real estate taxes or property issues. Because the lien matured a quitclaim deed is required to release the City's interest in the property. Staff recommends approval.

**14-323    ORDER            Authorizing Execution of Municipal Quitclaim Deed –    BLANCHETTE  
Real Estate Located at 6F Street, Birch Hill Estates**

**Executive Summary:** Real estate tax liens matured on the property of Donald Pierce of 6F Street, Birch Hill Estates. All outstanding charges due the City have been paid. There are no outstanding sewer charges or property issues. Because the liens matured, a municipal quitclaim is required to release the City's interest in the property. Staff recommends approval.

**14-324    ORDER            Authorizing Execution of Municipal Quitclaim Deed –    NEALLEY  
Real Estate Located at 96 Kenduskeag Avenue**

**Executive Summary:** A sewer lien matured on the property of Rebecca P. Smith. All outstanding charges due the City have been paid. There are no outstanding real estate taxes or property issues. Because the lien matured a quitclaim deed is required to release the City's interest in the property. Staff recommends approval.

**14-325    ORDER            Authorizing Bid Award in the Amount of \$428,612 to    GRAHAM  
B & B Paving for the Main Street Resurfacing Project**

**Executive Summary:** On October 15, 2014, the City received three (3) bids for the Main Street Resurfacing Project. The bid prices ranged from \$428,612 to \$638,156.

This project is to resurface Main Street from Dutton Street to Cedar Street. The work is scheduled to occur in the spring of 2015.

This is a federally funded project, as such 90% of the funding will be federal and 10% will be local. The local share was appropriated from the Downtown TIF as part of the approved FY 2015 budget.

This bid was reviewed and recommended for approval by the Finance Committee on October 20, 2014. The contract award recommendation must be reviewed and approved by the City Council as it is over \$100,000.

**14-326    ORDER            Authorizing the City Manager to Apply for a \$50,000    BALDACCI  
Assistance to Firefighters Grant for the Replacement  
of Air Bottles used on Self Contained Breathing  
Apparatus**

## REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 27, 2014

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<b>CONSENT AGENDA ITEM NO.</b>	<b>ASSIGNED TO COUNCILOR</b>
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**Executive Summary:** The 2014 Assistance to Firefighter Grant program is expected to open for applications in early November. The attached order would authorize the submission of a \$50,000 grant application to replace 55 air bottles used on the department's self-contained breathing apparatus. Air bottles have a service life of 15 years and the City's current units will expire in 2015. This grant does require a 10% local match, which is available within the City's Fire Equipment Reserve account. This was reviewed and recommended for approval by the Government Operations Committee on October 20, 2014.

<b><u>14-327</u></b>	<b><u>ORDER</u></b>	<b>Authorizing the City Manager to Execute 12 month Lease Amendments/ Extensions Agreements with Avis, Hertz, Budget, Alamo and National Car Rental Companies - BIA</b>	<b>DURGIN</b>
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**Executive Summary:** This approval will authorize the City Manager to execute amendments for extensions for the lease and concession agreements with the Car Rental Companies at Bangor International Airport (BGR) for no longer than twelve months. As City Staff developed the new RFP, it was discovered that the airport's Airport concession disadvantaged business enterprise (ACDBE) plan has not been updated since 2007. This is a requirement, per FAA regulations, to have an updated and approved plan. The new plan is being developed immediately. There are a number of reporting requirements, notices, etc that must be updated as we work through this process. The Airport is requesting authorization to extend the car rental agreements for no longer than twelve (12) months, which will allow adequate time to complete this process. The extension will also provide the Car Rental companies the opportunity to recover any financial losses during their non-peak period. The terms of the amendments will remain the same as the original agreements. These amendments will be in final form as approved by City Legal. This was approved by the Airport Committee during its meeting on October 14, 2014.

<b><u>14-328</u></b>	<b><u>ORDER</u></b>	<b>Authorizing an Agreement with General Electric for use of a parking lot at Building No. 487, Polk St. (Map 001, Lot 487)</b>	<b>CIVIELLO</b>
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**Executive Summary:** This Order will authorize General Electric to use the parking lot adjacent to Building No. 487, Polk St., with the following terms and conditions:

1. Term: October 28, 2014 - September 29, 2015
2. Location: Building No. 487 parking lot, Polk St.
3. Use: Employee vehicle parking
4. Compensation: GE would improve and pave the parking lot
5. Maintenance: GE will maintain the parking lot

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its October 21, 2014 meeting.

<b><u>14-329</u></b>	<b><u>ORDER</u></b>	<b>Authorizing the Police Department to Transfer Ownership, Responsibility and Liability of Canine Havoc to Officer Kim Donnell</b>	<b>PLOURDE</b>
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## REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 27, 2014

### CONSENT AGENDA ITEM NO.

### ASSIGNED TO COUNCILOR

**Executive Summary:** The Police Department is retiring Canine Havoc from active duty due to persistent issues associated with performance and training concerns. Canine Havoc has been an active patrol canine for the past five years. The department is seeking permission to retire Havoc from active duty and transfer ownership, responsibility and liability to his current handler, Officer Kim Donnell. This was reviewed and recommended for approval at the October 20, Government Operations Committee meeting.

### REFERRALS TO COMMITTEE AND FIRST READING ITEM NO.

### ASSIGNED TO COUNCILOR

**14-330    ORDINANCE**    **Amending Schedule I of Chapter 291, Article III, Sec. 38 of the Code of the City of Bangor - No Parking – 375 Mt Hope Avenue (First Reading and Referral to Government Operations Committee Meeting on November 17, 2014)**    **CIVIELLO**

**Executive Summary:** This ordinance amendment would create a No Parking zone 60 feet in length between the two driveways of 375 Mount Hope Avenue. Bud Butterfield, who is a representative of Pilgrim Orthodox Presbyterian Church at 375 Mt. Hope Avenue has requested that no parking signs be placed between the two driveways of the church property. Placing a no parking sign between the driveways would allow for additional visibility. Repeated requests to his congregation have been unsuccessful in deterring parking at this location. This item was initially reviewed at the Government Operations Committee meeting on October 20, 2014.

**14-331    ORDINANCE**    **Amending Schedule IV of Chapter 291, Article III, Sec. 39 of the Code of the City of Bangor – Two Hour Parking – 227 State Street (First Reading)**    **GRAHAM**

**Executive Summary:** This ordinance amendment would create three two-hour parking spaces between the State Street Avenue and Newbury Street on the southerly side of State Street. Terry Martini, a business owner at 227 State Street, has requested that three two-hour parking spaces be established on the southerly side of State Street between State Street Avenue and Newbury Street. This item was recommended for approval at the Government Operations Committee meeting on October 20, 2014.

**14-332    ORDER**    **Authorizing Issuance of \$150,000 of the City's General Obligation Bonds and a Tax Levy There For (First Reading)**    **BLANCHETTE**

**Executive Summary:** The attached Order would authorize the issuance of \$150,000 in general obligation bonds to fund building improvements at 208 Maine Avenue. This property will house the regional therapeutic day program for children with emotional or behavioral disabilities. This program is primarily for students that have difficulty in a traditional school setting and is currently provided as part of a joint effort with other school units. In May, 2014, the Finance Committee reviewed and recommended the issuance of these bonds. The authorization was to be included with the City's annual bond order in July 2014, but was inadvertently omitted from that Order. This Order will require a Public Hearing at the November 10, 2014 Council Meeting.



**REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 27, 2014**

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**UNFINISHED BUSINESS  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

**Executive Summary:** This ordinance amendment would allow reconstruction of mobile home parks in the Rural Residence and Agricultural District if certain standards are met. At one time, mobile home parks were required to locate in what is now the City’s Rural Residence and Agricultural District (RR&A). The Code no longer allows mobile home parks in RR&A, but a number of nonconforming mobile home parks still exist. Several of these mobile home parks are now falling into disrepair, in part because their lots are not sized for modern mobile homes.

If approved, this ordinance would allow for mobile home parks that met certain size and utility requirements to be reconstructed in accordance with City Code. This would allow owners of these parks to replace deteriorating mobile homes with modern units, without increasing the number of units or lot coverage. This was reviewed and recommended for approval at the Business and Economic Development Committee Meeting of October 21, 2014.

**14-318    RESOLVE            **Accepting and appropriating a grant in the amount of \$443,063 from the Federal Aviation Administration and \$24,615 from the Maine Department of Transportation under the Airport Improvement Plan (AIP) program, grant # 65**            **DURGIN****

**Executive Summary:** This resolve will accept and appropriate a grant in the amount of \$443,063 from the Federal Aviation Administration and \$24,615 from the Maine Department of Transportation under the Airport Improvement Plan (AIP) program, grant # 65 for the replacement of the airport terminal public address (PA) system. The current PA system is the original system installed when the terminal was built. This system is very unstable and has caused several disruptions. Airports are required, per Federal regulations, to make periodic and consistent messages.

This project is included in BGR’s FAA approved 5-year Capital Improvement Plan (CIP). This grant will fund 90% of the project with the additional 5% coming from the State and 5% coming from the airport. This item was reviewed and recommended for approval at the Finance Committee Meeting of October 20, 2014.

**14-319    RESOLVE            **Appropriating \$195,350 from Golf Course Reserves for the Purpose of Purchasing Golf Cars**            **GALLANT****

**Executive Summary:** This resolve will appropriate \$195,350 from Golf Course reserves to fund the purchase of golf cars. On October 6, 2014, the Finance Committee reviewed and recommended for approval a proposal to purchase 75 2011 EX Go golf cars from Five State Golf Cars. This purchase would significantly upgrade our current inventory, which is currently comprised of models dated from the late 1990s to 2003. It would double the size of our inventory which would reduce costs associated with renting additional cars for events. As well as provide an opportunity to further enhance revenues and the overall Bangor Muni experience. This item was reviewed and recommended for approval by the Finance Committee at its October 6, 2014 meeting.

**REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 27, 2014**

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<b>NEW BUSINESS ITEM NO.</b>		<b>ASSIGNED TO COUNCILOR</b>
<b>LIQUOR LICENSE (CLASS XI)</b>	<b>Application for Liquor License Renewal, Malt, Spirituous, Vinous of Endwell, LLC d/b/a Paddy Murphy's, 26 Main Street</b>	<b>BLANCHETTE</b>
<b>PUBLIC HEARING:</b>	<b>Special Amusement License Application of Endwell, LLC d/b/a Paddy Murphy's, 26 Main Street</b>	<b>BLANCHETTE</b>
<b>PUBLIC HEARING:</b>	<b>Special Amusement License Application of Fandom Group LLC and AM Entertainment d/b/a Seasons on Main, 427 Main Street</b>	<b>BLANCHETTE</b>
<b>PUBLIC HEARING:</b>	<b>Special Amusement License Application of Bev, Inc. d/b/a Hilton Garden Inn, 250 Haskell Road</b>	<b>BLANCHETTE</b>
<b><u>14-333</u>    <u>ORDER</u></b>	<b>Appointing Nominees to Various Boards, Commissions, and Committees</b>	<b>GRAHAM</b>
 <b>Executive Summary:</b> This Order will authorize the attached list of appointments to the various Boards, Commissions, and Committees. As in the past, vacancies were advertised in a variety of ways and all applicants were interviewed by the Council's Personnel Committee. The Committee has completed the process of interviewing applicants for these positions and has developed the attached recommendations for full Council consideration. This item was reviewed by the Personnel Committee in Executive Session on October 6, 2014.		
<b><u>14-334</u>    <u>ORDER</u></b>	<b>Authorizing Grant of \$2,000 to the Downtown Bangor Partnership to Support Downtown Countdown New Year's Eve Event</b>	<b>PLOURDE</b>
 <b>Executive Summary:</b> This Order will authorize a grant in the amount of \$2,000 to the Downtown Bangor Partnership from money allocated to the Cultural Commission. The Downtown Bangor Partnership submitted an application to support programming for the New Year's Eve event, Downtown Countdown. The Cultural Commission has recommended approval of this request because of the benefit to the community and the event's history of quality free programming. This item was reviewed and recommended for approval by the Business & Economic Development Committee at its October 21, 2014 meeting.		
<b><u>14-335</u>    <u>ORDER</u></b>	<b>Authorizing Grant of \$1,927 to Bangor Ballet to Support the 2014 Production of the Nutcracker</b>	<b>GALLANT</b>

## REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 27, 2014

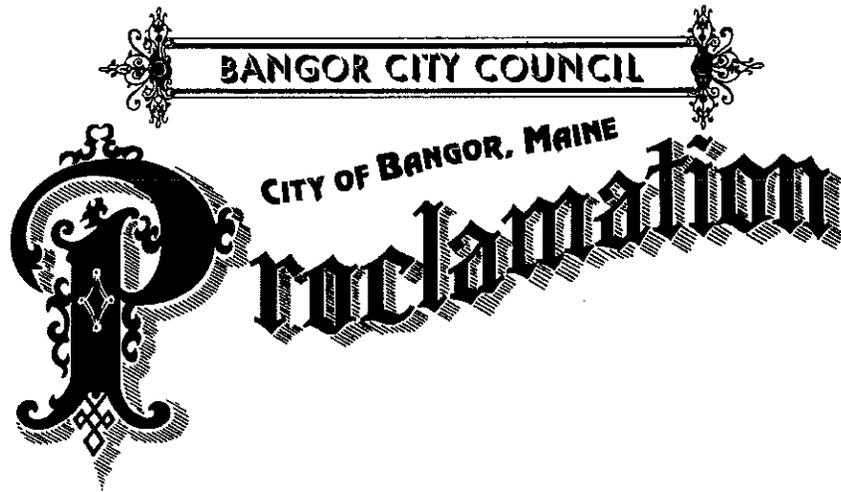
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**NEW BUSINESS  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

**Executive Summary:** This Order will authorize a grant in the amount of \$1,927 to the Bangor Ballet. The Bangor Ballet submitted an application to support the 2014 production of the Nutcracker at two locations in Bangor—the Gracie Theatre and the Downeast School. The Cultural Commission has recommended approval of this request because of the benefit to the community and the Ballet’s history of quality programming. This item was reviewed and recommended for approval by the Business & Economic Development Committee at its October 21, 2014 meeting.



## **EXTRA MILE DAY IN THE CITY OF BANGOR**

**WHEREAS,** Bangor, Maine is a community which acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively "go the extra mile" in personal effort, volunteerism and service; and

**WHEREAS,** Bangor is a community which encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction to their individual ambitions, family, friends and community; and

**WHEREAS,** Bangor is a community which chooses to shine a light on and celebrate individuals and organizations with the community who "go the extra mile" in order to make a difference and lift up fellow members of their community; and

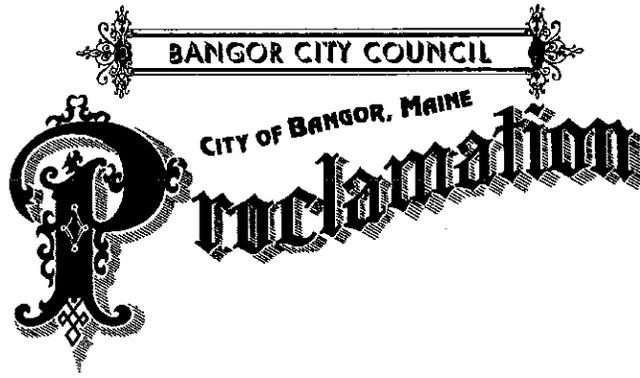
**WHEREAS,** Bangor acknowledges the mission of the Extra Mile American Foundation to create 500 Extra Mile cities and states in the United States and is proud to support "Extra Mile Day" on November 1, 2014.

**NOW, THEREFORE, I, Benjamin A. Sprague, Mayor of the City of Bangor,** on behalf of the City Council do hereby proclaim November 1, 2014 to be ***Extra Mile Day*** and urge our citizens to take time on this day to not only "go the extra mile" but to also acknowledge all those around who are inspirations in their efforts and commitment to make their organizations, families, community, country or world a better place.

Given this the 27<sup>th</sup> day of October, 2014.

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Benjamin A. Sprague, Mayor



**PROCLAIMING NOVEMBER TO BE PANCREATIC CANCER AWARENESS  
MONTH IN THE CITY OF BANGOR**

- WHEREAS,** Pancreatic Cancer is the fourth leading cause of cancer death in the United States; and
- WHEREAS,** in 2014, more than 46,000 Americans will be diagnosed with Pancreatic Cancer and among the different types of cancer, Pancreatic Cancer has the lowest survival rate; and
- WHEREAS,** anyone can develop Pancreatic Cancer and it is usually not diagnosed until it is too late; and
- WHEREAS,** Purple Iris Foundation is working locally to help win the battle against Pancreatic Cancer by building awareness and promoting early detection while giving hope and support to those waging the fight, and
- WHEREAS,** the City of Bangor supports these efforts and stands together with those fighting Pancreatic Cancer and their families while remembering and honoring those who have passed on.

**NOW, THEREFORE, I, Benjamin A. Sprague, Mayor of the City of Bangor,** on behalf of the City Council and the citizens of Bangor, do hereby proclaim November to be Pancreatic Awareness Month in the City of Bangor. We recognize and support the important efforts undertaken by the Purple Iris Foundation to help win the battle against Pancreatic Cancer by building awareness and promoting early detection, and we offer our thanks and gratitude for all the work they do.

Given this the 27th day of October, 2014.

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Benjamin A. Sprague, Mayor



**CONSENT  
AGENDA**

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 15, 2014**

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*Meeting Called to Order at 7:30 PM  
 Chaired by Council Chair Sprague  
 Councilors Absent: Civiello  
 Meeting Adjourned at 7:58 PM*

**PROCLAMATION**                    *Proclaimed October to be Domestic Violence Awareness Month in the City of Bangor*

**PUBLIC COMMENT**                *Loverne Stockwell thanked the Council and staff for a great year.*

*Gerry Palmer invited the Council to a ceremony to recognize Paul Zebiak for assisting in recovering items stolen from the Bangor Public Library.*

<b>CONSENT AGENDA ITEM NO.</b>	<b>ASSIGNED TO COUNCILOR</b>
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**MINUTES OF:**    *Bangor City Council Regular Meeting of September 22, 2014, Airport Committee Meeting of September 9, 2014, and Business and Economic Development Committee Meetings of September 2, 2014 and September 16, 2014*

*Action: Accepted and Approved*

<b>LIQUOR LICENSE RENEWALS:</b>	<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of WNC Bangor Company LLC d/b/a Bangor Airport Four Points by Sheraton, 308 Godfrey Boulevard</i>	<b>PLOURDE</b>
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*Action: Approved*

<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of First Lady Inc. d/b/a Governor's Restaurant, 643 Broadway</i>	<b>PLOURDE</b>
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*Action: Approved*

<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of Hogan LLC d/b/a Miguel's Mexican Restaurant, 697 Hogan Road</i>	<b>PLOURDE</b>
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*Action: Approved*

<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of UNO of Bangor Inc. d/b/a UNO Pizzeria &amp; Grill, 725 Stillwater Avenue</i>	<b>PLOURDE</b>
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*Action: Approved*

<b><u>14-308</u></b>	<b><u>ORDER</u></b>	<i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 394 Birch Street (Map 51 Lot 3)</i>	<b>BLANCHETTE</b>
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*Action: Passed*

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 15, 2014**

<b>CONSENT AGENDA</b>			<b>ASSIGNED TO</b>
<b>ITEM NO.</b>			<b>COUNCILOR</b>
<u>14-309</u>	<u>ORDER</u>	<i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 976 Odlin Road (Map R10 Lot 8)</i>	<b>GALLANT</b>
	<i>Action:</i>	<i>Passed</i>	
<u>14-310</u>	<u>ORDER</u>	<i>Authorizing the City Manager to Accept a \$100.00 Donation from Bouchard Cleaning and Restoration, Inc of Bangor for Fire Prevention/Education Supplies</i>	<b>GRAHAM</b>
	<i>Action:</i>	<i>Passed</i>	
<u>14-311</u>	<u>ORDER</u>	<i>Authorizing the Sale of 230 Washington Street to Webber Group - Map 49, Lot 246</i>	<b>NEALLEY</b>
	<i>Action:</i>	<i>Passed</i>	
<u>14-312</u>	<u>ORDER</u>	<i>Authorizing a License Agreement with Eastern Maine Healthcare System (Map 001, Lots 002, 010, 011, 013; Map R25, Lot 031)</i>	<b>DURGIN</b>
	<i>Action:</i>	<i>Passed</i>	
<u>14-313</u>	<u>ORDER</u>	<i>Authorizing Contract for the Purchase of a Rescue Truck (Ambulance)</i>	<b>BLANCHETTE</b>
	<i>Action:</i>	<i>Passed</i>	
<b>REFERRALS TO COMMITTEE AND FIRST READING</b>			<b>ASSIGNED TO</b>
<b>ITEM NO.</b>			<b>COUNCILOR</b>
<u>14-314</u>	<u>ORDINANCE</u>	<i>Amending Chapter 165, Land Development, of the Code of the City of Bangor – Section 165-103.1 – Technology and Service District (T &amp; S) - Adding Drive-In Businesses</i>	<b>NEALLEY</b>
	<i>Action:</i>	<i>First Reading and Referral to Planning Board Meeting of October 21, 2014</i>	
<u>14-315</u>	<u>ORDINANCE</u>	<i>Amending the Land Development Code – Zone Change – 164 Longview Drive (Tax Map R69-001-N) from a Shopping and Personal Service District to a General Commercial and Service District</i>	<b>PLOURDE</b>
	<i>Action:</i>	<i>First Reading and Referral to Planning Board Meeting of October 21, 2014</i>	
<u>14-316</u>	<u>ORDINANCE</u>	<i>Amending Chapter 223, Uninhabitable Buildings, of the Code of the City of Bangor, By Allowing Service of Notice of Placarding By Certified or First-Class Mail</i>	<b>CIVIELLO</b>
	<i>Action:</i>	<i>First Reading and Referral to Business and Economic Development Committee Meeting of October 21, 2014</i>	

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 15, 2014**

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<b>REFERRALS TO COMMITTEE AND FIRST READING</b>			<b>ASSIGNED TO COUNCILOR</b>
<b>ITEM NO.</b>			
<u>14-317</u>	<u>ORDINANCE</u>	<i>Amending Chapter 165, Land Development Code, of the Code of the City of Bangor, By Allowing Existing Nonconforming Mobile Home Parks to be Reconstructed</i>	BALDACCI
	<i>Action:</i>	<i>First Reading and Referral to Business and Economic Development Committee Meeting of October 21, 2014</i>	
<u>14-318</u>	<u>RESOLVE</u>	<i>Accepting and appropriating a grant in the amount of \$443,063 from the Federal Aviation Administration and \$24,615 from the Maine Department of Transportation under the Airport Improvement Plan (AIP) program, grant # 65</i>	DURGIN
	<i>Action:</i>	<i>First Reading and Referral to Finance Committee Meeting of October 20, 2014</i>	
<u>14-319</u>	<u>RESOLVE</u>	<i>Appropriating \$195,350 from Golf Course Reserves for the Purpose of Purchasing Golf Cars</i>	GALLANT
	<i>Action:</i>	<i>First Reading</i>	
<u>14-320</u>	<u>RESOLVE</u>	<i>Accepting and Appropriating \$498,540.25 of Grant Funds from the US Department of Homeland Security (DHS), Federal Emergency Management Agency, Staffing for Adequate Fire and Emergency Response (SAFER)</i>	BLANCHETTE
	<i>Action:</i>	<i>Motion Made and Seconded to Waive First Reading Passed Motion Made and Seconded for Passage Passed</i>	

<b>UNFINISHED BUSINESS</b>			<b>ASSIGNED TO COUNCILOR</b>
<b>ITEM NO.</b>			
<u>14-306</u>	<u>RESOLVE</u>	<i>Authorizing the City Manager to Accept and Appropriate \$189,169.44 in Homeland Security Grant Funding from the Maine Emergency Management Agency (MEMA)</i>	BALDACCI
	<i>Action:</i>	<i>Motion Made and Seconded for Passage Passed</i>	

<b>NEW BUSINESS</b>			<b>ASSIGNED TO COUNCILOR</b>
<b>ITEM NO.</b>			
<u>14-321</u>	<u>ORDER</u>	<i>Ratifying Execution of Electricity Supply Contract(s)</i>	GALLANT
	<i>Action:</i>	<i>Motion Made and Seconded for Passage Passed</i>	

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*Lisa J. Goodwin, MMC, City Clerk*

**FINANCE COMMITTEE**  
**February 3, 2014 at 5:40PM**

**MINUTES**

**Council Members:** Baldacci, Gallant, Sprague, Graham, Durgin, Civiello, Nealley, Blanchette

**Staff Members:** Cyr, Birch, Conlow, Willette, Heitmann, Morgan, Bird

**1. Consent Agenda**

- a. Bids Awarded by Staff – January 2014

Finance Director Cyr stated the only bid awarded in the month of January was Uniform Rentals for Fleet Maintenance and the Community Connector in the amount of \$10,218.

Councilor Baldacci moved consent agenda, Councilor Durgin seconded, so approved.

**2. Bids/Purchasing**

- a. Sound Study – Engineering – HMMH - \$17,500

Director Cyr stated that all are aware that there is need for a sound study to monitor the sound levels in respect to the Waterfront Concerts Series. There are only a certain number of qualified consultants on the MDEP approved list. We contacted all 3 firms and received no responses. We followed up with each of the 3 firms to find out why there was no response. One firm didn't have sufficient time to pull an RFP together, one firm didn't have experience with this type of work, and the 3<sup>rd</sup> is an out of state firm that wrongly assumed they wouldn't be considered. They did submit an RFP and it is staff recommendation to award to Harris Miller Miller & Hanson (HMMH) in the amount not to exceed \$17,500.

Councilor Durgin moved, Councilor Graham seconded.

Councilor Blanchette asked if this firm has been researched with their past projects, references, etc. City Engineer Art Morgan explained that they were looked into and they are on the approved MDEP list.

Councilor Blanchette does not vote to approve this firm due to her being uncomfortable with choosing the firm because this is a time sensitive matter and they were the only one who submitted an RFP.

Councilor Civiello asked why the report from Acentech was not utilized and now we are contracting another firm for the same study. Director Cyr stated that Acentech was not on the approved MDEP list and as part of our permit; the firm must be on the approved list.

Councilor Nealley inquired about the WFC Series reimbursing us for some of this cost. Director Cyr explained that they would be responsible for the cost of equipment and set up, but this was our cost for the consulting services for the sound study. Councilor Nealley agreed that the WFC Series need to be at arm's length so it doesn't look biased but glad to know they will be paying for the equipment, installation, etc.

Councilor Gallant asked if we could do a quick reference check on HMMH just to be sure there is no glaring problems that arise.

- b. Request to Waive Bid Process – Sewer Maintenance – Software – IT Pipes - \$11,120

Finance Director Cyr explained about the software equipment the Sewer Department uses for video inspections and for sewer maintenance. In the last few months we have purchases another CCCV Van that is used for these inspections and monitoring and this bid is to purchase another software license.

Councilor Nealley moved, Councilor Blanchette seconded, so approved.

- c. Request to Waive Bid Process – Downtown Signage Project – Light Poles – Gilman Electric - \$25,600

Director Cyr explained that we have gone out to bid on this twice already and both times the prices came in high. We asked the sign companies what the issue was. Basically it came down to asking the sign companies to do more then they typically do. So we went back and have broken it up into 3 pieces. Our hope is that the sign piece will come in under \$10,000. This request is just for the light poles and staff recommendation is to award to Gilman Electric in the amount of \$25,600. This entire project will be funded by the Community & Economic Development grant funds.

Councilor Durgin moved, Councilor Graham, so approved.

### **3. Overview of Payments in Lieu of Taxes (PILOTs)**

Finance Director Cyr was asked by the Chair of the Finance Committee to give an overview of PILOTs.

Payments in lieu of taxes (PILOTs) are payments made by a property tax-exempt organization to a municipality to help cover the cost of municipal services.

According to the City's most recent Municipal Valuation Return there is \$947.3 million of property within Bangor that is exempt from taxation. This exempt total includes \$57.2 million in homestead and veteran exemptions, \$484.4 million in federal, state and municipally owned properties. The balance is made up of properties owned or leased by benevolent and charitable institutions, veteran, religious and fraternal organizations, and the water district. It is important to note, that this exempt value does not include any personal property value, but there are many instances where properties owned by typically exempt organizations are assessed taxes. Whether or not taxes are assessed is based upon the underlying use of the property.

Nonprofits provide important services in and for our communities as well as employment opportunity and other economic benefits. Many of these services, if not provided, would fall to the responsibility of the government. Historically, nonprofits have been exempt from paying property taxes because they in essence relieve a burden of the government, by providing certain services. However, it has been noted that there can be a geographic mismatch between the benefits provided by tax-exempt nonprofits and the cost of the exemption. Benefits are typically broadly dispersed throughout a geographic area, but the cost of the property tax exemption is concentrated in a small number of municipalities, especially service centers and college towns.

In Maine municipalities have the ability to request a PILOT, but there is no State Statute that requires non profits to contribute a PILOT. To address the only properties over which the City has the ability to implement PILOTs, it adopted "Guidelines for Leasing and Disposition of Land Owned by the City of Bangor" on May 29, 2013 (a copy of which follows). Section V, Land Disposition Guidelines, (4), the City indicates its intent to include a PILOT on all nonprofit projects that are completed on City owned property. This practice has been adhered to since its adoption.

#### **4. Assessors Update**

City Assessor Ben Birch updated the Committee on 2 specific items including the Personal Property Declaration Form which property owners receive at the beginning of January. If residents have questions on certain parts of the form, we try to update the form for the next year to help cut down on confusion and to save time. Assessor Birch went over the form in detail. Assessor Birch also went into detail about the business assessment forms. There is a 65% return rate for the business forms.

We have worked with 5 very delinquent accounts and have been able to work with them to bring them back to either current or working on becoming current.

Council discussion on what the City is doing and able to do in bringing accounts to current.

#### **5. Executive Session – 36 MRSA Section 841(2) – Hardship Abatements (a), (b) and (c)**

Councilor Baldacci moved, Councilor Blanchette seconded, so moved to go into Executive Session.

#### **6. Open Session – Hardship Abatement Decisions (a), (b) and (c)**

Moved, seconded and approved staff recommendation.

**Adjourned at 7:20PM**

**FINANCE COMMITTEE**  
**April 22, 2014 at 6:46pm**

**MINUTES**

**Council Members:** Civiello, Baldacci, Sprague, Gallant, Nealley, Durgin

**Staff Members:** Baude, Cyr, Conlow, Wardwell

**Others:** Michael Alpert

**1. Consent Agenda**

- a. Report of Bids Awarded by Staff – March 2014

Finance Director Cyr stated that the bids awarded by staff include Dry Polymer, Sodium Bisulfite, Hydrogen Peroxide all for the WWTP as well as Capehart Brook Revised Watershed Management Plan, Crane Rental, Lamps & Ballasts and a ½ Ton Vehicle for public services.

**2. Bids/Purchasing**

- a. Court Street Sewer Separation and Building Demolition – Engineering – SE MacMillan - \$1,108,315

Finance Director Cyr explained this bid does assume we would build out a parking lot for the County which the County has stated they would like to have and are willing to pay for. Recommendation is to award to the low bidder, SE MacMillan.

Councilor Baldacci moved, Councilor Nealley seconded, so moved to recommend to full Council.

- b. Playground Equipment – Parks & Recreation – Marturano Recreation - \$60,989

Cyr explained that staff recommendation is to award the contract to Marturano Recreation. CDBG Funds will be used for this project.

Councilor Baldacci moved, Councilor Graham seconded, so moved.

- c. Sound Study – Parks & Recreation – Acentech - \$25,000

Cyr explained that originally we used vendors from the DEP approved list. We did not have a lot of response from those vendors. We followed up with DEP and spoke about having Acentech come up with a proposal that would go through DEP. All requirements from DEP will be included. This will begin in May.

Councilor Nealley wanted to be sure that since they are traveling from Cambridge, MA, that things will be coordinated so that travel expenses will be kept as low as possible. Director Cyr stated yes that will be coordinated.

Councilor Baldacci moved, Councilor Durgin seconded, so moved.

Resident Michael Alpert stated that he understood that after last season and that study, then this season there would be a certain sound level that would be set and be monitored at all times. It was explained that after monitoring a few of the concerts the levels will be looked over to see if the level needs to be lowered.

### **3. Executive Session – 36 MRSA Section 841(2) – Hardship Abatement**

Councilor Nealley moved to go into Executive Session.

### **4. Open Session – Hardship Abatement Decision**

Staff recommendation moved, seconded and approved.

**Adjourned at 6:46PM.**

## **FINANCE COMMITTEE**

**August 25, 2014 at 6:58pm**

### **MINUTES**

**Council Members:** Durgin, Gallant, Baldacci, Civiello, Graham, Plourde, Nealley, Sprague, Blanchette

**Staff Members:** Conlow, Cyr, Kochis

#### **1. Bids/Purchasing**

- a. Crossing Guard Services – School/Police – Seaboard Security

Finance Director Deb Cyr explained that the City had a contract that could be extended another 3 years but the current company let us know that they could not get insurance so would be unable to provide services unless they could be under the City's Insurance, which they could not. Staff recommendation is to award the contract to the low bidder, Seaboard Security.

Councilor Durgin moved, Councilor Blanchette seconded, so approved.

Motion to Adjourn at 7:00pm.

**COUNCIL ACTION**

**Item No. 14-322**

**Date:** October 27, 2014

**Item/Subject: Order,** Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 227 Pine Street.

**Responsible Department:** Legal

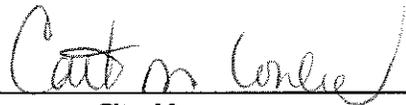
**Commentary:**

A sewer lien matured on the property of Phillip Church, currently owned by Stephen, Dawn and Nicole Lovell. All outstanding charges due the City have been paid. There are no outstanding real estate taxes or property issues. Because the lien matured a quitclaim deed is required to release the City's interest in the property.

Staff recommends approval.

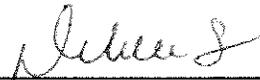
\_\_\_\_\_  
Department Head

**Manager's Comments:**

  
\_\_\_\_\_  
City Manager

**Associated Information:**

**Budget Approval:**

  
\_\_\_\_\_  
Finance Director

**Legal Approval:**

  
\_\_\_\_\_  
City Solicitor

**Introduced for Consent Agenda**

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



Assigned to Councilor Gallant

## CITY OF BANGOR

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**(TITLE.) Order,** Authorizing Execution of Municipal Quitclaim Deed – Real Estate  
Located at 227 Pine Street.

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

**ORDERED,** Deborah A. Cyr, Finance Director, is hereby authorized and directed, on behalf of the City of Bangor, to execute a Municipal Quitclaim Deed releasing any interest the City may have by virtue of an undischarged sewer lien recorded in the Penobscot County Registry of Deeds in Book 11654, Page 217. Said deed shall be directed to Stephen M. Lovell, Dawn L. Lovell and Nicole M. Lovell in a final form approved by the City Solicitor or Assistant City Solicitor.

**COUNCIL ACTION**

**Item No. 14-323**

**Date:** October 27, 2014

**Item/Subject:** **ORDER**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate  
Located at 6F Street, Birch Hill Estates.

**Responsible Department:** Legal

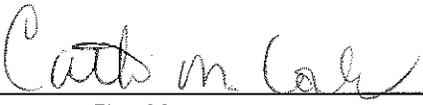
**Commentary:**

Real estate tax liens matured on the property of Donald Pierce of 6F Street, Birch Hill Estates. All outstanding charges due the City have been paid. There are no outstanding sewer charges or property issues. Because the liens matured, a municipal quitclaim is required to release the City's interest in the property.

Staff recommends approval.

\_\_\_\_\_  
Department Head

**Manager's Comments:**

  
\_\_\_\_\_  
City Manager

**Associated Information:**

**Budget Approval:**

  
\_\_\_\_\_  
Finance Director

**Legal Approval:**

  
\_\_\_\_\_  
City Solicitor

**Introduced for Consent Agenda**

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



Assigned to Councilor Blanchette

## CITY OF BANGOR

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**(TITLE.) ORDER,** Authorizing Execution of Municipal Quitclaim Deed – Real Estate  
Located at 6F Street, Birch Hill Estates.

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

**ORDERED,** Deborah A. Cyr, Finance Director, is hereby authorized and directed, on behalf of the City of Bangor, to execute a Municipal Quitclaim Deed releasing any interest the City may have by virtue of undischarged real estate tax liens recorded in the Penobscot County Registry of Deeds in Book 12852, Page 210 and Book 13223, Page 247. Said deed shall be in a form approved by the City Solicitor or Assistant City Solicitor.

**COUNCIL ACTION**

**Item No. 14-324**

**Date:** October 27, 2014

**Item/Subject: Order,** Authorizing Execution of Municipal Quitclaim Deed – Real Estate  
Located at 96 Kenduskeag Avenue.

**Responsible Department:** Legal

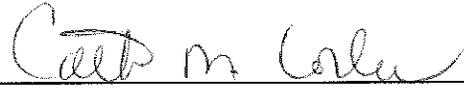
**Commentary:**

A sewer lien matured on the property of Rebecca P. Smith. All outstanding charges due the City have been paid. There are no outstanding real estate taxes or property issues. Because the lien matured a quitclaim deed is required to release the City's interest in the property.

Staff recommends approval.

\_\_\_\_\_  
Department Head

**Manager's Comments:**

  
\_\_\_\_\_  
City Manager

**Associated Information:**

**Budget Approval:**

  
\_\_\_\_\_  
Finance Director

**Legal Approval:**

  
\_\_\_\_\_  
City Solicitor

**Introduced for Consent Agenda**

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



Assigned to Councilor Nealley

## CITY OF BANGOR

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**(TITLE.) Order,** Authorizing Execution of Municipal Quitclaim Deed – Real Estate  
Located at 96 Kenduskeag Avenue.

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

**ORDERED,** Deborah A. Cyr, Finance Director, is hereby authorized and directed, on behalf of the City of Bangor, to execute a Municipal Quitclaim Deed releasing any interest the City may have by virtue of an undischarged sewer lien recorded in the Penobscot County Registry of Deeds in Book 12675, Page 63. Said deed shall be directed to Rebecca P. Smith in a final form approved by the City Solicitor or Assistant City Solicitor.

Date: October 27, 2014

Item/Subject: **ORDER, Authorizing Bid Award in the Amount of \$428,612 to B & B Paving for the Main Street Resurfacing Project**

Responsible Department: **Engineering**

**Commentary:**

On October 15, 2014, the City received three (3) bids for the Main Street Resurfacing Project. The bid prices ranged from \$428,612 to \$638,156 (see attached bid tabulation).

This project is will resurface Main Street from Dutton Street to Cedar Street. The work is scheduled to occur in the spring of 2015.

This is a federally funded project, as such 90% of the funding will be federal and 10% will be local. The local share was appropriated from the Downtown TIF as part of the approved FY 2015 budget.

This bid was reviewed and recommended for approval by the Finance Committee on October 20, 2014.

The contract award recommendation must be reviewed approved by the City Council as it is over \$100,000.



Department Head

**Manager's Comments:**



City Manager

**Associated Information:**

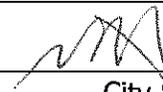
Bid Tabulation

**Budget Approval:**



Finance Director

**Legal Approval:**



City Solicitor

**Introduced for**

- Passage
- First Reading
- Referral



Assigned to Councilor Graham

## CITY OF BANGOR

---

**(TITLE.) Order, Authorizing Bid Award in the Amount of \$428,612 to B & B Paving  
for the Main Street Resurfacing Project**

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

**ORDERED,**

THAT, Deborah Cyr, Finance Director is hereby authorized to execute a contract with B & B Paving in the amount of \$428,612 for the Main Street Resurfacing Project.

**City of Bangor Bid Tabulation**  
**RFP: Main Street Resurfacing Project**  
**Bid Opening: 10-15-14**

Item	Description	Qty.	Unit	Pike Industries, Inc. Fairfield, ME		Lane Construction Bangor, ME		B & B Paving Hermon, ME	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	202.202 Removing Pavement Surface	26,300	SY	\$3.50	\$92,050.00	\$3.20	\$84,160.00	\$2.25	\$59,175.00
2	202.203 Removing Pavement - Butt Joint	55	SY	\$20.00	\$1,100.00	\$13.00	\$715.00	\$12.00	\$660.00
3	203.20 Common Excavation	10	CY	\$80.00	\$800.00	\$60.00	\$600.00	\$9.50	\$95.00
4	403.208 1/2" (12.5 mm) Hot Mix Asphalt	3,194	TON	\$105.00	\$335,370.00	\$97.30	\$310,776.20	\$92.00	\$293,848.00
5	403.209 3/8" (9.5 mm) Hot Mix Asphalt (Sidewalks, Drives, Incidentals)	40	TON	\$225.00	\$9,000.00	\$195.00	\$7,800.00	\$140.00	\$5,600.00
6	403.211 Hot Mix Asphalt Leveling Coarse	50	TON	\$165.00	\$8,250.00	\$125.00	\$6,250.00	\$180.00	\$9,000.00
7	409.15 Bituminous Tack Coat, Applied	1,308	GAL	\$8.00	\$10,464.00	\$7.65	\$10,006.20	\$7.50	\$9,810.00
8	604.18 Adjusting CB to Grade	8	EA	\$500.00	\$4,000.00	\$825.00	\$6,600.00	\$850.00	\$6,800.00
9	609.38 Vert. Granite Curb-Remove & Reset	125	LF	\$75.00	\$9,375.00	\$43.00	\$5,375.00	\$55.00	\$6,875.00
10	627.711 4" White or Yellow Pavement Marking Line	17,850	LF	\$0.35	\$6,247.50	\$0.40	\$7,140.00	\$0.30	\$5,355.00
11	627.75 White or Yellow Pavement & Curb Marking	4,700	SF	\$2.50	\$11,750.00	\$2.00	\$9,400.00	\$1.52	\$7,144.00
12	629.05 Hand Labor	10	MH	\$55.00	\$550.00	\$52.00	\$520.00	\$25.00	\$250.00
13	631.12 All Purpose Excavator	10	MH	\$185.00	\$1,850.00	\$130.00	\$1,300.00	\$180.00	\$1,800.00
14	631.172 Truck - Large	10	MH	\$125.00	\$1,250.00	\$95.00	\$950.00	\$90.00	\$900.00
15	652.36 Maintenance of Traffic	1	LS	\$115,000.00	\$115,000.00	\$36,500.00	\$36,500.00	\$3,800.00	\$3,800.00
16	652.38 Flagger	500	MH	\$25.00	\$12,500.00	\$22.00	\$11,000.00	\$25.00	\$12,500.00
17	659.10 Mobilization (Not to Exceed 3%)	1	LS	\$18,500.00	\$18,500.00	\$14,000.00	\$14,000.00	\$5,000.00	\$5,000.00
<b>Total Bid Amount</b>					<b>\$638,156.50</b>		<b>\$513,092.40</b>		<b>\$428,612.00</b>

**COUNCIL ACTION**

**Item No. 14-326**

**Date:** October 27, 2014

**Item/Subject:** Order, Authorizing the City Manager to Apply for a \$50,000 Assistance to Firefighters Grant for the Replacement of Air Bottles used on Self Contained Breathing Apparatus

**Responsible Department:** Fire Department

**Commentary:** The 2014 Assistance to Firefighter Grant program is expected to open for applications in early November. The attached order would authorize the submission of a \$50,000 grant application to replace 55 air bottles used on the department's self contained breathing apparatus. Air bottles have a service life of 15 years and the City's current units will expire in 2015. This grant does require a 10% local match, which is available within the City's Fire Equipment Reserve account.

This was reviewed and recommended for approval by the Government Operations Committee on October 20, 2014.

\_\_\_\_\_  
Department Head

**Manager's Comments:**

\_\_\_\_\_  
*Carl M. Coles*  
City Manager

**Associated Information:**

**Budget Approval:**

\_\_\_\_\_  
*William F.*  
Finance Director

**Legal Approval:**

\_\_\_\_\_  
*AM*  
City Solicitor

**Introduced for**

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

**Page**    **of**

OCTOBER 27, 2014

Assigned to Councilor Baldacci



## CITY OF BANGOR

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**(TITLE.)** Order, Authorizing the City Manager to Apply for a \$50,000 Assistance to Firefighters Grant for the Replacement of Air Bottles used on Self Contained Breathing Apparatus

**BY THE CITY COUNCIL OF THE CITY OF BANGOR, BE IT ORDERED, THAT** the City Manager is hereby authorized to apply for a \$50,000 Assistance to Firefighters Act Grant for the purposes of replacing 55 air bottles used on self contained breathing apparatus.

**COUNCIL ACTION**

**Item No. 14-327**

**Date:** October 27, 2014

**Item/Subject:** **ORDER**, Authorizing the City Manager to Execute 12 month Lease Amendments/  
Extensions Agreements with Avis, Hertz, Budget, Alamo and National Car Rental  
Companies - BIA

**Responsible Department:** Airport

**Commentary:** This approval will authorize the City Manager to execute amendments for extensions for the lease and concession agreements with the Car Rental Companies at Bangor International Airport (BGR) for no longer than twelve months. As City Staff developed the new RFP, it was discovered that the airport's Airport concession disadvantaged business enterprise (ACDBE) plan has not been updated since 2007. This is a requirement, per FAA regulations, to have an updated and approved plan. The new plan is being developed immediately. There are a number of reporting requirements, notices, etc that must be updated as we work through this process. The Airport is requesting authorization to extend the car rental agreements for no longer than twelve (12) months, which will allow adequate time to complete this process. The extension will also provide the Car Rental companies the opportunity to recover any financial losses during their non-peak period.

The terms of the amendments will remain the same as the original agreements. These amendments will be in final form as approved by City Legal. This was approved by the Airport Committee during its meeting on October 14, 2014.

Tony Caruso  
Department Head

**Manager's Comments:**

  
City Manager

**Associated Information:**

**Budget Approval:**

  
Finance Director

**Legal Approval:**

  
City Solicitor

Introduced for  
 **Passage**  
 **First Reading**  
 **Referral**



Assigned to Councilor Durgin

## CITY OF BANGOR

---

**(TITLE.) ORDER,** Authorizing the City Manager to Execute 12 month Lease Amendments/ Extensions Agreements with Avis, Hertz, Budget, Alamo and National Car Rental Companies - BIA

WHEREAS, The Bangor City Council awarded Car Rental lease and concession contracts at Bangor International Airport to these vendors; and

WHEREAS, The current amendments with the car rental companies are due to expire on November 1, 2014; and

WHEREAS, As City Staff developed the new RFP, it was discovered that BGR's airport concession disadvantaged business enterprise (ACDBE) plan has not been updated since 2007, and it is a requirement, per FAA regulations, to have an updated and approved plan; and

WHEREAS, It is recommended that the City extend these agreements for up to twelve-month terms, which will allow sufficient time to prepare an updated ACDBE plan, gain FAA approval, and issue a Request for Proposals; and

WHEREAS, The terms of the amendments will remain the same as the original agreements; and

WHEREAS, Car Rental Concessions at Bangor International Airport are necessary and essential for the operation of domestic air service.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BANGOR, That

The City Manager is authorized to execute amendments for up to twelve-month extensions for the lease and concession agreements with Avis, Hertz, Budget, Alamo and National Car Rental Companies at Bangor International Airport in a form acceptable to the City Solicitor or the Assistant City Solicitor.

**COUNCIL ACTION**

**Item No. 14-328**

**Date: October 27, 2014**

**Item/Subject: Order,** Authorizing an Agreement with General Electric for use of a parking lot at Building No. 487, Polk St. (Map 001, Lot 487)

**Responsible Department: Community & Economic Development**

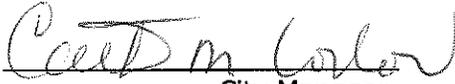
**Commentary:** This Order will authorize General Electric to use the parking lot adjacent to Building No. 487, Polk St., with the following terms and conditions:

1. Term: October 28, 2014 - September 29, 2015
2. Location: Building No. 487 parking lot, Polk St.
3. Use: Employee vehicle parking
4. Compensation: GE would improve and pave the parking lot
5. Maintenance: GE will maintain the parking lot

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its October 21, 2014 meeting.

/s/ Tanya Emery  
Department Head

**Manager's Comments:**

  
City Manager

**Associated Information:**

**Budget Approval:**

  
Finance Director

**Legal Approval:**

  
City Solicitor

**Introduced for**

- Passage
- First Reading
- Referral

Page \_\_ of \_\_



Assigned to Councilor Civiello

## CITY OF BANGOR

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**(TITLE.) ORDER,** Authorizing an Agreement with General Electric for use of a parking lot at Building No. 487, Polk St. (Map 001, Lot 487)

**WHEREAS,** the City of Bangor is the owner of land and improvements located at Building No. 487, Polk St., Bangor; and

**WHEREAS,** the parking area at Building No. 487 is available for use; and

**WHEREAS,** General Electric wishes to use the parking area to accommodate increased parking needs :

### **BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT**

The City Manager is hereby authorized to execute, on behalf of the City of Bangor, in a form approved by the City Solicitor or the Assistant City Solicitor, an Agreement with General Electric for use of the parking area at Building No. 487, Polk St. with the following terms and conditions:

- Term: October 28, 2014 - September 29, 2015
- Use: Employee vehicle parking
- Compensation: General Electric will improve and pave the parking lot
- Maintenance: General Electric will maintain the parking lot

**COUNCIL ACTION**

Item No. 14-329

Date: October 27, 2014

**Item/Subject: ORDINANCE, Authorizing the Police Department to Transfer Ownership, Responsibility and Liability of Canine Havoc to Officer Kim Donnell**

**Responsible Department:** Police Department

**Commentary:**

The Police Department is retiring Canine Havoc from active duty due to persistent issues associated with performance and training concerns. Canine Havoc has been an active patrol canine for the past five years. The department is seeking permission to retire Havoc from active duty and transfer ownership, responsibility and liability to his current handler, Officer Kim Donnell.

This was reviewed and recommended for approval at the October 20, Government Operations Committee meeting.

\_\_\_\_\_  
Department Head

**Manager's Comments:**

\_\_\_\_\_  
*Carol M. Cook*  
City Manager

**Associated Information:** Ordinance

**Budget Approval:**

\_\_\_\_\_  
*[Signature]*  
Finance Director

**Legal Approval:**

\_\_\_\_\_  
*[Signature]*  
City Solicitor

**Introduced for**

- Passage
- First Reading
- Referral

Assigned to Councilor Plourde



## CITY OF BANGOR

---

**(TITLE.) ORDER, Authorizing the Police Department to Transfer Ownership, Responsibility and Liability of Canine Havoc to Officer Kim Donnell**

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

**ORDERED,**

THAT, the Police Department is hereby authorized to transfer ownership, responsibility and liability of Canine Havoc to Officer Kim Donnell, the current handler.

14-329  
OCTOBER 27, 2014



# BANGOR POLICE DEPARTMENT

240 Main Street  
Bangor, Maine 04401  
207-947-7382  
Fax 207-945-6824

**TO: Government Operations Committee**

**FR: Mark Hathaway**

**RE: Police Canine Retirement and Replacement Request**

**DT: October 14, 2014**

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The police department is seeking permission to retire an active, but poorly performing, patrol canine and begin the process of replacement.

Canine Havoc, a department owned canine for the past five years, has proven to be a challenge to control, train or utilize in a law enforcement environment. Over the past several months we have conducted a series of training and performance tests to include the assistance and advice of outside experts and dog trainers. The results indicate that Havoc is a good canine but simply not suited for demanding training requirements or the constant use expected of a police canine. A recent examination by a Certified Professional Dog Trainer (CPDT) resulted in a finding that Havoc is unable to retain the training necessary to be an effective police canine.

We are requesting to retire Havoc and transfer ownership, responsibility and liability to his current handler, Officer Kim Donnell. A plan to replace Havoc will be presented to the Finance Committee during the month of November.



**REFERRALS TO COMMITTEES  
& FIRST READINGS**

**COUNCIL ACTION**

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**Item No. 14-330**

**Date:** October 27, 2014

**Item/Subject:** **ORDINANCE**, Amending Schedule I of Chapter 291, Article III, Sec. 38 of the Code of the City of Bangor - No Parking – 375 Mt Hope Avenue

**Responsible Department:** Public Works

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**Commentary:**

If approved, this Ordinance would create a No Parking zone 60 feet in length between the two driveways of 375 Mount Hope Avenue. Bud Butterfield, who is a representative of Pilgrim Orthodox Presbyterian Church at 375 Mt. Hope Avenue, has requested that no parking signs be placed between the two driveways of the church property. Placing a no parking sign between the driveways would allow for additional visibility. Repeated requests to his congregation have been unsuccessful in deterring parking at this location.

This item was initially reviewed at the Government Operations Committee meeting on October 20, 2014.

\_\_\_\_\_  
Department Head

**Manager's Comments:**

\_\_\_\_\_  
*Carl M. Corle*  
City Manager

**Associated Information:** Ordinance

**Budget Approval:**

\_\_\_\_\_  
Finance Director

**Legal Approval:**

\_\_\_\_\_  
*[Signature]*  
City Solicitor

**Introduced for**

**Passage**

**First Reading**

**Referral** to the Government Operations Committee on November 17, 2014



Assigned to Councilor Civiello

# CITY OF BANGOR

**ORDINANCE**, Amending Schedule I of Chapter 291, Article III, Sec. 38 of the Code of the City of Bangor - No Parking – 375 Mt Hope Avenue

**WHEREAS**, a combination of factors, including the speed of passing vehicles, the number and position of cars typically parked at certain times along Mt Hope Avenue, and the resulting poor visibility make it unusually difficult for visitors to 375 Mt Hope Avenue to safely exit the driveway in a vehicle;

**WHEREAS**, placing two No Parking signs for the sixty foot area on the southerly side of Mt Hope Avenue between the driveways of said property would increase visibility and safety;

**WHEREAS**, other potential means for dealing with this problem have been tried and have proven ineffective;

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

Chapter 291, Schedule I of the Code of the City of Bangor is hereby amended as follows:

Schedule	Street	Parking Limitations Reference	Exact Location
...			
I	Mount Hope Avenue	prohibited co 94-196	Commencing at the easterly curbline of Grove St and extending to the westerly curbline of Forest Ave on the north side of said street as defined by signs
I	<u>Mount Hope</u>	<u>prohibited</u>	<u>Commencing at a point 955 feet easterly of the the easterly edge of Howard Street and extending for a distance of 60 feet in an easterly direction on the southerly side of Mount Hope Avenue as defined by signs</u>
...			

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

**COUNCIL ACTION**

**Item No. 14-331**

**Date:** October 27, 2014

**Item/Subject:** **ORDINANCE**, Amending Schedule IV of Chapter 291, Article III, Sec. 39 of the Code of the City of Bangor – Two Hour Parking – 227 State Street

**Responsible Department:** Public Works

**Commentary:**

If approved, this Ordinance would create three two-hour parking spaces between the State Street Avenue and Newbury Street on the southerly side of State Street.

Terry Martini, a business owner at 227 State Street, has requested that three two-hour parking spaces be established on the southerly side of State Street between State Street Avenue and Newbury Street.

This item was recommended for approval at the Government Operations Committee meeting on October 20, 2014.

\_\_\_\_\_  
Department Head

**Manager's Comments:**

\_\_\_\_\_  
*Carol M. Cole*  
City Manager

**Associated Information:** Ordinance

**Budget Approval:**

\_\_\_\_\_  
Finance Director

**Legal Approval:**

\_\_\_\_\_  
*[Signature]*  
City Solicitor

**Introduced for**

- Passage
- First Reading
- Referral

Assigned to Councilor Graham



# CITY OF BANGOR

**ORDINANCE**, Amending Schedule IV of Chapter 291, Article III, Sec. 39 of the Code of the City of Bangor - Two Hour Parking – 227 State Street

**WHEREAS**, many patrons of the massage business at 227 State Street have mobility issues and some vehicles occupy available parking spaces near the business for long periods of time; and

**WHEREAS**, creating three two-hour parking spaces between State Street Avenue and Newbury Street on the southerly side of State Street will provide parking close to the business; and

**WHEREAS**, other potential means for dealing with this problem have been tried and have proven ineffective;

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

Chapter 291, Schedule IV of the Code of the City of Bangor is hereby amended as follows:

Schedule	Street	Parking Limitations Reference	Exact Location
...			
IV	State	Two hours	Northerly side of State St commencing at the northwesterly corner of Birch and State Sts and extending westerly along said State St a distance of 300 feet to the northeasterly corner of Maple and State Sts
IV	<u>State</u>	<u>Two hours</u>	<u>Commencing at a point 30 feet easterly of the easterly curbline of State Street Avenue and extending to a point 50 feet westerly of the westerly curbline of Newbury Street on the southerly side of State Street as defined by signs</u>
...			

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

**COUNCIL ACTION**

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**Item No. 14-332**

**Date:** October 27, 2014

**Item/Subject:** Order, Authorizing Issuance of \$150,000 of the City's General Obligation Bonds and a Tax Levy There For

**Responsible Department:** Finance

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**Commentary:**

The attached Order would authorize the issuance of \$150,000 in general obligation bonds to fund building improvements at 208 Maine Avenue. This property will house the regional therapeutic day program for children with emotional or behavioral disabilities. This program is primarily for students that have difficulty in a traditional school setting and is currently provided as part of a joint effort with other school units.

In May, 2014, the Finance Committee reviewed and recommended the issuance of these bonds. The authorization was to be included with the City's annual bond order in July 2014, but was inadvertently omitted from that Order.

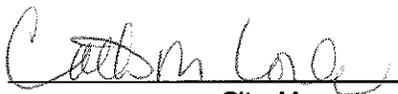
This Order will require a Public Hearing at the November 10<sup>th</sup> City Council Meeting

  
\_\_\_\_\_  
Department Head

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**Manager's Comments:**

The cost of the renovations and the issuance of bonds have been discussed on a number of occasions with the City Council.

  
\_\_\_\_\_  
City Manager

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**Associated Information:**

Order, Finance Committee Memo

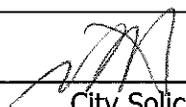
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**Budget Approval:**

  
\_\_\_\_\_  
Finance Director

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**Legal Approval:**

  
\_\_\_\_\_  
City Solicitor

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**Introduced for**

- Passage
- First Reading
- Referral

Page    of

Assigned to Councilor Blanchette



## CITY OF BANGOR

**(TITLE.) Order, Authorizing Issuance of \$150,000 of the City's General Obligation Bonds and a Tax Levy There For.**

*By the City Council of the City of Bangor, be it hereby ORDERED:*

THAT pursuant to 30-A M.R.S.A. §5772, Section 13 of Article VI of the City Charter (Private and Special Laws of 1931, Chapter 54 and all amendments thereof and acts additional thereto), and all other authority thereto enabling, and to evidence such loan, there is hereby authorized the issue and sale at one time and from time to time the City's general obligation bonds in like amount to the above authorized loan, not to exceed the aggregate principal amount of One Hundred Fifty Thousand Dollars (\$150,000). The proceeds derived from the sale of said bonds, including premium, if any, and any investment earnings thereon shall be used and are hereby appropriated to pay a portion of the costs (as herein defined) of the Projects.

<u>Description</u>	<u>Amount</u>	<u>Estimated Life</u>
Building Renovations – 208 Maine Avenue – Regional School Program	\$150,000	20 years

THAT the estimated weighted period of utility for the property constituting the Projects to be financed with the proceeds of said loan and bonds is hereby determined to be the period of time indicated above for said Projects.

THAT the date, maturities (not to exceed the maximum term permitted by law), denominations, interest rate or rates, place of payment, and other details of said bonds, including the timing and provision for their sale and award shall be determined by the Finance Director with the approval of the Finance Committee.

THAT the bonds hereby authorized may be made subject to call for redemption, with or without a premium, before the date fixed for final payment of the bonds, as provided in 30 A M.R.S.A. §5772(6), as amended, as shall be determined by the Finance Director with the approval of the Finance Committee.

THAT said bonds shall be signed by the Finance Director, countersigned by the Chair of the City Council, sealed with the seal of the City, attested by its Clerk, and that said bonds shall be in such form and contain such terms and provisions not inconsistent herewith as they may approve, their approval to be conclusively evidenced by their execution thereof. Any issue of bonds may be consolidated with and issued at the same time as any other issue of bonds

authorized prior to their issuance, and the bonds may be divided into multiple series and issued in separate plans of financing, with the approval of the Finance Committee

THAT in each of the years during which any of the bonds are outstanding, there shall be levied a tax in an amount that, with other revenues, if any, available for that purpose, shall be sufficient to pay the interest on said bonds, payable in such years, and the principal of such bonds maturing in such years.

THAT pursuant to 30 A.M.R.S.A. §5772, Section 15 of Article VI of the City Charter and any other authority thereto enabling, the Finance Director, with approval of the Finance Committee is hereby authorized to issue temporary notes of the City in anticipation of the forgoing bond issue, said notes to be signed by the Finance Director, countersigned by the Chair of the City Council, sealed with the seal of the City, attested by its Clerk, and otherwise to be in such form and contain such terms and provisions including, without limitation, maturities (not to exceed 3 years from the issue date), denominations, interest rate or rates, place of payment, and other details as they shall approve, their approval to be conclusively evidenced by their execution thereof.

THAT the bonds and notes shall be transferable only on the registration books of the City kept by the transfer agent, and said principal amount of the bonds and notes of the same maturity (but not of other maturity), upon surrender thereof at the principal office of the transfer agent, with a written instrument of transfer satisfactory to the transfer agent duly executed by the registered owner or his or her attorney duly authorized in writing.

THAT the Finance Director and Chair of the City Council from time to time shall execute such bonds or notes as may be required to provide for exchanges or transfers of bonds or notes as heretofore authorized, all such bonds or notes to bear the original signature of the Finance Director and Chair of the City Council, and in case any officer of the City whose signature appears on any bond or note shall cease to be such officer before the deliver of said bond or note, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery thereof.

THAT upon each exchange or transfer of bonds or notes, the City and transfer agent shall make a charge sufficient to cover any tax, fee, or other governmental charge required to be paid with respect to such transfer or exchange, and subsequent to the first exchange or transfer, the cost of which shall be borne by the City, the cost of preparing new bonds or notes upon exchanges or transfers thereof shall be paid by the person requesting the same.

THAT in lieu of physical certificates of the bonds and notes hereinbefore authorized, the Finance Director be and hereby is authorized to undertake all acts necessary to provide for the issuance and transfer of such bonds and notes in book-entry form pursuant to the Depository Trust Company Book-Entry Only System, as an alternative to the provisions of the foregoing paragraphs regarding physical transfer of bonds, and the Finance Director be and hereby is authorized and empowered to enter into a Letter of Representation or any other contract, agreement or understanding necessary or, in her opinion, appropriate in order to qualify the bonds for and participate in the Depository Trust Company Book-Entry Only System.

THAT the bonds and notes issued in anticipation thereof be issued on either a taxable or a tax-exempt basis, or a combination thereof, as determined by the Finance Director, with the approval of the Finance Committee.

THAT, if the bonds or notes, or any part of them are issued on a tax exempt basis, the officers executing such bonds or notes be and hereby are individually authorized and directed to covenant and certify on behalf of the City that no part of the proceeds of the issue and sale of the bonds or notes authorized to be issued hereunder shall be used directly or indirectly to acquire any securities or obligations, the acquisition of which would cause such bonds or notes to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code").

THAT, if the bonds or notes, or any part of them, are issued on a tax exempt basis, the officers executing such bonds or notes be and hereby are individually authorized to covenant and agree, on behalf of the City, for the benefit of the holders of such bonds or notes, that the City will file any required reports and take any other action that may be necessary to ensure that interest on the bonds or notes will remain exempt from federal income taxation and that the City will refrain from any action that would cause interest on the bonds or notes to be subject to federal income taxation.

THAT, if the bonds or notes, or any part of them, are issued on a tax exempt basis, the Finance Director be and hereby is authorized and empowered to take all such action as may be necessary to designate the bonds or notes as qualified tax-exempt obligations for purposes of Section 265(b) of the Code; it being the City Council's intention that, to the extent permitted under the Code, the bonds or notes be Section 265(b) designated and that the Finance Director with advice of bond counsel, make the required Section 265(b) election with respect to such bonds to the extent that the election may be available and advisable as determined by the Finance Director.

THAT the officers executing the bonds or notes be and hereby are individually authorized to covenant, certify, and agree, on behalf of the City, for the benefit of the holders of such bonds or notes, that the City will file any required reports, make any annual financial or material event disclosure, and take any other action that may be necessary to ensure that the disclosure requirements imposed by Rule 15c2-12 of the Securities and Exchange Commission, if applicable, are met.

THAT the term "cost" or "costs" as used herein and applied to the Project, or any portion thereof, includes, but is not limited to: (1) the purchase price or acquisition cost of all or any portion of the Project; (2) the cost of construction, building, alteration, enlargement, reconstruction, renovation, improvement, and equipping of the Project; (3) the cost of all appurtenances and other facilities either on, above, or under the ground which are used or usable in connection with the Project; (4) the cost of landscaping, site preparation, and remodeling of any improvements or facilities; (5) the cost of all labor, materials, building systems, machinery and equipment; (6) the cost of land, structures, real property interests, rights, easements, and franchises acquired in connection with the Project; (7) the cost of all utility extensions and site improvements and development; (8) the cost of planning, developing, preparation of specifications, surveys, engineering, feasibility studies, legal and other professional services associated with the Project; (9) the cost of environmental studies and assessments; (10) the cost of financing charges and issuance costs, including premiums for insurance, interest prior to and during construction and, following completion of construction, for a period not to exceed 3 years from the issue date thereof, underwriters' fees and costs, legal and accounting fees and costs, application fees, and other fees and expenses relating to the financing transaction; and (11) the cost of all other financing authorized hereunder, whether related or unrelated to the foregoing.

THAT the investment earnings on the proceeds of the bonds and notes, if any, and the excess proceeds of the bonds or notes (including premium), if any, be and hereby are appropriated for the following purposes:

1. To any costs of the Projects in excess of the principal amount of the bonds or notes authorized hereunder;
2. If the bonds or notes are issued on a tax exempt basis, in accordance with applicable terms and provisions of the Arbitrage and Use of Proceeds Certificate delivered in connection with the sale of the bonds or notes including, to the extent permitted thereunder, to the City's General Fund;
3. To pay debt service on the bonds.

THAT if the actual cost of any Project differs from the estimated cost set forth herein, the Finance Director is authorized, in her discretion to reallocate proceeds of the Bonds to any other listed Project.

THAT the Finance Director, Chair of the City Council, Clerk, and other proper officials of the City be, and hereby are, authorized and empowered in its name and on its behalf to do or cause to be done all such acts and things, and to execute, deliver, file, approve, and record all such financing documents, contracts, agreements, deeds, assignments, certificates, memoranda, abstracts, and other documents as may be necessary or advisable, with the advice of counsel for the City, to carry out the provisions of the resolutions heretofore adopted at this meeting in connection with the Projects, the issuance, execution, sale, and delivery by the City of the bonds and notes and the execution and delivery of the documents, including the entering into of a Loan Agreement with the Bond Bank, as may be necessary or desirable.

THAT if any of the officers or officials of the City who have signed or sealed the bonds and notes hereinbefore authorized shall cease to be such officers or officials before the bonds or notes so signed and sealed shall have been actually authenticated or delivered by the City, such bonds or notes nevertheless may be authenticated, issued, and delivered with the same force and effect as though the person or persons who signed or sealed such bonds notes had not ceased to be such officer or official; and also any such bonds or notes may be signed and sealed on behalf of the City by those persons who, at the actual date of the execution of such bonds or notes, shall be the proper officers and officials of the City, although at the nominal date of such bonds or notes any such person shall not have been such officer or official.

THAT if the Finance Director, Chair of the City Council, or Clerk are for any reason unavailable to approve and execute the bonds or any related financing documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had himself or herself performed such act.

THAT during the term any of the bonds are outstanding, the Finance Director is hereby authorized, in the name and on behalf of the City, to issue and deliver refunding bonds on either a current or advance refunding basis, to refund some or all of the bonds then outstanding, and to determine the date, form, interest rate, maturities (not to exceed 30 years from the date of issuance of the original bonds) and all other details of such refunding bonds including the form and manner of their sale and award. The Finance Director is hereby further

**14-332**  
**OCTOBER 27, 2014**

authorized to provide that any of such refunding bonds hereinbefore authorized be made callable, with or without premium, prior to their stated date(s) of maturity, and each refunding bond issued hereunder shall be signed by the Finance Director, countersigned by the Chair of the City Council, sealed with the seal of the City, attested by its Clerk.

OCTOBER 27, 2014

**To: Finance Committee**  
**From: Debbie Cyr**  
**Date: May 22, 2014**  
**RE: School Bonding**

As you may recall, the regional therapeutic day program for children with emotional or behavioral disabilities will relocate to Bangor at 208 Maine Avenue this fall. The building requires \$400,000 of improvements in order to accommodate the program and the school department had recommended funding the improvements with a combination of bond and CDBG funding.

Accordingly, Council Order 14-173 was put forth to authorize the issuance of \$250,000 in general obligation bonds to fund building improvements at 208 Maine Avenue. Based on the staff review of the application, it was determined that the entire project fell under Davis Bacon regulations. Moving forward with CDB funding would delay the project beyond the opening of school. Therefore, the school department is requesting to fund the remaining \$150,000 with bonds as well in order to meet their timeline.

The bonds would be for a 10 year period, which mirrors the term of the lease on the property. In addition, all sending school districts will be contributing towards the repayment of this debt.

There are two Committee recommendations being sought. First to make a recommendation as to the authorization of the \$250,000 in bond funding proposed in Council Order 14-173. The second is if the Committee recommends that the \$150,000 in bond funding should be authorized and included in the City's annual capital improvement bond order to be put forth in July of 2014.



**UNFINISHED  
BUSINESS**





Assigned to Councilor Nealley

## CITY OF BANGOR

(TITLE.) Ordinance, Amending Chapter 165, Land Development, of the Code of the City of Bangor – Section 165-103.1 – Technology and Service District (T & S) -- Adding Drive-In Businesses

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT,

Chapter 165 of the Code of the City of Bangor be amended as follows:

### § 165-103.1. Technology and Service District.

#### D. Conditional Uses

(3) Drive-in businesses, provided that:

(a) They are limited to service businesses.

(b) They are located on Maine Avenue.

(c) They do not offer retail sales via drive-in service.

AND that Chapter 165, Schedule B be amended as follows:

#### Schedule B

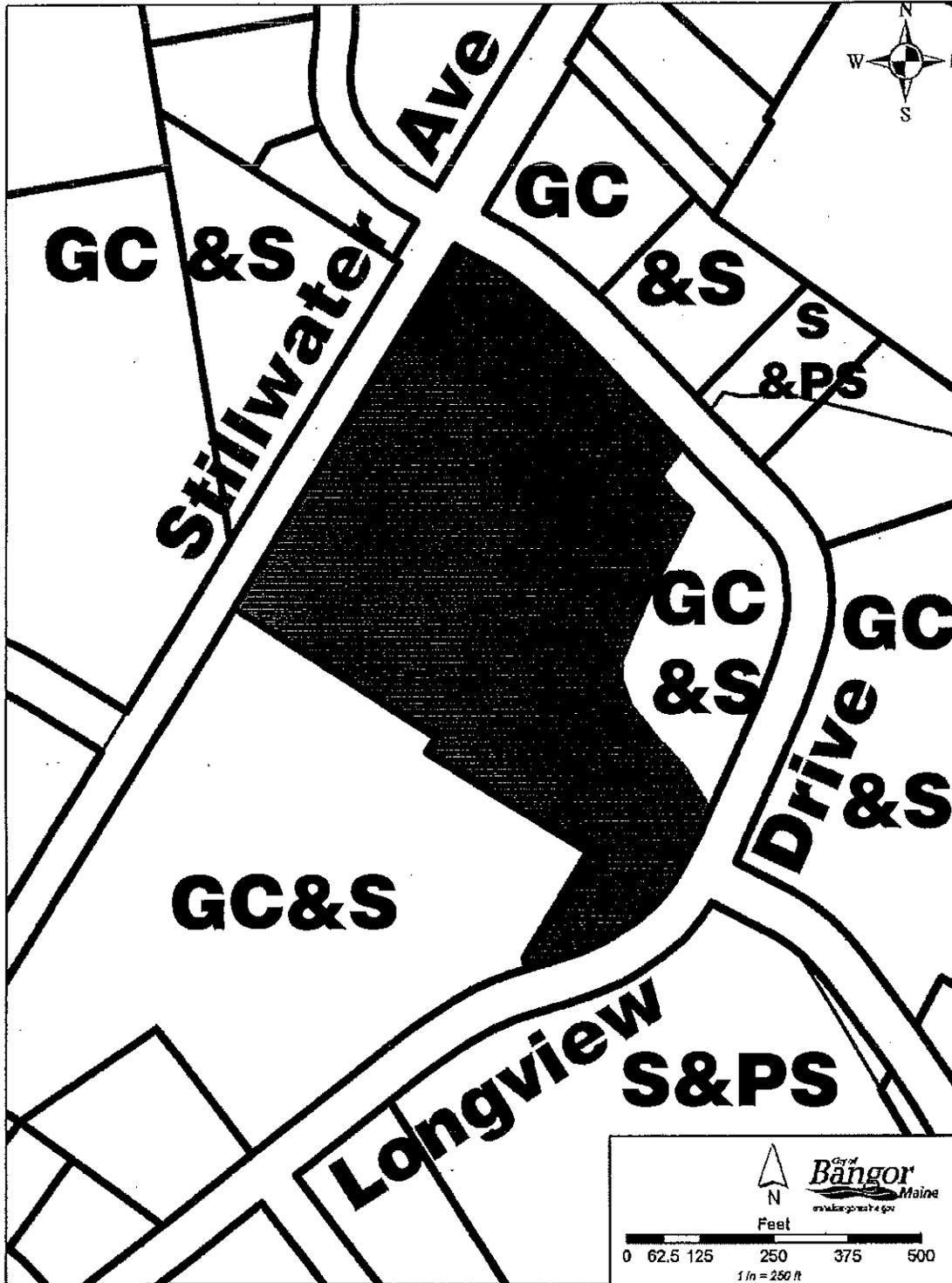
Technology and Service District (T&S)

Conditional uses

Drive-in Business

Minimum Lot Area	<u>40,000 square feet</u>
Minimum Front yard	<u>50 feet</u>
Minimum Side yard	<u>30 feet</u>
Minimum rear yard	<u>30 feet</u>
Density/Acre	<u>N/A</u>
Density/Building	<u>N/A</u>
Maximum Height	<u>50 feet</u>
Maximum Lot Coverage	<u>35%</u>
Maximum Floor Area Ratio	<u>0.6</u>
Maximum Impervious Surface Ratio	<u>.65</u>
Minimum Open Space	<u>N/A</u>
Minimum Lot Width	<u>150 feet</u>
Minimum Buffer Yard Type	<u>B</u>

Additions are underlined, deletions struck through.



**S&PS to GC&S**



## MEMORANDUM

**DATE:** October 22, 2014  
**TO:** The Honorable City Council  
**FROM:** David G. Gould, Planning Officer  
**SUBJECT:** Amending the Land Development Code Chapter 165-103.1  
Adding Drive-in Business to the Technology and Service  
District - City of Bangor, applicant. C.O. # 14-314.

Please be advised that the Planning Board at its meeting on October 21, 2014, held a Public Hearing on the above change to the Land Development Code.

Vice Chairman Paul Bolin opened the Public Hearing. Planning Officer Gould provided the background of the zoning in the Maine Business Enterprise Park (MBEP) and how it has evolved over time. The City has an entity interested in this location with a drive-thru use element. While we have typically steered away from retail sales and drive-thru uses in the business park the City has decided to modify the Technology and Service District to facilitate the request for such a use on Maine Avenue.

There were no other proponents or opponents to the text amendment.

Mr. Kenney asked if the proposed development standards being added were different from the existing ones in the MBEP. Mr. Gould noted because it's a newly listed use, Schedule B needs to have a standard for each of the elements in the table. Most are the same as other uses in the park.

Ms. McCarthy moved to recommend that the City Council adopt C.O. # 14-314. Member Boothby seconded the motion and the Board voted unanimously in favor of recommending that the City Council approve the proposed text amendment, adding drive-in business to the Technology and Service District.

**COUNCIL ACTION**

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**Item No. 14-315**

**Date: October 15, 2014**

**Item/Subject** Amending the Land Development Code – Zone Change – 164 Longview Drive (Tax Map R69-001-N) from a Shopping and Personal Service District to a General Commercial and Service District.

**Responsible Department:** Planning Division

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**Commentary:**

The applicant, Longview Plaza, LLC, is requesting a zone change for a portion of a parcel of land (9.9 acres) located at 164 Longview Drive (Tax Map R69-01N) from a Shopping and Personal Service District to a General Commercial and Service District. The GC&S District allows some additional use options and less restrictive development standards.

/s/ Tanya L. Emery  
Dept. Head

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**Manager's Comments:**

For Referral to Planning Board Meeting of October 21, 2014 at 7:00 p.m.

Carl M. Lane  
City Manager

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**Associated Information:**

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**Budget Approval:**

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Finance Director

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**Legal Approval:**

[Signature]  
City Solicitor

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**Introduced for**

Passage

First Reading

Referral to Planning Board Meeting of October 21, 2014, 7:00 p.m.

Page 1 of 1

Assigned to Councilor Plourde



## CITY OF BANGOR

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(TITLE.) Ordinance, Amending the Land Development Code – Zone Change – 164 Longview Drive (Tax Map R69-001-N) from a Shopping and Personal Service District to a General Commercial and Service District.

*Be it ordained by the City Council of the City of Bangor, as follows:*

THAT the zoning boundary lines as established by the Zoning Map of the City of Bangor dated October 28, 1991, as amended, be hereby further amended as follows:

By changing part of a parcel of land located at 164 Longview Drive from a Shopping and Personal Service District to a General Commercial and Service District (Tax Map No. R-69, Part of Parcel No. 001-N). Said part of a parcel of land containing approximately 9.9 acres and being more particularly indicated on the map attached hereto and made a part hereof.

## MEMORANDUM

**DATE:** October 22, 2014  
**TO:** The Honorable City Council  
**FROM:** David G. Gould, Planning Officer  
**SUBJECT:** Amending Zoning Ordinance  
164 Longview Drive from Shopping and Personal Service  
District (S&PS) to General Commercial & Service District  
(GC&S) Council Ordinance 14-315

Please be advised that the Planning Board at its meeting on October 21, 2014, held a Public Hearing on the above zone change request.

Vice Chairman Paul Bolin noted that Alternate Member McCarthy could vote on this item given the absence of Chairman Sturgeon and other members.

Attorney Andrew Hamilton represented the applicant, Longview Drive Plaza, LLC. Mr. Hamilton introduced Brian Leahy of Saxon Partners and Longview Plaza, LLC., Patrick Netreba of BJ's Wholesale Club, Inc. and Fred Marshal of Plymouth Engineering. Attorney Hamilton indicating that the applicant was requesting a rezoning of a portion of a parcel (9.9 acres) at the site of the existing vacant Home Depot. Mr. Hamilton provided some background of other similarly zoned adjacent parcels. He noted the request was consistent with the City's 2012 Comprehensive Plan.

There were no other proponents or opponents to the rezoning request.

Planning Officer Gould provided the background of the zoning in this location in the late 1980's through present day. The City's Land Use and Zoning Policy is for commercial zoning and General Commercial and Service District zoning is consistent with the Comprehensive Plan and adjacent properties.

Based on its consistency with the Comprehensive Plan and the other adjacent properties, Mr. Boothby made a motion to recommend the proposed zone change to the City Council. Ms. McCarthy seconded the motion. The Board voted unanimously in favor of the motion to recommend that the City Council approve the rezoning from S&PS to GC&S as contained in C.O. # 14-315.

**COUNCIL ACTION**

**Item No. 14-316**

**Date:** October 15, 2014

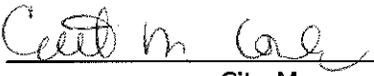
**Item/Subject:** **ORDINANCE**, Amending Chapter 223, Uninhabitable Buildings, of the Code of the City of Bangor, By Allowing Service of Notice of Placarding By Certified or First-Class Mail

**Responsible Department:** Legal

**Commentary:** The proposed Ordinance amendment would save money and staff time by allowing for service of notice of placarding by certified mail or first-class mail with delivery confirmation. Currently, when a building is being placarded the City Code requires service of notice through registered mail, a very time-consuming and expensive process. Registered mail is commonly used for delivering valuables or proving that a document was not altered in transit. After review of alternatives it was determined that for service of notice, certified or first-class mail is sufficient, which would show that notice has been delivered.

\_\_\_\_\_  
Department Head

**Manager's Comments:**

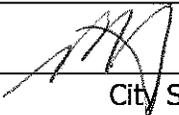
  
\_\_\_\_\_  
City Manager

**Associated Information:** Ordinance

**Budget Approval:**

\_\_\_\_\_  
Finance Director

**Legal Approval:**

  
\_\_\_\_\_  
City Solicitor

**Introduced for**

**Passage**

**First Reading**

**Referral** to the B&ED Committee on Tuesday, October 21, 2014

Assigned to Councilor Civiello



## CITY OF BANGOR

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**ORDINANCE**, Amending Chapter 223, Uninhabitable Buildings, of the Code of the City of Bangor, By Allowing Service of Notice of Placarding By Mail

**WHEREAS**, notice of placarding of buildings may presently be served by registered mail;

**WHEREAS**, registered mail is generally used for expensive or tamper-prone materials, not for service of legal documents;

**WHEREAS**, service of notice could be accomplished by certified or first-class mail for far less money and time without sacrificing any benefit;

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

Chapter 223 of the Code of the City of Bangor be amended as follows:

**§ 223-3. Uninhabitable buildings.**

...

- C. Notice. A written notice shall be served upon the owner or his or her agent, all other encumbrance holders of record, persons in possession, and persons having a recorded leasehold interest. Notice shall state the date of the placarding order and the dates by which repair must be commenced and completed. Service shall be accomplished by ~~registered mail~~ certified mail or first-class mail with delivery confirmation, personal service, or publication. If notice is served by publication, notice shall also be posted on the premises.

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

**COUNCIL ACTION**

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**Item No. 14-317**

**Date:** October 15, 2014

**Item/Subject:** **ORDINANCE**, Amending Chapter 165, Land Development Code, of the Code of the City of Bangor, By Allowing Existing Nonconforming Mobile Home Parks to be Reconstructed

**Responsible Department:** Legal

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**Commentary:**

This ordinance amendment would allow mobile home parks in the Rural Residence and Agricultural District that met certain standards to be reconstructed.

At one time, mobile home parks were required to locate in what is now the City's Rural Residence and Agricultural District (RR&A). The Code no longer allows mobile home parks in RR&A, but a number of nonconforming mobile home parks still exist. Several of these mobile home parks are now falling into disrepair, in part because their lots are not sized for modern mobile homes.

This ordinance would allow for mobile home parks that met certain size and utility requirements to be reconstructed in accordance with City Code. This would allow owners of these parks to replace deteriorating mobile homes with modern units, without increasing the number of units or lot coverage.

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Department Head

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**Manager's Comments:**

  
City Manager

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**Associated Information:** Ordinance

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**Budget Approval:**

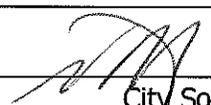
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Finance Director

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**Legal Approval:**

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City Solicitor

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**Introduced for**

Passage

First Reading

Referral to the Business and Economic Development Committee on October 21, 2014

Assigned to Councilor Baldacci



# CITY OF BANGOR

## **ORDINANCE**, Amending Chapter 165, Land Development Code, of the Code of the City of Bangor, By Allowing Existing Nonconforming Mobile Home Parks to be Reconstructed

**WHEREAS**, Bangor has several long-standing mobile home parks that are nonconforming in there present zoning district;

**WHEREAS**, many of the mobile homes in some of these parks are in poor condition, in part because the present lot sizes are too small for them to be replaced with modern mobile homes; and

**WHEREAS**, allowing reconstruction of these mobile home parks, within certain limits, will improve the quality of a portion of the City's housing stock and reduce Code and other issues:

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

Chapter 165 of the Code of the City of Bangor be amended as follows:

### **§ 165-105. Rural Residence and Agricultural District (RR & A).**

...

D. Conditional uses. Subject to Planning Board approval under the provisions of § 165-9, the following uses may be permitted in this district:

...

(4) Reconstruction of mobile home parks established prior to 1971, provided that:

(a) They have water service from the Bangor Water District, sewer service from the City of Bangor and a minimum of 25 mobile home spaces.

(b) The reconstruction is done consistent with the requirements of 165-121(C).

### **§ 165-122. Special provisions.**

Notwithstanding other provisions of this chapter relating to space, bulk and use, the Planning Board, in reviewing plans for ~~proposed~~ new or expanded mobile home parks, may modify said provisions to facilitate innovative approaches to environmental design, provided that all of the following standards are maintained:

...

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

**MEMORANDUM**

**DATE:** October 22, 2014  
**TO:** The Honorable City Council  
**FROM:** David G. Gould, Planning Officer  
**SUBJECT:** Amending the Land Development Code Chapter 165-105  
Adding Reconstruction of existing mobile home parks in  
the Rural Residence and Agricultural District- City of  
Bangor applicant 14-317.

Please be advised that the Planning Board at its meeting on October 21, 2014, held a Public Hearing on the above change to the Land Development Code.

Vice Chairman Paul Bolin opened the Public Hearing. Assistant City Solicitor Paul Nicklas indicated that some existing grandfathered mobile home parks have requested a permitting process whereby they could update the existing older mobile home sites to accommodate modern larger homes. The language proposed would add the reconstruction of older mobile home parks as a conditional use in the Land Development Code. Mr. Nicklas noted the proposed language may not work for every park, but while there was some interest the amendment was being brought forward now.

Vice Chairman Bolin asked if anyone wanted to speak in favor of or in opposition to the request.

Mr. Al Hodsdon indicated that he was in attendance to present several viewpoints as he has worked with Rick Breton who seeks to make improvements at the Colonial Pines Mobile Home Park on Ohio Street. Mr. Breton has done some prior work in getting troubled parks back in shape. Mr. Hodsdon noted he is the engineer for the State's Manufactured Housing Board. He noted the Board sets standards for Parks to guide municipal regulations and avoid any land use regulations, or overly strict design standards which would make parks financially infeasible.

Mr. Jim Pross indicated that he represented Pray's Mobile Home Park on Finson Road. While they were encouraged to see the City looking at the opportunity for changes in their park they do not envision reconstructing the park as it could displace existing residents.

Assistant City Solicitor Nicklas indicated the discussion with Pray's would continue to see if a mutually agreeable solution could be found.

Planning Officer Gould provided the Board with a brief history of how the City Zoning has provided for mobile home parks since the mid 1980's. Mr. Gould told the Board they should not confuse this language which deals with parks created prior to 1971 with newer parks constructed in compliance with City Standards through the 1980's and 1990's. While mobile home parks have been a difficult land use to accommodate in the City, our land use policy identifies them as a high density residential housing use and directs them to the same development standards as would similar uses. The proposed amendment adds language to RR&A which opens the door to these grandfathered parks to do what was done on Union Street with an older mobile home park there. While the management of the park is somewhat atypical the reconstruction has meet all the development goals the City envisioned.

Ms. McCarthy was concerned that the language to allow reconstruction could possibly displace residents.

There were no other proponents or opponents to the text amendment.

John Kenney moved to recommend the proposed amendment to the City Council. Member Boothby seconded the motion and the Board voted unanimously to recommend passage of C.O. 14-317.

**COUNCIL ACTION**

**Item No. 14-318**

**Date: October 15, 2014**

**Item/Subject:** Resolve, Accepting and appropriating a grant in the amount of \$443,063 from the Federal Aviation Administration and \$24,615 from the Maine Department of Transportation under the Airport Improvement Plan (AIP) program, grant # 65.

**Responsible Department:** Airport

**Commentary:** This resolve will accept and appropriate a grant in the amount of \$443,063 from the Federal Aviation Administration and \$24,615 from the Maine Department of Transportation under the Airport Improvement Plan (AIP) program, grant # 65 for the replacement of the airport terminal public address (PA) system. The current PA system is the original system installed when the terminal was built. This system is very unstable and has caused several disruptions. Airports are required, per Federal regulations, to make periodic and consistent messages.

This project is included in BGR's FAA approved 5-year Capital Improvement Plan (CIP). This grant will fund 90% of the project with the additional 5% coming from the State and 5% coming from the airport.

Tony Caruso  
**Department Head**

**Manager's Comments:**

Ceeth M. Colson  
**City Manager**

**Associated Information: Resolve**

**Budget Approval:**

William J.  
**Finance Director**

**Legal Approval:**

[Signature]  
**City Solicitor**

Introduced for

     **Passage**

  X   **First Reading**

  x   **Referral** to OCT 20, 2014 Finance Committee meeting.



Assigned to Councilor Durgin

## CITY OF BANGOR

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**(TITLE)** Resolve, Accepting and appropriating a grant in the amount of \$443,063 from the Federal Aviation Administration and \$24,615 from the Maine Department of Transportation under the Airport Improvement Plan (AIP) program, grant # 65.

WHEREAS, The City's applications to the Federal Aviation Administration and the Maine Department of Transportation for Airport Improvement Project grant funds for this project at Bangor International Airport have been accepted, and the Federal Aviation Administration and the State of Maine have agreed to provide the funding; and

WHEREAS, This project is included in the airports FAA approved five-year Capital Improvement Plan (CIP); and

WHEREAS, Federal funds will cover 90% of the cost of the project with an additional 5.0% coming from the State of Maine and 5.0% from the Airport.

*BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BANGOR, THAT*

the City Manager is hereby authorized to accept the grants from the Federal Aviation Administration and the Maine Department of Transportation in the amount of \$467,678 under the Airport Improvement Plan (AIP) program, grant # 65 for the replacement of the airport terminal public address (PA) system in the terminals at Bangor International Airport (BGR).; and

BE IT FURTHER RESOLVED THAT

There is hereby appropriated within the Airport Fund the amount of \$467,678 recognizing this federal grant fund to be used for this project. The City Finance Director is hereby authorized to place this amount within the appropriate accounts.

**COUNCIL ACTION**

**Item No. 14-319**

**Date:** October 15, 2014

**Item/Subject:** Resolve, Appropriating \$195,350 from Golf Course Reserves for the Purpose of Purchasing Golf Cars

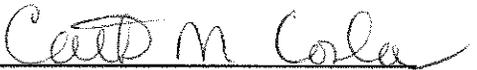
**Responsible Department:** Golf Course

**Commentary:**

This resolve will appropriate \$195,350 from Golf Course reserves to fund the purchase of golf cars. On October 6, 2014, the Finance Committee reviewed and recommended for approval a proposal to purchase 75 2011 EX Go golf cars from Five State Golf Cars. This purchase would significantly upgrade our current inventory, which is currently comprised of models dated from the late 1990s to 2003. It would double the size of our inventory which would reduce costs associated with renting additional cars for events. As well as provide an opportunity to further enhance revenues and the overall Bangor Muni experience. This item was reviewed and recommended for approval by the Finance Committee at its October 6, 2014 meeting.

**Department Head**

**Manager's Comments:**

  
City Manager

**Associated Information:**

**Budget Approval:**

  
Finance Director

**Legal Approval:**

  
City Solicitor

Introduced for  
 Passage  
 First Reading  
 Referral



Assigned to Councilor Gallant

## CITY OF BANGOR

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**(TITLE.)** Resolve, Appropriating \$195,350 from Golf Course Reserves for the Purpose of Purchasing Golf Cars

*BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BANGOR, THAT*

The City Finance Director is hereby authorized to appropriate \$195,350 from Golf Course reserves for the purpose of purchasing golf cars.



**NEW  
BUSINESS**

**COUNCIL ACTION**

Item No. **14-333**

Date: **October 27, 2014**

**Item/Subject: ORDER, Appointing Nominees to Various Boards, Commissions, and Committees**

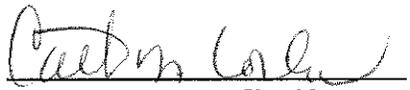
**Responsible Department:** City Clerk

**Commentary:**

This Order will authorize the attached list of appointments to the various Boards, Commissions, and Committees. As in the past, vacancies were advertised in a variety of ways and all applicants were interviewed by the Council's Personnel Committee. The Committee has completed the process of interviewing applicants for these positions and has developed the attached recommendations for full Council consideration.

  
Department Head

**Manager's Comments:**

  
City Manager

**Associated Information:**

Order, List of recommended nominees.

**Budget Approval:**

\_\_\_\_\_  
Finance Director

**Legal Approval:**

  
City Solicitor

**Introduced for**  
 **Passage**  
 **First Reading**  
 **Referral**



Assigned to Councilor Graham

## CITY OF BANGOR

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**(TITLE.) ORDER, Appointing Nominees to Various Boards, Commissions, and Committees.**

WHEREAS, the City of Bangor has taken applications from citizens for a variety of vacant positions on various Boards, Committees, and Commissions; and

WHEREAS, the Personnel Committee of the Council has interviewed these applicants and made recommendations as to various appointments.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT the recommendations of the Personnel Committee of the City Council are hereby accepted and the individuals listed on the report of the Personnel Committee are hereby appointed to the positions and for the terms designated.

**City of Bangor  
2015 Subcommittee Appointments  
Effective January 1, 2015**

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**Board of Appeals**

**2 Regular 2018, 1 Associate 2018**

Samuel Canders	Regular Member 2018
Kenneth Huhn	Regular Member 2018
Timothy Stormann	Associate Member 2018

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**Board of Assessment Review**

**2 Regular 2018, 1 Associate 2018**

Vacancy	Regular Member 2018
Ryan Collins	Regular Member 2018
Ashleigh Briggs	Associate Member 2018

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**Board of Ethics**

**3 Regular 2018, 1 Associate 2016**

Vacancy	Associate Member 2016
Vacancy	Regular Member 2018
Fred Hirsh	Regular Member 2018
Amy Lee Tidd	Regular Member 2018

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**Commission on Cultural Development**

**1 Regular 2018, 1 Associate 2018**

Mary Budd	Regular Member 2018
Ulrike Guthrie	Regular Member 2018
Jamie Ballinger	Regular Member 2018
Chris Roberts	Associate Member 2018

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**Firearm's Discharge Committee**

**2 Zone 2018, 1 Hunter 2018, 1 Regular 2017**

Vacancy	Regular Member 2017
Vacancy	Zone Member 2018
Kris Sornberger	Zone Member 2018
Mathew LeClair	Hunter Member 2018

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**Hersey Fund**

**1 Regular 2021**

Lee Chick	Regular Member 2021
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**Historic Preservation Commission**

**1 Associate 2016, 1 Associate 2017, 2 Regular 2018**

Derek Mitchell	Associate Member 2016
Andrew Saucier	Associate Member 2017
George Burgoyne	Regular Member 2018
Elizabeth Rettenmaier	Regular Member 2018

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**City of Bangor**  
**2015 Subcommittee Appointments**  
**Effective January 1, 2015**

<b>Housing Authority</b>	
<b>1 Regular 2020, 1 Tenant 2020</b>	
Norma Toano	Tenant Member 2020
Paul Chaiken	Regular Member 2020

<b>Parks &amp; Recreation Advisory</b>	
<b>1 Course User 2018, 2 Regular 2018</b>	
Vacancy	Course User 2018
Michaela Zelz	Regular Member 2018
Ryan Robbins	Regular Member 2018

<b>Walt Marsh Commission</b>	
<b>1 Property Owner 2016, 1 MN Business Owner 2016, 1 Environmental 2018, 1 Bangor Land Trust 2018, 2 Property Owner 2018</b>	
Vacancy	Business 2016
Vacancy	Property 2016
Vacancy	Property 2018
Vacancy	Land Trust 2018
Sally Jones	Environmental 2018
James Parker	Property 2018

<b>Planning Board</b>	
<b>2 Regular 2018, 1 Associate 2017</b>	
Pete Parizo	Associate Member 2017
Dora McCarthy	Regular Member 2018
John Kenney	Regular Member 2018

<b>Sophia Kirstein Scholarship</b>	
<b>2 Regular 2021</b>	
Loverne Stockwell	Regular Member 2021
Kay Blanchard	Regular Member 2021

<b>Stormwater Citizens Review Panel</b>	
<b>1 Regular 2018</b>	
Vacancy	Regular Member 2018
Sarah Nichols	Regular Member 2018
Samuel Canders	Regular Member 2018

<b>Urban Renewal Authority</b>	
<b>1 Regular 2018</b>	
Roland McDonald	Regular Member 2018

**COUNCIL ACTION**

Item No. 14-334

Date: October 27, 2014

Item/Subject **ORDER, Authorizing Grant of \$2,000 to the Downtown Bangor Partnership to Support Downtown Countdown New Year's Eve Event.**

Responsible Department: **Community & Economic Development**

**Commentary:** This Order will authorize a grant in the amount of \$2,000 to the Downtown Bangor Partnership from money allocated to the Cultural Commission. The Downtown Bangor Partnership submitted an application to support programming for the New Year's Eve event, Downtown Countdown. The Cultural Commission has recommended approval of this request because of the benefit to the community and the event's history of quality free programming.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its October 21, 2014 meeting.

/s/ Tanya Emery  
Department Head

**Manager's Comments:**

Carl M. Corley  
City Manager

**Associated Information:**

**Budget Approval:**

[Signature]  
Finance Director

**Legal Approval:**

[Signature]  
City Solicitor

**Introduced for**

- Passage
- First Reading
- Referral

Page    of



Assigned to Councilor Plourde

## CITY OF BANGOR

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(TITLE.) **ORDER, Authorizing Grant of \$2,000 to the Downtown Bangor Partnership to Support Downtown Countdown New Year's Eve Event**

**WHEREAS,** the City Council has made an appropriation of funds to support arts and cultural organizations; has established a Commission on Cultural Development; and has assigned the Commission the responsibility of reviewing grant applications from arts and cultural organizations, and to make recommendations for grant funding to the City Council; and

**WHEREAS,** Downtown Bangor Partnership submitted an application for funding of \$2,000 in partial support of Downtown Countdown; and

**WHEREAS,** the event features a number of venues throughout downtown that offer free entertainment and activities for people of all ages; and

**WHEREAS,** the program strengths include the variety of entertainment options, appeal to a diverse cross-section of the community, and is offered at no cost to the community; and

**WHEREAS,** the grant application was complete, well organized on program approach, outreach and collaboration and met funding criteria; and

**WHEREAS,** the Commission on Cultural Development and the Business & Economic Development Committee voted to recommend to the City Council approval of a grant in the amount of \$2,000:

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

A Grant of \$2,000 is hereby authorized for the Downtown Bangor Partnership for the Downtown Countdown.

**COUNCIL ACTION**

**Item No. 14-335**

**Date: October 27, 2014**

**Item/Subject ORDER, Authorizing Grant of \$1,927 to Bangor Ballet to Support the 2014 Production of the Nutcracker**

**Responsible Department: Community & Economic Development**

**Commentary:** This Order will authorize a grant in the amount of \$1,927 to the Bangor Ballet. The Bangor Ballet submitted an application to support the 2014 production of the Nutcracker at two locations in Bangor—the Gracie Theatre and the Downeast School. The Cultural Commission has recommended approval of this request because of the benefit to the community and the Ballet’s history of quality programming.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its October 21, 2014 meeting.

/s/ Tanya Emery  
Department Head

**Manager's Comments:**

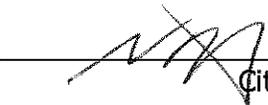
  
City Manager

**Associated Information:**

**Budget Approval:**

  
Finance Director

**Legal Approval:**

  
City Solicitor

**Introduced for**  
 **Passage**  
 **First Reading**  
 **Referral**

**Page \_\_ of \_\_**



Assigned to Councilor Gallant

## CITY OF BANGOR

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(TITLE.) **ORDER, Authorizing Grant of \$1,927 to the Bangor Ballet to Support the 2014 Production of the Nutcracker**

**WHEREAS,** the City Council has made an appropriation of funds to support arts and cultural organizations; has established a Commission on Cultural Development; and has assigned the Commission the responsibility of reviewing grant applications from arts and cultural organizations, and to make recommendations for grant funding to the City Council; and

**WHEREAS,** the Bangor Ballet has submitted an application for funding of \$1,927 in partial support of the 2014 production of the Nutcracker at two locations in Bangor—the Gracie Theatre and the Downeast School; and

**WHEREAS,** the Commission on Cultural Development recommends the approval of the request due to the merits of the production and the organization's reputation for good programming; and

**WHEREAS,** the grant application was complete, well organized and met funding criteria; and

**WHEREAS,** the Commission on Cultural Development and the Business & Economic Development Committee voted to recommend to the City Council approval of a grant in the amount of \$1,927:

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

A Grant of \$1,927 is hereby authorized for the Bangor Ballet for 2014 production of the Nutcracker.