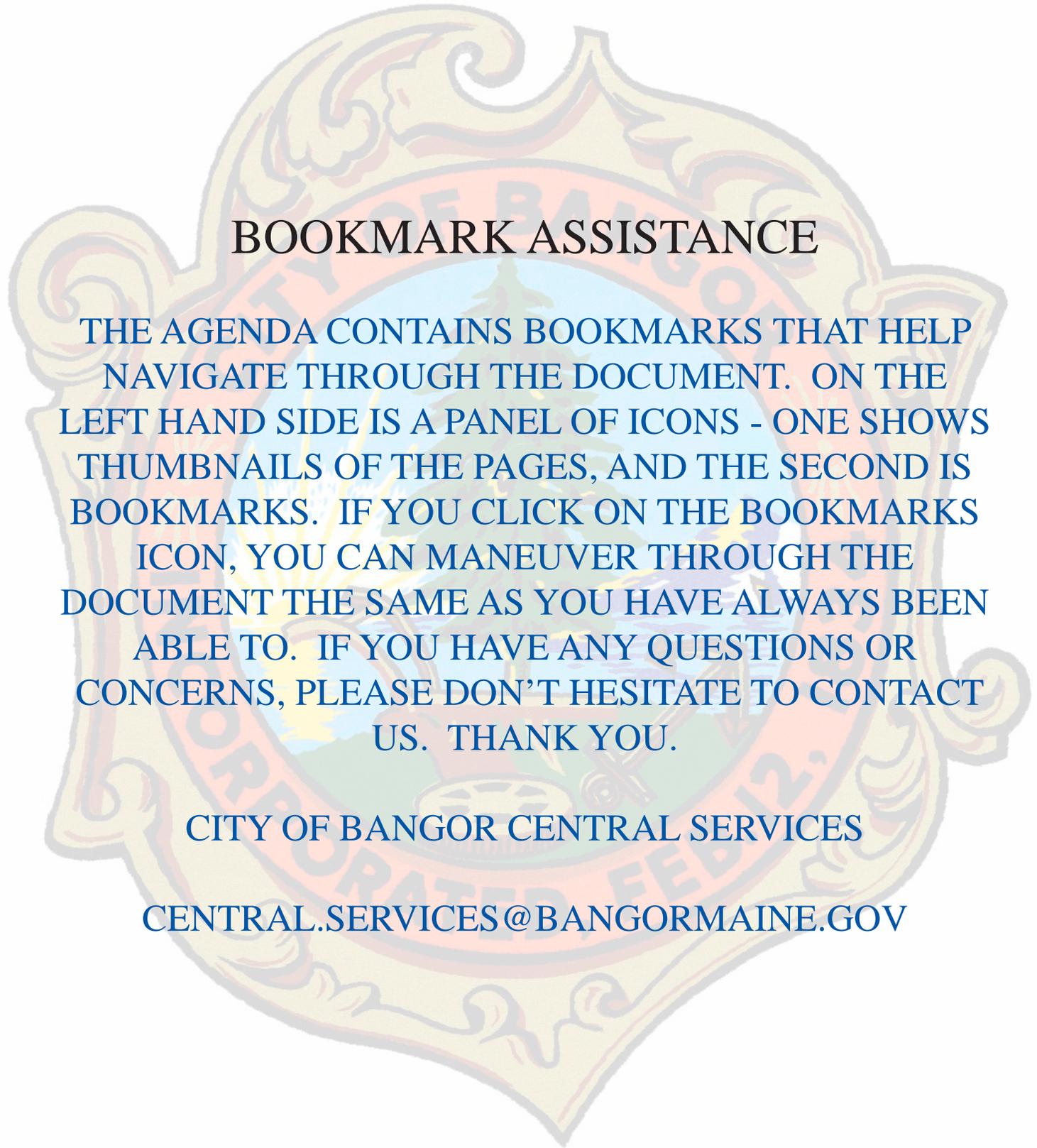


MEDIA
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CITY COUNCIL AGENDA

OCTOBER 15, 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

REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 15, 2014

PLEDGE ALLEGIANCE TO THE FLAG

PROCLAMATION **Proclaiming October to be Domestic Violence 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 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

| | | |
|---------------------------------|--|----------------|
| LIQUOR LICENSE RENEWALS: | 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 | PLOURDE |
|---------------------------------|--|----------------|

| | | |
|--|---|----------------|
| | Application for Liquor License Renewal, Malt, Spirituous, Vinous of First Lady Inc. d/b/a Governor’s Restaurant, 643 Broadway | PLOURDE |
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| | Application for Liquor License Renewal, Malt, Spirituous, Vinous of Hogan LLC d/b/a Miguel’s Mexican Restaurant, 697 Hogan Road | PLOURDE |
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| | Application for Liquor License Renewal, Malt, Spirituous, Vinous of UNO of Bangor Inc. d/b/a UNO Pizzeria & Grill, 725 Stillwater Avenue | PLOURDE |
|--|--|----------------|

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

Executive Summary: Real estate tax and sewer liens matured on the property located at 394 Birch Street, now owned by 394 Birch Street LLC. All outstanding charges due the City have been resolved. There are no property issues. Because the liens matured, a municipal quitclaim is required to release the City’s interest in the property. Staff recommends approval.

REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 15, 2014

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

14-309 ORDER **Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 976 Odlin Road (Map R10 Lot 8) **GALLANT****

Executive Summary: Real estate tax liens matured on the property of Al Fresco Realty Trust located at 976 Odlin Road. 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.

14-310 ORDER **Authorizing the City Manager to Accept a \$100.00 Donation from Bouchard Cleaning and Restoration, Inc of Bangor for Fire Prevention/Education Supplies **GRAHAM****

Executive Summary: This order will authorize the City Manager to accept \$100.00 from Bouchard Cleaning and Restoration, Inc. of Bangor for the purpose of purchasing supplies such as Plastic Fire Helmets, educational material and pencils to hand out to children for fire prevention and education. This donation will be administered by Fire Prevention/Education division of the Fire Department.

14-311 ORDER **Authorizing the Sale of 230 Washington Street to Webber Group - Map 49, Lot 246 **NEALLEY****

Executive Summary: This Order would approve the sale of a parcel of property located at 230 Washington Street to the Webber Group. The Webber Group owns a parcel of land at 170 Washington Street, formerly leased to My Maine Ride and now vacant. The City owns a small lot at 230 Washington Street which is surrounded on three sides by the Webber lot and on the fourth by Washington Street. This lot has been leased to Webber Group or a predecessor in interest for the last thirty years. Webber has now asked to purchase the City lot outright.

The City lot has been incorporated into the Webber Group parking lot for a number of years, and is unbuildable as a stand-alone lot under current zoning. Webber Group has agreed to pay the City’s asking price of \$10,183 for the City parcel. This item was reviewed and recommended for approval at the October 6, 2014 Finance Committee meeting.

14-312 ORDER **Authorizing a License Agreement with Eastern Maine Healthcare System (Map 001, Lots 002, 010, 011, 013; Map R25, Lot 031) **DURGIN****

Executive Summary: This Order will authorize a License Agreement with Eastern Maine Healthcare System for use of a telecommunication conduit system in the Maine Business Enterprise Park with the following terms and conditions:

REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 15, 2014

CONSENT AGENDA ITEM NO.

ASSIGNED TO COUNCILOR

1. Term: twenty-five (25) years
2. Location: 1600' of telecommunication's conduit along Corporate Drive
3. Use: Non-exclusive right to use the telecommunication's conduit
4. Fee: a lump sum payment of \$25,000 or annual payments of \$1,500
5. Maintenance: City will maintain and repair the telecommunication's conduit

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its October 7, 2014 meeting.

14-313 ORDER Authorizing Contract for the Purchase of a Rescue Truck (Ambulance) **BLANCHETTE**

Executive Summary: The Fire Department operates five rescue trucks (ambulances) that respond to over 6,000 requests for service each year. The current trucks were built by four different manufacturers on two different chassis. As the trucks have aged, obtaining parts and technical support has become increasingly challenging.

In southern Maine several fire departments were experiencing the same difficulties with their rescue trucks. A group collaborated to develop a specification that could be used to purchase multiple units. They eventually awarded a contract to purchase 16 trucks in six Maine communities. This contract has allowed them to standardize their fleets, as well as take advantage of multi truck discounts by the body and chassis manufacturers. Additionally, they have better parts and service options, and a buy back program.

This "Southern Maine Bid" is available to Bangor for rescue truck purchases. Recently, the City of Auburn exercised the same option to buy three trucks as they start up a new EMS transport program. Locally, Orono & Old Town Fire Departments use the same equipment. The cost of the rescue truck will not exceed \$157,000. The only additional costs will be the installation of the radio. The FY 14/15 budget included \$164,500 for this purchase.

On October 6, 2014, the Finance Committee reviewed and approved staff recommendation to purchase the rescue truck from Sugarloaf Vehicles in an amount not to exceed \$157,000.

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

REFERRALS TO COMMITTEE AND FIRST READING ITEM NO.

ASSIGNED TO COUNCILOR

14-314 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 (First Reading and Referral to Planning Board Meeting of October 21, 2014) **NEALLEY**

REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 15, 2014

REFERRALS TO COMMITTEE AND FIRST READING ITEM NO.

ASSIGNED TO COUNCILOR

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.

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 (First Reading and Referral to Finance Committee Meeting of October 20, 2014) **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.

14-319 RESOLVE **Appropriating \$195,350 from Golf Course Reserves for the Purpose of Purchasing Golf Cars (First Reading) **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.

14-320 RESOLVE **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) (First Reading) **BLANCHETTE****

REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 15, 2014

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

**ASSIGNED TO
COUNCILOR**

Executive Summary: This resolve will accept and appropriate \$498,540.25 in “Staffing for Adequate Fire and Emergency Response” (SAFER) grant funding for the purpose of hiring four firefighters/paramedics. On August 26, 2013 (CO13-292), the Council authorized the City Manager to apply for a (SAFER) grant to fund the wages and benefits of four firefighters for a period of two years. Initially, the City’s application was not funded by the grantor agency. Since the initial award, some grants that were originally approved for other agencies have not been awarded for one reason or another. Accordingly the Agency went back to the initial applications to award to applicants who were initially not funded. The City of Bangor was one of those applicants.

During the grant period, the City must maintain the level of employment, no reductions in staff will be allowed and it must take active steps to fill any vacancies. This grant has no matching requirement or any obligation after the conclusion of the two year period of performance to retain the positions. The City is responsible for pre-employment, uniform and equipment costs of approximately \$3,000 per position. In addition, all firefighters are required to obtain and retain a paramedic license. If an employee does not have a paramedic license, the City is responsible for the cost of tuition (\$4,858 - \$6,790) plus books and any hours attending class are considered hours worked for compensation purposes. If the class is during a regularly scheduled, shift, that shift may be subject to backfill.

The acceptance and appropriation of this grant award was reviewed and recommended for approval by the Finance Committee on October 6, 2014.

**UNFINISHED BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

14-306 RESOLVE **Authorizing the City Manager to Accept and Appropriate \$189,169.44 in Homeland Security Grant Funding from the Maine Emergency Management Agency (MEMA)**

BALDACCI

Executive Summary: This Resolve will accept and appropriate \$189,169.44 in FY 2014 Homeland Security Grant Funding from the Maine Emergency Management Agency to improve Police and Fire preparedness and response capabilities for Homeland Security related events. This funding will be utilized for the purpose of providing enhanced training in various disciplines for police and fire department personnel. Funding will also be used to purchase equipment and to maintain/upgrade current equipment. A plan outlining the various anticipated projects and expenditures is attached to the Resolve. This list may not represent the exact final expenditures, as priorities and needs may change during the grant period. This Resolve was reviewed at the September 15, 2014 Government Operations Committee Meeting and was recommend for approval.

REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 15, 2014

**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

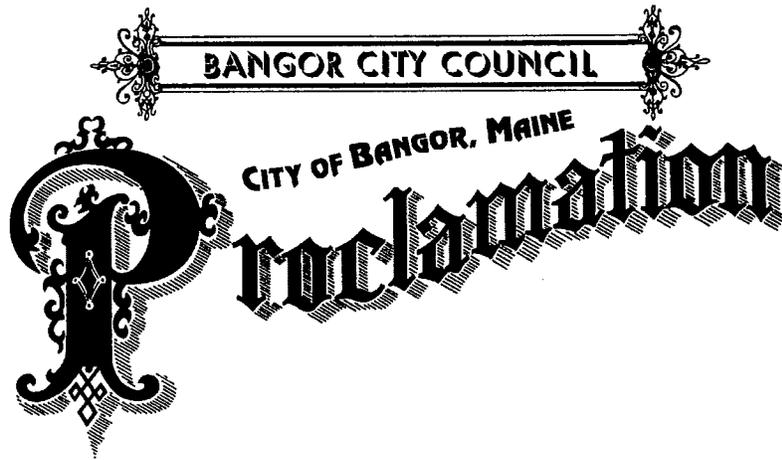
14-321 ORDER **Ratifying Execution of Electricity Supply Contract(s) **GALLANT****

Executive Summary: For a number of years, the City of Bangor has been a member of Maine Power Options, which is an energy purchasing consortium that serves local governments and non-profit organizations in Maine.

Currently, the City is under contract for certain medium service electrical accounts through 11/1/2014 at a rate of .061129/kwh for supply costs.

Unfortunately, this contract is expiring during a volatile period of time in the energy markets. One driving factor being that natural gas costs rose significantly over the last year (nearly 40%). The City did have the option of converting these accounts to the standard offer, but those rates for the months of December – February are ranging from .12 - .16/kwh. On Monday, October 6, 2014 MPO provided pricing options available for these accounts. The recommendation was to contract for a three year period for a cost of .08214/kwh for supply. This recommendation was reviewed and approved by the Finance Committee on October 6, 2014.

Due to the time sensitive nature of utility bidding, the actual acceptance of any pricing offer must occur within 48 hours of its offering. Therefore, based on the recommendation of the Finance Committee the contract was executed. This order would ratify the actions taken by staff to execute the contract.



**PROCLAIMING OCTOBER TO BE DOMESTIC VIOLENCE AWARENESS MONTH
IN THE CITY OF BANGOR**

WHEREAS, the problem of domestic violence is not confined to any one group of people but crosses all economic, racial, gender, and societal lines; and

WHEREAS, violence against women and children is an especially prevalent problem in society; and

WHEREAS, victims should have help and support to find the compassion, comfort, and healing they need; and

WHEREAS, Spruce Run – Womancare Alliance has served many people in our region affected by domestic abuse and continues to work to end personal, institutional, and cultural violence; and

WHEREAS, Spruce Run – Womancare Alliance has been an integral part of our community since it incorporated in Maine in 1973 as just the third domestic violence project in the country; and

WHEREAS, together we affirm that domestic violence has no place in the City of Bangor.

NOW, THEREFORE, I, Benjamin A. Sprague, Mayor of the City of Bangor, on behalf of the City Council of the City of Bangor, do hereby proclaim October to be Domestic Violence Awareness Month in the City of Bangor and do hereby offer our thanks and respect to Spruce Run – Womancare Alliance and pledge our support and cooperation for ending domestic violence in our community.

Given this the 15th day of October, 2014.

Benjamin A. Sprague, Mayor



**CONSENT
AGENDA**

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – SEPTEMBER 22, 2014

*Meeting called to Order at 7:30 PM
 Chaired by Councilor Sprague
 Absent: None
 Meeting Adjourned at 7:58 PM*

PUBLIC COMMENT

Geoffrey Gratwick notified the Council that the report on gambling in Maine was out and there should be recommendations made to the legislature for the next session.

Justin Freeman introduced himself to the Council.

**CONSENT AGENDA
 ITEM NO.**

**ASSIGNED TO
 COUNCILOR**

MINUTES OF: *Bangor City Council Regular Meeting of September 8, 2014*

Action: *Accepted and Approved*

**LIQUOR LICENSE
 RENEWALS:**

Application for Liquor License Renewal, Malt, Spirituous, Vinous of Massimo's Cucina Restaurant d/b/a Massimo's Cucina Restaurant, 96 Hammond Street

GALLANT

Action: *Approved*

Application for Liquor License Renewal, Malt, Spirituous, Vinous of Bangor Lodge of Elks #244 d/b/a Bangor Lodge of Elks, 108 Odlin Road

GALLANT

Action: *Approved*

Application for Liquor License Renewal, Malt, Spirituous, Vinous of Dorks R Us d/b/a Bangor Courtyard Marriott, 236 Sylvan Road

GALLANT

Action: *Approved*

Application for Liquor License Renewal, Malt, Spirituous, Vinous of Amas, Inc. d/b/a Thistles Restaurant, 175 Exchange Street

GALLANT

Action: *Approved*

14-301 ORDER

Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 48 Vernon Street

GALLANT

Action: *Passed*

14-302 ORDER

Granting an Easement for a Deck Addition at 735 Hammond Street - Map 6, Lot 15

GRAHAM

Action: *Passed*

14-303 ORDER

Authorizing the City Manager to execute a lease amendment between Montage Enterprises, d/b/a The Grasshopper Shop, and the City of Bangor, Airport Department (BGR).

DURGIN

Action: *Passed*

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – SEPTEMBER 22, 2014

| CONSENT AGENDA | | | ASSIGNED TO |
|-----------------------|--|--|--------------------|
| ITEM NO. | | | COUNCILOR |

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| <u>14-304</u> | <u>ORDER</u> | <i>Authorizing Contract for the Purchase of a Plow Truck</i> | BLANCHETTE |
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Action: Passed

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| <u>14-305</u> | <u>ORDER</u> | <i>Authorizing Execution of Agreement with 25-27 Broad Street, LLC</i> | PLOURDE |
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Action: Passed

| REFERRALS TO COMMITTEE AND FIRST READING | | | ASSIGNED TO |
|---|--|--|--------------------|
| ITEM NO. | | | COUNCILOR |

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|---------------|----------------|--|-----------------|
| <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)(First Reading)</i> | BALDACCI |
|---------------|----------------|--|-----------------|

Action: First Reading

| UNFINISHED BUSINESS | | | ASSIGNED TO |
|----------------------------|--|--|--------------------|
| ITEM NO. | | | COUNCILOR |

| | | | |
|---------------|------------------|---|----------------|
| <u>14-288</u> | <u>ORDINANCE</u> | <i>Amending Land Development Code – Zone Change – 120 Park Street (Tax Map 041-117) from a Government and Institutional Service District to a Downtown Development District</i> | PLOURDE |
|---------------|------------------|---|----------------|

*Action: Motion made and seconded for Passage
Vote: 9 – 0
Councilors Voting Yes: Baldacci, Blanchette, Civiello, Durgin, Gallant, Graham, Nealley, Plourde, Sprague
Councilors Voting No: None
Passed*

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|---------------|--------------|---|-----------------|
| <u>14-289</u> | <u>ORDER</u> | <i>Authorizing the City Manager to Apply for, Accept and Appropriate \$25,000 in Grant Funds from the Stephen and Tabitha King Foundation</i> | BALDACCI |
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*Action: Motion made and seconded for Passage
Passed*

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|---------------|----------------|--|---------------|
| <u>14-290</u> | <u>RESOLVE</u> | <i>Authorizing the City Manager to Accept and Appropriate \$134,500 in Grant Funds from the Maine Department of Health and Human Services, Center for Disease Control and Prevention (CDCP), for the Sodium Reduction in Communities Program</i> | GRAHAM |
|---------------|----------------|--|---------------|

*Action: Motion made and seconded for Passage
Motion Doubted
Vote: 8 - 1
Councilors Voting Yes: Baldacci, Blanchette, Durgin, Gallant, Graham, Nealley, Plourde, Sprague
Councilors Voting No: Civiello
Passed*

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – SEPTEMBER 22, 2014

| UNFINISHED BUSINESS ITEM NO. | | ASSIGNED TO COUNCILOR |
|---|--|----------------------------------|
| <u>14-291</u> | <u>RESOLVE</u> <i>Authorizing the City Manager to Accept and Appropriate \$25,229 of Edward Byrne Memorial Grant Funds in Support of Bangor Police Department and the Penobscot County Sheriff's Department</i> | CIVIELLO |
| | <i>Action: Motion made and seconded for Passage Passed</i> | |

| NEW BUSINESS ITEM NO. | | ASSIGNED TO COUNCILOR |
|----------------------------------|--|----------------------------------|
| LIQUOR LICENSE (CLASS XI) | <i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of 11 Central Inc. d/b/a 11 Central Inc., 11 Central Street</i> <i>Motion made and seconded for Approval Approved</i> | GALLANT |
| PUBLIC HEARING | <i>Application for Special Amusement License of Amas, Inc. d/b/a Thistles Restaurant, 175 Exchange Street</i> <i>Motion made and seconded to Open Public Hearing Public Hearing Opened Motion made and seconded to Close Public Hearing Public Hearing Closed Motion made and seconded for Approval Approved</i> | GALLANT |
| | <i>Application for Special Amusement License of Bangor Lodge of Elks #244 d/b/a Bangor Lodge of Elks, 108 Odlin Road</i> <i>Motion made and seconded to Open Public Hearing Public Hearing Opened Motion made and seconded to Close Public Hearing Public Hearing Closed Motion made and seconded for Approval Approved</i> | GALLANT |
| <u>14-307</u> | <u>ORDER</u> <i>Accepting and Adopting an Arts and Cultural Policy</i> | DURGIN |
| | <i>Action: Passed</i> | |



 Lisa J. Goodwin, MMC, City Clerk

Meeting Agenda
City of Bangor Airport Committee
City Council Chambers 3rd Floor
September 9, 2014

The following City Councilors were in attendance: Airport Committee Chair Nelson Durgin, Councilors, David Nealley, Pauline Civiello, and Joseph Baldacci. The following City Staff were also in attendance, City Manager, Cathy Conlow, Airport Director Tony Caruso, Marketing Manager Risteen Bahr. Also in attendance was General Manager, Parke Clemons.

Agenda:

1. Republic Parking-annual report

Republic Parking Systems was recently awarded the airports and downtown Bangor's parking management contract. Since the award of this contract, Republic Parking has provided the Bangor City Council with periodic updates. Parke Clemons, presented the Airport Committee the airport's annual parking review: The main Lots are for airport customers who park for a short term of time (Hourly Lot) or for longer periods (Daily Lot). There is also the Shuttle Lot. This was created in 2013 to meet the increasing demand for long term parking during the peak travel period. This period starts in mid-February and continues through the first of May. Usage of the lots varies throughout the year. The highest use of the Hourly lot is in the summer when visitors come to Maine. The Daily and Shuttle lots see the highest usage in the winter months when travelers fly out of Maine to southern climates. New parking rates were introduced at BGR in January of 2014. Bangor's rates are still the lowest in the Northeast. There are a number of employees who park in the Daily Lot who have an access pass. Rather than obtain a ticket, employees use this electronic pass to enter and exit the lots. The employees are from the Four Points Sheraton as well as several airlines. We have a number of parkers who use BGR on a regular basis. Over the years there have been requests to offer such customers a monthly rate. Since our system now accommodates monthly access cards and an efficient accounts receivable program, we recommend that the Airport offer a monthly rate to the general public. Parke also indicated that there is confusion among parking customers as to the actual name of the lots-Hourly and Daily. A good compromise would be to use the Hourly Lot for the short term area. This term indicates the type of parking intended in this lot. He recommends the Daily Lot, be changed to Long Term Lot. This should minimize the confusion over the word "daily" while providing a clear alternative to Hourly lot.

2. Montage Enterprise-lease amendment

Montage Enterprises, d/b/a The Grasshopper Shop, operates a retail concession in the domestic terminal at Bangor International Airport. Montage has operated this concession since

1995 and has been an excellent partner with the City of Bangor. Through an internal audit, it was discovered that their lease rate was unfortunately not officially approved by City Council. Any change to a lease must be approved by City Council before being executed. The lease rate will be 10% of net sales. Montage requested this change back in SEP of 2007 given the rate for Stellar Partners, which operates Bangor News & Gifts, was at 10% of net sales. The airport agreed that both concessions should pay the same lease rate. The concessions are required to report net sales to the airport.

Motion approved by Civiello and seconded.

3. Airport statistics-August 2014

Airport Marketing Manager Bahr indicated that the Operational Statistics were not available yet. The total Monthly Passengers for the month was up by .8% and the Total YTD Passengers were down by .8%. Compared to the three year average the monthly passengers were up by 11% and YTD was up by 12%. The August monthly totals were up and best since 2005! Load factors were very strong for the month of August, Allegiant at 94%, Delta at 80%, United at 85% and US Airways at 89%. The Market Share was even between US Airways and Delta, and even between Allegiant and United. US Airways at 39%, Delta at 40%. Allegiant at 11% and United at 11%.

4. Airport construction projects-update

Airport Director Caruso reviewed the constructions projects.

For the Rehabilitation of Godfrey Blvd-, that is on schedule and to be completed by the end of September. This project which includes replacing the aging waterline and roadway, has been fairly smooth and the construction crew has been great with helping our passengers across the street while work is being performed. The replacement water line has been installed and the sanitizing and cleaning of the line is in process. While the testing is performed the rest of the Boulevard will be brought up to grade and paving will begin next week.

The Drainage Canal Project-, (Duck Ditch) the drainage canal located at the Helipad has now been enclosed. The open waterway which once housed several hundred ducks during the winter months will now improve our air traffic safety. After numerous attempts to keep the ducks out of the Airport a decision was made to fill the canal and remove the hazard from the airfield. This decision was in consultation with the FAA and State Wildlife personnel. The ground has been hydro-seeded and the construction crew is demobilizing.

The Domestic Terminal Upgrade: Phase 1- the Domestic Terminal escalators have been in the process of being refurbished. Over the past several months both escalators have been completely removed and all new components added to the existing location. These escalators are original to the domestic terminal and re now up to current safety standards as well as being more energy efficient. One of the nice new features of the escalators is the slow down when

they are not in operation. The second escalator is scheduled to be finished by the end of this week. Phase 2 is the largest piece of the project. This includes the TSA portion for the inline check bags, building the Airline ticket counter and moving the tickets over to the other side, and working on floors and lighting. This project will be approximately 18-24 months. We are currently working on the funding details, and a few months behind on the start of this phase.

Meeting Adjourned.

BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE

Tuesday, September 2, 2014 5:15 PM
City Council Chambers

Minutes

Committee Members Present: Chair Durgin, Councilor Civiello, Councilor Nealley, Councilor Blanchette, Councilor Graham

Staff Present: Cathy Conlow, Tanya Emery, Paul Nicklas, Jason Bird, Steve Bolduc, Caitlin Brooke, Tracy Willette

Chair Durgin called the meeting to order at 5:15 p.m.

1. Sale of Vacant Lot at 150 Court Street to Steve Willey

Assist. City Solicitor Paul Nicklas explained that the City acquired this property in July of 2013. The building was damaged by fire and the property owner offered this lot to the City for back taxes. The City used CDBG funds used to demolish the building and Staff is recommending that the lot be sold to the abutting property owner, Steve Willey. The Assessing Department has valued this lot at \$7,900.

Mr. Steve Willey, the abutting property owner, wishes to purchase the vacant lot for use as a parking lot for his property at 154 Court Street. Both this lot and Mr. Willey's lot are nonconforming. This would create one larger lot thus reducing the nonconformity. Mr. Willey has offered \$5,000 for the lot. Staff recommended approval of the \$5,000 offer.

Councilor Blanchette felt that anytime you can take a nonconforming lot and place it back on the tax rolls is a good thing.

Councilor Civiello asked what the amount of the back taxes and the cost of demolition were. Mr. Nicklas indicated that the back taxes were approximately \$3,300 and demolition costs were approximately \$7,865. Any funds realized from the sale would go back to CDBG. Councilor Civiello indicated that she was in support of this but would like to see it sold at the assessed price.

Mr. Willey indicated that in order to use this lot he will need to invest in stump removal, etc.

Councilor Nealley moved to accept the amended price of \$5,000. Councilor Blanchette indicated that she was comfortable with this as there would be costs

involved before Mr. Willey could use this lot for parking. The motion was doubted by Councilor Civiello. The motion passed by a vote of 4 to 1.

2. Extension of Lease Agreement with Vicki L. Trundy, LCSW

Steve Bolduc, Economic Development Officer, explained that this is a request for a one-year extension of a long-standing lease agreement with Vicki Trundy at 39 Florida Avenue. There are no changes to the prior year's agreement and Staff recommended approval.

Councilor Civiello asked why the lease amount was not increased to reflect changes in utilities. Mr. Bolduc indicated that because the leased area is only a small portion of the building and there were no increased utility costs during the past year, the lease amount did not change.

Councilor Blanchette moved Staff recommendation. Councilor Nealley seconded the motion. The motion passed unanimously.

3. Review of Alternative Locations for Trash Receptacles in Parcel Next to 29 Mercantile Square

Caitlin Brooke explained that this item was before the Committee on August 5, 2014. Mr. Telford Allen, III, owner of 29 Mercantile Square, has requested to lease a 10' x 10' section of City property (former pocket park) to provide for trash receptacles for his tenants. Ms. Brooke indicated that Staff conducted a search for an alternate site at the request of the City Council and none were found.

Councilor Graham expressed concern about communication with other building owners and residents.

Councilor Nealley moved Staff recommendation. The motion was seconded. Councilor Graham doubted. The Committee voted 4 to 1 in favor.

4. Food Truck Vendors in Pickering Square

Caitlin Brooke indicated that there has been a request for a year-round food vendor to be located in Pickering Square. Staff would like to explore policies, similar to those on the waterfront, and bring it back to the Committee for input and discussion.

The Committee discussed the need for trash to be picked more frequently in Pickering Square and seating options.

Councilor Nealley moved Staff recommendation. Councilor Blanchette seconded the motion. The motion was not doubted and therefore carried.

5. **Executive Session** – Economic Development – Property Disposition – 1
M.R.S.A. § 405(6)(C)

It was moved, seconded and unanimously approved to enter into Executive Session under 1 M.R.S.A. § 405(6)(C).

6. Committee Action on Above Item

The Committee did not take action on this item.

7. **Executive Session** – Economic Development – Property Disposition – 1
M.R.S.A. § 405(6)(C)

It was moved, seconded and unanimously approved to enter into Executive Session under 1 M.R.S.A. § 405(6)(C).

8. Committee Action on Above Item

The Committee did not take action on this item.

9. **Executive Session** – Economic Development – Agreement Discussion –
1 M.R.S.A. § 405(6)(C)

It was moved, seconded and unanimously approved to enter into Executive Session under 1 M.R.S.A. § 405(6)(C).

10. Committee Action on Above Item.

The Committee did not take action on this item.

The meeting was adjourned at 6:57 p.m.

BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE

Tuesday, September 16, 2014 5:15 PM
City Council Chambers

Minutes

City Councilors Present: Chair Durgin, Councilor Civiello, Councilor Baldacci, Councilor Nealley, Councilor Blanchette, Councilor Sprague, Councilor Plourde and Councilor Graham

City Staff Present: Tanya Emery, Paul Nicklas, Norm Heitmann, and Caitlin Brooke

Chair Durgin called the meeting to order at 5:15 p.m.

1. Easement - Kenneth Crump, 735 Hammond St.

Assistant City Solicitor Nicklas indicated that this was a request for an easement for a portion of a deck in the setback area of Mr. Crump's property at 735 Hammond Street. This easement would allow the applicant to maintain his recently constructed addition to his deck. Staff recommended approval.

Councilor Baldacci moved and Councilor Nealley seconded a motion to accept Staff recommendation. It was a vote unless doubted. Motion carried.

2. Commission on Cultural Development Proposed Policy

Caitlin Brook indicated that over the last six months the Commission on Cultural Development has been working on an Arts and Cultural Policy using a five-year vision statement and strategic objectives. Staff recommended that the Committee recommend approval by the full Council.

George Kinghorn, Chair of the Commission on Cultural Development discussed the various elements of the proposed policy.

Councilor Plourde moved Staff recommendation. Councilor Baldacci seconded the motion.

Councilors discussed Portland's Public Arts Ordinance, a possible City grant writer position or contracting with a grant writer for funding and whether or not fundraising would be an option for the Commission. The Committee also discussed other fund raising options. Councilors praised the efforts of the Commission for their work on this document.

Councilor Graham discussed requesting that special criteria relating to the plan be spelled out to justifying why projects should be funded when grant requests are recommended to the Council.

Chair Durgin asked for a vote. The motion was not doubted, and carried.

3. **Executive Session** – Economic Development – Property Disposition – Waterfront – 1 M.R.S.A. § 405(6)(C)

Councilor Baldacci moved to enter Executive Session under 1 M.R.S.A. § 405(6)(C). Councilor Nealley seconded the motion. Motion passed.

4. Committee Action on Above Item

No action was taken by the Committee on this item.

5. **Executive Session** – Economic Development – Waterfront Design Services – 1 M.R.S.A. § 405(6)(C) – (Confidential Memo provided separately)

Councilor Plourde moved to enter Executive Session under 1 M.R.S.A. § 405(6)(C). Councilor Baldacci seconded the motion. Motion passed.

6. Committee Action on Above Item

Councilor Baldacci moved Staff recommendation. Councilor Plourde seconded the motion. The vote was not doubted and therefore passed.

Meeting adjourned at 6:30 p.m.

COUNCIL ACTION

Item No. 14-308

Date: October 15, 2014

Item/Subject: **ORDER**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 394 Birch Street (Map 51 Lot 3).

Responsible Department: Legal

Commentary:

Real estate tax and sewer liens matured on the property located at 394 Birch Street, now owned by 394 Birch Street LLC. All outstanding charges due the City have been resolved. There are no 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

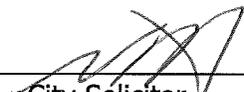
Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for Consent Agenda

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



Assigned to Councilor Blanchette

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 394 Birch Street (Map 51 Lot 3).

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 and sewer liens recorded in the Penobscot County Registry of Deeds in Book 11654, Page 326, Book 11802, Page 264, Book 11890, Page 246, Book 12060, Page 268, Book 12161, Page 171, Book 12211, Page 153, Book 12397, Page 224, Book 12508, Page 124, Book 12851, Page 154, Book 13222, Page 185 and Book 13561, Page 139. Said deed shall be directed to 394 Birch Street, LLC in a form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 14-309

Date: October 15, 2014

Item/Subject: **ORDER**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 976 Odlin Road (Map R10 Lot 8)

Responsible Department: Legal

Commentary:

Real estate tax liens matured on the property of Al Fresco Realty Trust located at 976 Odlin Road. 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 Gallant

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 976 Odlin Road (Map R10 Lot 8)

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 15, Book 13223, Page 59 and Book 13562, Page 25. Said deed shall be directed to Joanne E. Libby, Trustee of Al Fresco Realty Trust in a form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 14-310

Date: October 15, 2014

Item/Subject: Authorizing the City Manager to Accept a \$100.00 Donation from Bouchard Cleaning and Restoration, Inc of Bangor for Fire Prevention/Education Supplies

Responsible Department: Fire

Commentary: This order will authorize the City Manager to accept \$100.00 from Bouchard Cleaning and Restoration, Inc of Bangor for the purpose of purchasing supplies such as Plastic Fire Helmets, educational material and pencils to hand out to children for fire prevention and education. This donation will be administered by Fire Prevention/Education division of the Fire Department.

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 Graham



CITY OF BANGOR

(TITLE.) Order, Authorize the City Manager to Accept a \$100 Donation from Bouchard Cleaning and Restoration, Inc of Bangor for Fire Prevention/Education Supplies

By the City Council of the City of Bangor:

ORDERED, THAT the City is hereby authorized to accept a \$100 donation from Bouchard Cleaning and Restoration, Inc of Bangor for fire prevention/education supplies.

COUNCIL ACTION

Item No. 14-311

Date: October 15, 2014

Item/Subject: **ORDER**, Authorizing the Sale of 230 Washington Street to Webber Group -
Map 49, Lot 246

Responsible Department: Legal

Commentary:

This Order would approve the sale of a parcel of property located at 230 Washington Street to the Webber Group. The Webber Group owns a parcel of land at 170 Washington Street, formerly leased to My Maine Ride and now vacant. The City owns a small lot at 230 Washington Street which is surrounded on three sides by the Webber lot and on the fourth by Washington Street. This lot has been leased to Webber Group or a predecessor in interest for the last thirty years. Webber has now asked to purchase the City lot outright.

The City lot has been incorporated into the Webber Group parking lot for a number of years, and is unbuildable as a stand-alone lot under current zoning. Webber Group has agreed to pay the City's asking price of \$10,183 for the City Parcel.

This item was reviewed and recommended for approval at the October 6, 2014 Finance Committee meeting.

Department Head

Manager's Comments:

Catherine Corley
City Manager

Associated Information: Order

Budget Approval:

William J. [Signature]
Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for

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

14-311
OCTOBER 15, 2014



Assigned to Councilor Nealley

CITY OF BANGOR

ORDER, Authorizing the Sale of 230 Washington Street to Webber Group - Map 49, Lot 246

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

The City Manager is hereby authorized to execute all documents necessary to sell the lot at 230 Washington Street to Webber Group of Companies or a related entity for a price of \$10,183. Said contract shall be in final form as approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 14-312

Date: October 15, 2014

Item/Subject: **ORDER**, Authorizing a License Agreement with Eastern Maine Healthcare System
(Map 001, Lots 002, 010, 011, 013; Map R25, Lot 031)

Responsible Department: Community & Economic Development

Commentary: This Order will authorize a License Agreement with Eastern Maine Healthcare System for use of a telecommunication conduit system in the Maine Business Enterprise Park with the following terms and conditions:

1. Term: twenty-five (25) years
2. Location: 1600' of telecommunication's conduit along Corporate Drive
3. Use: Non-exclusive right to use the telecommunication's conduit
4. Fee: a lump sum payment of \$25,000 or annual payments of \$1,500
5. Maintenance: City will maintain and repair the telecommunication's conduit

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its October 7, 2014 meeting.

/s/ Tanya Emery
Department Head

Manager's Comments:

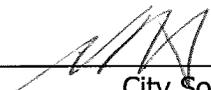

City Manager

Associated Information:

Budget Approval:


Finance Director

Legal Approval:


City Solicitor

Introduced for

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

Page __ of __



Assigned to Councilor Durgin

CITY OF BANGOR

(TITLE.) ORDER, Authorizing a License Agreement with Eastern Maine Healthcare System
(Map 001, Lots 002, 010, 011, 013; Map R25, Lot 031)

WHEREAS, the City of Bangor is the owner of land for development in the Maine Business Enterprise Park; and

WHEREAS, Eastern Maine Healthcare System is the owner of lots in the Maine Business Enterprise Park; and

WHEREAS, Eastern Maine Healthcare System wishes to use the telecommunication conduit system in the Maine Business Enterprise Park:

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, a License Agreement with Eastern Maine Healthcare System for use of a telecommunication conduit system in the Maine Business Enterprise Park with the following terms and conditions:

- Term: twenty-five (25) years
- Location: 1600' of telecommunication's conduit along Corporate Drive
- Use: Non-exclusive right to use the telecommunication's conduit
- Fee: a lump sum payment of \$25,000 or annual payments of \$1,500
- Maintenance: City will maintain and repair the telecommunication's conduit.

COUNCIL ACTION

Item No. 14-313

Date: October 14, 2014

Item/Subject: ORDER, Authorizing Contract for the Purchase of a Rescue Truck (Ambulance)

Responsible Department: Fire

Commentary:

The Fire Department operates five rescue trucks (ambulances) that respond to over 6,000 requests for service each year. The current trucks were built by four different manufacturers on two different chassis. As the trucks have aged, obtaining parts and technical support has become increasingly challenging.

In southern Maine several fire departments were experiencing the same difficulties with their rescue trucks. A group collaborated to develop a specification that could be used to purchase multiple units. They eventually awarded a contract to purchase 16 trucks in six Maine communities. This contract has allowed them to standardize their fleets, as well as take advantage of multi truck discounts by the body and chassis manufacturers. Additionally, they have better parts and service options, and a buy back program.

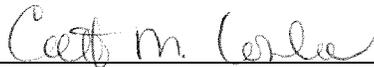
This "Southern Maine Bid" is available to Bangor for rescue trucks purchases. Recently, the City of Auburn exercised the same option to buy three trucks as they start up a new EMS transport program. Locally, Orono & Old Town Fire Departments use the same equipment. The cost of the rescue truck will not exceed \$157,000. The only additional costs will be the installation of the radio. The FY 14/15 budget included \$164,500 for this purchase.

On October 6, 2014, the Finance Committee reviewed and approved staff recommendation to purchase the rescue truck from Sugarloaf Vehicles in an amount not to exceed \$157,000.

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

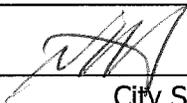
Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

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



Assigned to Councilor Blanchette

CITY OF BANGOR

**(TITLE.) Order, Authorizing Contract for the Purchase of a Rescue Truck
(Ambulance)**

By the City Council of the City of Bangor:

ORDERED,

THAT, Deborah Cyr, Finance Director is hereby authorized to execute a contract with Sugarloaf Vehicles in the amount not to exceed \$157,000 for the purchase of a rescue truck (ambulance).



**REFERRALS TO COMMITTEES
& FIRST READINGS**

COUNCIL ACTION

Item No. 14-314

Date: October 15, 2014

Item/Subject: 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

Commentary: The proposed amendment to the Technology and Service District will add drive-in businesses as a conditional use provided they are located on Maine Avenue. This amendment will allow the development of drive-up service windows in the Maine Business Enterprise Park.

/s/ Tanya L. Emery
Department Head

Manager's Comments:

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

Scott M. Corle
City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for

 Passage

 X First Reading

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

Page 1 of 1



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

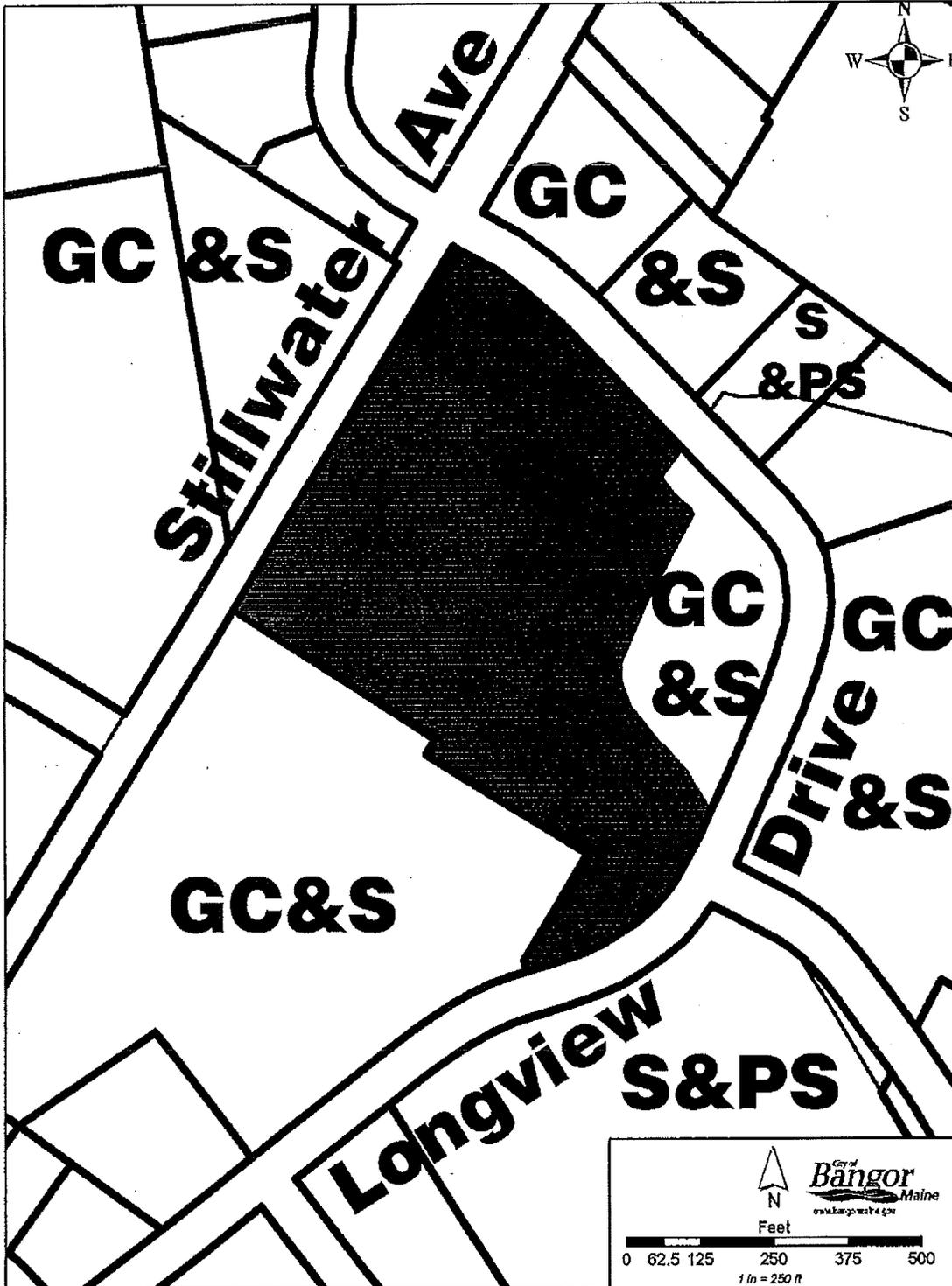
Technology and Service District (T&S)

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

7/1/2012

APPLICATION FOR LAND DEVELOPMENT CODE AND MAP AMENDMENT

TO: THE CITY COUNCIL AND
THE PLANNING BOARD OF BANGOR, MAINE:

DATE: 09-26-14

- I(WE) Longview Plaza, LLC
- of 25 Recreation Park Drive, Suite 204, Hingham, MA 02043
Address City or Post Office Telephone

hereby petition to amend the Land Development Code of the City of Bangor, Maine by reclassifying from S&PS district to the GC&S district for the property outlined in red on the maps attached hereto, which are part of this application, and described as follows:

- ADDRESS OF PROPERTY (if any) 164 Longview Drive, Bangor Me 04401
Total Area (acres or square feet) 9.9 Acres
- PROPERTY LOCATION (General location): Example - South side of State Street 400 yards. East of Pine Street
Southwest quadrant of intersection of Longview Drive and Stillwater Avenue
- LEGAL DESCRIPTION OF PROPERTY - Assessors Map No. Parcel Map No. R69 Parcel 001-N
- EXISTING USE: Vacant Retail Building Site
- PROPOSED USE: Retail
- NAME AND ADDRESS OF OWNER OF RECORD: Name Home Depot USA Inc.
2455 Paces Ferry Road Se
Atlanta, GA 30330
~~Address~~
- NAME AND ADDRESS OF CONTRACT OWNER (if such): Longview Plaza, LLC
- SIGNATURE OF OWNER OR CONTRACT OWNER: Andrew Hamilton, Representative
- REPRESENTATIVE OF APPLICANT: Name P. Andrew Hamilton, Esq.
(if applicable) Eaton Peabody
Address PO Box 1210, Bangor, Me 04402
- ATTACH ANY CONDITIONS PROPOSED FOR A CONTRACT ZONE REQUEST.

RETURN FORM & DUPLICATE TO PLANNING DIVISION, CITY HALL, BANGOR, ME.

| <u>Application fee</u> | <u>Processing</u> | <u>Advertising</u> | <u>Total</u> |
|---|-------------------|--------------------|--------------------|
| Zone Change (1/2 acre or less) | \$575.00 | \$410.00* | \$ 985.00 |
| Zone Change (in excess of 1/2 acre) | \$920.00 | \$410.00* | \$1,330.00 |
| Contract Zone Change - 5 conditions or less | \$1,377.00 | \$509.00* | \$1,886.00 |
| More than 5 conditions or 50 words | \$1,900.00 | \$509.00** | \$To be determined |

*Two Ads Required ** Advertising costs above this amount to be paid for by applicant.

PLEASE READ PROCESSING PROCEDURE ON REVERSE SIDE

COUNCIL ACTION

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

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

Manager's Comments:

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

Carl M. Case
City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for

 Passage

 X First Reading

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

Page 1 of 1

Assigned to Councilor Flourde



CITY OF BANGOR

(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.

COUNCIL ACTION

Item No. 14-316

Date: October 15, 2014

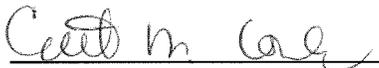
Item/Subject: **ORDINANCE**, Amending Chapter 223, Uninhabitable Buildings, of the Code of the City of Bangor, By Allowing Service of Notice of Placarding By Certified or First-Class Mail

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:



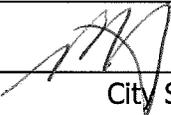
City Manager

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

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

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

Commentary:

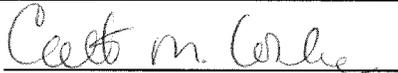
This ordinance amendment would allow mobile home parks in the Rural Residence and Agricultural District that met certain standards to be reconstructed.

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.

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 Business and Economic Development Committee on October 21, 2014

OCTOBER 15, 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~~.

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. Collier
City Manager

Associated Information: Resolve

Budget Approval:

William J.
Finance Director

Legal Approval:

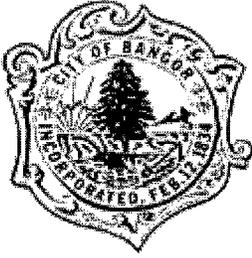
[Signature]
City Solicitor

Introduced for

 Passage

 X **First Reading**

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



Assigned to Councilor Durgin

CITY OF BANGOR

(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

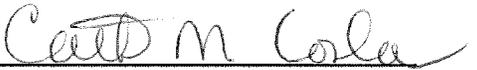
Responsible Department: Golf Course

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

(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.

COUNCIL ACTION

Item No. 14-320

Date: October 15, 2014

Item/Subject: Resolve, 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).

Responsible Department: Fire

Commentary: On August 26, 2013 (CO13-292), the Council authorized the City Manager to apply for Staffing for Adequate Fire and Emergency Response (SAFER) grant funding. The SAFER application submitted would fund the wages and benefits of four firefighters for a period of two years.

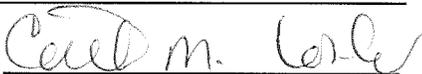
Initially, the City's application was not funded by the grantor agency. Since the initial award, some grants that were originally approved for other agencies have not been awarded for one reason or another. Accordingly the Agency went back to the initial applications to award to applicants who were initially not funded. The City of Bangor was one of those applicants.

During the grant period, the City must maintain the level of employment, no reductions in staff will be allowed and it must take active steps to fill any vacancies. This grant has no matching requirement or any obligation after the conclusion of the two year period of performance to retain the positions. The City is responsible for pre-employment, uniform and equipment costs of approximately \$3,000 per position. In addition, all firefighters are required to obtain and retain a paramedic license. If an employee does not have a paramedic license, the City is responsible for the cost of tuition (\$4,858 - \$6,790) plus books and any hours attending class are considered hours worked for compensation purposes. If the class is during a regularly scheduled, shift, that shift may be subject to backfill.

The acceptance and appropriation of this grant award was reviewed and recommended for approval by the Finance Committee on October 6, 2014.

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 Blanchette

CITY OF BANGOR

(TITLE.) Resolve, 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)

Be it resolved by the City Council of the City of Bangor that:

\$498,540.25 in Staffing for Adequate Fire and Emergency Response (SAFER) grant funds from the US Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA) to pay the wages and benefits of four (4) firefighters is hereby accepted and appropriated.



**UNFINISHED
BUSINESS**

SEPTEMBER 22, 2014

Assigned to Councilor Baldacci



CITY OF BANGOR

(TITLE.) Resolve , Authorizing the City Manager to Accept and Appropriate \$189,169.44 in FY 2014 Homeland Security Grant Funding from the Maine Emergency Management Agency (MEMA)

By the City Council of the City of Bangor:

RESOLVED that \$189,169.44 in FY 2014 Homeland Security Grant Funds from the Maine Emergency Management Agency (MEMA) to improve Police and Fire Department preparedness and response capabilities for Homeland Security related events is hereby accepted and appropriated.

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

**City of Bangor
 FY 2014 Homeland Security Grant
 Program Budget**

| SHSP | LETPP | Program | Description |
|-------------|--------------|--|---|
| 30,000 | | Technical Rescue Team | To provide training and continuing education for the teams including but not limited to high and low angle rope, confined space, swift water, collapse rescue, swift water and Marine 1 rescue. Equipment replacement as necessary |
| | 15,000 | Explosive Ordinance | To provide funding for continued certification training, provide best practice training and to maintain and upgrade specialized equipment as required. |
| | 23,000 | Special Response Team | The majority of the funding will again this year be utilized for new member certification training and for current member advanced specialized training. Funding will also be used to upgrade aging equipment and provide new members with necessary equipment. The entire squad is completing a certification advancement program which will require an assessment of current equipment. |
| 20,169 | | Command Truck | Support for the truck includes yearly expenses for Satellite service, cell phone service, Direct TV, Satellite phone, Radio programming. Equipment upgrades include recording & switching gear. A portion of the allocation will be used for training and exercise. |
| 10,000 | | Fire Medic Training | Specialized training for Fire Department tactical medics |
| 35,000 | | Extrication Equipment | Replace extrication equipment on three fire engines |
| | 9,000 | Evidence Collection Training/Equipment | Equipment and consumable supplies for crime scene processing, evidence collection and documentation. Training to include technical evidence collection techniques and handling. |

20,000 Night Vision Capabilities The Police Special Response team is in need of night vision optics. This is an expensive project and we will request full funding over two grant cycles. This request would purchase 6 units. This is phase two - finalizing the project.

25,000 Active Shooter Training All members of the department are required to participate in a yearly active shooter training course, typically held at one of the City schools during April vacation. This request includes continuing education for the instructors and overtime and backfill costs as necessary. We will invite members of the Bangor Fire Department and officers from neighboring police agencies. If adequate funding is available within the grant, partial reimbursement of other police agencies personnel overtime and backfill cost may be offered.

2,000 HLS program mgment Direct hourly expense for program administration

| | | |
|--------|--------|---------|
| 97,169 | 92,000 | 189,169 |
|--------|--------|---------|

189,169 FY 2014 Allocation

FY14 HSGP County/Local Distribution Formula

| | |
|------------------------|-----------------------|
| Total HSGP | \$1,010,130.00 |
| Total LETPP | \$355,630.00 |
| Total Available | \$1,365,760.00 |

| County | Total | Amount for LETPP | Special Team Stipends (from Statewide Shared Programs funding) | | | | | Total FY14 Allocation | % of avail funding |
|--------------|-----------------------|------------------|---|--------------------|--------------------|--------------------|--------------------------|--------------------------|-----------------------|
| | | | IMAT Stipend | CERT Stipend | RRT Stipend | DST Stipend | Total FY14 Allocation | | |
| Androscoggin | \$84,740.90 | \$26,269.68 | \$1,500.00 | (metro) | | | \$86,240.90 | 5.8% | |
| Aroostook | \$97,644.33 | \$30,269.74 | \$1,500.00 | \$15,000.00 | | \$10,000.00 | \$124,894.33 | 8.3% | |
| Cumberland | \$134,882.51 | \$41,813.58 | \$1,500.00 | (metro x2) | | \$10,000.00 | \$147,882.51 | 9.9% | |
| Franklin | \$67,886.57 | \$21,044.84 | \$1,500.00 | | | | \$69,386.57 | 4.6% | |
| Hancock | \$80,641.34 | \$24,998.82 | \$1,500.00 | | | | \$82,141.34 | 5.5% | |
| Kennebec | \$94,713.43 | \$29,361.16 | \$1,500.00 | \$15,000.00 | (metro) | | \$112,713.43 | 7.5% | |
| Knox | \$68,939.97 | \$21,371.39 | \$2,500.00 | | | | \$71,439.97 | 4.8% | |
| Lincoln | \$68,000.31 | \$21,080.09 | \$1,000.00 | | \$5,000.00 | | \$75,500.31 | 5.0% | |
| Oxford | \$81,101.89 | \$25,141.59 | \$1,500.00 | \$15,000.00 | | | \$97,601.89 | 6.5% | |
| Penobscot | \$115,814.44 | \$35,902.48 | \$1,750.00 | \$15,000.00 | | | \$132,564.44 | 8.9% | |
| Piscataquis | \$63,650.70 | \$19,731.72 | | | | | \$63,650.70 | 4.3% | |
| Sagadahoc | \$64,460.04 | \$19,982.61 | | | | | \$64,460.04 | 4.3% | |
| Somerset | \$78,409.47 | \$24,306.94 | \$3,000.00 | | \$5,000.00 | | \$86,409.47 | 5.8% | |
| Waldo | \$72,033.69 | \$22,330.44 | \$2,500.00 | | \$5,000.00 | | \$81,033.69 | 5.4% | |
| Washington | \$78,854.22 | \$24,444.81 | \$1,500.00 | | | | \$78,854.22 | 5.3% | |
| York | \$113,986.18 | \$35,335.72 | \$1,500.00 | | \$5,000.00 | | \$121,986.18 | 8.2% | |
| TOTAL | \$1,365,760.00 | | \$9,000.00 | \$22,000.00 | \$60,000.00 | \$40,000.00 | \$1,496,760.00 | | |

FY14 HSGP Metro Distribution Formula

| | |
|--------------------------|-----------------------|
| Total Metro HSGP | \$826,470.00 |
| Total Metro LETPP | \$290,970.00 |
| Total Available | \$1,117,440.00 |

| Metro Allocations | | | | |
|--------------------------|---------------|----|--------------|-----------------|
| | HSGP | | LETPP | Total |
| Auburn | \$ 75,622.01 | \$ | 26,623.76 | \$ 102,245.76 |
| Augusta | \$ 87,605.82 | \$ | 30,842.82 | \$ 118,448.64 |
| Bangor* | \$ 137,958.72 | \$ | 51,210.72 | \$ 189,169.44 |
| Lewiston | \$ 119,838.15 | \$ | 42,190.65 | \$ 162,028.80 |
| Portland | \$ 266,371.28 | \$ | 93,779.63 | \$ 360,150.91 |
| South Portland | \$ 131,574.02 | \$ | 46,322.42 | \$ 177,896.45 |
| Totals | \$ 818,970.00 | \$ | 290,970.00 | \$ 1,109,940.00 |

* Bangor reduced by \$7500 allocated to Old Town/Orono RRT



**NEW
BUSINESS**

COUNCIL ACTION

Item No. 14-321

Date: 10-15-2014

Item/Subject: Resolve, Ratifying Execution of Electricity Supply Contract(s)

Responsible Department: Finance

Commentary:

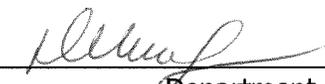
For a number of years, the City of Bangor has been a member of Maine Power Options, which is an energy purchasing consortium that serves local governments and non-profit organizations in Maine.

Currently, the City is under contract for certain medium service electrical accounts through 11/1/2014 at a rate of .061129/kwh for supply costs.

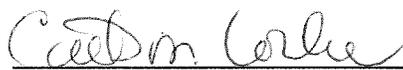
Unfortunately, this contract is expiring during a volatile period of time in the energy markets. One driving factor being that natural gas costs rose significantly over the last year (nearly 40%).

The City did have the option of converting these accounts to the standard offer, but those rates for the months of December – February are ranging from .12 - .16/kwh. On Monday, October 6, 2014 MPO provided pricing options available for these accounts. The recommendation was to contract for a three year period for a cost of .08214/kwh for supply. This recommendation was reviewed and approved by the Finance Committee on October 6, 2014.

Due to the time sensitive nature of utility bidding, the actual acceptance of any pricing offer must occur within 48 hours of its offering. Therefore, based on the recommendation of the Finance Committee the contract was executed. This order would ratify the actions taken by staff to execute the contract.

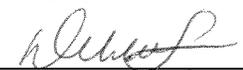

Department Head

Manager's Comments:


City Manager

Associated Information: Order

Budget Approval:


Finance Director

Legal Approval:


City Solicitor

Introduced for

- Passage - Consent
- First Reading
- Referral

Page __ of __



Assigned to Councilor Gallant

CITY OF BANGOR

(TITLE.) Resolve, Ratifying Execution of Electricity Supply Contract(s)

By the City Council of the City of Bangor:

ORDERED, THAT the execution of electricity supply contracts with Maine Power Options to fix electricity supply costs for the period beginning 11/1/2014 is hereby ratified.