

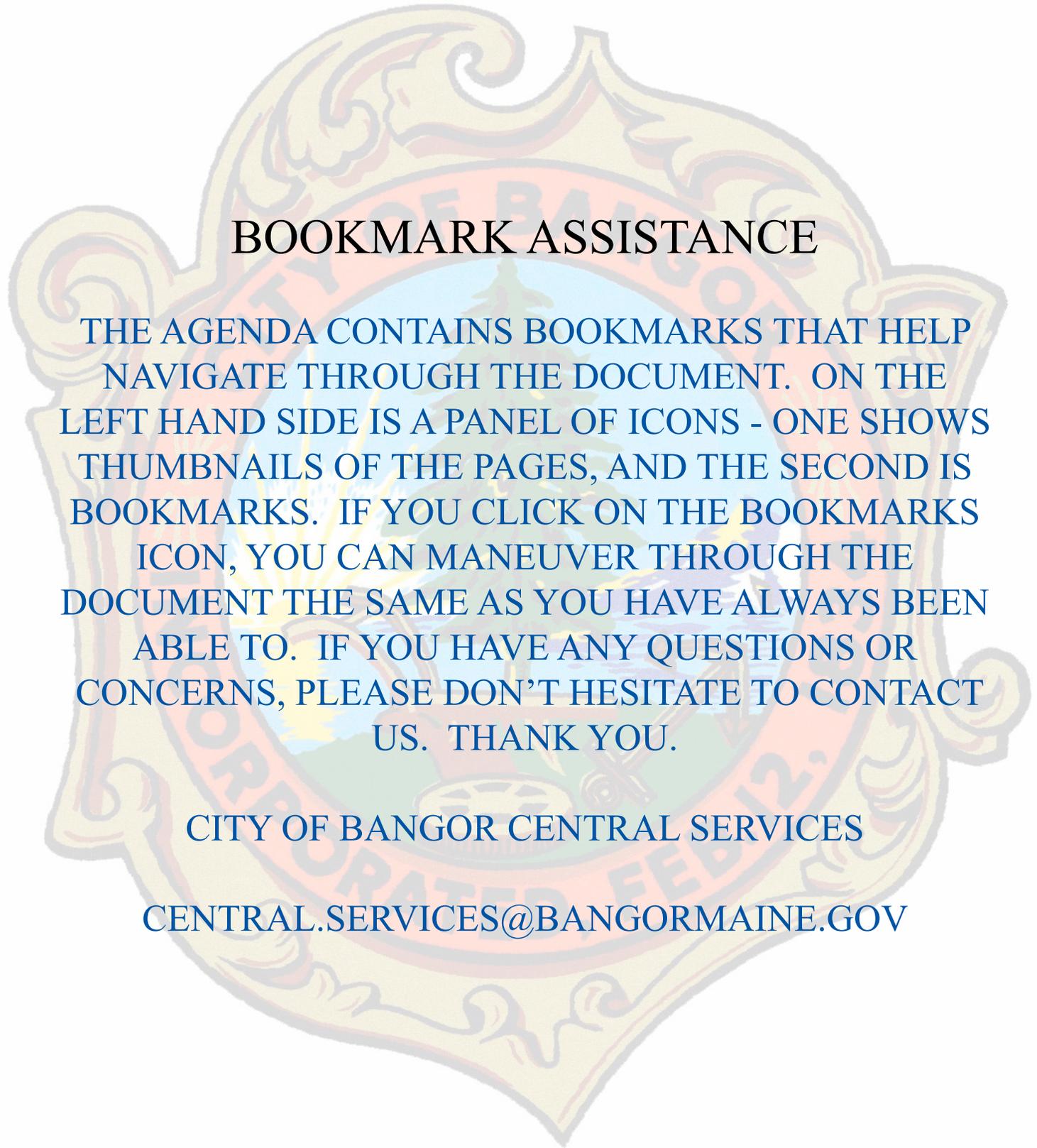
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CITY COUNCIL AGENDA

NOVEMBER 13, 2013





BOOKMARK ASSISTANCE

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CITY OF BANGOR CENTRAL SERVICES

CENTRAL.SERVICES@BANGORMAINE.GOV

REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 13, 2013

PLEDGE ALLEGIANCE TO THE FLAG

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 Meeting of October 28, 2013,
Government Operations Committee Meeting of August
5, 2013 and November 4, 2013.**

**14-002 ORDER Authorizing Execution of Municipal Quitclaim Deed – BLANCHETTE
Real Estate Located at 50 Grove Street**

Executive Summary: Real estate tax liens matured on the property of Stephen and Nancy Hosmer of 50 Grove Street. 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.

**14-003 ORDER Acknowledging Receipt of the Official Results and the CIVIELLO
Declaration Results of the November 5, 2013 State
Referendum & Municipal Elections**

Executive Summary: This Resolve will acknowledge the results of the State Referendum and Municipal Elections held on November 5, 2013.

**14-004 ORDER Authorizing the City Manager to Execute a NEALLEY
Memorandum of Understanding with Sebacook Valley
Health as the Fiscal Agent for Healthy Sebacook
Valley**

Executive Summary: This Order will enable the City Manager to execute a memorandum of understanding on behalf of the City with Sebacook Valley Health, the fiscal agent for Healthy Sebacook Valley (Healthy SV). The City has subcontracted with Healthy SV since 2010 to provide Healthy Maine Partnership services to six towns in Penobscot County. Because the agreement amount exceeds \$5,000 the State of Maine requires that an MOU be in place between the two parties. This is a continuation of the current arrangement and staff recommends approval.

**14-005 ORDER Authorizing Settlement of Worker's Compensation DURGIN
Claim – Thomas Goehringer**

REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 13, 2013

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

Executive Summary: The attached Order would authorize the settlement of a workers' compensation claim for Thomas Goehringer, a Fire Department employee. The settlement will provide for a lump sum payment of \$97,500 and a 10% attorney fee. On November 4, 2013, the Finance Committee reviewed the proposed settlement and unanimously recommended approval.

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

**ASSIGNED TO
COUNCILOR**

14-006 ORDINANCE Amending Land Development Code – Contract Zone Change – 2 Fourteenth Street from Urban Residence One District to a Contract Urban Residence Two District (First Reading and Referral to Planning Board Meeting of November 19, 2013)

SPRAGUE

Executive Summary: This ordinance will amend the Land Development Code by changing a 2.58 acre parcel of land at 2 Fourteenth Street from an Urban Residence District 1 to Contract Urban Residence Two district. The property was formerly a portion of Mount Pleasant Cemetery cut off by the extension of Fourteenth Street to Ohio Street. The current zone provides for a 4.356 units per acre, however, the applicant, J.R.G. Properties, is requesting a contract zone change which will provide contract conditions that limit the property to “attached residential structures” with a maximum development density of 5 dwelling units per acre. Applicant seeks to allow attached residential on the site (units connected by a common wall) at densities similar to URD-1.

14-007 RESOLVE Authorizing the City Manager to Accept and Appropriate \$32,518 in McKinney-Vento Homeless Assistance Funds from the U.S. Department of Housing and Urban Development (HUD) for the period 12/31/2013 to 12/30/2014 (First Reading and Referral to Government Operations Committee Meeting of November 19, 2013)

DURGIN

Executive Summary: This resolve will authorize the City Manager to accept and appropriate a one year grant from HUD in the amount of \$32,518 to continue to provide Shelter Plus Care Rental Assistance for three families to live in Apartments owned by Penquis. Shelter Plus Care promotes housing stability by paying rent for homeless individuals and families. Each recipient is expected to have a case manager to assist him/her with life skills such as healthy living, financial literacy and employment. This is a five year grant, renewable each year. These funds were granted through the 2012 Maine Continuum of Care planning and selective competition process. It should be noted that this project received the highest score in the State of Maine using the criteria of housing stability and compliance with HUD requirements.

REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 13, 2013

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

**ASSIGNED TO
COUNCILOR**

14-008 RESOLVE Authorizing the City Manager to Accept and Appropriate \$117,535 in McKinney-Vento Homeless Assistance Funds from the U.S. Department of Housing and Urban Development (HUD) for the period 12/1/2013 to 11/30/2014 (First Reading and Referral to Government Operations Committee Meeting of November 19, 2013)

BLANCHETTE

Executive Summary: This resolve will authorize the manager to accept and appropriate a one year grant from HUD in the amount of \$117,535, to provide Shelter Plus Care Rental Assistance for qualified individuals and families to live in any community in Penobscot County. Shelter Plus Care promotes housing stability by paying rent for homeless individuals and families. Each recipient is strongly encouraged and expected to have a case manager to assist him/her with life skills such as healthy living, financial literacy and employment. This is a five year grant, renewable each year. These funds were granted through the 2012 Maine Continuum of Care planning and selective competition process.

14-009 ORDINANCE Enacting a Moratorium on Expansion of Buprenorphine Treatment Facilities (First Reading and Referral to Government Operations Committee of November 19, 2013)

CIVIELLO

If approved, this Ordinance would impose a moratorium on new facilities providing Suboxone or other buprenorphine treatment, and the expansion of buprenorphine treatment programs in existing facilities, for a period of 180 days. This period is intended to allow the necessary time for the City Council to review the City's current land use regulations in regard to chemical dependency treatment facilities and, if appropriate, regulate the provision of buprenorphine treatment in the City. Under state law, if necessary, a moratorium may be extended for additional 180 day periods upon a finding that the problem giving rise to the moratorium continues to exist and reasonable progress is being made to alleviate the problem.

**UNFINISHED BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

13-349 ORDINANCE Amending Chapter 260, Signs, of the Code of the City of Bangor, By Providing for a Sign for the Bass Park District

NEALLEY

Executive Summary: This ordinance amendment would allow for a single freestanding sign at the corner of Dutton Street and Main Street with panels for the commercial establishments in the Bass Park District, similar to other commercial and industrial parks in the City. An electronic sign would be allowed as part of this sign, as electronic signs are permitted in the Bass Park District. The Bass Park District now has, or will soon have, several commercial destinations, including the Cross Insurance Center, the Bangor Historic Track, and a hotel. This ordinance was reviewed and recommended for approval by the Business and Economic Development Committee on October 29, 2013.

REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 13, 2013

**UNFINISHED BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

13-350 ORDINANCE Amending Land Development Code – Contract Zone Change – 76 Dutton Street from General Commercial & Service, Urban Residence 2 and Urban Service District to Contract Bass Park District

SPRAGUE

Executive Summary: This Ordinance will amend the Land Development Code by rezoning a 3.13 acre parcel of land, located at 76 Dutton Street, from its current General Commercial & Service, Urban Residence 2 and Urban Service District to a Contract Bass Park District. The co-applicant's, City of Bangor and Banres LLC, are requesting a contract zone change to facilitate and create flexibility in the zoning standards for a proposed hotel use. Specifically, the effect of this amendment will be to reduce front setbacks at Dutton Street. That will allow the building to be closer to Dutton Street, facilitate protection of the adjacent, residential district located at the rear of the property and preserve parking at Bass Park. The Planning Board reviewed this item on November 5, 2013 and voted five in favor and one opposed to recommending approval.

13-351 ORDINANCE Enacting a Moratorium on Certificates of Occupancy for Facilities Providing Suboxone Treatment

BALDACCI

Executive Summary: This Ordinance would impose a moratorium on permitting facilities providing suboxone treatment in the City of Bangor for a period of 180 days. This period is intended to allow the necessary time for the City Council to review the City's current land use regulations in regard to chemical dependency treatment facilities and, if appropriate, regulate the provision of suboxone treatment in the City.

Under state law, if necessary, a moratorium may be extended for additional 180 day periods upon a finding that the problem giving rise to the moratorium continues to exist and reasonable progress is being made to alleviate the problem.

This item was reviewed and recommended for approval at the Government Operations Committee meeting on October 22, 2013. Since that time, a new Ordinance has been proposed which would enact a moratorium on permitting new facilities as well as allowing the expansion of existing facilities beyond their current license levels. Thus, with the new Ordinance proposal, Ordinance 13-351 has been recommended for indefinite postponed by the Government Operations Committee on November 4, 2013.

REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 13, 2013

**UNFINISHED BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

13-352 RESOLVE **Accepting and Appropriating funding in the amount of \$19,480 from the Maine Health Access Foundation **BLANCHETTE****

Executive Summary: This resolve will accept and appropriate \$19,480 in planning grant funds from the Maine Health Access Foundation to identify 1-2 critical health issues in the Penquis Region. If approved, Bangor will serve as the lead agency bringing together a diverse group representing public and private organizations across multiple industries and sectors. The partners include Eastern Maine Healthcare Systems; Eastern Maine Development Corporation; Penquis; Penobscot Community Health Care; St. Joseph Healthcare; Community Health & Counseling Services; Bangor Area Homeless Shelter; Town of Orono; Eastern Area Agency on Aging; Wellspring; Charlotte White Center; Greater Bangor Chamber of Commerce; Bangor School Department; University of Maine; and Pro-Elder Consulting, LLC. The term of the grant is for one-year from November 1, 2013 through October 31, 2014. This Resolve was reviewed and recommended for approval by the Finance Committee on November 4, 2013.

**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

14-010 ORDER **Appointing Nominees to Various Boards, Commissions, and Committees **DURGIN****

Executive Summary: This Order will authorize the attached 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 and recommended for approval by the Personnel Committee on October 28, 2013.

14-011 ORDER **Accepting \$6,834.50 in Donations from various Individuals, Businesses, and the Dinner Fundraiser for the Continuation of the Community Connector Odlin Road Bus Route **BALDACCI****

Executive Summary: This Order will accept donations from the following individuals, businesses and the recent dinner fundraiser for the continuation of the Community Connector Odlin Road bus route.

- | | |
|--------------------------|------------------------------|
| Aaron Frey | Discovery House |
| Todd Nadeau | William Noyes dba OT Taxi |
| Largay Law Offices | Penquis |
| Grace Evangelical Church | Spaghetti Dinner |
| Ramada Bangor | Aaron & Mary-Ellen MacDonald |
| Pamela Aloupis | Fairmount Market |

REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 13, 2013

**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

As part of the FY 2014 budget adoption process, funding for the Community Connector Odlin Road bus route was eliminated effective September 1, 2013. Since that decision, public concern and Council interest has resulted in a desire to revisit the decision. The estimated cost to continue the transit service for the remaining ten months of FY 2014 is \$20,000, or approximately \$2,000 per month. To that end, the Council authorized a fundraising effort to accept contributions for the continuation of the route. This donation brings the total raised to date to \$11,060.05.

14-012 ORDER

Authorizing Grant of \$2,000 to the Downtown Bangor Partnership to Support the Downtown Countdown New Year's Eve Event

GALLANT

Executive Summary: This Order will authorize a grant in the amount of \$2,000 to the Downtown Bangor Partnership. The Downtown Bangor Partnership submitted an application for funding of \$2,000 in partial support of the Downtown Countdown 2014. The event features a number of venues throughout downtown that offer entertainment and activities for people of all ages. The Downtown Bangor Partnership has secured over \$13,000 in private donations to support the event. The Cultural Commission has unanimously recommended approval of the request because of the event's popularity, the variety of entertainment options that appeal to a diverse cross-section of the community, the event is offered at no cost to the community, and the community support is strong and has strengthened over the years.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its October 29, 2013 meeting.



**CONSENT
AGENDA**

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 28, 2013

*Meeting called to order at 7:30 PM
 Chaired by Councilor Durgin
 Councilors Absent: None
 Meeting adjourned at 9:20 PM*

Proclamation: *Proclaimed November 1, 2013 Extra Mile Day in the City of Bangor*

Recognition: *Recognized and Thanked the 4th of July Corporation for their Independence Day Celebration Contributions Benefiting the Greater Bangor Region*

PUBLIC COMMENT *Recognition was given to Dennis Marble, Director of the Bangor Homeless Shelter for the cleaning up of the Pines. City staff as well as Sam's Club and Job Corps were also thanked for their participation.*

CONSENT AGENDA ITEM NO.	ASSIGNED TO COUNCILOR
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MINUTES OF: *Bangor City Council Regular Meeting of October 16, 2013, Bangor Water District Board of Trustees Meeting of September 24, 2013, and Infrastructure Committee Meetings of August 26, 2013, October 7, 2013 and October 21, 2013*

Action: *Accepted and Approved*

Liquor License Renewal:	<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous, Allon R. Fish d/b/a BAFS, Inc., 61 Florida Avenue</i>	LONGO
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Action: *Approved*

<u>13-345</u> <u>ORDER</u>	<i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 241 Fourteenth Street</i>	BLANCHETTE
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Action: *Passed*

<u>13-346</u> <u>ORDER</u>	<i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 4 E Street, Birch Hill Estates</i>	HAWES
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Action: *Passed*

<u>13-347</u> <u>ORDER</u>	<i>Authorizing the City Manager to Accept \$1,297.50 in U.S. Currency, or a Portion Thereof, as a result of a State Criminal Forfeiture</i>	LONGO
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Action: *Passed*

<u>13-348</u> <u>ORDER</u>	<i>Authorizing the City Manager to Accept \$720.00 in U.S. Currency, or a Portion Thereof, as a result of a State Criminal Forfeiture</i>	BALDACCI
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Action: *Passed*

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 28, 2013

REFERRALS TO COMMITTEE AND FIRST READING			ASSIGNED TO COUNCILOR
ITEM NO.			
<u>13-349</u>	<u>ORDINANCE</u>	<i>Amending Chapter 260, Signs, of the Code of the City of Bangor, By Providing for a Sign for the Bass Park District</i>	NEALLEY
	Action:	<i>First Reading and Referral to Business & Economic Development Committee Meeting of October 29, 2013</i>	
<u>13-350</u>	<u>ORDINANCE</u>	<i>Amending Land Development Code – Contract Zone Change – 76 Dutton Street from General Commercial & Service, Urban Residence 2 and Urban Service District to Contract Bass Park District</i>	SPRAGUE
	Action:	<i>First Reading and Referral to Planning Board Meeting of November 5, 2013</i>	
<u>13-351</u>	<u>ORDINANCE</u>	<i>Enacting a Moratorium on Certificates of Occupancy for Facilities Providing Suboxone Treatment</i>	BALDACCI
	Action:	<i>First Reading and Referral to Government Operations Committee of November 19, 2013</i>	
<u>13-352</u>	<u>RESOLVE</u>	<i>Accepting and Appropriating funding in the amount of \$19,480 from the Maine Health Access Foundation</i>	BLANCHETTE
	Action:	<i>First Reading and Referral to Finance Committee of November 4, 2013</i>	

UNFINISHED BUSINESS			ASSIGNED TO COUNCILOR
ITEM NO.			
<u>13-339</u>	<u>RESOLVE</u>	<i>Accepting and Appropriating Grant Funds from the U.S. Department of Housing and Urban Development - Shelter Plus Care Renewal</i>	BALDACCI
	Action:	<i>Motion made and seconded for Passage Passed</i>	
<u>13-340</u>	<u>ORDINANCE</u>	<i>Amending Chapter 23, Boards, Committees and Commissions, of the Code of the City of Bangor, By Expanding the Number of At-Large Commission on Cultural Development Members</i>	BLANCHETTE
	Action:	<i>Motion made and seconded for Passage Vote: 9 – 0 Councilors Voting Yes: Baldacci, Blanchette, Civiello, Gallant, Hawes, Longo, Nealley, Sprague, Durgin Councilors Voting No: None Passed</i>	
<u>13-344</u>	<u>ORDINANCE</u>	<i>Amending Chapter 223, Property Maintenance, of the Code of the City of Bangor, By Creating an Abandoned Building Ordinance</i>	SPRAGUE

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 28, 2013

UNFINISHED BUSINESS **ASSIGNED TO COUNCILOR**
ITEM NO.

Action: *Motion made and seconded for Passage*
Motion made and seconded to Amend by Substitution Order 13-340
Amendment Passed
Vote: 9 – 0
Councilors Voting Yes: Baldacci, Blanchette, Civiello, Gallant, Hawes, Longo, Nealley, Sprague, Durgin
Councilors Voting No: None
Passed As Amended

NEW BUSINESS **ASSIGNED TO COUNCILOR**
ITEM NO.

13-353 **ORDER** *Appointing Nominees to Various Boards, Commissions, and Committees* **BLANCHETTE**

Action: *Motion made and seconded for Passage*
Passed

13-354 **ORDER** *Authorizing the City Manager to execute amendments for one-year extensions for the lease and concession agreements with Avis, Hertz, Budget, Alamo and National Car Rental Companies at Bangor International Airport* **LONGO**

Action: *Motion made and seconded for Passage*
Passed

13-355 **ORDER** *Authorizing Execution of Second Amended and Restated Indenture of Lease – Bangor Historic Track, Inc.* **NEALLEY**

Action: *Motion made and seconded for Passage*
Passed



Lisa J. Goodwin, MMC, City Clerk

Government Operations Committee

Monday, August 5, 2013

5:00 p.m.

City Council Chambers

MINUTES

Council Members: Baldacci, Blanchette, Civiello, Longo, Durgin, Nealley, Gallant, Sprague

Staff: Farrar, Conlow, Linscott

Others: Don Cooper, Media, Tom Crikelair

1. Community Connector/Odlin Road Bus Route – Review of Public Comments and Discussion of Proposed Route Discontinuance.

Several Councilors have expressed a desire to revisit the previous decision to cease operation of that route on September 1, 2013. The net cost to operate the route is approximately \$2,000 a month. Funding for two months of service (July and August) was included in the approved FY 2014 budget. The cost to reinstate the route for the remaining 10 months of FY 2014 is approximately \$20,000.

Assistant City Manager Farrar stated that after the decision to cease the Odlin Bus Route on September 1st, there was a public hearing held regarding this issue. Many of the public either attended or send word of their opinions. One business came forward on this route that offered \$2,000 toward keeping the route open. Before taking action to see if any other donors are willing to help fund the route we wanted to see if the committee has ideas, concerns, etc. Staff spoke of needing an order to allow solicitation for this fund.

Councilor Longo added that he was at the public hearing as well as rode this route and the stories he'd heard have been heartfelt.

Assistant City Manager Farrar, also spoke of the change in funding for public transportation by the State. Penquis Cap as of August 1st, is purchasing significantly fewer monthly passes, hence the lower revenue. This is an issue in addition to Odlin Road.

Discussion of numbers in regards to the Odlin Route. It is the route with the least number of riders, but no less important then others. Is it fiscally responsible to keep the route open if we can't get donors to cover most costs? Could other routes

that are not being utilized totally be cut down a bit to help spread the money around?

Councilor Baldacci proposed to authorize the creation of a fund so donations can be accepted and to keep the route open for 2 months while donation efforts get off the ground.

Councilors discussed different ideas of what could be done to save this route.

Councilor Longo moved to set up an account to solicit and accept funds as private donations to go into keeping the Odlin Route extension running. Councilor Blanchette seconded and it was approved.

2. Update from Crikelair and Associates, Transit Consultant, regarding Community Connector Hub Study.

Crikelair and Associates were engaged to perform a study of the transit hub at Pickering Square and alternative sites. The Consultant has completed a portion of the work, and would like to update the Committee. Draft Chapters 1-6 of the study will be provided separately with Councilor's weekly packets due to their length. The Consultant will be seeking Committee input on Chapter 6, Preliminary Review of Candidate Sites.

Assistant City Manager Farrar introduced Tom Crikelair who is the Transit Hub Consultant. Crikelair wanted to go through some chapters of the study so he can be sure they are on the right path of their short list of what could be potentially done in regards to the hub. The study's purpose is to see if Pickering Square is the best option or are there other possibilities. Crikelair stated what they had found in regards to different sites and Pickering Square. They feel that buses at Pickering Square should be reduced to 5 buses or so and moving them to Water Street; it would still be at Pickering Square minus the confusion in front of the garage. First there needs to be a reduction in the number of buses at the hub at one time. This will allow vehicles to flow freely through there.

Crikelair spelled out all the options that they have come across in regards to different candidate sites but still feels that rearranging Pickering Square is still the City's best option. He discussed changing routes and making them more usable to more potential riders by intermingling routes.

Councilor Gallant asked why he had been told all along that the hub and spoke system is the best, not an intermingled system. Crikelair stated that it is the

most inexpensive, not necessarily the best system. There is a need to decrease transfers as much as possible because customers do not like that.

Councilor Baldacci asked for hard numbers for the top 4 or 5 sites to make an educated decision. Can Crikelair come back in 30 days with a strong recommendation with a fiscal impact out of the top 4? (Pickering Square, Water Street, Airport Hub, Quirk Property). Crikelair responded that he can return to the Committee later in the fall with the requested information on the top four potential sites.

**Special Government Operations Committee Meeting
Monday, November 4, 2013 at 5:30 PM
City Council Chambers**

MINUTES

Council Members: Baldacci, Blanchette, Civiello, Durgin, Nealley, Sprague

Staff: Nicklas

1. Executive Session 1 MRSA Sec. 405 6 (E) – Consultation with City Attorney. Proposed Moratorium – Council Ordinance 13-351

It was moved, seconded and voted unanimously to enter Executive Session for the purpose of consulting with the Assistant City Attorney at 5:30pm.

It was moved, seconded and voted unanimously to return to public session at 6:10pm.

2. Any Necessary Committee Action Regarding Agenda item #1.

It was moved, seconded and voted unanimously to recommend postponing indefinitely the Moratorium first read at the October 28 Council Meeting – Council Ordinance 13-351.

It was then moved, seconded and voted unanimously to recommend a new Moratorium, which would cover both the prohibition of new facilities as well as the expansion of Suboxone beyond the number for which clinics are currently licensed. The new Moratorium is to be first Read at the November 13th City Council Meeting and referred back to the Government Operations Committee for further review and discussion.

With no further business to come before the Committee, a motion was made and voted to adjourn at 6:15 PM.

COUNCIL ACTION

Item No. 14-002

Date: November 13, 2013

Item/Subject: **ORDER**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 50 Grove Street.

Responsible Department: Legal

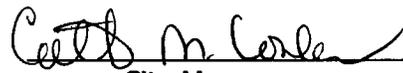
Commentary:

Real estate tax liens matured on the property of Stephen and Nancy Hosmer of 50 Grove Street. 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

**(TITLE.) ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 50 Grove 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 undischarged real estate tax liens recorded in the Penobscot County Registry of Deeds in Book 11433, Page 283, Book 11802, Page 107, Book 12161, Page 23, Book 12507, Page 317, Book 12852, Page 58 and Book 13223, Page 110. Said deed shall be directed to Stephen and Nancy Hosmer in a final form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 14-003

Date: November 13, 2013

Item/Subject: Resolve, Acknowledging Receipt of the Official Results and the Declaration Results of the November 5, 2013 State Referendum & Municipal Elections

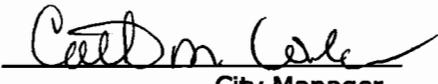
Responsible Department: City Clerk

Commentary:

This Resolve will acknowledge the results of the State Referendum and Municipal Elections held on November 5, 2013


Department Head

Manager's Comments:

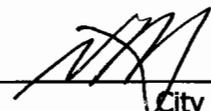

City Manager

Associated Information: Resolve

Budget Approval:

Finance Director

Legal Approval:


City Solicitor

Introduced for CONSENT

- Passage
- First Reading
- Referral



Assigned to Councilor Civiello

CITY OF BANGOR

(TITLE.) RESOLVE, Acknowledging Receipt of the Official Results and the Declaration Results of the November 5, 2013 State Referendum & Municipal Elections

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT the attached election results are received and acknowledged for the State Referendum Election and Municipal Elections held on November 5, 2013.

**OFFICIAL RETURN OF VOTES CAST - CITY OF BANGOR
STATE REFERENDUM AND MUNICIPAL ELECTIONS
NOVEMBER 5, 2013**

14-003
NOVEMBER 13, 2013

STATE REFERENDUM	
<i>State Question 1: Bond Issue</i>	
YES	2444
NO	1536
BLANKS	89
<i>State Question 2: Bond Issue</i>	
YES	2550
NO	1436
BLANKS	81
<i>State Question 3: Bond Issue</i>	
YES	3071
NO	912
BLANKS	86
<i>State Question 4: Bond Issue</i>	
YES	2093
NO	1852
BLANKS	124
<i>State Question 5: Bond Issue</i>	
YES	2795
NO	1200
BLANKS	74

MUNICIPAL ELECTION	
<i>CITY COUNCIL</i>	
PLOURDE, JOSHUA RONALD	2275
DURGIN, NELSON E.	2220
GRAHAM, GIBRAN VOGUE	1827
KRAFT, VICTOR	560
WHEELER, HAROLD ARTHUR	1156
LONGO, CHARLES RICHARD JR.	1610
Write-ins	48
Blanks	2526
<i>SCHOOL COMMITTEE</i>	
HAWES, SUSAN MARIE	2061
SORG, SUSAN T.	1884
YE, JAY JIA	1982
Write-ins	42
Blanks	2179
<i>Bangor Question 1: School Budget</i>	
YES	3221
NO	787
BLANKS	64

COUNCIL ACTION

Item No. 14-004

Date: November 13, 2013

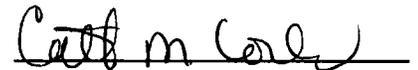
Item/Subject: ORDER, Authorizing the City Manager to Execute a Memorandum of Understanding with Sebasticook Valley Health as the Fiscal Agent for Healthy Sebasticook Valley.

Responsible Department: Health and Community Services

Commentary: This Order will enable the City Manager to execute a memorandum of understanding on behalf of the City with Sebasticook Valley Health, the fiscal agent for Healthy Sebasticook Valley (Healthy SV). The City has subcontracted with Healthy SV since 2010 to provide Healthy Maine Partnership services to six towns in Penobscot County. Because the agreement amount exceeds \$5,000 the State of Maine requires that an MOU be in place between the two parties.

Department Head

Manager's Comments:



City Manager

Associated Information: Order

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for
 Passage
 First Reading
 Referral

Page __ of __



Assigned to Councilor Nealley

CITY OF BANGOR

(TITLE.) ORDER, Authorizing the City Manager to Execute a Memorandum of Understanding with Sebasticook Valley Health as the Fiscal Agent for Healthy Sebasticook Valley.

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT ORDERED, that the City Manager is hereby authorized to enter into a Memorandum of Understanding with Sebasticook Valley Health as the Fiscal Agent for Healthy Sebasticook Valley, a copy of which is attached.

COUNCIL ACTION

Item No. 14-005

Date: November 13, 2013

Item/Subject: Order, Authorizing Settlement of Worker's Compensation Claim – Thomas Goehringer

Responsible Department: Finance

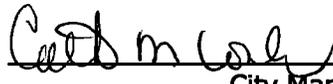
Commentary: The attached Order would authorize the settlement of a worker's compensation claim for Thomas Goehringer, a Fire Department employee. The settlement will provide for a lump sum payment of \$97,500 and 10% attorney fee.

On November 4, 2013, the Finance Committee reviewed the settlement and unanimously recommended approval.



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 Durgin



CITY OF BANGOR

(TITLE.) Order, Authorizing Settlement of Worker's Compensation Claim – Thomas Goehringer

By the City Council of the City of Bangor:

ORDERED, THAT the settlement of worker's compensation claims for Thomas Goehringer is hereby approved as provided by law, in consideration of a release of all claims arising out of any and all reported and unreported injury dates; lump sum payment of \$97,500 plus 10% attorney fee.



**REFERRALS TO COMMITTEES
& FIRST READINGS**



Assigned to Councilor Sprague

CITY OF BANGOR

(TITLE.) Ordinance , Amending Land Development Code – Contract Zone Change – 2
Fourteenth Street from an Urban Residence One District to a Contract Urban Residence Two District.

Be it ordained by 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 a parcel of land located at 2 Fourteenth Street (Tax Map No. R-35, Parcel No. 54B) from an Urban Residence One District to a Contract Urban Residence Two District. Said parcel of land containing approximately 2.58 acres and being more particularly indicated on the map attached hereto and made a part hereof.

PROVIDED, HOWEVER THAT, in addition to the mandatory conditions imposed by Chapter 165-7 of the Ordinances of the City of Bangor, said change of zone is granted subject to the following conditions:

1. The use and/or operation of the subject premises shall be subject to the following limitations and/or restrictions:

- A. Primary structures limited to "attached residential" structures.
- B. A maximum development density of five dwelling units per acre.

2. Execution by those parties with an interest in the affected property of an agreement providing for the implementation and enforcement of all the terms and conditions set forth above and the recording of said executed agreement in the Penobscot County Registry of Deeds by the property owner, a copy of said agreement being on file in the office of the City Clerk and incorporated herein by reference. In the event that said agreement is not so executed within ninety (90) days from the date of passage hereof, this Ordinance shall become null and void.

COUNCIL ACTION

Item No. 14-007

Date: November 13, 2013

Item/Subject: *Resolve* Authorizing the City Manager to Accept and Appropriate \$32,518 in McKinney-Vento Homeless Assistance Funds from the U.S. Department of Housing and Urban Development (HUD) for the period 12/31/2013 to 12/30/2014.

Responsible Department: Health and Community Services

Commentary: This order will authorize the City Manager to accept and appropriate a one year grant from HUD in the amount of \$32,518 to continue to provide Shelter Plus Care Rental Assistance for three families to live in Apartments owned by Penquis. Shelter Plus Care promotes housing stability by paying rent for homeless individuals and families. Each recipient is expected to have a case manager to assist him/her with life skills such as healthy living, financial literacy and employment. This is a five year grant, renewable each year. These funds were granted through the 2012 Maine Continuum of Care planning and selective competition process. It should be noted that this project received the highest score in the State of Maine using the criteria of housing stability and compliance with HUD requirements.

Department Head

Manager's Comments:



City Manager

Associated Information: Resolve

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

Passage

First Reading

Referral - Govt Operations Committee of November 18, 2013

Page 1 of 1



Assigned to Councilor Durgin

CITY OF BANGOR

(TITLE.) RESOLVE, Authorizing the City Manager to Accept and Appropriate \$32,518 in McKinney-Vento Homeless Assistance Funds from the U.S. Department of Housing and Urban Development (HUD) for the period 12/31/2013 to 12/30/2014

By the City Council of the City of Bangor:

RESOLVED, THAT the City Manager is hereby authorized to accept and appropriate a \$32,518 grant from the U.S. Department of Housing and Urban Development in support of the Shelter Plus Care program.

COUNCIL ACTION

Item No. 14-008

Date: **November 13, 2013**

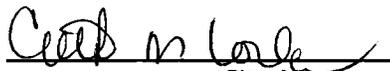
Item/Subject: *Resolve* Authorizing the City Manager to Accept and Appropriate \$117,535 in McKinney-Vento Homeless Assistance Funds from the U.S. Department of Housing and Urban Development (HUD) for the period 12/1/2013 to 11/30/2014.

Responsible Department: Health and Community Services

Commentary: This order will authorize the manager to accept and appropriate a one year grant from HUD in the amount of \$117,535, to provide Shelter Plus Care Rental Assistance for qualified individuals and families to live in any community in Penobscot County. Shelter Plus Care promotes housing stability by paying rent for homeless individuals and families. Each recipient is strongly encouraged and expected to have a case manager to assist him/her with life skills such as healthy living, financial literacy and employment. This is a five year grant, renewable each year. These funds were granted through the 2012 Maine Continuum of Care planning and selective competition process.

Department Head

Manager's Comments:



City Manager

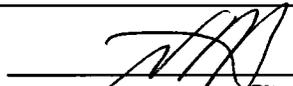
Associated Information: Resolve

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

Passage

First Reading

Referral - Govt Operations Committee of November 18, 2013

Page 1 of 1



Assigned to Councilor Blanchette

CITY OF BANGOR

(TITLE.) RESOLVE, Authorizing the City Manager to Accept and Appropriate \$117,535 in McKinney-Vento Homeless Assistance Funds from the U.S. Department of Housing and Urban Development (HUD) for the period 12/1/2013 to 11/30/2014

By the City Council of the City of Bangor:

RESOLVED, THAT the City Manager is hereby authorized to accept and appropriate a \$117,535 grant from the U.S. Department of Housing and Urban Development in support of the Shelter Plus Care program.

COUNCIL ACTION

Item No. 14-009

Date: November 13, 2013

Item/Subject: **ORDINANCE**, Enacting a Moratorium on Expansion of Buprenorphine Treatment Facilities

Responsible Department: Legal

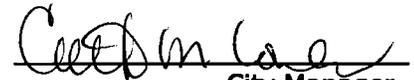
Commentary:

If approved, this Ordinance would impose a moratorium on new facilities providing Suboxone or other buprenorphine treatment, and on expansion of buprenorphine treatment programs in existing facilities, for a period of 180 days. This period is intended to allow the necessary time for the City Council to review the City's current land use regulations in regard to chemical dependency treatment facilities and, if appropriate, regulate the provision of buprenorphine treatment in the City.

Under state law, if necessary, a moratorium may be extended for additional 180 day periods upon a finding that the problem giving rise to the moratorium continues to exist and reasonable progress is being made to alleviate the problem.

Department Head

Manager's Comments:

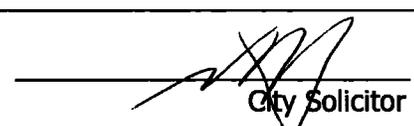

City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:


City Solicitor

Introduced for

Passage

First Reading

Referral to the Government Operations Committee on Tuesday, November 19, 2013

NOVEMBER 13, 2013



Assigned to Councilor Civiello

CITY OF BANGOR

ORDINANCE, Enacting a Moratorium on Expansion of Buprenorphine Treatment Facilities

WHEREAS, buprenorphine, including Suboxone, is a drug used for treating opioid dependency;

WHEREAS, buprenorphine is increasingly prescribed through chemical dependency treatment facility as an alternative to methadone;

WHEREAS, the City has an ordinance in place regulating expansion of clinics prescribing methadone, but this ordinance does not address prescription of buprenorphine;

WHEREAS, buprenorphine diversion and illicit use is an ongoing public health, safety, and welfare concern, both in and of itself and in the criminal activity it tends to create;

WHEREAS, many clients being treated for opioid dependency require other services as well, including public facilities such as general assistance; and

WHEREAS, chemical dependency treatment facilities therefore create the potential for an overburden on the City of Bangor's public facilities;

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

A moratorium on the issuance of certificates of occupancy for facilities providing buprenorphine treatment and on expansion of the number of buprenorphine clients served by existing chemical dependency treatment facilities is enacted as follows:

§ 1. Necessity.

Municipalities are authorized by 30-A M.R.S. § 4356(1) to enact moratoria:

A) to prevent a shortage or an overburden of public facilities that would otherwise occur during the effective period of the moratorium or that is reasonably foreseeable as a result of any proposed or anticipated development, or

B) because the application of existing comprehensive plans, land use ordinances or regulations or other applicable laws, if any, is inadequate to prevent serious public harm from residential, commercial or industrial development in the affected geographic area.

In accordance with 30-A M.R.S. § 4356(1), the Bangor City Council finds that a moratorium on facilities providing buprenorphine treatment and on expansion of the number of buprenorphine clients served by existing chemical dependency treatment facilities is necessary and warranted.

§ 2. Moratorium on Issuance of Certificates of Occupancy for Facilities Providing Suboxone Treatment.

The Bangor Code Enforcement Office shall not approve any applications for certificates of occupancy for facilities providing buprenorphine treatment while this moratorium is in effect. Furthermore, chemical dependency treatment facilities, as defined in § 165-13 of the Code of the City of Bangor, shall not expand their number of buprenorphine clients beyond the maximum number of buprenorphine clients for which they are licensed by the state or federal government as of October 22, 2013.

§ 3. Term.

This moratorium shall continue for 180 days from the date of passage. It may be extended for additional 180 day periods in accordance with 30-A M.R.S. § 4356(2) upon a finding by the Bangor City Council that the problem giving rise to this moratorium continues to exist and reasonable progress is being made to alleviate the problem giving rise to the need for the moratorium.

§ 4. Applicability.

Notwithstanding the provisions of 1 M.R.S. § 302, this moratorium shall apply retroactively to all actions and proceedings pending on October 22, 2013 or thereafter.

Memorandum

To: Government Operations Committee
From: Paul Nicklas, Assistant City Solicitor
Date: November 19, 2013
Re: Buprenorphine Treatment Facilities

Buprenorphine, used in drugs such as Suboxone, is used to treat opioid dependency. Unlike methadone, the other primary medication for treating opioid dependency, facilities providing buprenorphine treatment are not currently regulated by the City. In the past, buprenorphine was primarily prescribed by doctors, but some methadone treatment facilities have now expanded to include buprenorphine treatment as well.

If approved, this Ordinance would impose a moratorium on new facilities providing Suboxone or other buprenorphine treatment, and on expansion of buprenorphine treatment programs in existing facilities, for a period of 180 days. This period is intended to allow the necessary time for the City Council to review the City's current land use regulations in regard to chemical dependency treatment facilities and, if appropriate, regulate the provision of buprenorphine treatment in the City.



**UNFINISHED
BUSINESS**

COUNCIL ACTION

Item No. 13-349

Date: October 28, 2013

Item/Subject: **ORDINANCE**, Amending Chapter 260, Signs, of the Code of the City of Bangor, By Providing for a Sign for the Bass Park District

Responsible Department: Code Enforcement

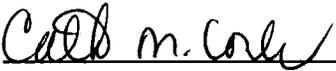
Commentary:

The Bass Park District now has, or will soon have, several commercial destinations, including the Cross Insurance Center, the Bangor Historic Track, and a hotel. These establishments are served by entrances from Dutton Street, a minor street off of Main Street, a major thoroughfare.

If approved, this ordinance amendment would allow for a single freestanding sign at the corner of Dutton Street and Main Street with panels for the commercial establishments in the Bass Park District. This is similar to what is done for commercial and industrial parks in the City. An electronic sign would be allowed as part of this sign, as electronic signs are permitted in the Bass Park District.

Department Head

Manager's Comments:


City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:


City Solicitor

Introduced for

Passage

First Reading

Referral to the Business and Economic Development Committee on October 29, 2013



Assigned to Councilor Nealley

CITY OF BANGOR

ORDINANCE, Amending Chapter 260, Signs, of the Code of the City of Bangor, By Providing for a Sign for the Bass Park District

WHEREAS, as with the City's commercial or industrial parks, the Bass Park District has several businesses and destinations that are serviced by a minor street off of a major thoroughfare;

WHEREAS, a single freestanding sign visible from the major street is therefore appropriate;

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

Chapter 260 of the Code of the City of Bangor be amended as follows:

§ 260-7. District-specific standards and limitations.

On-premises signs must meet the standards and limitations of the zoning district in which they are located as laid out herein.

...

F. BPD.

(1) All signs.

- (a) Maximum number of signs per business: six.**
- (b) Maximum area per one side of sign: 150 feet.**
- (c) Maximum total sign area for all signs: four square feet per linear foot of business street frontage, up to 800 square feet.**

(2) Freestanding signs:

- (a) Maximum number of freestanding signs: one.**
- (b) Maximum height of freestanding signs: 15 feet.**
- (c) Freestanding sign setback:**

{1} Front: 10 feet.

{2} Side: five feet.

~~{3} Rear: 10 feet.~~

§ 260-8. Electronic signs

- A. Districts. Electronic signs are permitted in the GC & S, S & PS, USD, BPD, I & S and G & ISD Districts, and on a freestanding sign in a City right of way permitted under 260-11(B) of this Code. provided they meet all applicable standards, including those standards applicable to all signs. Electronic signs located in a Government and Institutional Service District may only be located on major arterial streets as defined in § 165-13 of the Code of the City of Bangor. In all other districts, electronic signs are prohibited.

§ 260-10. General prohibition.

All off-premises signs shall be prohibited with the exception of the following.

§ 260-11. Industrial or commercial parks and Bass Park District.

...

- B. A sign displaying the name Bass Park and/or a directory of businesses within in the Bass Park District. Lots within the Bass Park District shall be permitted no on-premises freestanding signs other than directional signage allowed elsewhere in this code. The lots that lie in the Bass Park District shall collectively be permitted to install one (1) off-premises freestanding sign in the Dutton Street right of way.

~~B-C.~~ Each sign authorized under this section shall be subject to the following conditions:

- (1) Each sign shall be owned by the City of Bangor, but the costs for construction, installation, maintenance and removal shall be borne by occupants of the industrial or commercial park or Bass Park District. . . .
- (7) Each tenant panel sign shall have a maximum length of 10 feet and a minimum length of two feet, and have a maximum height of 30 inches and a minimum height of one foot, except that in the Bass Park District one panel may have a maximum height of up to 60 inches.

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



Assigned to Councilor Sprague

CITY OF BANGOR

(TITLE.) Ordinance , Amending Land Development Code – Contract Zone Change –76 Dutton Street from a General Commercial and Service, Urban Residence 2 and Urban Service District to a Contract Bass Park District.

Be it ordained by 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 a parcel of land located at 76 Dutton Street (Tax Map No. 26, Parcel No. 45) from a General Commercial and Service, Urban Residence 2 and Urban Service District to Bass Park District subject to certain contract conditions. Said parcel of land containing approximately 3.13 acres and being more particularly indicated on the map attached hereto and made a part hereof.

PROVIDED, HOWEVER THAT, in addition to the mandatory conditions imposed by Chapter 165-7 of the Ordinances of the City of Bangor, said change of zone is granted subject to the following conditions:

1. The use and/or operation of the subject premises shall be subject to the following limitations and/or restrictions:
 - A. Project to provide a minimum of 120 parking spaces.
 - B. Project will locate no structure larger than three stories closer than 60 feet to the southwest property line.
 - C. The property will have a maximum ISR of .80.
2. Execution by those parties with an interest in the affected property of an agreement providing for the implementation and enforcement of all the terms and conditions set forth above and the recording of said executed agreement in the Penobscot County Registry of Deeds by the property owner, a copy of said agreement being on file in the office of the City Clerk and incorporated herein by reference. In the event that said agreement is not so executed within ninety (90) days from the date of passage hereof, this Ordinance shall become null and void.

7/1/2012

APPLICATION FOR LAND DEVELOPMENT CODE AND MAP AMENDMENT

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

DATE: 10/9/2013

1. I(WE) Banres,LLC. and City of Bangor

of 1000 Market St. Bldg.1, Ste.300 Portsmouth, NH 03801 (603) 559-2100
Address City or Post Office Telephone

and

73 Harlow Street, Bangor, Maine 04401 (207) 992-4200

hereby petition to amend the Land Development Code of the City of Bangor, Maine by reclassifying from GC & S and URD-2 and USD districts to the Bass Park (contract) district for the property outlined in red on the maps attached hereto, which are part of this application, and described as follows:

Tax Map 26, Lot 45 of the Bangor Assessor's Maps

2. ADDRESS OF PROPERTY (if any) 76 Dutton Street, Bangor, ME

Total Area (acres or square feet) 3.13 Acres

3. PROPERTY LOCATION (General location): In Bass Park, across Dutton Street (extension) from Cross Insurance Center, west of Main Street

4. LEGAL DESCRIPTION OF PROPERTY - Assessors Map No. 26 Parcel 45

5. EXISTING USE: City Parking

6. PROPOSED USE: Hotel

7. NAME AND ADDRESS OF OWNER OF RECORD: Name City of Bangor

Address: 73 Harlow Street, Bangor, ME 04401

8. NAME AND ADDRESS OF CONTRACT OWNER (if such): Banres, LLC

Address: 1000 Market St. Bldg.1, Ste.300 Portsmouth, NH 03801

9. SIGNATURE OF OWNER:

Carl M. Corlew

SIGNATURE OF CONTRACT OWNER: _____

10. REPRESENTATIVE OF APPLICANT: Name P. Andrew Hamilton, Eaton Peabody
(if applicable)

Address: 80 Exchange Street, Bangor, ME 04401

*See Contract Conditions Attached

8. NAME AND ADDRESS OF CONTRACT OWNER (if such): Banres, LLC

Address: 1000 Market St. Bldg.1, Ste.300 Portsmouth, NH 03801

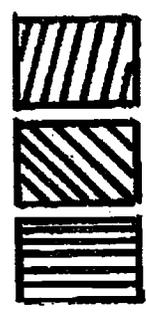
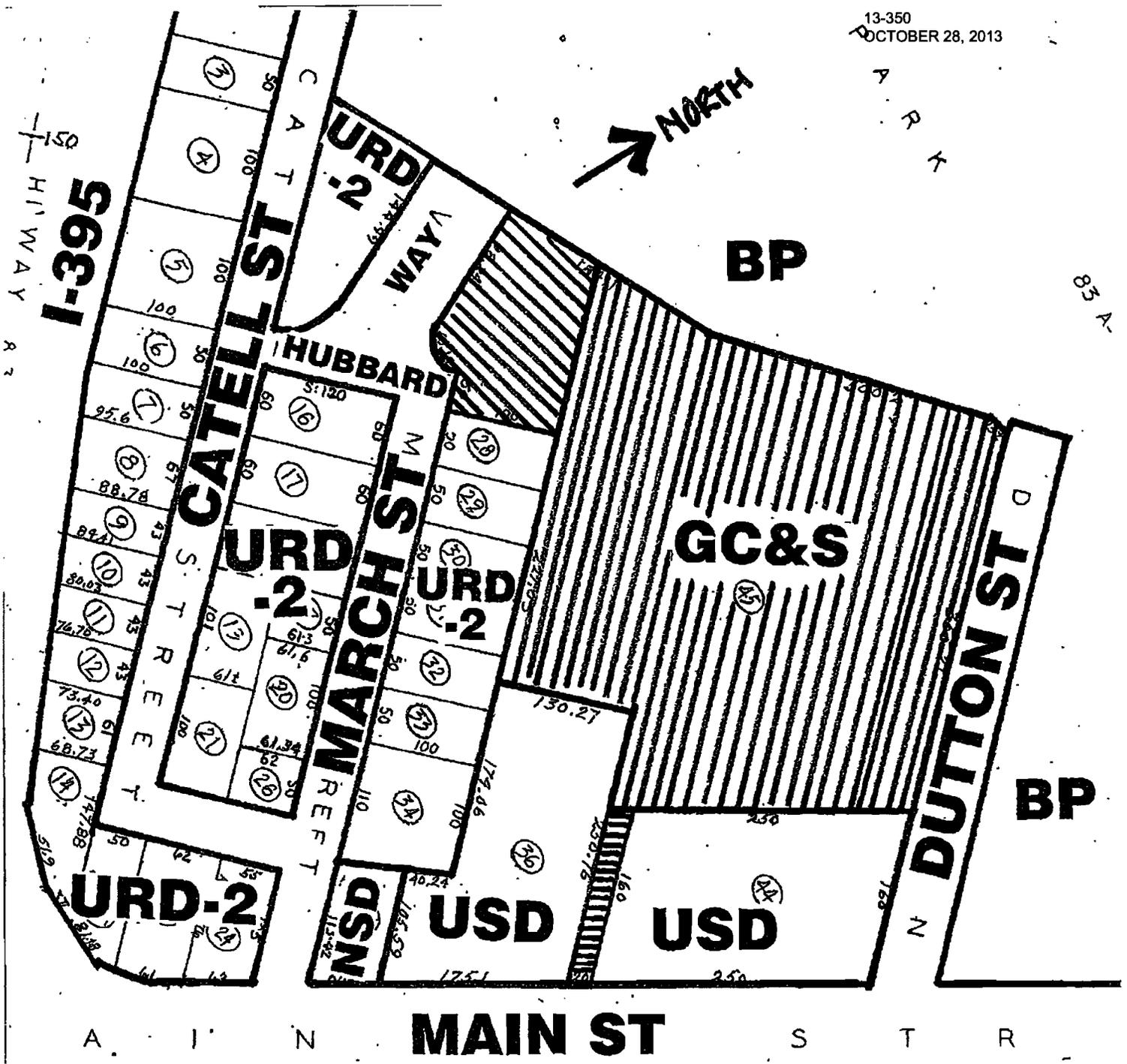
9. SIGNATURE OF OWNER: _____

SIGNATURE OF CONTRACT OWNER: P. Andrew Hamilton for Banres, LLC

10. REPRESENTATIVE OF APPLICANT: Name P. Andrew Hamilton, Eaton Peabody
(if applicable)

Address: 80 Exchange Street, Bangor, ME 04401

*See Contract Conditions Attached



GC&S

URD-2

USD

TO BP (CONTRACT)

Contract Zone Change Conditions
Proposed Dutton Street Hotel

1. Project to provide a minimum of 120 parking spaces.
2. Project will locate no structure larger than three stories closer than 60 feet to the southwest property line.
3. The property will have a maximum ISR of .80.

COUNCIL ACTION

Item No. 13-351

Date: October 28, 2013

Item/Subject: **ORDINANCE**, Enacting a Moratorium on Certificates of Occupancy for Facilities Providing Suboxone Treatment

Responsible Department: Legal

Commentary:

This Ordinance would impose a moratorium on permitting facilities providing suboxone treatment in the City of Bangor for a period of 180 days. This period is intended to allow the necessary time for the City Council to review the City's current land use regulations in regard to chemical dependency treatment facilities and, if appropriate, regulate the provision of suboxone treatment in the City.

Under state law, if necessary, a moratorium may be extended for additional 180 day periods upon a finding that the problem giving rise to the moratorium continues to exist and reasonable progress is being made to alleviate the problem.

Department Head

Manager's Comments:

Curt M. Lank
City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:

Pat M.
City Solicitor

Introduced for

- Passage
- First Reading
- Referral

Assigned to Councilor Baldacci



CITY OF BANGOR

ORDINANCE, Enacting a Moratorium on Certificates of Occupancy for Facilities Providing Suboxone Treatment

WHEREAS, suboxone is a means of treating opioid dependency;

WHEREAS, facilities prescribing suboxone are currently not regulated by the City of Bangor; and

WHEREAS, suboxone treatment, like methadone treatment, could draw a significant number of people to Bangor, creating the potential for an overburden on public facilities;

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

A moratorium on the issuance of certificates of occupancy for facilities providing suboxone treatment is enacted as follows:

§ 1. Necessity.

Municipalities are authorized by 30-A M.R.S. § 4356(1) to enact moratoria:

A) to prevent a shortage or an overburden of public facilities that would otherwise occur during the effective period of the moratorium or that is reasonably foreseeable as a result of any proposed or anticipated development, or

B) because the application of existing comprehensive plans, land use ordinances or regulations or other applicable laws, if any, is inadequate to prevent serious public harm from residential, commercial or industrial development in the affected geographic area.

In accordance with 30-A M.R.S. § 4356(1), the Bangor City Council finds that a moratorium on facilities providing suboxone treatment is necessary and warranted.

§ 2. Moratorium on Issuance of Certificates of Occupancy for Facilities Providing Suboxone Treatment.

The Bangor Code Enforcement Office shall not approve any applications for certificates of occupancy for facilities providing suboxone treatment while this moratorium is in effect.

§ 3. Term.

This moratorium shall continue for 180 days from the date of passage. It may be extended for additional 180 day periods in accordance with 30-A M.R.S. § 4356(2) upon a finding by the Bangor City Council that the problem giving rise to this moratorium continues to exist and reasonable progress is being made to alleviate the problem giving rise to the need for the moratorium.

Memorandum

To: Government Operations Committee
From: Paul Nicklas, Assistant City Solicitor
Date: October 22, 2013
Re: Suboxone Treatment Facilities

Suboxone, like methadone, is used to treat opioid dependency. Unlike methadone, facilities providing suboxone treatment are not currently regulated by the City. In the past, suboxone was primarily prescribed by doctors, but some methadone treatment facilities have now expanded to include suboxone treatment as well.

This Ordinance would impose a moratorium on permitting facilities providing suboxone treatment in the City of Bangor for a period of 180 days. This period is intended to allow the necessary time for the City Council to review the City's current land use regulations in regard to chemical dependency treatment facilities and, if appropriate, regulate the provision of suboxone treatment in the City.

Under state law, if necessary, a moratorium may be extended for additional 180 day periods upon a finding that the problem giving rise to the moratorium continues to exist and reasonable progress is being made to alleviate the problem.

COUNCIL ACTION

Item No. 13-352

Date: October 28, 2013

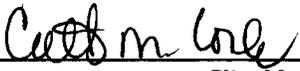
Item/Subject: Resolve, Accepting and Appropriating funding in the amount of \$19,480 from the Maine Health Access Foundation.

Responsible Department: Health and Community Services

Commentary: This resolve will accept and appropriate \$19,480 in planning grant funds from the Maine Health Access Foundation to identify 1-2 critical health issues in the Penquis Region. If approved, Bangor will serve as the lead agency bringing together a diverse group representing public and private organizations across multiple industries and sectors. The partners include Eastern Maine Healthcare Systems; Eastern Maine Development Corporation; Penquis; Penobscot Community Health Care; St. Joseph Healthcare; Community Health & Counseling Services; Bangor Area Homeless Shelter; Town of Orono; Eastern Area Agency on Aging; Wellspring; Charlotte White Center; Greater Bangor Chamber of Commerce; Bangor School Department; University of Maine; and Pro-Elder Consulting, LLC. The term of the grant is for one-year from November 1, 2013 through October 31, 2014.

Department Head

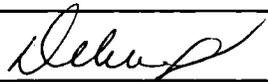
Manager's Comments:



City Manager

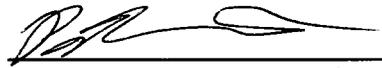
Associated Information: Council Resolve

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

Passage - Consent

First Reading

Referral to Government Operations Committee

Page __ of __



Assigned to Councilor Blanchette

CITY OF BANGOR

(TITLE.) Resolve, Accepting and Appropriating funding in the amount of \$19,480 from the Maine Health Access Foundation.

BE IT ORDERED THAT: a \$19,480 Grant from the Maine Health Access Foundation is hereby accepted and appropriated to bring together a diverse group representing public and private organizations across multiple industries and sectors to work collectively to identify 1-2 critical health issues that warrant attention in the Bangor region.



**NEW
BUSINESS**

COUNCIL ACTION

Item No. **14-010**

Date: **November 13, 2013**

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

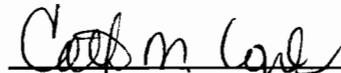
Responsible Department: City Clerk

Commentary:

This Order will authorize the attached 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

Page ___ of



Assigned to Councilor Durgin

CITY OF BANGOR

(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
2014 Subcommittee Appointments
Effective January 1, 2014

Board of Assessment Review

1 Associate 2015

Christopher Perry Associate Member 2015

Commission on Cultural Development

1 Associate 2015, 1 Regular 2015, 2 Regular 2016, 3 Regular 2017

Ulrike Guthrie Associate Member 2015
Mary Budd Regular Member 2015
Emily Burnham Regular Member 2016
Tom Avila Regular Member 2016
Kat Johnson Regular Member 2017
Kierstein Piccinni Regular Member 2017
Judith Boothby Regular Member 2017

Firearms Discharge Committee

1 Zone 2015, 1 Hunter 2016, 1 Zone 2017, Regular 2017

Chelsea Prybylo Zone 2015
Vacancy Hunter 2016
Timothy Surrette Regular 2017
Vacancy Regular 2017

Mall/Marsh Commission

1 Property Owner 2015, 1 Environmental 2015, 1 M/M Business Owner 2016, 1 Business Owner 2016, 1 Bangor Land Trust 2017, 1 Environmental 2017, 1 Property Owner 2017

Vacancy Property Owner 2015
Vacancy Environmental 2015
Vacancy Property Owner 2016
Vacancy Business Owner 2016
Vacancy Bangor Land 2017
Vacancy Property Owner 2017
Doreen Salls Business Owner 2017

Sophia Kirstein Studen Scholarship Fund Trustees

1 Regular 2020

Douglas R Hollingsworth Regular Member 2020

Urban Renewal Authority

1 Regular 2018

Terrie Haggey Regular Member 2018

Water District Trustees

1 Regular 2017

John Lawlor Regular Member 2017

COUNCIL ACTION

Item No. 14-011

Date: November 13, 2013

Item/Subject: Order, Accepting \$6,834.50 in Donations from Various Individuals, Businesses and the Dinner Fundraiser for the Continuation of the Community Connector Odlin Road Bus Route

Responsible Department: Finance

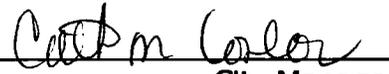
Commentary: This Order will accept donations from the following individuals, businesses and the recent dinner fundraiser for the continuation of the Community Connector Odlin Road bus route.

Aaron Frey	Discovery House
Todd Nadeau	William Noyes dba OT Taxi
Largay Law Offices	Penquis
Grace Evangelical Church	Spaghetti Dinner
Ramada Bangor	Aaron & Mary-Ellen MacDonald
Pamela Aloupis	Fairmount Market

As part of the FY 2014 budget adoption process, funding for the Community Connector Odlin Road bus route was eliminated effective September 1, 2013. Since that decision, public concern and Council interest has resulted in a desire to revisit the decision. The estimated cost to continue the transit service for the remaining ten months of FY 2014 is \$20,000, or approximately \$2,000 per month. To that end, the Council authorized a fundraising effort to accept contributions for the continuation of the route. This donation brings the total raised to date to \$11,060.05.

Department Head

Manager's Comments:

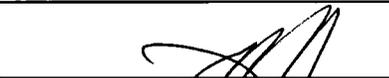

Cathryn Collier
City Manager

Associated Information: Order

Budget Approval:


Finance Director

Legal Approval:


City Solicitor

Introduced for:

Passage - New Business
 First Reading
 Referral

Page __ of

Assigned to Councilor Baldacci



CITY OF BANGOR

(TITLE.) Order, Accepting \$6,834.50 in Donations from Various Individuals, Businesses, and the Dinner Fundraiser for the Continuation of the Community Connector Odlin Road Bus Route

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BANGOR that:

The various donations are hereby accepted for the purpose of continuation of the Community Connector Odlin Road Bus Route.

AND BE IT FURTHER ORDERED that:

The City Council extends its sincere appreciation to everyone who has contributed time, money, and resources over the past few months to this community-wide fundraising effort.

COUNCIL ACTION

Item No. 14-012

Date: November 13, 2013

Item/Subject **ORDER, Authorizing Grant of \$2,000 to the Downtown Bangor Partnership to Support the 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. The Downtown Bangor Partnership submitted an application for funding of \$2,000 in partial support of the Downtown Countdown 2014. The event features a number of venues throughout downtown that offer entertainment and activities for people of all ages. The Downtown Bangor Partnership has secured over \$13,000 in private donations to support the event. The Cultural Commission has unanimously recommended approval of the request because of the event's popularity, the variety of entertainment options that appeal to a diverse cross-section of the community, the event is offered at no cost to the community, and the community support is strong and has strengthened over the years.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its October 29, 2013 meeting.

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

(TITLE.) ORDER, Authorizing Grant of \$2,000 to the Downtown Bangor Partnership to Support the 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 unanimously 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.