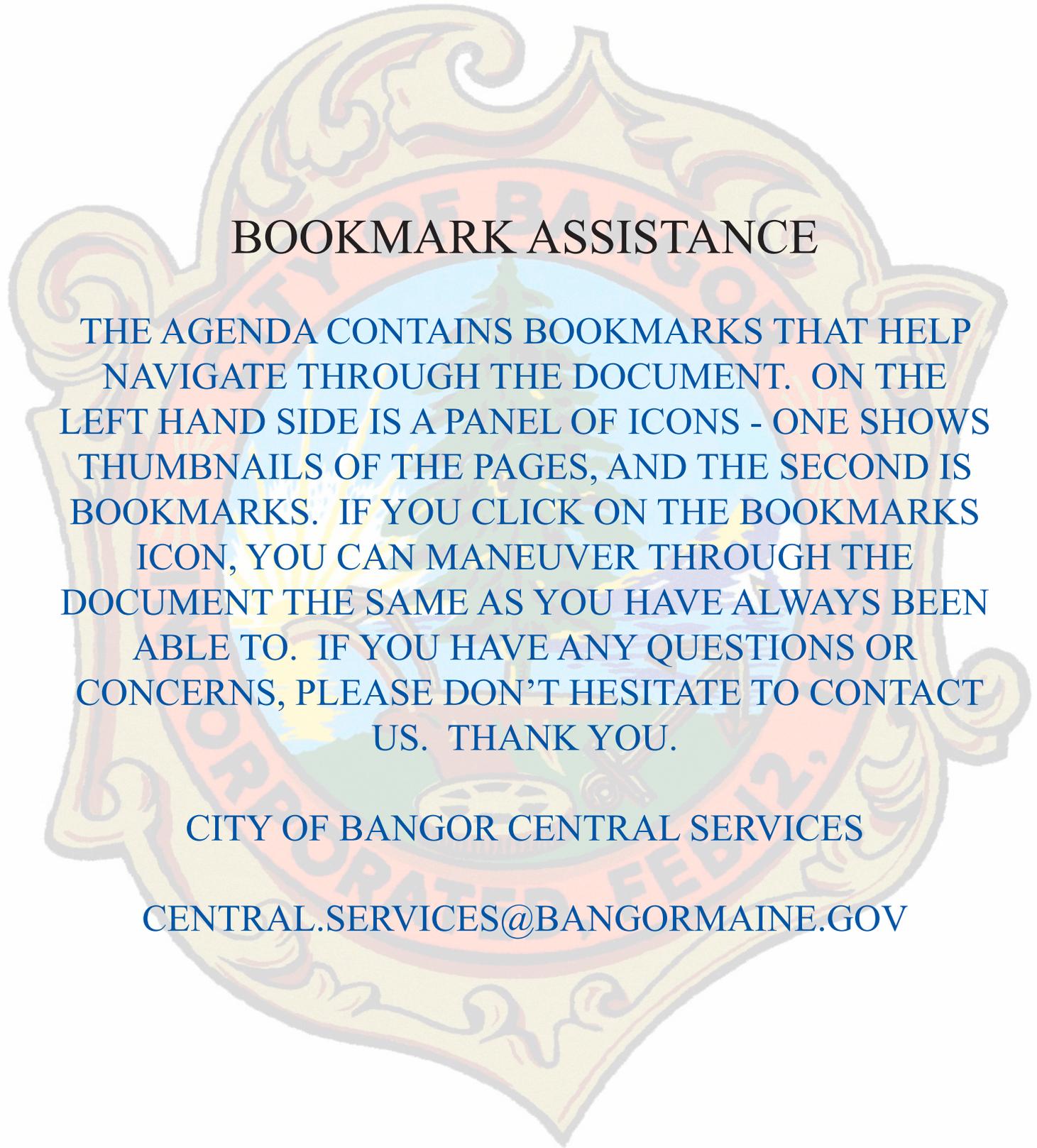


MEDIA
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CITY COUNCIL AGENDA

JANUARY 12, 2015



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 – JANUARY 12, 2015

PLEDGE ALLEGIANCE TO THE FLAG

Swearing in of New Sub-Committee Members

PROCLAMATION: Recognizing And Congratulating The City Of Bangor Women, Infants And Children Program For 40 Years Of Outstanding Service

INTRODUCTION: New Police Officers

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 December 22, 2014, Finance Committee Meeting of July 21, 2014, Government Operations Committee Meeting of October 20, 2014, and Business and Economic Development Committee Meetings of October 21, 2014 and December 2, 2014

LIQUOR LICENSES: Application for Liquor License Renewal, Malt, Spirituous, Vinous of Hero's Sports Grill LLC d/b/a Hero's Sports Grill, 41 Washington Street FAIRCLOTH

Application for Liquor License Renewal, Malt, Vinous of Kumar, Inc. d/b/a Taste of India, 68 Main Street FAIRCLOTH

Application for Liquor License Renewal, Malt, Spirituous, Vinous of China Harbor Restaurant Inc. d/b/a China Harbor Restaurant, 547 Main Street FAIRCLOTH

15-045 ORDER Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 59 Poplar Street (Map 37, Lot 29) SPRAGUE

Executive Summary: Sewer liens matured on the property located at 59 Poplar Street owned by Joseph and Bridget Long. All outstanding charges due the City have been paid. There are no outstanding real estate taxes or property issues. Because the liens had matured, a municipal quitclaim is required to release the City's interest in the property. Staff recommends approval.

REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 12, 2015

CONSENT AGENDA ITEM NO.

ASSIGNED TO COUNCILOR

15-046 ORDER Appointing Lance Sanborn as a Constable for the CIVIELLO
Year 2015

Executive Summary: This appointment as a Constable will authorize Lance Sanborn to enforce City Ordinances. Mr. Sanborn has recently been hired as the new Fire Inspector for the City. Staff recommends approval.

15-047 ORDER Authorizing an Amendment to the Lease Agreement BALDACCI
with Ntension Corporation at 110 Hildreth St. (Tax
Map R09-007-D)

Executive Summary: This order will authorize an extension of the lease with Ntension Corporation for space in the City owned building at 110 Hildreth Street, Bangor (Tax Map R09-007-D). The building is shared with another tenant. Ntension Corporation is a manufacturer of tension fabric structures used primarily in exhibitions and trade shows. The proposed lease amendment would extend the term of the lease until March 31, 2015. Basic utilities and maintenance will continue to be provided by the City. Ntension Corporation does not have any taxes due. This item was reviewed and recommended for approval by the Business & Economic Development Committee at its January 6, 2015 meeting.

15-048 ORDER Authorizing Execution of Agreement with Caleb FAIRCLOTH
Development Corporation – Bradford Commons

Executive Summary: This Order will authorize the City Manager to execute an Agreement for Payment in Lieu of Taxes with Caleb Development Corporation (Bradford Commons). The City of Bangor and Maine Affordable Housing Trust, Inc. are parties to an Agreement for a payment in lieu of taxes (PILOT) dated December 10, 1992 for property located at 201 Husson Avenue, Bangor, Maine known as Bradford Commons. Caleb Development Corporation, a non-profit charitable and benevolent corporation duly organized under the laws of the State of Massachusetts, has purchased the property at 201 Husson Avenue from Maine Affordable Housing Trust, Inc. They have requested that the City agree to continue the PILOT currently in place with Maine Affordable Housing Trust, Inc.

Maine law, specifically 36 M.R.S.A. §652 (1) (A) provides that in order to be tax exempt the property must be a benevolent and charitable institution incorporated in the State of Maine. However, there is the potential question of the enforceability of 36 M.R.S.A. §652 (1) (A) in light of the case of *Camps Newfound/Owatonna, Inc. v. Town of Harrison, Maine*, 520 U.S. 564 (1997) in which the 36 M.R.S.A. §652 (1) (A) (1) was found by the United States Supreme Court to be unconstitutional.

The purpose and intent of the 1992 PILOT agreement between the City of Bangor and Maine Affordable Housing Trust, Inc. that a benevolent and charitable institution providing at least 50% of the dwelling units at Bradford Commons to persons or families of very low income will continue to be met with the transfer of ownership to Caleb Development Corporation. Additionally, all other terms and conditions will apply. This item was reviewed and recommended for approval at the December 16, 2014 Business and Economic Development Committee Meeting.

REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 12, 2015

CONSENT AGENDA ITEM NO.

ASSIGNED TO COUNCILOR

**15-049 ORDER Authorizing Expenditure in the Amount of \$614.80 to PLOURDE
Purchase Signage for Existing Public Art**

Executive Summary: This Order will authorize expenditure in the amount of \$614.80 to purchase signage to identify the abstract aluminum sculpture "Continuity of Community," created in 1969 by Maine sculptor Clark Battle Fitz-Gerald (1917–2004). The sculpture is currently located on the Bangor Waterfront. The Commission has recommended approval of this expenditure in accordance to its mission to preserve and maintain the City's public art collection.

If the project is funded by the Council at the recommended levels, the Commission will have \$7,081 of available funds remaining for this fiscal year.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its January 6, 2015 meeting.

**15-050 RESOLVE Ratifying Execution of Municipal Quitclaim Deed – CIVIELLO
Real Estate Located at 311 Broadway (Map 46 Lot 53)**

Executive Summary: Sewer liens matured on the property of Laurie R. Cepele, now owned by Federal National Mortgage Association. All outstanding charges due the City have been paid. There are no outstanding real estate taxes or property issues. Because the liens matured and in order to facilitate the closing, the quitclaim deed has been executed releasing the City's interest in the property. This Resolve will ratify staff action.

**15-051 RESOLVE Ratifying Execution of Municipal Quitclaim Deed – NEALLEY
Properties Located at 624 and 628 Hammond Street
(Map 13, Lots 116 and 117)**

Executive Summary: Real estate tax liens matured on the properties located at 624 and 628 Hammond Street and owned by Larry and Wendy Sites. All outstanding charges due the City have been paid. Because the liens matured, a municipal quitclaim deed was issued releasing the City's interest in the property. This Resolve will ratify the staff action.

**15-052 RESOLVE Ratifying Execution of Municipal Quitclaim Deed – BLANCHETTE
Property Located at 63 Fieldstone Drive Unit 2, Unit 3
and Unit 4 (Map R41, Lots 54)**

Executive Summary: Real estate tax liens matured on the property of Ralph McPherson and Brian Shaboski. All outstanding charges due the City have been paid. Because the liens matured, a municipal quitclaim deed was issued releasing the City's interest in the property

This Resolve will ratify the staff action.

REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 12, 2015

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

15-053 ORDER Authorizing the City Manager to Execute a Non- **CIVIELLO
Binding Memorandum of Understanding to allow City
staff to Participate in the Community Health
Leadership Board**

Executive Summary: This order will authorize the City Manager to execute a non-binding Memorandum of Understanding to allow City staff including the Director of Public Health and Community Services and the City Manager to participate in the Community Health Leadership Board (CHLB). The CHLB was first convened to address pressing health concerns in our community. The CHLB is a group of hospital, city and health and human service leaders which poised to utilize its members' unique leadership roles and the strength of their organizations to guide the community to overcome vital health concerns and achieve positive outcomes. The CHLB is initially focused on measurably reducing the impact of addiction and substance abuse in our community. This has been reviewed with the City Council at two pre-council meetings.

15-054 ORDER Authorizing the City Manager to Execute a Sub **BALDACCI
Contract Agreement with Good Shepherd Food Bank**

Executive Summary: This Order will authorize the City Manager to execute a sub contract agreement in the amount of \$15,000 on behalf of the City with Good Shepherd Food Bank for the period of January 13, 2015 through September 26, 2015. The purpose of this agreement is to work with the food bank to implement comprehensive strategies aimed at increasing the availability, accessibility, and consumption of lower sodium products in a food pantry. The services under this agreement aim to reduce sodium intake as a key modifiable risk factor associated with high blood pressure and heart disease. This was reviewed and recommended for approval by Government Operations on January 5, 2015.

15-055 ORDER Authorizing the City Manager to Execute a Sub **PLOURDE
Contract Agreement with Eastern Maine Healthcare
Systems (#CDC-15-1049: Sodium Reduction in
Communities)**

Executive Summary: This Order will authorize the City Manager to execute a sub contract agreement in the amount of \$48,000 on behalf of the City with Eastern Maine Healthcare Systems (EMHS) for the period of January 13, 2015 through September 26, 2015. The purpose of this agreement is to work with the EMHS to implement comprehensive strategies aimed at increasing the availability, accessibility, and consumption of lower sodium products in hospital settings. The services under this agreement aim to reduce sodium intake as a key modifiable risk factor associated with high blood pressure and heart disease. This was reviewed and recommended for approval by Government Operations on January 5, 2015.

REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 12, 2015

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

**ASSIGNED TO
COUNCILOR**

<u>15-059</u> <u>RESOLVE</u>	Authorizing the City Manager to enter into a Memorandum of Understanding with and to Accept and Appropriate \$23,308.00 in Grant Funds from Penobscot Community Health Care for the Maine Health Access Foundation (MeHAF) Access to Quality Care Planning Grant (First Reading and Referral to Government Operations Committee Meeting of February 2, 2015)	SPRAGUE
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Executive Summary: This resolve would authorize the Bangor Public Health and Community Services to serve as a sub recipient of \$23,308 Penobscot Community Health Care cost-extension grant from the Maine Health Access Foundation (MeHAF). The purpose of the grant is to support the development of collaborative partnerships of non-affiliated/ separately owned organizations to create a sustainable and coordinated community level approach for providing health care services to their low income, uninsured community members. Each collaborative partnership is to include a broad group of stakeholders representing health care, social services, and low income patients/consumers. The continuation grant will utilize the *Community Health Leadership Board*, of which the City of Bangor is a founding and active member, to strengthen a comprehensive plan to develop a more coordinated system of care for community members affected by substance abuse and addiction. The term of the grant term is February 15, 2015 through August 31, 2015.

**UNFINISHED BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

<u>15-037</u> <u>ORDER</u>	Authorizing Execution of Municipal Quitclaim Deed to Robin S. Corey for Real Estate Located at 306 Essex Street (Tax Map 047, Lot 068)	NEALLEY
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Executive Summary: This Order will authorize the execution of a quitclaim deed for the property upon payment of the outstanding charges for property owned by Robin Corey. Real estate tax liens matured on the property of Robin S. Corey located at 306 Essex Street. Ms. Corey is in the process of obtaining financing for the outstanding charges. Because the liens matured, a quitclaim deed is required to release the City's interest in the property.

2Because this is a pending hardship abatement, this matter should be postponed indefinitely.

<u>15-041</u> <u>RESOLVE</u>	Authorizing the City Manager to Accept and Appropriate \$118,495 in McKinney-Vento Homeless Assistance Funds from the U.S. Department of Housing and Urban Development (HUD) for the period 12/1/2014 to 11/30/2015	BLANCHETTE
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REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 12, 2015

**UNFINISHED BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

Executive Summary: This Resolve will authorize the manager to accept and appropriate a one year grant from HUD in the amount of \$118,495 to continue 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 2013 Maine Continuum of Care planning and selective competition process. This was reviewed and recommended by Government Operations at the December 15, 2014 meeting.

<u>15-042</u>	<u>RESOLVE</u>	Authorizing the City Manager to Accept and Appropriate \$32,770 in McKinney-Vento Homeless Assistance Funds from the U.S. Department of Housing and Urban Development (HUD) for the period 12/31/2014 to 12/30/2015	PLOURDE
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Executive Summary: This resolve will authorize the City Manager to accept and appropriate a one year grant from HUD in the amount of \$32,770 to continue to provide Shelter Plus Care Rental Assistance for three families to live in apartments owned by Penquis Housing. 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 2013 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. This was reviewed and recommended for approval by Government Operations at the December 15, 2014 meeting.

**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

LIQUOR LICENSE (CLASS X)	Application for Liquor License Renewal, Malt, Spirituous, Vinous of Arayos LLC d/b/a Diamonds, 190B Harlow Street	FAIRCLOTH
LIQUOR LICENSE (CLASS XI)	Application for Liquor License Renewal, Malt, Spirituous, Vinous of Blaze Bangor LLC d/b/a Blaze Restaurant, 18 Broad Street	FAIRCLOTH
PUBLIC HEARING:	Application for Liquor License, Malt, Spirituous, Vinous of PR Mexican Restaurant d/b/a Pepino's, 49 Park Street	FAIRCLOTH
PUBLIC HEARING:	Application for Special Amusement License of Blaze Bangor LLC d/b/a Blaze Restaurant, 18 Broad Street	FAIRCLOTH

REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 12, 2015

**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

PUBLIC HEARING: **Application for Special Amusement License of
Arayos LLC d/b/a Diamonds, 190B Harlow Street** **FAIRCLOTH**

15-060 **ORDER** **Appointing Philip S. Drew as City Assessor and
Authorizing Execution of an Employment Contract** **SPRAGUE**

Executive Summary: This Order will appoint Philip S. Drew as City Assessor and will authorize the execution of an employment contract. If appointed, Mr. Drew will replace Benjamin Birch who retired on December 31st after more than 22 years as City Assessor. Mr. Drew has been employed by the City of Bangor since 1994. He began as a part-time property lister, was promoted to Appraisal Technician, and for the past fourteen years has served as Appraiser. He holds a B.S. degree from the University of Maine in Agribusiness and Resource Economics. Mr. Drew is both a Certified Maine Assessor and Certified Maine Appraiser. This appointment has been reviewed with the City Council in Executive Session on two occasions during December.

15-061 **ORDER** **Authorizing the City Manager to accept \$900 in
funds from Valerie Grant (dba Logo Motion) of
Brewer as part of the “Duck of Justice” community
outreach project** **BLANCHETTE**

Executive Summary: This order will authorize the City Manager to accept \$900 in funds from Valerie Grant, from sale of “Duck of Justice” t-shirts to be used for community outreach projects. Sergeant Tim Cotton created a fictional character as part of a community outreach project aimed at raising money for youth based projects. The character has become very popular via social media leading to the creation of t-shirts with a specially designed “Duck of Justice” logo. Valerie Grant (dba Logo Motion) of Brewer made, packaged and sold the t-shirts from her family owned embroidery shop. Mrs. Grant is donating a portion of the sale of each t-shirt to the police department community relations program. All proceeds from the sale of the shirts will be used solely for community outreach projects such as educational/safety awareness plans, neighborhood watch programs and youth based initiatives. Mrs. Grant’s current donation is \$900. Additional donations are likely to come in as the shirts continue to be popular. Staff recommends approval.

15-062 **ORDER** **Dedicating the Bangor Police Department Building in
Honor of former Chief Donald J. Winslow** **BALDACCI**

Executive Summary: This Order will dedicate the Police Department Building in honor of former Police Chief Donald J. Winslow. The Government Operations Committee discussed this on two separate occasions and directed staff to prepare a Council Order for consideration. As outlined in the Order, the Building will be dedicated in former Chief Winslow’s honor and a plaque will be erected recognizing his service to the department, the community and the field of professional law enforcement. The Order provides that the wording of the plaque shall be prepared in consultation with the Chief of Police and Winslow family, and approved by the Government Operations Committee. This was reviewed and recommended for approval at the January 5, 2015 Government Operations Committee meeting.

REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 12, 2015

**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

<u>15-063</u>	<u>ORDER</u>	Authorizing Grant of \$1,000 to Anna Hepler to Support a Public Art Installation in Downtown Bangor	GRAHAM
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Executive Summary: This Order will authorize a grant in the amount of \$1,000 to Maine artist Anna Hepler. Ms. Hepler submitted an application to support the construction of a public art installation to be located in the Kenduskeag Stream in downtown Bangor from June to September 2015. The Cultural Commission has recommended approval of this request because of the benefit to the community and its continued commitment to promote public art in the City of Bangor.

If the project is funded by the Council at the recommended levels, the Commission will have \$7,081 of available funds remaining for this fiscal year.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its January 6, 2015 meeting.

<u>15-064</u>	<u>ORDER</u>	Authorizing Public Works to widen Essex Street	PLOURDE
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Executive Summary: On May 13, 2014 the Infrastructure Committee approved staff recommendation to not widen three portions of streets in the FY 15 street paving program. Davis Road and Ohio Street paving is complete but 6955 feet of outer Essex Street was only shimmed with the surface to be applied in the spring. A group of residents is requesting that this section of Essex Street be widened to provide a 3-4 foot wide paved shoulder. To accommodate their request staff recommends milling and filling the edge of road and shoulder on the inbound lane before the surface is applied. The estimated additional cost for this work is \$72,432. This action was approved unanimously by the Infrastructure Committee on December 23, 2014 with the condition that it be presented to the full council to provide opportunity for additional public comment.

BANGOR CITY COUNCIL



RECOGNIZING AND CONGRATULATING THE CITY OF BANGOR WOMEN, INFANTS AND CHILDREN PROGRAM FOR 40 YEARS OF OUTSTANDING SERVICE

WHEREAS, the City of Bangor provides families with Nutrition Education and Community referrals; and

WHEREAS, the City of Bangor WIC Nutrition Program provides nutrient-rich foods to participants thus improving healthy outcomes for individuals and the community; and

WHEREAS, the City of Bangor WIC Nutrition Program helps support the local economy by having 8 WIC approved Vendors in Bangor alone; and

WHEREAS, the City of Bangor WIC Nutrition Program provides breastfeeding support and encouragement; and

WHEREAS, the City of Bangor WIC Nutrition Program served an average of 3,200 participants per month in FY 2014; of which 1,066 participants per month were Bangor Residents; and

WHEREAS, the City of Bangor, for 40 years, has provided one of the Nation's most successful and cost-effective nutrition intervention programs that protects and improves the health/nutritional status of low-income women, infants and children and strengthens the health of our communities.

NOW THEREFORE, I, NELSON E. DURGIN, MAYOR OF THE CITY OF BANGOR on behalf of the Bangor City Council as well as the citizens of Bangor, do hereby recognize and thank the Bangor WIC Nutrition Program for their outstanding service and contributions for the past 40 years to the City of Bangor and program participants.

Given this the 12th day of January, 2015.

A handwritten signature in black ink, appearing to read "Nelson E. Durgin".

Nelson E. Durgin, Mayor



**CONSENT
AGENDA**

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

*Meeting called to order at 7:30 PM
 Chaired by Council Chair Durgin
 Absent: None
 Meeting adjourned at 8:13 PM*

RECOGNITION: *Recognized Winterberry Heights And Its Employee, Donald Ouellette, For Outstanding Service To The City Of Bangor On Election Day - November 4, 2014*

RECOGNITION: *Recognized Lt. Fournier of the Bangor Fire Department for 40 Years of Service*

INTRODUCTION: *The five newly hired Bangor firefighters were introduced.*

PUBLIC COMMENT *None*

CONSENT AGENDA ITEM NO.	ASSIGNED TO COUNCILOR
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MINUTES OF: *Bangor City Council Regular Meeting of December 8, 2014 and Finance Committee Meetings of March 3, 2014, May 5, 2014, June 16, 2014, June 23, 2014 and December 8, 2014, and Special Finance Committee Meeting of March 24, 2014*

Action: *Accepted and Approved*

LIQUOR LICENSES:	<i>Application for Liquor License Renewal, Malt, Vinous, of Penobscot Theatre Company d/b/a Penobscot Theatre Company, 131 Main Street</i>	FAIRCLOTH
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Action: *Approved*

<i>Application for Liquor License Renewal, Malt, of Capital Pizza Huts Inc. d/b/a Pizza Hut, 611 Broadway</i>	FAIRCLOTH
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Action: *Approved*

<u>15-036</u> <u>ORDER</u>	<i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 165 Allen Street (Map 5 Lot 17)</i>	SPRAGUE
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Action: *Passed*

<u>15-037</u> <u>ORDER</u>	<i>Authorizing Execution of Municipal Quitclaim Deed to Robin S. Corey for Real Estate Located at 306 Essex Street (Tax Map 047, Lot 068)</i>	NEALLEY
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Action: *Removed from Consent Agenda and Postponed to the next Regular City Council Meeting.*

<u>15-038</u> <u>ORDER</u>	<i>Appointing Nominees to Various Boards, Commissions, and Committees</i>	GRAHAM
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Action: *Passed*

<u>15-039</u> <u>ORDER</u>	<i>Discontinuing First Street Extension</i>	PLOURDE
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Action: *Passed*

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

CONSENT AGENDA
ITEM NO. **ASSIGNED TO COUNCILOR**

15-040 ORDER *Authorizing the Fire Department to Apply for \$23,209.90 in Grant Funds from the Stephen and Tabitha King Foundation* **CIVIELLO**

Action: Passed

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

15-041 RESOLVE *Authorizing the City Manager to Accept and Appropriate \$118,495 in McKinney-Vento Homeless Assistance Funds from the U.S. Department of Housing and Urban Development (HUD) for the period 12/1/2014 to 11/30/2015* **BLANCHETTE**

Action: First Reading

15-042 RESOLVE *Authorizing the City Manager to Accept and Appropriate \$32,770 in McKinney-Vento Homeless Assistance Funds from the U.S. Department of Housing and Urban Development (HUD) for the period 12/31/2014 to 12/30/2015* **PLOURDE**

Action: First Reading

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

None.

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

15-043 ORDER *Authorizing Contract Award for Antifreeze, Lubricating Oils & Greases* **SPRAGUE**

*Action: Motion Made and Seconded for Passage
Passed*

15-044 ORDER *Authorizing Execution of Contract with FTL Design Engineering for Waterfront Amphitheater Design Services* **BALDACCI**

*Action: Motion Made and Seconded for Passage
Passed*

Lisa J. Goodwin, MMC City Clerk

FINANCE COMMITTEE MINUTES
July 21, 2014 at 6:30PM

Council Members: Baldacci, Gallant, Nealley, Graham, Durgin, Blanchette

Staff Members: Cyr, Wardwell, Dawes, Nicklas, Hathaway, Birch

1. Bids/Purchasing

- a. Request to Waive Bid Process - 8 Lane Signals – Public Works - Highway Tech - \$19,400

Finance Director Deb Cyr explained that when the City went out to bid for signals in the recent past, only one bid was received so staff recommendation is to waive the bid process and order these needed signals from the same firm, Highway Tech.

Councilor Baldacci moved, Councilor During seconded, approved.

- b. Request to purchase Cellular Tablets – Information Services & Police Department

Finance Director Cyr stated that as we all know, the City has been moving to the use of tablets. Different tablets use different programs so research was done on a number of types. Verizon has the 3 types of tablets the City needs and they will allow us to pool our data at a lower rate than other service providers. Staff recommendation is to purchase the tablets from Verizon.

Councilor Durgin moved, Councilor Graham seconded, approved.

- c. Request to Utilize State Contract – Police Vehicles – Police Department – Quirk Ford of Augusta - \$93,360

Finance Director Cyr explained that over the last few years we have piggy backed on the State Contract to get new police vehicles. Council approved 3 new vehicles in the FY2015 and this is a request to purchase 3 new SUVs which is the preferred type of vehicle for a number of reasons including transportation, comfort, etc.

Councilor Durgin moved, Councilor Nealley seconded, recommended to full Council.

2. Sale of Property – 335 Broadway

Assistant City Solicitor Paul Nicklas explained that the City owns a parcel at this address and it is not developed at this time. The City has an interest in selling the small parcel to the abutters. The selling price to the abutters to the right would be \$6,350 and the selling price to the abutters to the left would be \$2,295.

Councilor Baldacci moved, Councilor Graham seconded, approved.

3. Revised Special Assessment – Bangor Center Development District

City Assessor Ben Birch stated that an oversight was detected for the Bangor Center Development District when tax bills were being processed. The amount of money that was approved in May for the District was understated. State Statute has a minimum of a 5% overlay requirement. What transpired is that by the time Assessing notified Community and Economic Development, the assessment had increased for the District, the Order had already been passed. This is a request for approval to amend the municipal appropriation from \$55,000 to \$57,000 which would bring the City into full compliance with the State Statute.

Councilor Blanchette moved, Councilor Baldacci seconded, recommended to full Council.

Adjourned at 6:50pm.

**Government Operations Committee
Monday, October 20, 2014 at 6:53pm
City Council Chambers**

MINUTES

Council Members: Civiello, Graham, Nealley, Gallant

Staff Members: Conlow, Farrar, Hathaway, Higgins, Wardwell, Angelo

Others: Joe Imbriaco, Bud Butterfield, Terry Martini

1. Retirement of and Request to Transfer Ownership of Police Canine Havoc to Officer Kim Donnell.

Police Chief Hathaway explained along with Officer Rob Angelo whom runs the canine program that there is a canine named Havoc that they have decided is not suited for police work. Staff recommendation is to retire this dog and transfer ownership and all responsibilities of Havoc to Officer Kim Donnell who has had Havoc for the past 2 years.

Councilor Gallant moved, Councilor Graham seconded, so approved.

2. Request to Apply for 2014 Assistance to Fire Fighter Grant Program funds to replace Breathing Apparatus Bottles.

Assistant Chief Tom Higgins stated that the Fire Department currently has 55 Air bottles that will expire in 2015. These bottles have a 15 year shelf life. This is a chance to replace these expiring bottles and utilize this grant money to do so.

Councilor Gallant moved, Councilor Nealley seconded, so approved.

3. Request to Establish No Parking Zone – 375 Mount Hope Avenue.

Public Works Director Dana Wardwell explained that he has been approached by Bud Butterfield, Board of Trustees of the Pilgrim Orthodox Presbyterian Church, requesting the area between their two driveways be posted as a No Parking Zone between signs. There is a visibility problem with people entering and exiting so for safety reasons they are making this request. Staff recommendation is to approve a No Parking Zone in this 60ft area between the signs. Letters were sent out to abutters to the property and only one response was received who approved but would also like the area in front of her property be granted a No Parking Zone. This is not included in this request.

Councilor Graham asked what is the course of action if anyone does not follow the No Parking Zone? Who is going to be in charge of this? It is hoped that the congregants are law abiding people and it is hoped that signs are more official than cones that are currently used. Councilor Graham asked if it is possible to do an experiment first and have temporary No Parking signs from the Police Department put up before we spend money on permanent signs.

Councilor Gallant moved, Councilor Graham seconded, so approved to recommend to full Council for first reading.

4. Request to Establish Three-Two Hour Time Limited Parking Spaces on State Street, between Newbury Street and State Street Avenue.

Director Dana Wardwell explained that he was approached by business owner Terry Martini who would like to establish three - two hour limit parking spaces. Letters were sent to abutters and again received one response just asking for a little clarification. Staff recommendation is to approve this request.

Councilor Gallant moved, Councilor Nealley moved, so approved to recommend to full Council for first reading.

5. Establishment of Short Term Drop-Off Parking Spaces on Bass Park Boulevard adjacent to the Cross Insurance Center.

Director Dana Wardwell explained the request to add a few short term drop off spaces for those who have mobility challenges, etc. This will be a 100ft long area for drop offs on Bass Park Boulevard for people utilizing the Cross Insurance Center. Staff recommendation is to approve this request.

Councilor Gallant moved, Councilor Nealley seconded, so approved.

6. Request to Consider Amending the City Code of Ethics – Conflicts of Interest Involving City Councilors.

This item was postponed to a November Committee meeting.

Adjourned at 7:20pm.

BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE

Tuesday, October 21, 2014 5:15 PM
City Council Chambers

MINUTES

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

City Staff Present: Cathy Conlow, Tanya Emery, Steve Bolduc, Jason Bird, Jeremy Martin, Paul Nicklas, Caitlin Brooke, Mark Hathaway and Tracy Willette

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

CONSENT AGENDA

1. Commission on Cultural Development Grant Recommendations
 - a. Bangor Ballet
 - b. Downtown Bangor Partnership – Downtown Countdown

A motion was made by Councilor Plourde and seconded. The motion was not doubted and therefore, passed.

REGULAR AGENDA

2. Greater Bangor Convention & Visitors Bureau Update

Kerrie Tripp and Lee Speronis with the GBCVB attended. Ms. Tripp discussed their quarterly report which was provided to the Committee prior to the meeting. She outlined and discussed recent events (the Bangor Car Show, the Harley Davidson Owner's Group) memberships, and their efforts for procuring future events. Lee Speronis also spoke about the increase in activities and the fact that they are in competition with other cities such as Portsmouth and Worcester for these events.

3. Greater Bangor CVB – Can-Am Police-Fire Games

Kerrie Trip discussed GBCVB's desire to compete for rights to the Can-Am Police-Fire Games in 2020.

Staff indicated that at this point, they would like to know whether or not the Committee members are interested in Staff pursuing an RFP. If so, this would

allow time to gather more in depth information for review as the RFP deadline is in early 2015.

The Committee discussed liability issues and financial responsibilities that would be associated with this event. They also felt that because an RFP needs to be submitted in January that this item be placed back on the second meeting in November agenda for further review.

It was the consensus of the Committee Members to give Staff the "go ahead" to pursue information regarding applying for an RFP and return in November for further discussion.

4. Food Trucks in Pickering Square

Tanya Emery, Director of Community and Economic Development, indicated City Staff presented this to the Committee at its meeting on September 2, 2014. The Committee asked staff to review potential policies and report its findings back to them.

Director Emery indicated that Staff recommended that the redesign of Pickering Square should be planned and carried out prior to changing the use of this space from public open space to a spot for vendors. While Staff wants to encourage businesses to locate in Bangor, it is felt that food truck vendors should be encouraged to locate either in private parking lots or on the Waterfront where they are already allowed.

Councilor Nealley moved Staff recommendation. Councilor Baldacci seconded the motion. The motion passed.

5. Building No. 487 Parking Lot

Steve Bolduc, Economic Development Officer, explained that General Electric would like to utilize the parking lot associated with Building No. 487. They are adding employees at their facility on Griffin Road. In order to accommodate the additional employees they would like to utilize this parking lot. In return for use of the parking lot GE would make improvements to the lot and repave it. Staff recommended approval.

Councilor Nealley moved Staff recommendation, Councilor Baldacci seconded the motion. The motion passed.

6. **REFERRAL - ORDINANCE 14-316**, Amending Chapter 223, Uninhabitable Buildings, of the Code of the City of Bangor, By Allowing Service of Notice of Placarding By Mail.

Paul Nicklas, Assistant City Solicitor, explained that City Codes presently require service of notice of placarding buildings by registered mail. This is a very time consuming and expensive process. This ordinance change would allow for service of notice to be done by first-class mail with delivery confirmation or by certified mail. This would save money, as well as staff time. Staff asked that the Committee recommend this Ordinance amendment to the City Council.

Councilor Baldacci moved Staff recommendation. Councilor Nealley seconded the motion, which passed.

7. **REFERRAL – ORDINANCE 14-317**, Amending Chapter 165, Land Development Code, of the Code of the City of Bangor, By Allowing Existing Nonconforming Mobile Home Parks to be Reconstructed

Assistant City Solicitor Paul Nicklas explained that this ordinance amendment would allow mobile home parks in the Rural Residence and Agricultural District (RR & A) to be reconstructed if certain standards are met. Mobile Home Parks at one time were required to be located in the RR & A District. However, the Code no longer allows them and there are a number of nonconforming mobile homes that still exist, several of which are now falling into disrepair and cannot be replaced because existing lots are not sized for modern mobile homes. This ordinance amendment would allow existing mobile home parks that meet certain size and utility requirements to be reconstructed. Staff recommended that this amendment be recommended to the City Council.

Councilor Baldacci moved Staff recommendation. Councilor Nealley seconded the meeting. The motion passed.

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

Councilor Plourde moved to enter executive Session at 6:26 p.m. The motion was seconded by Councilor Baldacci. The vote was not doubted and therefore passed.

9. **Committee Action on Above Item**

No action was taken on this item.

The meeting was adjourned at 6:40 p.m.

BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE

Tuesday, December 2, 2014 5:15 PM

City Council Chambers

Minutes

Committee Members Present: Chair Baldacci, Councilor Graham, Councilor Faircloth, Councilor Durgin, Councilor Plourde, Councilor Civiello, Councilor Blanchette, and Councilor Nealley

City Staff Members Present: Cathy Conlow, Tanya Emery, Jeff Wallace, Jason Bird, Caitlin Brooke, Paula Nicklas

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

CONSENT AGENDA

1. Community Development Residential Rehabilitation Loan - 231 Silver Road
2. Community Development Residential Rehabilitation Loan – 294 West Broadway
3. **REFERRAL - ORDINANCE 15-015**, Enacting Chapter 23, Article V, Downtown Parking Advisory Committee, of the Code of the City of Bangor

Councilor Plourde moved to approve the Consent Agenda. Councilor Faircloth seconded the motion. The motion was not doubted and, therefore, passed.

REGULAR AGENDA

4. Sale of Old Fire Station #6

Jason Bird, Community and Economic Development Officer, explained the specifics of the proposed sale of the Old Fire Station # 6 to the Penobscot Theatre who wishes to use the building to construct and store props and for a residence for interns.

Councilor Nealley moved Staff recommendation. Councilor Faircloth seconded the motion which passed as it was not doubted.

5. Apply for DECD RLF Brownfields Grant for Building 487

Jason Bird explained that after conducting a Phase I and a Phase II environmental site assessment on Building 487 on Polk Street at the Airport,

Staff is requesting authorization to apply for a Brownfields Grant from the Maine Department of Economic and Community Development for demolition and abatement of contaminants at the site. Staff requested that the Committee recommend to the full Council support of this application.

Councilor Graham moved Staff recommendation. Councilor Plourde seconded the motion. The motion was not doubted.

6. Republic Parking Annual Report

Parke Clemons, with Republic Parking, outlined their Annual Parking Report including increases in parking demand and yearly revenues for the year.

Mr. Clemons also discussed recommendations for the next year. Republic Parking is recommending that the City implement the existing rate structure for the parking garage on Saturdays, and that the City start looking into adding parking in the Harlow Street Area well in advance of a potential parking deficit situation in this area of downtown. He indicated that there may not be a deficit there but it may be timely to look at it.

Councilor Baldacci asked for a report on the bonded indebtedness left on the parking garage.

No action was taken on this item.

7. Update: Sidewalk License Agreements for Outdoor Seating

Caitlin Brooke, Business Development Officer, explained that this is an update on the discussion at the November 18 meeting. Staff looked at proposed fees, provided suggestions regarding fencing and furniture guidelines, and provided visuals for the West Market Square area showing the difference between a 19 foot area and an 11 foot area for the outdoor seating.

The Committee discussed all three recommendations. Chair Baldacci asked that separate motions be made regarding all three recommendations.

Councilor Plourde moved Staff recommendation regarding fees that there be a fee holiday for 2015 Sidewalk Lease Agreements but that the City will implement a fee in 2015. Fees will be determined as to whether or not a business serves alcohol, the times of the year the business will maintain outdoor seating and be structured to cover the City's cost to maintain the public property on which the outdoor seating is located. Councilor Graham seconded the motion. The motion was not doubted.

Councilor Plourde moved Staff recommendation that a Staff Design Review Committee be established to determine the minimum requirements for fencing

and furniture in outdoor seating areas that are located on City property. Councilor Graham seconded the motion. The motion was not doubted.

Councilor Plourde moved to recommend that the area occupied by outdoor seating in West Market Square be 19 feet from the side of their building into the Square. Councilor Nealley seconded the motion. The Committee voted as follows: Chair Baldacci, Councilor Plourde and Councilor Nealley were in favor of the motion and Councilor Faircloth and Councilor Graham were opposed.

The meeting was adjourned at 6:20 p.m.

COUNCIL ACTION

Item No. 15-045

Date: January 12, 2015

Item/Subject: **ORDER**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 59 Poplar Street (Map 37, Lot 29).

Responsible Department: Legal

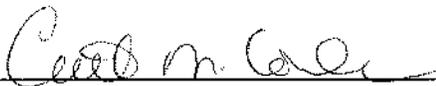
Commentary:

Sewer liens matured on the property located at 59 Poplar Street owned by Joseph and Bridget Long. All outstanding charges due the City have been paid. There are no outstanding real estate taxes or property issues. Because the liens had 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 Sprague

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 59 Poplar Street (Map 37, Lot 29).

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 sewer liens recorded in the Penobscot County Registry of Deeds in Book 12211, Page 107, Book 12397, Page 187 and Book 12675, Page 71. Said deed shall be directed to Joseph E. Long and Brigitte E. Long in a form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 15-046

Date: January 12, 2015

Item/Subject: ORDER, Appointing Lance Sanborn as a Constable for the Year 2015

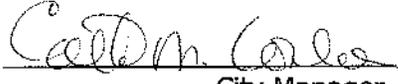
Responsible Department: City Clerk

Commentary:

This appointment as a Constable will authorize Lance Sanborn to enforce City Ordinances. Mr. Sanborn has recently been hired as the new Fire Inspector for the City. Staff recommends approval.

Department Head

Manager's Comments:



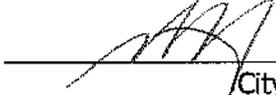
City Manager

Associated Information

Budget Approval:

Finance Director

Legal Approval:



City Solicitor

Introduced for
 Passage, Consent
 First Reading
 Referral

Page ___ of



Assigned to Councilor Civiello

CITY OF BANGOR

(TITLE.) ORDER, ORDER, Authorizing the City Manager to Execute a Non-Binding Memorandum of Understanding to allow City staff to Participate in the Community Health Leadership Board.

Whereas, the Community Health and Leadership Board was formed when staff from Public Health and Community Services along with the City Manager sought feedback on issues facing the public health department; and

Whereas, the Community Health Leadership Board includes executives from Eastern Maine Healthcare, St. Joes Healthcare, Penobscot Community Health Center, Eastern Agency on Aging, Penquis and the City of Bangor; and

Whereas, the group has agreed to continue to convene on an adhoc basis to help utilize their collective leadership roles to improve overall health in the region; and

Whereas, the Community Health Leadership Board has agreed to take a pro-active leadership role in promoting the recommendations of the Substance Abuse work group.

By the City Council of the City of Bangor:

ORDERED, THAT the City Council hereby authorize the City Manager to execute a non-binding Memorandum of Understanding to allow city staff to participate in the Community Health Leadership Board.

COUNCIL ACTION

Item No. 15-047

Date: January 12, 2015

Item/Subject: ORDER, Authorizing an Amendment to the Lease Agreement with Ntension Corporation at 110 Hildreth St. (Tax Map R09-007-D)

Responsible Department: Community & Economic Development

Commentary: This order will authorize an extension of the lease with Ntension Corporation for space in the City owned building at 110 Hildreth Street, Bangor (Tax Map R09-007-D). The building is shared with another tenant. Ntension Corporation is a manufacturer of tension fabric structures used primarily in exhibitions and trade shows. The proposed lease amendment would extend the term of the lease until March 31, 2015. Basic utilities and maintenance will continue to be provided by the City. Ntension Corporation does not have any taxes due. This item was reviewed and recommended for approval by the Business & Economic Development Committee at its January 6, 2015 meeting.

Tanya Emery
Department Head

Manager's Comments:

Carol M. Carl
City Manager

Associated Information:

Budget Approval:

[Signature]
Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for
 Passage
 First Reading
 Referral

Page __ of __



Assigned to Councilor Baldacci

CITY OF BANGOR

(TITLE.) ORDER, Authorizing an Amendment to the Lease Agreement with Ntension Corporation at 110 Hildreth St. (Tax Map R09-007-D)

WHEREAS, the parties agreed to a lease agreement dated February 11, 2013; and

WHEREAS, the parties wish to amend the lease agreement to extend the term.

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

the City Manager is hereby authorized to execute an Amendment to the Indenture of Lease with Ntension Corporation to lease space in the building at 110 Hildreth Street (Tax Map R09-007-D) and extend the term to March 31, 2015. Basic utilities and maintenance will be provided by the City. The lease agreement will be substantially with these terms and conditions, and in a final form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 15-048

Date: January 12, 2015

Item/Subject: **ORDER**, Authorizing Execution of Agreement with Caleb Development Corporation – Bradford Commons

Responsible Department: Legal

Commentary: This Order will authorize the City Manager to execute an Agreement for Payment in Lieu of Taxes with Caleb Development Corporation (Bradford Commons). The City of Bangor and Maine Affordable Housing Trust, Inc. are parties to an Agreement for a payment in lieu of taxes (PILOT) dated December 10, 1992 for property located at 201 Husson Avenue, Bangor, Maine known as Bradford Commons. Caleb Development Corporation, a non-profit charitable and benevolent corporation duly organized under the laws of the State of Massachusetts, has purchased the property at 201 Husson Avenue from Maine Affordable Housing Trust, Inc. They have requested that the City agree to continue the PILOT currently in place with Maine Affordable Housing Trust, Inc.

Maine law, specifically 36 M.R.S.A. §652 (1) (A) provides that in order to be tax exempt the property must be a benevolent and charitable institution incorporated in the State of Maine. However, there is the potential question of the enforceability of 36 M.R.S.A. §652 (1) (A) in light of the case of *Camps Newfound/Owatonna, Inc. v. Town of Harrison, Maine*, 520 U.S. 564 (1997) in which the 36 M.R.S.A. §652 (1) (A) (1) was found by the United States Supreme Court to be unconstitutional.

The purpose and intent of the 1992 PILOT agreement between the City of Bangor and Maine Affordable Housing Trust, Inc. that a benevolent and charitable institution providing at least 50% of the dwelling units at Bradford Commons to persons or families of very low income will continue to be met with the transfer of ownership to Caleb Development Corporation. Additionally, all other terms and conditions will apply. This item was reviewed and recommended for approval at the December 16, 2014.

Department Head

Manager's Comments:

Ceeth M. Lee
City Manager

Associated Information:

Budget Approval:

[Signature]
Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for
 Passage
 First Reading
 Referral

Assigned to Councilor Faircloth



CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of Agreement with Caleb Development Corporation
– Bradford Commons

WHEREAS, the City of Bangor and Maine Affordable Housing Trust, Inc. are parties to an Agreement for a payment in lieu of taxes (PILOT) dated December 10, 1992 for property located at 201 Husson Avenue, Bangor, Maine known as Bradford Commons; and

WHEREAS, Caleb Development Corporation has purchased the property at 201 Husson Avenue from Maine Affordable Housing Trust, Inc.; and

WHEREAS, Caleb Development Corporation is a non-profit charitable and benevolent corporation duly organized under the laws of the State of Massachusetts; and

WHEREAS, Caleb Development Corporation has requested that the City agree to continue the PILOT currently in place with Maine Affordable Housing Trust, Inc.; and

WHEREAS, Maine law, specifically 36 M.R.S.A. §652 (1) (A) provides that in order to be tax exempt the property must be a benevolent and charitable institution incorporated in the State of Maine; and

WHEREAS, there is the potential question of the enforceability of 36 M.R.S.A. §652 (1) (A) in light of the case of *Camps Newfound/Owatonna, Inc. v. Town of Harrison, Maine*, 520 U.S. 564 (1997) in which the 36 M.R.S.A. §652 (1) (A) (1) was found by the United States Supreme Court to be unconstitutional; and

WHEREAS, the purpose and intent of the 1992 PILOT agreement between the City of Bangor and Maine Affordable Housing Trust, Inc. that a benevolent and charitable institution providing at least 50% of the dwelling units at Bradford Commons to persons or families of very low income will continue to be met with the transfer of ownership to Caleb Development Corporation; and

WHEREAS, the parties have determined that it is in their best interest to continue the 1992 PILOT agreement for 201 Husson Avenue as currently exists between Maine Affordable Housing Trust, Inc. and the City of Bangor by replacing it with a new agreement with the same terms and conditions.

15-048
JANUARY 12, 2015

By the City Council of the City of Bangor:

ORDERED, THAT Catherine M. Conlow, City Manager, is hereby authorized on behalf of the City of Bangor to execute an Agreement for Payment in Lieu of Taxes with Caleb Development Corporation for property located at 201 Husson Avenue known as Bradford Commons. Said Agreement shall be in substantially the same form as attached hereto and in a final form as approved by the City Solicitor.

AGREEMENT FOR PAYMENT IN LIEU OF TAXES

This Agreement is made and entered into this ___ day of _____, 2015, by and between the City of Bangor (hereinafter "City"), a municipal corporation organized and existing under the laws of the State of Maine, and having its principal offices located at 73 Harlow Street, Bangor, Maine, and Caleb Development Corporation, a Massachusetts non-profit, having a place of business at 491 Humphrey Street, Swampscott, Massachusetts.

WITNESSETH:

WHEREAS, the City of Bangor and Maine Affordable Housing Trust, Inc. are parties an Agreement for a payment in lieu of taxes (PILOT) dated December 10, 1992 for property located at 201 Husson Avenue, Bangor, Maine known as Bradford Commons (the "Property"); and

WHEREAS, Caleb Development Corporation has purchased the property at 201 Husson Avenue from Maine Affordable Housing Trust, Inc. and

WHEREAS, Caleb Development Corporation is a non-profit charitable and benevolent corporation duly organized under the laws of the State of Massachusetts; and

WHEREAS, Caleb Development Corporation has requested that the City agree to continue the PILOT currently in place with Maine Affordable Housing Trust, Inc.; and

WHEREAS, Maine law, specifically 36 M.R.S.A. §652 (1) (A) provides that in order to be tax exempt the property must be a benevolent and charitable institution incorporated in the State of Maine; and

WHEREAS, there is the potential question of the enforceability of 36 M.R.S.A. §652 (1) (A) in light of the case of *Camps Newfound/Owatonna, Inc. v. Town of Harrison, Maine*, 520 U.S. 564 (1997) in which the 36 M.R.S.A. §652 (1) (A) (1) was found by the United States Supreme Court to be unconstitutional; and

WHEREAS, the purpose and intent of the 1992 PILOT agreement between the City of Bangor and Maine Affordable Housing Trust, Inc. that a benevolent and charitable institution providing at least 50% of the dwelling units at Bradford Commons to persons or families of very low income will continue to be met with the transfer of ownership to Caleb Development Corporation; and

WHEREAS, the parties have determined that it in their best interest to continue the 1992 PILOT agreement for 201 Husson Avenue as currently exists between Maine Affordable Housing Trust, Inc. and the City of Bangor by replacing it with a new agreement with the same terms and conditions.

NOW, THEREFORE, IN CONSIDERATION of the mutual promises and covenants contained in this Agreement, the parties hereto agree as follows:

1. The City and Caleb Development Corporation agree that the Bradford Commons property shall be deemed exempt from taxation under 36 M.R.S.A. § 652(1) (A) for so long as the same is owned by Caleb Development Corporation, or a successor in interest who also qualifies as a nonprofit, charitable and benevolent institution incorporated by the State of Maine, and is used to provide at least 50% of the dwelling units therein to persons or families of very low income, as that term is defined by the United States Department of Housing and Urban Development. The City and Caleb Development Corporation agree that Caleb Corporation shall make the March 1, 2015 payment as provided in the December 10, 1992 agreement between the City of Bangor and Maine Affordable Housing, Inc. and that said exempt status shall continue provided that Caleb Development Corporation, or a duly qualified successor, is the owner of record as of the date of this agreement, and shall continue in full force and effect until such time as the property is not owned by a nonprofit, charitable and benevolent institution incorporated by the State of Maine, is not used to provide at least 50% of the dwelling units therein to persons or families of very low income, or is rendered non-exempt by a change in the applicable statutory provisions under 36 M.R.S.A. § 652.

2. In addition to the aforementioned March 1, 2015 payment, Caleb Development Corporation agrees to pay to the City an annual payment in lieu of taxes and in lieu of a service charge under 36 M.R.S.A. § 652 (1) (L) equal to one-half of the real estate taxes which would have been assessed against the property if it was not exempt from taxation. Caleb Development Corporation agrees to pay said amount in two installments, the first installment for one-half of said amount to be paid on or before September 1st and the second installment for the remaining amount to be paid on or before March 1st of each City of Bangor fiscal year.

3. At the same time that the City sends out its annual tax bills, the City agrees to provide Caleb Development Corporation with a bill for said annual payment in lieu of taxes, which bill shall contain the itemized amount of the land value and building values, the tax rate for the applicable year, and a calculation of the amount due under the terms of this Agreement. The City agree that the land and building values shall be determined in accordance with the standard practices utilized to value and assess comparable apartment complexes in the City of Bangor.

4. If Caleb Development Corporation disagrees with the values utilized by the City, the parties agree that Caleb Development Corporation shall have the right to petition the Assessor for a review of those values in accordance with the practices, procedures, and principles applicable to tax abatement requests. If Caleb Development Corporation and Assessor are unable to agree on the values to be utilized for the payment in lieu of taxes within 60 days from Caleb Development Corporation's filing of a petition with the Assessor, the parties agree that the matter may be appealed by Caleb Development Corporation to the City's Board of Assessment Review for a determination of the appropriate values in the same manner as other valuation appeals made pursuant to 36 M.R.S.A. § 843 (1). If Caleb Development Corporation disagrees

JANUARY 12, 2015

with the decision of the Board or if the Board fails to make a decision within 60 days from the date of the filing of an appeal by Caleb Development Corporation, the parties agree that Caleb Development Corporation may initiate and pursue an action in the Maine courts for a determination of the appropriate values in accordance with the same legal principles utilized by the courts in tax valuation appeals. Said action must be initiated by Caleb Development Corporation within 30 days from the earliest of: (1) the date of receipt by Caleb Development Corporation of the Board's decision or (2) 60 days from the date of filing of an appeal with the Board by Caleb Development Corporation, unless the deadline is extended by the mutual consent of the City and Caleb Development Corporation. Any refund due Caleb Development Corporation because of a reduction in value, plus interest thereon at the rate established by the City for delinquent taxes for the fiscal year in question, shall be paid by the City to Caleb Development Corporation within 30 days from the date on which the determination of value becomes final.

5. By April 1st of each year of this Agreement Caleb Development Corporation shall provide to the City documentation that it is in compliance with the terms and conditions of this Agreement.

6. This Agreement is entered into based on Maine law in effect as of the date hereof. In the event that Maine law concerning tax exemption is changed subsequent to the date of execution of this Agreement, the City reserve the right to pursue whatever taxation alternatives may become available. In that event, Caleb Development Corporation shall not be obligated to make the payments called for under this Agreement.

IN WITNESS WHEREOF, the parties have executed duplicate counterparts of this Agreement as of the date first above written.

CITY OF BANGOR

Witness

By: Catherine M. Conlow
Its: City Manager

CALEB DEVELOPMENT CORPORATION

Witness

By:
Its:

COUNCIL ACTION

Item No. 15-049

Date: **January 12, 2015**

Item/Subject **ORDER, Authorizing Expenditure in the Amount of \$614.80 to Purchase Signage for Existing Public Art**

Responsible Department: **Community & Economic Development**

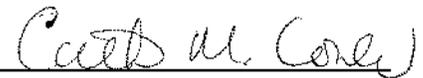
Commentary: This Order will authorize expenditure in the amount of \$614.80 to purchase signage to identify the abstract aluminum sculpture "Continuity of Community," created in 1969 by Maine sculptor Clark Battle Fitz-Gerald (1917-2004). The sculpture is currently located on the Bangor Waterfront. The Commission has recommended approval of this expenditure in accordance to its mission to preserve and maintain the City's public art collection.

If the project is funded by the Council at the recommended levels, the Commission will have \$7,081 of available funds remaining for this fiscal year.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its January 6, 2015 meeting.

Department Head

Manager's Comments:



City Manager

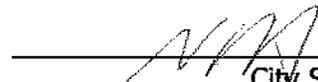
Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

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

Page of



Assigned to Councilor Flourde

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Expenditure in the Amount of \$614.80 to Purchase Signage for Existing Public Art

WHEREAS, the City Council has made an appropriation of funds to support arts and culture in the City of Bangor; has established a Commission on Cultural Development; and has assigned the Commission the responsibility of providing funding for the preservation, restoration, and enhancement of its public art collection; and

WHEREAS, the Commission has requested an expenditure of \$614.80 to purchase signage to identify the abstract aluminum sculpture "Continuity of Community," created in 1969 by Maine sculptor Clark Battle Fitz-Gerald (1917–2004); and

WHEREAS, the Commission on Cultural Development recommends the approval of the request to uphold its commitment and mission to enhance the City's existing public art collection; and

WHEREAS, the Commission on Cultural Development and the Business & Economic Development Committee voted to recommend to the City Council approval of a grant in the amount of \$614.80:

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

An expenditure of \$614.80 is hereby authorized for signage to identify the sculpture "Continuity of Community," located on the Bangor Waterfront.

COUNCIL ACTION

Item No. 15-050

Date: January 12, 2015

Item/Subject: Resolve, Ratifying Execution of Municipal Quitclaim Deed – Real Estate Located at 311 Broadway (Map 46 Lot 53).

Responsible Department: Legal

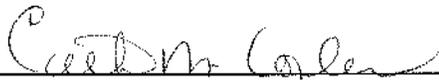
Commentary:

Sewer liens matured on the property of Laurie R. Cepele, now owned by Federal National Mortgage Association. All outstanding charges due the City have been paid. There are no outstanding real estate taxes or property issues. Because the liens matured and in order to facilitate the closing, the quitclaim deed has been executed releasing the City's interest in the property.

This Resolve will ratify staff action.

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**

15-050
JANUARY 12, 2015

Assigned to Councilor Civiello



CITY OF BANGOR

(TITLE.) Resolve, Ratifying Execution of Municipal Quitclaim Deed – Real Estate Located at 311 Broadway (Map 46 Lot 53).

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT RESOLVED,

The actions of Deborah Cyr, Finance Director, of executing and delivering a Municipal Quitclaim Deed from the City of Bangor to Federal National Mortgage Association for property at 311 Broadway are hereby ratified and affirmed.

COUNCIL ACTION

Item No. 15-051

Date: January 12, 2015

Item/Subject: **RESOLVE**, Ratifying Execution of Municipal Quitclaim Deed – Properties Located at 624 and 628 Hammond Street (Map 13, Lots 116 and 117)

Responsible Department: Legal

Commentary: Real estate tax liens matured on the properties located at 624 and 628 Hammond Street and owned by Larry and Wendy Sites. All outstanding charges due the City have been paid. Because the liens matured, a municipal quitclaim deed was issued releasing the City's interest in the property

This Resolve will ratify the staff action.

Department Head

Manager's Comments:

Curt M. Cole
City Manager

Associated Information:

Budget Approval:

Steve S
Finance Director

Legal Approval:

AAA
City Solicitor

Introduced for Consent Agenda

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

15-051
JANUARY 12, 2015

Assigned to Councilor Nealley



CITY OF BANGOR

(TITLE.) Resolve, Ratifying Execution of Municipal Quitclaim Deed – Properties Located at 624 and 628 Hammond Street (Map 13, Lots 116 and 117)

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT RESOLVED,

The actions of Deborah Cyr, Finance Director, of executing and delivering a Municipal Quitclaim Deed from the City of Bangor to Larry and Wendy Sites for properties located at 624 and 628 Hammond Street in Bangor, Maine are hereby ratified and affirmed.

COUNCIL ACTION

Item No. 15- 052

Date: January 12, 2015

Item/Subject: **RESOLVE**, Ratifying Execution of Municipal Quitclaim Deed – Property Located at 63 Fieldstone Drive Unit 2, Unit 3 and Unit 4 (Map R41, Lots 54)

Responsible Department: Legal

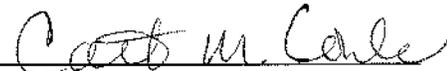
Commentary:

Real estate tax liens matured on the property of Ralph McPherson and Brian Shaboski. All outstanding charges due the City have been paid. Because the liens matured, a municipal quitclaim deed was issued releasing the City's interest in the property

This Resolve will ratify the staff action.

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.) Resolve, Ratifying Execution of Municipal Quitclaim Deed – Property Located at 63 Fieldstone Drive Unit 2, Unit 3 and Unit 4 (Map R41, Lot 54)

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT RESOLVED,

The actions of Deborah Cyr, Finance Director, of executing and delivering a Municipal Quitclaim Deed from the City of Bangor to Ralph McPherson and Brian Shaboski for property located at 63 Fieldstone Drive in Bangor, Maine are hereby ratified and affirmed.

COUNCIL ACTION

Item No. 15-053

Date: January 12, 2015

Item/Subject: ORDER, Authorizing the City Manager to Execute a Non-Binding Memorandum of Understanding to allow City staff to Participate in the Community Health Leadership Board.

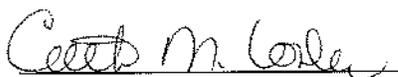
Responsible Department: Public Health and Community Services

Commentary:

This order will authorize the City Manager to execute a non-binding Memorandum of Understanding to allow City staff including the Director of Public Health and Community Services and the City Manager to participate in the Community Health Leadership Board (CHLB). The CHLB was first convened to address pressing health concerns in our community. The CHLB is a group of hospital, city and health and human service leaders which poised to utilize its members' unique leadership roles and the strength of their organizations to guide the community to overcome vital health concerns and achieve positive outcomes. The CHLB is initially focused on measurably reducing the impact of addiction and substance abuse in our community. This has been reviewed with the City Council at two pre-council meetings.

Department Head

Manager's Comments:



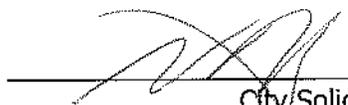
City Manager

Associated Information

Budget Approval:

Finance Director

Legal Approval:



City Solicitor

Introduced for
 Passage, Consent
 First Reading
 Referral



Assigned to Councilor Civiello

CITY OF BANGOR

(TITLE.) ORDER, ORDER, Authorizing the City Manager to Execute a Non-Binding Memorandum of Understanding to allow City staff to Participate in the Community Health Leadership Board.

Whereas, the Community Health and Leadership Board was formed when staff from Public Health and Community Services along with the City Manager sought feedback on issues facing the public health department; and

Whereas, the Community Health Leadership Board includes executives from Eastern Maine Healthcare, St. Joes Healthcare, Penobscot Community Health Center, Eastern Agency on Aging, Penquis and the City of Bangor; and

Whereas, the group has agreed to continue to convene on an adhoc basis to help utilize their collective leadership roles to improve overall health in the region; and

Whereas, the Community Health Leadership Board has agreed to take a pro-active leadership role in promoting the recommendations of the Substance Abuse work group.

By the City Council of the City of Bangor:

ORDERED, THAT the City Council hereby authorize the City Manager to execute a non-binding Memorandum of Understanding to allow city staff to participate in the Community Health Leadership Board.

Community Health Leadership Board Memorandum of Understanding

Between Community Health Leadership Board Members

We as the undersigned Community Health Leadership Board (CHLB), on this day October 27, 2014 formally agree to this Memorandum of Understanding to guide us as we work together to inspire our community to optimize the health of individuals and our region as a whole.

This Memorandum of Understanding (MOU) sets forth the terms and understanding between the members of the CHLB.

Background

The CHLB was first convened to address pressing health concerns in our community. The CHLB is a group of hospital, city and health and human service leaders. CHLB is poised to utilize its members' unique leadership roles and the strength of their organizations to guide the community to overcome vital health concerns and achieve positive outcomes. The CHLB is initially focused on measurably reducing the impact of addiction and substance abuse in our community.

Purpose

This MOU will provide a framework for CHLB members to adhere to in working together and sharing information and resources to achieve the group's goals. Throughout our work together we agree to sustain the supportive relationships we have created, while achieving our organizational missions.

Respectful of the ever-changing environments in which we operate, CHLB members commit to:

1. CHLB members share their organization's community health assessment data with the CHLB
2. CHLB members develop collaborative strategic plans and action plans relevant to the Boards focus of work using community health needs assessment data
3. CHLB members work collaboratively to apply for and fund the CHLB's collaborative action plans
4. CHLB members share information on initiatives or grants they feel are relevant if it will be helpful to them or to see if a cooperative approach may be beneficial
5. CHLB members communicate amongst one another in an open and respectful way, whenever possible and barring any legal limitations
6. CHLB members attend and actively participate in an annual CHLB meeting schedule, whenever possible, to support collaboration and guide the Board and the community's work
7. CHLB members respond to requests from one another for support and to share information, whenever possible and barring any legal limitations
8. CHLB members utilize their organizational capacity to help achieve CHLB's community-wide goals
9. CHLB members support and promote individual and workplace standards of health set up by the CHLB to set an example in the community to the best of the individual and organization's ability
10. CHLB members commit to carry out the CHLB's strategic plan within their organization whenever possible and within the limitations of their controlling Board of Directors and barring any legal limitations

Duration

This MOU is at-will and may be modified after CHLB members discuss the changes at a meeting of the full board. This MOU shall become effective upon signature by the CHLB members. Any one of the members can terminate their membership after giving advance notification and discussing the situation with the full CHLB. Otherwise this MOU shall end on October 27, 2015.

Reporting

CHLB members can bring to the attention of the full board any concerns regarding adherence to this MOU at any point in time.

Funding

This MOU is not a specific commitment of funds to CHLB or any projects CHLB may work on. Funding plans will be developed based on each issue the group chooses to address.

CEO, St. Joseph Hospital

President & CEO, Eastern Maine Medical Center

Chief Community Health & Grants Officer, Eastern Maine Healthcare Systems

CEO, Penobscot Community Health Care

CEO, Acadia Hospital

City Manager, City of Bangor

President & CEO, Penquis

Executive Director, Community Health and Counseling Services

Director of Community Services, Eastern Area Agency on Aging

Health Promotion Manager, City of Bangor

Director, City of Bangor Public Health Dept.

COUNCIL ACTION

Item No. 15-054

Date: January 12, 2015

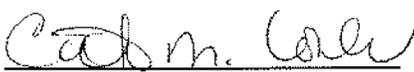
Item/Subject: ORDER, Authorizing the City Manager to Execute a Sub Contract Agreement with Good Shepherd Food Bank.

Responsible Department: Public Health and Community Services

Commentary: This Order will authorize the City Manager to execute a sub contract agreement in the amount of \$15,000 on behalf of the City with Good Shepherd Food Bank for the period of January 13, 2015 through September 26, 2015. This purpose of this agreement is to work with the food bank to implement comprehensive strategies aimed at increasing the availability, accessibility, and consumption of lower sodium products in a food pantry. The services under this agreement aim to reduce sodium intake as a key modifiable risk factor associated with high blood pressure and heart disease. This was reviewed and recommended for approval by Government Operations on January 5, 2015.

Department Head

Manager's Comments:



City Manager

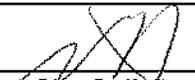
Associated Information: Order

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral

Page __ of __

15-054
JANUARY 12, 2015

Assigned to Councilor Baldacci



CITY OF BANGOR

(TITLE.) Order, Authorizing the City Manager to Execute a Sub Contract Agreement with Good Shepherd Food Bank

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT ORDERED, that the City Manager is hereby authorized to execute a sub contract agreement with Good Shepherd Food Bank in an amount not to exceed \$15,000 for the period 1-13-15 to 9-26-15 regarding the sodium reduction program grant, in a form acceptable to the City Solicitor.

**City of Bangor
Agreement to Purchase Services**

THIS AGREEMENT, made this 13th day of January, 2015 is by and between the City of Bangor, hereinafter called "Contractor" and Good Shepherd Food Bank, mailing address 88 Stevens Rd, Brewer, ME 04412, hereinafter called "Provider," for the period of 1/13/2015 to 9/26/2015.

WITNESSETH, that for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the Contractor, the Provider hereby agrees with the Contractor to furnish all qualified personnel, facilities, materials and services and in consultation with the Contractor, to perform the services, study or projects described, and under the terms of this Agreement.

The following Riders and Attachments from the *Sodium Reduction in Communities* contract with the State of Maine are hereby incorporated into this Agreement and made part of it by reference:

- Rider A - Specifications of Work to be Performed
- Rider B - Payment and Other Provisions
- Rider D - Additional Requirements
- Rider E - Program Requirements
- Rider G - Identification of Country In Which Contracted Work Will Be Performed
- Rider I - Assurance of Compliance, Exceptions

WITNESSETH, that this contract is consistent with Executive Order 01 FY 11/12 or a superseding Executive Order, and complies with its requirements.

IN WITNESS WHEREOF, the Contractor and the Provider, by their representatives duly authorized, have executed this agreement in one original copy.

CITY OF BANGOR

By: _____
Catherine M. Conlow, City Manager

AND

Good Shepherd Food Bank

By: _____

Total Agreement Amount: \$15,000 to be disbursed on a monthly basis.

COUNCIL ACTION

Item No. 15 -055

Date: January 12, 2015

Item/Subject: **ORDER**, Authorizing the City Manager to Execute a Sub Contract Agreement with Eastern Maine Healthcare Systems. (#CDC-15-1049: *Sodium Reduction in Communities*)

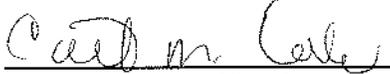
Responsible Department: Public Health and Community Services

Commentary: This Order will authorize the City Manager to execute a sub contract agreement in the amount of \$48,000 on behalf of the City with Eastern Maine Healthcare Systems (EMHS) for the period of January 13, 2015 through September 26, 2015. This purpose of this agreement is to work with the EMHS to implement comprehensive strategies aimed at increasing the availability, accessibility, and consumption of lower sodium products in hospital settings. The services under this agreement aim to reduce sodium intake as a key modifiable risk factor associated with high blood pressure and heart disease. This was reviewed and recommended for approval by Government Operations on January 5, 2015.

This was reviewed and recommended for approval by Government Operations on January 5, 2015

Department Head

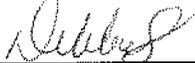
Manager's Comments:



City Manager

Associated Information: Order

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for
 Passage
 First Reading
 Referral

Page __ of __

15-055
JANUARY 12, 2015

Assigned to Councilor Plourde



CITY OF BANGOR

(TITLE.) Order, Authorizing the City Manager to Execute a Sub Contract Agreement with Eastern Maine Healthcare Systems (#CDC-15-1049 - *Sodium Reduction in Communities*)

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT ORDERED, that the City Manager is hereby authorized to execute a sub contract agreement with Eastern Maine Healthcare Systems in an amount not to exceed \$48,000 for the purposes of reducing sodium intake in a hospital setting. The term of the agreement is January 13, 2015 through September 26, 2015 and will be in a form acceptable to the City Solicitor.

**City of Bangor
Agreement to Purchase Services**

THIS AGREEMENT, made this 13 day of January, 2015 is by and between the City of Bangor, hereinafter called "Contractor" and EMHS, mailing address 43 Whiting Hill Road, Cianchette Building, Brewer, Maine 04412, hereinafter called "Provider," for the period of 1/13/2015 to 9/26/2015.

WITNESSETH, that for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the Contractor, the Provider hereby agrees with the Contractor to furnish all qualified personnel, facilities, materials and services and in consultation with the Contractor, to perform the services, study or projects described, and under the terms of this Agreement.

The following Riders and Attachments from the *Sodium Reduction in Communities* contract with the State of Maine are hereby incorporated into this Agreement and made part of it by reference:

- Rider A - Specifications of Work to be Performed
- Rider B - Payment and Other Provisions
- Rider D - Additional Requirements
- Rider E - Program Requirements
- Rider G - Identification of Country In Which Contracted Work Will Be Performed
- Rider I - Assurance of Compliance, Exceptions

WITNESSETH, that this contract is consistent with Executive Order 01 FY 11/12 or a superseding Executive Order, and complies with its requirements.

IN WITNESS WHEREOF, the Contractor and the Provider, by their representatives duly authorized, have executed this agreement in one original copy.

CITY OF BANGOR

By: _____
Catherine M. Conlow, City Manager

AND

EMHS

By: _____

Total Agreement Amount: \$48,000 to be disbursed on a monthly basis.



**REFERRALS TO COMMITTEES
& FIRST READINGS**

COUNCIL ACTION

Item No. 15-056

Date: January 12, 2015

Item/Subject: **ORDINANCE**, Amending Chapter 260, Signs, of the Code of the City of Bangor, By Clarifying Window Sign Requirements and Allowing Umbrella Logos

Responsible Department: Legal

Commentary: This ordinance will amend Chapter 260 of the sign code to clarify language regarding window signage and umbrella logos. Currently, the ordinance has been interpreted by some to only include window signage on the first floor. If approved, this ordinance amendment will clarify that window signs for commercial and office space are permitted on all floors, so long as the sign takes up no more than 20% of the area of the window. Further, the amendment would allow umbrellas with logos for outdoor seating. Downtown businesses have requested this, as they can often get free umbrellas with logos from suppliers, but umbrellas without logos are expensive and must be replaced each year.

Department Head

Manager's Comments:

Carl M. Cole
City Manager

Associated Information: Ordinance

Budget Approval:

Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for

Passage

First Reading

Referral to the B&ED Committee meeting on January 20, 2014

Assigned to Councilor Graham



CITY OF BANGOR

ORDINANCE, Amending Chapter 260, Signs, of the Code of the City of Bangor, By Clarifying Window Sign Requirements and Allowing Umbrella Logos

WHEREAS, in 2013, the Sign Code was amended to relax certain restrictions on windows signs, namely by allowing window signs without being included in overall limits on amounts of signage;

WHEREAS, the intent of the amendment was not to allow window signs that covered more than 20% of the window area; and

WHEREAS, restaurants with outdoor seating often wish to place umbrellas for the benefit of their patrons, but umbrellas without logos are expensive and typically do not last more than one season;

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:

§ 260-1. Definitions.

...

UMBRELLA SIGN

An umbrella with one or more logos or other signs incorporated into its design.

...

§ 260-5. Signs exempt from permit.

...

I. Umbrella signs.

...

§ 260-6. General standards and limitations.

- A. Window signs. ~~Window signs shall not exceed 20% of the window area on the ground floor street frontage of a premises.~~ No more than 20% of any window may be covered by window signs. Window signs shall not be included in the calculation of the number of signs and sign area allowed for a business.

...

K. Umbrella signs. Umbrella signs are permitted only when used for providing shade and protection from rain for outdoor seating for a restaurant, bar, tavern, or lounge, as defined in § 165-13. An umbrella sign may be located on a City sidewalk or esplanade only if permitted under an outdoor seating permit or license agreement with the City.

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

COUNCIL ACTION

Item No. 15-057

Date: January 12, 2015

Item/Subject Amending Land Development Code – Zone Change – 312 Hogan Road (Tax Map R62-05F) from a General Commercial and Service District to a Government and Institutional Service District.

Responsible Department: Planning Division

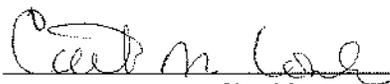
Commentary:

The applicant, Maine Community College System, is requesting a zone change for a parcel of land (2.63 acres) located at 312 Hogan Road (Tax Map R62-05F) from a General Commercial and Service District to a Government and Institutional Service District. The zoning change will facilitate using the existing commercial building as a nonprofit educational facility. Government and Institutional Service District (G&ISD) is the standard district for institutional and nonprofit uses, such as municipal facilities, hospitals, and educational facilities.

/s/ Tanya L. Emery
Dept. Head

Manager's Comments:

For Referral to Planning Board Meeting of January 20, 2015 at 7:00 p.m.


City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:


City Solicitor

Introduced for

Passage

First Reading

Referral to Planning Board Meeting of January 20, 2015, 7:00 p.m.

Assigned to Councilor Nealley



CITY OF BANGOR

(TITLE.) Ordinance, Amending Land Development Code – Zone Change – 312 Hogan Road (Tax Map R62-05F) from a General Commercial and Service District to a Government and Institutional Service District.

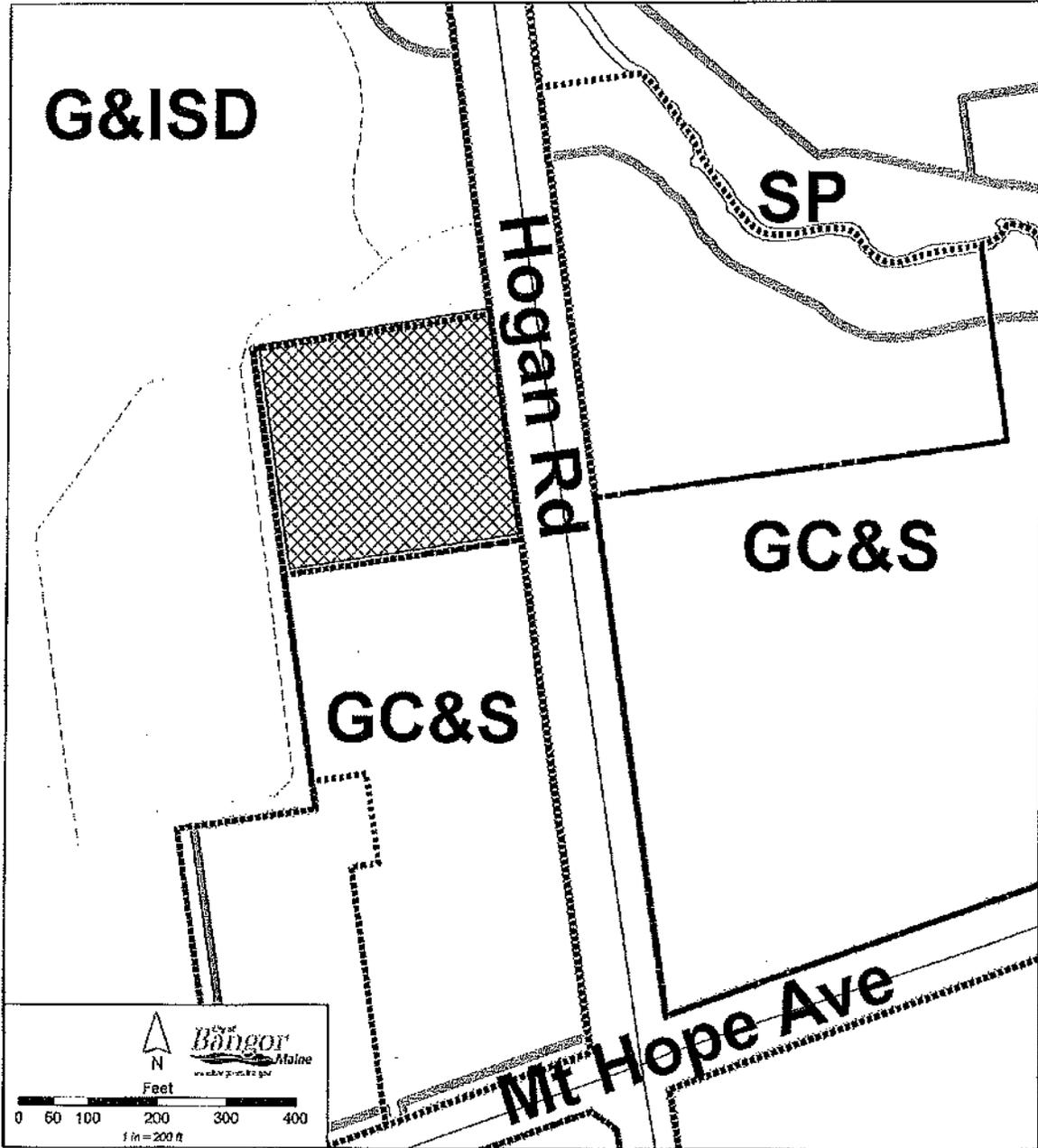
Be it ordained by the City Council of the City of Bangor, as follows:

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 a parcel of land located at 312 Hogan Road (Tax Map No. R-62, Parcel No. 5F) from a General Commercial and Service District to a Government and Institutional Service District. Said parcel of land containing approximately 2.63 acres and being more particularly indicated on the map attached hereto and made a part hereof.



GC&S to G&ISD



7/1/2012

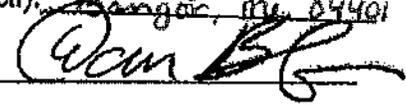
APPLICATION FOR LAND DEVELOPMENT CODE AND MAP AMENDMENT

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

DATE: December 29, 2014

1. I (WE) Maine Community College System
2. of 323 State Street, Augusta, Maine 04330 Tel. (207) 767-0116
Address City or Post Office Telephone

General Commercial and Service hereby petition to amend the Land Development Code of the City of Bangor, Maine by reclassifying from General Commercial and Service district to the Govt. Inst. Service district for the property outlined in red on the maps attached hereto, which are part of this application, and described as follows:

3. ADDRESS OF PROPERTY (if any) 312 Hogan Road
Total Area (acres or square feet) 2.63+/- acres
4. PROPERTY LOCATION (General location): Example - South side of
State Street 400 yards. East of Pine Street West-side of Hogan Road
5. LEGAL DESCRIPTION OF PROPERTY - Assessors Map No. R62 Parcel 005-F
6. EXISTING USE: Vacant warehouse building
7. PROPOSED USE: Office space and public services educational facility
8. NAME AND ADDRESS OF OWNER OF RECORD: Name [See Schedule A attached]
Address [See Schedule A attached]
9. NAME AND ADDRESS OF CONTRACT OWNER (if such): Dan Belyea
334 Hogan Road
Bangor, ME 04401
10. SIGNATURE OF OWNER OR CONTRACT OWNER: 
11. REPRESENTATIVE OF APPLICANT: Name Derek P. Langhauser, General Counsel
(if applicable)
Address 3 Adams Street, South Portland, Maine 04106

12. 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. 15-058

Date: January 12, 2015

Item/Subject: Resolve, Appropriating \$8,000 from the State Seizure Trust Account to Purchase a Police Canine

Responsible Department: Police

Commentary:

This resolve will appropriate \$8,000 from the State Seizure Trust Account to Purchase a Police Canine. The Police Department recently retired a police canine from duty and is working with a Gorham Maine based breeder to acquire a replacement canine. Over the past two years this breeder has provided trained police canines to the Portland, Freeport, Ellsworth and Presque Isle police departments. Staff recommends paying for the purchase out of state seizure funds, which is an allowable use. \$8,000 is an amount not to exceed and any unexpended funds will be returned to the State Seizure trust account.

On January 5, 2015, the Finance Committee reviewed and recommended this resolve to the full Council.

Department Head

Manager's Comments:

Carol M. Corley
City Manager

Associated Information:

Budget Approval:

Debra J. [Signature]
Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for

- Passage
- First Reading
- Referral

Page of

15-058
JANUARY 12, 2015

Assigned to Councilor Blanchette



CITY OF BANGOR

(TITLE.) Resolve, Appropriating \$8,000 from the State Seizure Trust Account to Purchase a Police Canine

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT RESOLVED, that \$8,000 is hereby by appropriated from the State Seizure Trust Account to purchase a police canine. Any unexpended proceeds will be returned to the State Seizure Trust Account.

COUNCIL ACTION

Item No. 15-059

Date: **January 12, 2015**

Item/Subject: Resolve, Authorizing the City Manager to enter into a Memorandum of Understanding with and to Accept and Appropriate \$23,308.00 in Grant Funds from Penobscot Community Health Care for the Maine Health Access Foundation (MeHAF) Access to Quality Care Planning Grant.

Responsible Department: Public Health and Community Services

Commentary: This resolution would authorize the Bangor Public Health and Community Services to serve as a sub recipient of \$23,308 Penobscot Community Health Care cost-extension grant from the Maine Health Access Foundation (MeHAF). The purpose of the grant is to support the development of collaborative partnerships of non-affiliated/ separately owned organizations to create a sustainable and coordinated community level approach for providing health care services to their low income, uninsured community members. Each collaborative partnership is to include a broad group of stakeholders representing health care, social services, and low income patients/consumers. The continuation grant will utilize the *Community Health Leadership Board*, of which the City of Bangor is a founding and active member, to strengthen a comprehensive plan to develop a more coordinated system of care for community members affected by substance abuse and addiction. The term of the grant term is February 15, 2015 through August 31, 2015.

Department Head

Manager's Comments:

Carol M. Conda
City Manager

Associated Information:

Resolve

Budget Approval:

Debra J. [Signature]
Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for

Passage
 First Reading

Page 1 of

Referral to Government Operations 2-2-15



Assigned to Councilor Sprague

CITY OF BANGOR

RESOLVE: Authorizing the City Manager to enter into a Memorandum of Understanding with and to Accept and Appropriate \$23,308.00 in Grant Funds from Penobscot Community Health Care for the Maine Health Access Foundation (MeHAF) Access to Quality Care Planning Grant.

BE IT RESOLVED THAT: The City Manager is hereby authorized to enter into a Memorandum of Understanding with Penobscot Community Health Care and to Accept & Appropriate grant funds in the amount of \$23,308 from PCHC for the period February 15, 2015 to August 31, 2015. Funds originate from the Maine Health Access Foundation (MeHAF) for the Access to Quality Care Planning Grant. The purpose is to support the development of collaborative partnerships of non-affiliated/separately owned organizations to create a sustainable and coordinated community level approach for providing health care services to low income, uninsured community members.



**UNFINISHED
BUSINESS**

COUNCIL ACTION

Item No. 15-037

Date: December 22, 2014

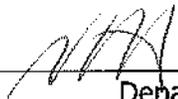
Item/Subject: ORDER, Authorizing Execution of Municipal Quitclaim Deed to Robin S. Corey for Real Estate Located at 306 Essex Street (Tax Map 047, Lot 068)

Responsible Department: Legal

Commentary:

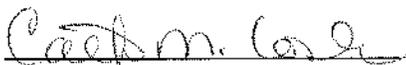
Real estate tax liens matured on the property of Robin S. Corey located at 306 Essex Street. Ms. Corey is in the process of obtaining financing to the outstanding charges. Because the liens matured, a quitclaim deed is required to release the City's interest in the property

This Order, if approved, will authorize the execution of a quitclaim deed for the property upon payment of the outstanding charges.



Department Head

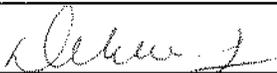
Manager's Comments:



City Manager

Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for
 Passage
 First Reading
 Referral

Page **of**

Assigned to Councilor Nealley



CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of Municipal Quitclaim Deed to Robin S. Corey for Real Estate Located at 306 Essex Street (Tax Map 047, Lot 068)

WHEREAS, real estate tax liens recorded against the property of Robin S. Corey located at 306 Essex Street have matured; and

WHEREAS, Robin S. Corey is in the process of obtaining financing to pay off the real estate taxes due the City.

By the City Council of the City of Bangor:

ORDERED,

That Deborah A. Cyr, Finance Director, is hereby authorized and directed, on behalf of the City of Bangor, to execute Municipal Quitclaim Deeds to Robin S. Corey releasing any interest the City may have by virtue of any and all undischarged liens upon payment of the outstanding balance due the City of Bangor. Said deed shall be in final form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 15-041

Date: December 22, 2014

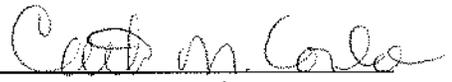
Item/Subject: Resolve, Authorizing the City Manager to Accept and Appropriate \$118,495 in McKinney-Vento Homeless Assistance Funds from the U.S. Department of Housing and Urban Development (HUD) for the period 12/1/2014 to 11/30/2015.

Responsible Department: Health and Community Services

Commentary: This Resolve will authorize the manager to accept and appropriate a one year grant from HUD in the amount of \$118,495 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 2013 Maine Continuum of Care planning and selective competition process. This was reviewed and recommended by Government Operations at the December 15, 2014 meeting.

Department Head

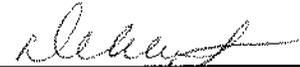
Manager's Comments:



City Manager

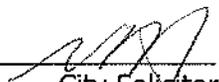
Associated Information: Resolve

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral



Assigned to Councilor Blanchette

CITY OF BANGOR

(TITLE.) RESOLVE, Authorizing the City Manager to Accept and Appropriate \$118,495 in McKinney-Vento Homeless Assistance Funds from the U.S. Department of Housing and Urban Development (HUD) for the period 12/1/2014 to 11/30/2015

By the City Council of the City of Bangor:

RESOLVED, THAT the City Manager is hereby authorized to accept and appropriate a \$118,495 grant from the U.S. Department of Housing and Urban Development in support of the Shelter Plus Care program.

COUNCIL ACTION

Item No. 15-042

Date: December 22, 2014

Item/Subject: Resolve, Authorizing the City Manager to Accept and Appropriate \$32,770 in McKinney-Vento Homeless Assistance Funds from the U.S. Department of Housing and Urban Development (HUD) for the period 12/31/2014 to 12/30/2015.

Responsible Department: Health and Community Services

Commentary: This resolve will authorize the City Manager to accept and appropriate a one year grant from HUD in the amount of \$32,770 to continue to provide Shelter Plus Care Rental Assistance for three families to live in apartments owned by Penquis Housing. 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 2013 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. This was reviewed and recommended for approval by Government Operations at the Dec. 15, 2014 meeting.

Department Head

Manager's Comments:



City Manager

Associated Information: Resolve

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for
 Passage
 First Reading
 Referral



Assigned to Councilor Plourde

CITY OF BANGOR

(TITLE.) RESOLVE, Authorizing the City Manager to Accept and Appropriate \$32,770 in McKinney-Vento Homeless Assistance Funds from the U.S. Department of Housing and Urban Development (HUD) for the period 12/31/2014 to 12/30/2015

By the City Council of the City of Bangor:

RESOLVED, THAT the City Manager is hereby authorized to accept and appropriate a \$32,770 grant from the U.S. Department of Housing and Urban Development in support of the Shelter Plus Care program.



**NEW
BUSINESS**

COUNCIL ACTION

Item No. 15- 060

Date: January 12, 2015

Item/Subject: ORDER, Appointing Philip S. Drew as City Assessor and Authorizing Execution of an Employment Contract

Responsible Department: City Council

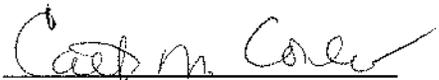
Commentary:

This Order will appoint Philip S. Drew as City Assessor and will authorize the execution of an employment contract. If appointed, Mr. Drew will replace Benjamin Birch who retired on December 31st after more than 22 years as City Assessor. Mr. Drew has been employed by the City of Bangor since 1994. He began as a part-time property lister, was promoted to Appraisal Technician, and for the past fourteen years has served as Appraiser. He holds a B.S. degree from the University of Maine in Agribusiness and Resource Economics. Mr. Drew is both a Certified Maine Assessor and Certified Maine Appraiser.

This appointment has been reviewed with the City Council in Executive Session on two occasions during December.

Department Head

Manager's Comments:


City Manager

Associated Information

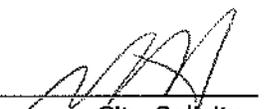
Order, Employment Contract

Budget Approval:

Finance

Director

Legal Approval:


City Solicitor

Introduced for

- Passage
- First Reading
- Referral



Assigned to Councilor Sprague

CITY OF BANGOR

(TITLE.) ORDER, Appointing Philip S. Drew as City Assessor and Authorizing Execution of an Employment Contract.

Be it Ordered by the Bangor City Council that:

Philip S. Drew is hereby appointed as City Assessor for the City of Bangor, in accordance with terms and conditions of the attached Employment Contract;

And be it further Ordered that:

The Chair of the Bangor City Council is authorized to sign the Employment Agreement on behalf of the Bangor City Council.

EMPLOYMENT CONTRACT

THIS Agreement, made and entered into this _____ day of January, 2015, by and between the CITY OF BANGOR (Penobscot County), State of Maine, a municipal corporation, hereinafter sometimes referred to as 'Employer", and Philip S. Drew, of Glenburn, County of Penobscot, State of Maine, hereinafter sometimes referred to as "Employee."

WITNESSETH:

WHEREAS, the City of Bangor desires to employ the services of said Philip S. Drew as City Assessor of the City of Bangor; and

WHEREAS, the parties have reached agreement as to the benefits, conditions of employment, and working conditions of said Employee;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

Section 1. Duties

Employer hereby agrees to employ said Philip S. Drew to perform the functions and duties of City Assessor of the City of Bangor as specified under the Charter and the Ordinances of the City of Bangor and the laws of the State of Maine. The City Assessor shall work under the policy direction of the Bangor City Council and may receive any necessary day to day coordination from the City Manager.

Section 2. Term

A. Employee agrees to and remain in the exclusive employ of the Employer until January __, 2017, and neither to accept other employment nor to become employed by any other employer so long as this Agreement shall be in effect, except as provided in Section 6, below.

B. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Employee to resign at any time from his position with Employer, upon thirty (30) days notice to Employer, subject only to the provisions set forth in Section 3 of this Agreement.

C. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the City Council to terminate the services of Employee at any time, upon thirty (30) days notice to Employee, subject only to the provisions set forth in Section 3 of this Agreement.

D. In the event written notice is not given by either party to this Agreement to the other thirty (30) days prior to January __, 2017, this Agreement shall be extended on the same terms and conditions providing for an additional term of one (1) year. Subject to the termination provisions contained herein, this Agreement shall continue thereafter for one (1) year period unless either party hereto gives thirty (30) days written notice to the other party that the party does not wish to extend this Agreement for an additional one (1) year term.

Section 3. Termination and Severance Pay

In the event Employee is terminated by the City during or at the expiration of the aforesaid term of employment, or during any extension thereof, and during such time that Employee is willing and able to perform his duties under this Agreement, then in that event Employer agrees to pay Employee a lump sum cash payment equal to one (1) months' aggregate salary. Employee shall vacate his position with Employer immediately upon notice of termination, provided that the Employee and Employer may negotiate an alternate date that Employee vacates his position with Employer. In the event Employee is terminated because of willful misconduct or intentional wrongdoing related to his employment with Employer, or because of her conviction of any illegal act involving personal gain to him, then Employer shall have no obligation to pay the aggregate severance sum designated in this paragraph or to continue Employer provided benefits, except to the extent that such benefits are required by law of the Personnel Rules and Regulations of the City of Bangor.

Section 4. Salary

A. Employer agrees to pay Employee for his services rendered pursuant to the Executive Pay Schedule of the City of Bangor with an initial annual base salary of eighty thousand dollars, five hundred and fifty-four dollars (\$80,554.00) (Executive Pay Grade 3, Step 3), payable in installments at the same time as other employees of the Employer are paid.

B. Employer agrees to handle future salary increases beyond that outlined in A above in the same fashion as salary increases are handled for other Executive Level employees. The Assessor position will be assigned to Executive Pay Grade 3, subject to the following modification: the Employee and Employer agree that the Assessor position shall be eligible to progress through the merit / step plan, (based upon annual performance evaluations), but such progression will be capped and cease at step 8 of Executive Pay Grade 3.

Section 5. Performance Evaluation

A. On an annual basis, the City Council and Employee shall define such goals and performance objectives which they deem necessary for the proper operation of the Bangor Assessing Department and shall reduce said goals and objectives to writing. They shall generally be attainable with the time mutations specified and the annual operation and capital budgets and appropriations provided.

B. The City Council or subcommittee thereof shall review and evaluate the performance of the Employee annually on or about the Employee's anniversary date of hire as City Assessor. More frequent reviews may be held at the discretion of the City Council. Said review and evaluation shall be in accordance with the goals and performance objectives jointly developed by the City Council and Employee and the normal standards used to evaluate the performance of other City employees which are applicable to Employee's position. A work plan for the first year will be developed outlining the above referenced goals and objectives.

C. In effecting the provisions of this Section, the City Council and Employee mutually agree to abide by the provisions of applicable law.

D. Employee agrees and understands that the term of his employment as City Assessor is subject to the City's Personnel Rules and Regulations as they currently exist and as they may be modified from time to time except where provisions of this Agreement modify or supersede the Personnel Rules and Regulations.

Section 6. Outside Activities

Employee shall not participate in any non-Employer connected business or employment without prior notification to and the approval of the City Council. Employer and Employee hereby agree that the Employee may continue his existing contractual employment by the Town of Glenburn for a period not to exceed June 30, 2016. On or before that date, Employee agrees that he will cease this employment. Employer and Employee further agree that Employee may continue his contractual relationship as Assessor for the Town of Lee without an established end date. The parties agree that Employee will not apply for nor accept any other private Assessing work or contractual obligations.

Section 7. Vacation, Sick Leave, and Retirement

Upon commencement of this employment agreement, Employee shall be credited with the sick time and days of vacation time that he has accrued during his employment with the City of Bangor. Said times shall be available for immediate use in accordance with established policies.

Thereafter, (1) Employee shall have sick leave credited to his personal account at the same rate as other employees of Employer, and (2) Employee will accrue vacation at the rate as provided in the City of Bangor Personnel Rules and Regulations given his total years of fulltime employment with the City. Vacation leave may be taken by the Employee at any time so long as his absence does not unreasonably interfere with the operations of the City.

Employee is a participant in the ICMA –RC 401a defined benefit retirement plan, and the current contribution rates of 8.0% city contribution and 6.5% employee contribution (based upon gross salary paid) shall continue upon his promotion to Assessor.

Section 8. Fringe Benefits

Employer agrees to provide Employee with all categories of fringe benefits in the same amounts and coverages as are provided from time to time by employer to other employees of the City of Bangor at the Executive level, and as are otherwise provided in the City's Personnel Rules and Regulations for non-represented employees

Section 9. Indemnification

Employer shall defend, save harmless and indemnify Employee against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of

any alleged act or omission occurring in the performance of Employee's duties as City Assessor. Employer will compromise and settle any such claim or suit and pay the amount of any settlement or judgment rendered thereon.

Section 10. Bonding

Employer shall bear the full cost of any fidelity or other bonds required of the Employee under any law or ordinance.

Section 11. Residency

Employee currently resides in Glenburn, Maine. Employee agrees that should he sell his property in Glenburn, Maine, he would establish residence within the corporate limits of the City of Bangor and then would maintain residence in the City of Bangor for the term of his employment

Section 12. Other Terms and Conditions of Employment

The City Council, in consultation with the Employee, shall fix any such other terms and conditions of employment, as it may determine from time to time, relating to the performance of the Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the Charter or any other law.

Section 14. Notices

Notices pursuant to this Agreement shall be given by deposit in the custody of the United States Postal Service, postage prepaid, addressed as follows:

(1) Employer: City of Bangor
73 Harlow Street Bangor, Maine 04401
Attn: City Manager

(2) Employee:
Philip S. Drew
1360 Pushaw Road
Glenburn, ME 04401

Alternately, notices required pursuant to this Agreement may be personally served in the same manner as is prescribed for personal service of process under the Name Rules of Civil Procedure.

Notice shall be deemed given as of the date of personal service or as of the date of deposit of such written notice in the course of transmission in the United States Postal Service.

Section 15. General Provisions

- A. The text herein shall constitute the entire Agreement between the parties.
- B. This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of Employee.
- C. This Agreement shall become effective commencing January ___, 2015 or when Employee assumes the position as City Assessor of the City of Bangor, whichever shall occur first.
- D. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

IN WITNESS WHEREOF, The City of Bangor has caused this Agreement to be signed and executed in its behalf by its Chair of the Bangor City Council, and duly attested by its City Clerk, and the Employee has signed and executed this Agreement, both in duplicate, the day and year first above written.

BANGOR CITY COUNCIL

Nelson E. Durgin
Chair, Bangor City Council

Philip S. Drew

ATTEST:

City Clerk (Seal)

APPROVED AS TO FORM:

City Solicitor

COUNCIL ACTION

Item No. 15-061

Date: January 12, 2015

Item/Subject: **ORDER**, Authorizing the City Manager to accept \$900 in funds from Valerie Grant (dba Logo Motion) of Brewer as part of the "Duck of Justice" community outreach project

Responsible Department: Police Department

Commentary: This order will authorize the City Manager to accept \$900 in funds from Valerie Grant, from sale of "Duck of Justice" t-shirts to be used for community outreach projects.

Sergeant Tim Cotton created a fictional character as part of a community outreach project aimed at raising money for youth based projects. The character has become very popular via social media leading to the creation of t-shirts with a specially designed "Duck of Justice" logo. Valerie Grant (dba Logo Motion) of Brewer made, packaged and sold the t-shirts from her family owned embroidery shop. Mrs. Grant is donating a portion of the sale of each t-shirt to the police department community relations program. All proceeds from the sale of the shirts will be used solely for community outreach projects such as educational/safety awareness plans, neighborhood watch programs and youth based initiatives. Mrs. Grant's current donation is \$900. Additional donations are likely to come in as the shirts continue to be popular. Staff recommends approval.

Department Head

Manager's Comments:

Craig M. Corle
City Manager

Associated Information: Order

Budget Approval:

[Signature]
Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for

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

15-061
JANUARY 12, 2015



Assigned to Councilor Blanchette

CITY OF BANGOR

(TITLE.) ORDER, Authorizing the City Manager to accept \$900 in funds from Valerie Grant (dba Logo Motion) of Brewer as part of the "Duck of Justice" community outreach project

By the City Council of the City of Bangor:

ORDERED,

THAT the City Manager be authorized to accept a \$900. donation from Valerie Grant of Brewer (dba Logo Motion). The donation is a portion of the proceeds from the sale of the police department themed "Duck of Justice" t-shirts. It is expected additional donations will be presented to the City as interest and sales of the shirts continue.

COUNCIL ACTION

Item No. 15- 062

Date: January 12, 2015

Item/Subject: **ORDER**, Dedicating the Bangor Police Department Building in Honor of former Chief Donald J. Winslow

Responsible Department: City Council

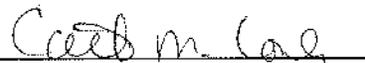
Commentary:

This Order will dedicate the Police Department Building in honor of former Police Chief Donald J. Winslow. The Government Operations Committee discussed this on two separate occasions and directed staff to prepare a Council Order for consideration. As outlined in the Order, the Building will be dedicated in former Chief Winslow's honor and a plaque will be erected recognizing his service to the department, the community and the field of professional law enforcement. The Order provides that the wording of the plaque shall be prepared in consultation with the Chief of Police and Winslow family, and approved by the Government Operations Committee.

This was reviewed and recommended for approval at the January 5, 2015 Government Operations Committee meeting.

Department Head

Manager's Comments:

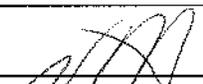

City Manager

Associated Information: Order

Budget Approval:

Finance Director

Legal Approval:


City Solicitor

Introduced for

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



Assigned to Councilor Baldacci

CITY OF BANGOR

(TITLE.) Order, Dedicating the Bangor Police Department Building in Honor of former Chief of Police Donald J. Winslow

WHEREAS, Donald J. Winslow served the citizens of Bangor and the Bangor Police Department in a variety of increasingly responsible roles and capacities during his 28 year career; and

WHEREAS, Don retired from the Bangor Police Department in 2007, which included serving his last 8 years as Chief of the Department; and

WHEREAS, During his career, Don mentored countless young Police Officers, was a strong proponent of the DARE program, and was an advocate for the ideals of community policing; and

WHEREAS, Don was well known and highly respected within law enforcement at the local, regional, state and national levels of government; and

WHEREAS, One of his most significant achievements was his strong support for and the ultimate construction of a new Police Department building located at 240 Main Street; and

WHEREAS, Following his retirement in 2007, Don passed away in 2014 due to illness at the untimely age of 57, but his strong affection for the City of Bangor and the Police Department never wavered; and

WHEREAS, The City of Bangor holds Don in the highest regard as a result of his service and accomplishments in the field of law enforcement and his dedication to the citizens of Bangor and men and women of the Bangor Police Department.

NOW, THEREFORE, BE IT ORDERED BY THE BANGOR CITY COUNCIL THAT:

The Bangor Police Department building located at 240 Main Street shall be dedicated in the honor of former Police Chief Donald J. Winslow; and

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

A plaque officially commemorating and dedicating the building in his honor shall be erected in a prominent location in recognition of his service to the department, the community and the field of professional law enforcement. The wording of the plaque shall be prepared in consultation with the Chief of Police and the Winslow family, and approved by the Government Operations Committee of the Bangor City Council.

COUNCIL ACTION

Item No. 15-063

Date: January 12, 2015

Item/Subject ORDER, Authorizing Grant of \$1,000 to Anna Hepler to Support a Public Art Installation in Downtown Bangor

Responsible Department: Community & Economic Development

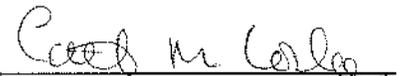
Commentary: This Order will authorize a grant in the amount of \$1,000 to Maine artist Anna Hepler. Ms. Hepler submitted an application to support the construction of a public art installation to be located in the Kenduskeag Stream in downtown Bangor from June to September 2015. The Cultural Commission has recommended approval of this request because of the benefit to the community and its continued commitment to promote public art in the City of Bangor.

If the project is funded by the Council at the recommended levels, the Commission will have \$7,081 of available funds remaining for this fiscal year.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its January 6, 2015 meeting.

Department Head

Manager's Comments:



City Manager

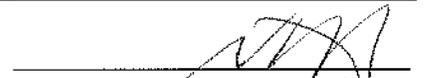
Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral

Page of



Assigned to Councilor Graham

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Grant of \$1,000 to Anna Hepler to Support a Public Art Installation in Downtown Bangor

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, Maine artist Anna Hepler has submitted an application for funding of \$1,000 in partial support of the construction of a public art installation to be located in the Kenduskeag Stream in downtown Bangor; and

WHEREAS, the Commission on Cultural Development recommends the approval of the request due to the merits of the project; and

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

WHEREAS, the Commission on Cultural Development and the Business & Economic Development Committee voted to recommend to the City Council approval of a grant in the amount of \$1,000:

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

A Grant of \$1,000 is hereby authorized for Anna Hepler's temporary art installation in downtown Bangor.

COUNCIL ACTION

Item No. 15-064

Date: January 12, 2015

Item/Subject: Authorizing Public Works to widen Essex Street

Responsible Department: Public Works

Commentary: On May 13, 2014 the Infrastructure Committee approved staff recommendation to not widen three portions of streets in the FY 15 street paving program. Davis Road and Ohio Street paving is complete but 6955 feet of outer Essex Street was only shimmed with the surface to be applied in the spring. A group of residents is requesting that this section of Essex Street be widened to provide a 3-4 foot wide paved shoulder. To accommodate their request staff recommends milling and filling the edge of road and shoulder on the inbound lane before the surface is applied. The estimated additional cost for this work is \$72,432. This action was approved unanimously by the Infrastructure Committee on December 23, 2014 with the condition that it be presented to the full council to provide opportunity for additional public comment.

Dana Wardwell
Department Head

Manager's Comments:

Carl M. Cole
City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for

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

Page **of**



Assigned to Councilor Plourde

CITY OF BANGOR

(TITLE.) Order, Authorizing Public Works to widen Essex Street.

By the City Council of the City of Bangor:

ORDERED, THAT the Public Works Department widen 6955 feet of the inbound lane of Essex Street between Burleigh Road and Church Road for an estimated cost of \$72,432. This work will be done as part of the FY 15 capital improvements street paving program.