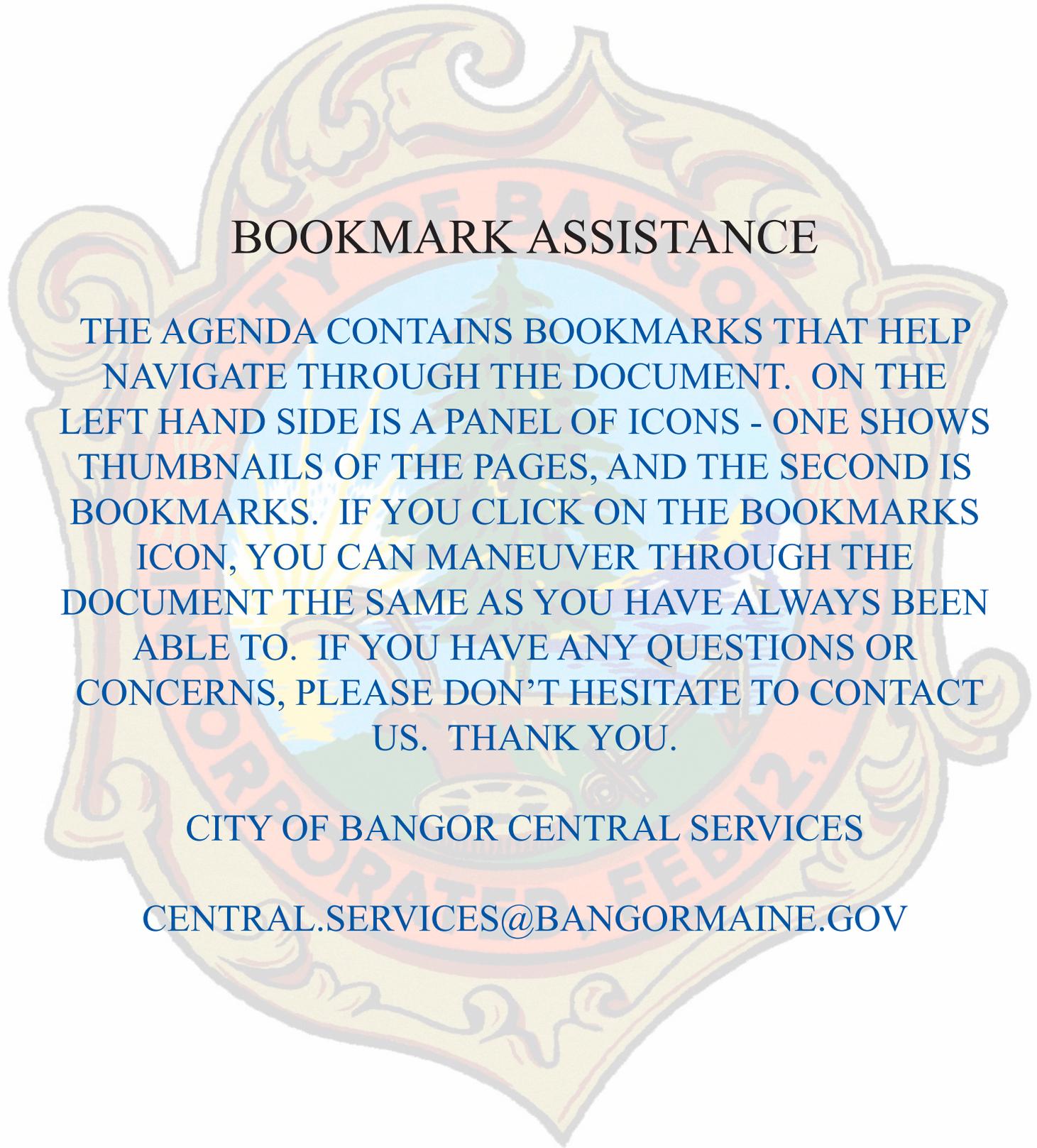


MEDIA
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CITY COUNCIL AGENDA

JANUARY 26, 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 26, 2015

PLEDGE ALLEGIANCE TO THE FLAG

PUBLIC COMMENT

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

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

MINUTES OF: Bangor City Council Regular Meeting of January 12, 2015, Business and Economic Development Committee Meeting of November 18, 2014, School Committee Meetings of June 26, 2013, July 24, 2013, August 14, 2013 and August 26, 2013, Airport Committee Meeting of December 23, 2014

LIQUOR LICENSES: Application for Liquor License Renewal, Malt, of Capital Pizza Huts Inc. d/b/a Pizza Hut, 49 Bangor Mall Boulevard **CIVIELLO**

Application for Liquor License Renewal, Malt, Spirituous, Vinous of Chase's Family Restaurant Inc. d/b/a Chase's Family Restaurant, 1575 Hammond Street **CIVIELLO**

15-065 ORDER Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 11 I Street, Birch Hill Estates (Map B39, Lot 002) **BLANCHETTE**

Executive Summary: Real estate tax liens matured on the property of Jacqueline Doten, now owned by Eben P. Doten of 14 I Street in Birch Hill Estates. All outstanding charges due the City have been paid. There are no outstanding sewer charges or property issues. Because the liens matured, a municipal quitclaim is required to release the City's interest in the property. Staff recommends approval.

15-066 ORDER Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 13 Mount Desert Drive (Map 64, Lot 18) **SPRAGUE**

Executive Summary: Sewer liens matured on the property of Shona D. Taylor of 13 Mount Desert Drive. 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 26, 2015

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

**15-067 ORDER Authorizing Execution of Municipal Quitclaim Deed – NEALLEY
Real Estate Located at 14 Manners Avenue (Map 12,
Lot 93A)**

Executive Summary: Real estate tax liens matured on the property of Kathleen A. Goodwin of 14 Manners Avenue. All outstanding charges due the City have been paid. There are no outstanding sewer charges 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.

**15-068 ORDER Authorizing Execution of Municipal Quitclaim Deed – CIVIELLO
Real Estate Located at 38 Madison Street (Map 39, Lot
22)**

Executive Summary: A sewer lien matured on the property of James R. Trimble of 38 Madison Street. All outstanding charges due the City have been paid. There are no outstanding real estate taxes or property issues. Because the lien had matured, a municipal quitclaim is required to release the City's interest in the property. Staff recommends approval.

**15-069 ORDER Authorizing Execution of Municipal Quitclaim Deed – BALDACCI
Properties Located at 71 First Street (Map 35, Lots
155 and 156A)**

Executive Summary: Real estate tax liens matured on the properties of T G & S LLC, located at 71 First Street. All outstanding charges due the City have been paid. There are no outstanding sewer charges or property issues. Because the liens matured, a municipal quitclaim deed is required to release the City's interest in the properties. Staff recommends approval.

**15-070 ORDER Authorizing Execution of Municipal Quitclaim Deed – SPRAGUE
Real Estate Located at 76 Smith Street (Map 31, Lot
28)**

Executive Summary: Sewer and real estate tax liens matured on the property of Matthew James Elwell located at 76 Smith Street. All outstanding charges due the City have been paid. There are no property issues. Because the liens had matured, a municipal quitclaim is required to release the City's interest in the property. Staff recommends approval.

**15-071 ORDER Authorizing Execution of Municipal Quitclaim Deed – FAIRCLOTH
Real Estate Located at 102 Cedar Falls (Map R21 Lot
11)**

Executive Summary: Real estate tax liens matured on the property of Anthony Moon and Skye Botting of 102 Cedar Falls. All outstanding charges due the City have been paid. Because the liens matured, a municipal quitclaim is required to release the City's interest in the property. Staff recommends approval.

REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 26, 2015

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

15-072 ORDER **Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 695 Kenduskeag Avenue (Map 63, Lot 25) **GRAHAM****

Executive Summary: Sewer liens matured on the property located at 695 Kenduskeag Avenue. 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.

15-073 ORDER **Authorizing Execution of an Easement to Bangor Gas Company, LLC – Maine Avenue, Bangor International Airport Buildings 123 & 210 **PLOURDE****

Executive Summary: This easement will enable Bangor Gas Company, LLC to install an underground gas line across City property to provide service to Bangor International Airport Building 123 & 210. This item was reviewed and recommended for approval by the Infrastructure Committee at its meeting on December 23, 2014.

15-074 ORDER **Authorizing Execution of an Amended and Restated Development Agreement with Edward G. Ernst Manor Housing Associates Limited Partnership and Broadway Housing, Inc. **BALDACCI****

Executive Summary: Council Order 13-191 authorized the execution of a Development Agreement, Tax Credit Enhancement Agreement and Agreement for a Payment in Lieu of Taxes with Broadway Housing, Inc., a non-profit organization that owns a senior housing project located at 686 Broadway in Bangor, known as Ernst Manor. The property is in need of repairs and upgrades estimated to cost more than \$800,000 with construction. The project was expected to be completed in 2014 but there have been several delays beyond the control of the Developer. The project is now expected to begin this spring and be completed in the fall of 2016. If approved, the completion dates would be extended to the fall of 2016. All other provisions in the agreement including the payment in lieu of taxes would remain in effect. This item was reviewed and recommended for approval by the Business and Economic Development Committee at its January 20, 2015 meeting.

15-075 ORDER **Expanding CDBG Facade Grant Eligibility Area **FAIRCLOTH****

Executive Summary: This Order would expand the eligibility areas for the CDBG funded Facade Grant program for commercial and mixed use properties. The current eligible areas are Downtown and the West Side Village. This Order would allow any commercial or mixed use property owner to apply for the program so long as the property is located in a Low to Moderate Income Census Block area as defined by the U.S. Department of Housing and Urban Development. The Downtown and West Side Village Area will remain eligible under this program. The Business & Economic Development Committee reviewed and recommended this item for approval at its January 20, 2015 meeting.

REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 26, 2015

UNFINISHED BUSINESS ITEM NO.

ASSIGNED TO COUNCILOR

15-058 RESOLVE Appropriating \$8,000 from the State Seizure Trust Account to Purchase a Police Canine BLANCHETTE

Executive Summary: 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, in an amount not to exceed \$8,000, 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.

NEW BUSINESS ITEM NO.

ASSIGNED TO COUNCILOR

15-077 ORDER Confirming the Appointment of Thomas E. Higgins as Fire Chief and Authorizing Execution of an Employment Contract CIVIELLO

Executive Summary: This Order will confirm the City Manager's appointment of Thomas E. Higgins as Fire Chief for the City of Bangor, and will authorize the execution of an employment contract.

Mr. Higgins currently serves in the position of Assistant Fire Chief in the Department, and has held a number of increasingly responsible positions during his twenty-four plus years of service including Firefighter, Lieutenant, and Captain. Previous to his service with Bangor Fire, Higgins served as Chief of the Hermon Fire Department for six years. He holds an Associate Degree in Fire Science from Southern Maine Community College, and holds certifications as Chief Fire Officer II, Certified Emergency Manager-Maine, and Communications Unit Leader, Type III, All-Hazards. He has been active in local organizations including the American Red Cross and Make-A-Wish Foundation. As Fire Chief, Mr. Higgins will also serve as the City's Emergency Management Director. This appointment has been reviewed with the City Council in Executive Session.

15-078 ORDER Authorizing Grant of \$2,500 to the Bangor Symphony Orchestra to Support Various Ensemble Performances in Bangor BALDACCI

Executive Summary: This Order will authorize a grant in the amount of \$2,500 to support ensemble performances of the Bangor Symphony Orchestra at various locations within the City. The Commission on Cultural Development has been tasked to review arts and cultural projects within the City and to provide funding recommendations for the Council's review and consideration. The Commission has recommended approval of this request because of the benefit to the community. This item was reviewed and recommended for approval by the Business & Economic Development Committee at its January 20, 2015 meeting.

REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 26, 2015

**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

15-079 ORDER **Authorizing Grant of \$2,000 to the Maine Discovery Museum to Support the Maine Science Festival **FAIRCLOTH****

Executive Summary: This Order will authorize a grant to the Maine Discovery Museum in the amount of \$2,000 to support general funding of the Maine Science Festival. The Commission on Cultural Development has been tasked to review arts and cultural projects within the City and to provide funding recommendations for the Council’s review and consideration. The Commission has recommended approval of this request because of the benefit to the community. This item was reviewed and recommended for approval by the Business & Economic Development Committee at its January 20, 2015 meeting.

15-080 ORDER **Authorizing Grant of \$1,500 to the Penobscot Theatre Company to Support Production and Community Programs as Part of “End Days” **PLOURDE****

Executive Summary: This Order will authorize a grant in the amount of \$1,500 to Penobscot Theatre Company to support the production of and community programs planned in conjunction with the main stage production of “End Days.” The Commission on Cultural Development has been tasked to review arts and cultural projects within the City and to provide funding recommendations for the Council’s review and consideration. The Commission has recommended approval of this request because of the benefit to the community and the Theatre’s history of quality programming. This item was reviewed and recommended for approval by the Business & Economic Development Committee at its January 20, 2015 meeting.

15-081 ORDER **Authorizing the Execution of Fixed Rate Pricing Contracts with the City’s Current Fuel Suppliers **SPRAGUE****

Executive Summary: This order would authorize the execution of fixed rate pricing contracts with the City’s current fuel suppliers for purchases through June 30, 2016. While preparing pricing for the upcoming FY 2016 budget process, both of the City’s current fuel vendors, Maine Energy and Dysarts, indicated the ability to provide fixed pricing for diesel gasoline, heating oil and propane. Earlier this evening the Finance Committee will hold a special meeting to review staff recommendation to authorize the Finance Director or City Manager to execute fixed rate pricing contracts for fuel through June 30, 2016. The contract does not provide for a fixed rate. However, the City’s fuel supplier has offered the City the opportunity to have a fixed rate through June 30, 2016. The City has a contract with the fuel supplier through June 30, 2017.

The City and school purchase approximately 350,000 gallons of diesel from Dysarts. The price per gallon in January 2014 was \$3.40 and the price per gallon in January 2015 was \$2.13. The market price estimate we received from Dysarts on January 15, 2015 was \$2.17 per gallon for gallons purchased during FY 2016. As timing may be of the essence to capture the current favorable market pricing, the intent would be to minimize the downside risk to the City. If recommended by the Committee and approved by the Council, staff will provide an update at the next Finance Committee meeting following any such action.



**CONSENT
AGENDA**

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 12, 2015

*Meeting Called to Order at 7:30 PM
 Chaired by Council Chair Durgin
 Councilors Absent: None
 Meeting Adjourned at 9:43 PM*

City Clerk Lisa Goodwin administered the oath of office to new Sub-Committee Members

PROCLAMATION: *Recognized And Congratulated The City Of Bangor Women, Infants And Children Program For 40 Years Of Outstanding Service*

INTRODUCTION: *Police Chief Mark Hathaway introduced four new Police Officers*

PUBLIC COMMENT *Kate Dickinson informed the City Council that the Maine Science Festival would be held March 20-22, 2015 across areas in downtown Bangor from the Cross Insurance Center to the Bangor Public Library.*

Leo Reardon from the University of Maine Humanities Center informed the City Council the Downtown Bangor Public Humanities Day would be held January 23-24, 2015.

CONSENT AGENDA ITEM NO.	ASSIGNED TO COUNCILOR
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Item 15-049 was moved from the Consent Agenda to New Business at the request of Councilor Graham.

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*

Action: *Accepted and Approved*

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**

Action: *Approved*

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

Action: *Approved*

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

Action: *Approved*

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

Action: *Passed*

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 12, 2015

CONSENT AGENDA			ASSIGNED TO
ITEM NO.			COUNCILOR
<u>15-046</u>	<u>ORDER</u>	<i>Appointing Lance Sunborn as a Constable for the Year 2015</i>	CIVIELLO
	<i>Action:</i>	<i>Passed</i>	
<u>15-047</u>	<u>ORDER</u>	<i>Authorizing an Amendment to the Lease Agreement with Ntension Corporation at 110 Hildreth St. (Tax Map R09-007-D)</i>	BALDACCI
	<i>Action:</i>	<i>Passed</i>	
<u>15-048</u>	<u>ORDER</u>	<i>Authorizing Execution of Agreement with Caleb Development Corporation – Bradford Commons</i>	FAIRCLOTH
	<i>Action:</i>	<i>Passed</i>	
<u>15-050</u>	<u>RESOLVE</u>	<i>Ratifying Execution of Municipal Quitclaim Deed – Real Estate Located at 311 Broadway (Map 46 Lot 53)</i>	CIVIELLO
	<i>Action:</i>	<i>Passed</i>	
<u>15-051</u>	<u>RESOLVE</u>	<i>Ratifying Execution of Municipal Quitclaim Deed – Properties Located at 624 and 628 Hammond Street (Map 13, Lots 116 and 117)</i>	NEALLEY
	<i>Action:</i>	<i>Passed</i>	
<u>15-052</u>	<u>RESOLVE</u>	<i>Ratifying Execution of Municipal Quitclaim Deed – Property Located at 63 Fieldstone Drive Unit 2, Unit 3 and Unit 4 (Map R41, Lots 54)</i>	BLANCHETTE
	<i>Action:</i>	<i>Passed</i>	
<u>15-053</u>	<u>ORDER</u>	<i>Authorizing the City Manager to Execute a Non-Binding Memorandum of Understanding to allow City staff to Participate in the Community Health Leadership Board</i>	CIVIELLO
	<i>Action:</i>	<i>Passed</i>	
<u>15-054</u>	<u>ORDER</u>	<i>Authorizing the City Manager to Execute a Sub Contract Agreement with Good Shepherd Food Bank</i>	BALDACCI
	<i>Action:</i>	<i>Passed</i>	
<u>15-055</u>	<u>ORDER</u>	<i>Authorizing the City Manager to Execute a Sub Contract Agreement with Eastern Maine Healthcare Systems (#CDC-15-1049: Sodium Reduction in Communities)</i>	PLOURDE
	<i>Action:</i>	<i>Passed</i>	

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 12, 2015

REFERRALS TO COMMITTEE AND FIRST READING	ASSIGNED TO COUNCILOR
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<u>15-056</u>	<u>ORDINANCE</u>	<i>Amending Chapter 260, Signs, of the Code of the City of Bangor, By Clarifying Window Sign Requirements and Allowing Umbrella Logos</i>	GRAHAM
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Action: First Reading and Referral to Planning Board Meeting of January 20, 2015

<u>15-057</u>	<u>ORDINANCE</u>	<i>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</i>	NEALLEY
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Action: First Reading and Referral to Planning Board Meeting of January 20, 2015

<u>15-058</u>	<u>RESOLVE</u>	<i>Appropriating \$8,000 from the State Seizure Trust Account to Purchase a Police Canine</i>	BLANCHETTE
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Action: First Reading

<u>15-059</u>	<u>RESOLVE</u>	<i>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</i>	SPRAGUE
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Action: First Reading and Referral to Government Operations Committee Meeting of February 2, 2015

UNFINISHED BUSINESS	ASSIGNED TO COUNCILOR
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<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: Motion made and seconded for Passage
Motion made and seconded to Postpone Indefinitely
Passed to Postpone Indefinitely*

<u>15-041</u>	<u>RESOLVE</u>	<i>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</i>	BLANCHETTE
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*Action: Motion made and seconded for Passage
Passed*

<u>15-042</u>	<u>RESOLVE</u>	<i>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</i>	PLOURDE
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MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 12, 2015

UNFINISHED BUSINESS ITEM NO.		ASSIGNED TO COUNCILOR
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*Action: Motion made and seconded for Passage
Passed*

NEW BUSINESS ITEM NO.		ASSIGNED TO COUNCILOR
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LIQUOR LICENSE (CLASS X)	<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of Arayos LLC d/b/a Diamonds, 190B Harlow Street</i>	FAIRCLOTH
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*Action: Motion made and seconded for Approval
Approved*

LIQUOR LICENSE (CLASS XI)	<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of Blaze Bangor LLC d/b/a Blaze Restaurant, 18 Broad Street</i>	FAIRCLOTH
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*Action: Motion made and seconded for Approval
Approved*

PUBLIC HEARING:	<i>Application for Liquor License, Malt, Spirituous, Vinous of PR Mexican Restaurant d/b/a Pepino's, 49 Park Street</i>	FAIRCLOTH
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*Action: Motion made and seconded to Open Public Hearing
Public Hearing Opened
Motion made and seconded to Close Public Hearing
Public Hearing Closed
Motion made and seconded for Approval
Approved*

PUBLIC HEARING:	<i>Application for Special Amusement License of Blaze Bangor LLC d/b/a Blaze Restaurant, 18 Broad Street</i>	FAIRCLOTH
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*Action: Motion made and seconded to Open Public Hearing
Public Hearing Opened
Motion made and seconded to Close Public Hearing
Public Hearing Closed
Motion made and seconded for Approval
Approved*

PUBLIC HEARING:	<i>Application for Special Amusement License of Arayos LLC d/b/a Diamonds, 190B Harlow Street</i>	FAIRCLOTH
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*Action: Motion made and seconded to Open Public Hearing
Public Hearing Opened
Motion made and seconded to Close Public Hearing
Public Hearing Closed
Motion made and seconded for Approval
Approved*

15-049	ORDER	<i>Authorizing Expenditure in the Amount of \$614.80 to Purchase Signage for Existing Public Art</i>	PLOURDE
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MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 12, 2015

NEW BUSINESS ITEM NO.		ASSIGNED TO COUNCILOR
	<p><i>Action: Motion made and seconded for Passage Motion made and seconded to amend by adding the following language: "The wording of the signage shall be prepared in consultation of the Commission for Cultural Development and the Bangor Historical Society, and approved by the Business and Economic Development Committee of the Bangor City Council." Motion Doubted Vote: 7 – 2 Councilors Voting Yes: Baldacci, Civiello, Faircloth, Graham, Nealley, Sprague, Durgin Councilors Voting No: Blanchette, Plourde Amendment Passed Motion made and seconded for Passage as Amended Passed as Amended</i></p>	
<u>15-060</u>	<p><u>ORDER</u> <i>Appointing Philip S. Drew as City Assessor and Authorizing Execution of an Employment Contract</i></p> <p><i>Action: Motion made and seconded for Passage Passed</i></p>	SPRAGUE
<u>15-061</u>	<p><u>ORDER</u> <i>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</i></p> <p><i>Action: Motion made and seconded for Passage Passed</i></p>	BLANCHETTE
<u>15-062</u>	<p><u>ORDER</u> <i>Dedicating the Bangor Police Department Building in Honor of former Chief Donald J. Winslow</i></p> <p><i>Action: Motion made and seconded for Passage Passed</i></p>	BALDACCI
<u>15-063</u>	<p><u>ORDER</u> <i>Authorizing Grant of \$1,000 to Anna Hepler to Support a Public Art Installation in Downtown Bangor</i></p> <p><i>Action: Motion made and seconded for Passage Motion Doubted Vote: 8 – 1 Councilors Voting Yes: Baldacci, Blanchette, Civiello, Faircloth, Graham, Nealley, Plourde, Durgin Councilors Voting No: Sprague Passed</i></p>	GRAHAM
<u>15-064</u>	<p><u>ORDER</u> <i>Authorizing Public Works to widen Essex Street</i></p> <p><i>Action: Motion made and seconded for Passage Passed</i></p>	PLOURDE

Lisa J. Goodwin, MMC, Bangor City Clerk

BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

Tuesday, November 18, 2014 5:15 PM
City Council Chambers

Minutes

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

City Staff Present: Cathy Conlow, Tanya Emery, Paul Nicklas, Jason Bird, Jeff Wallace, Steve Bolduc and Caitlin Brooke

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

1. **REFERRAL - ORDINANCE 15-005**, Amending Chapter 291, Vehicles and Traffic, of the Code of the City of Bangor, By Amending Limited Time Parking to Include Ninety Minutes Parking

Assistant City Solicitor Paul Nicklas explained that several years ago a number of parking spaces in the downtown were changed from one hour parking to 90 minute parking. Signs were posted and the City's parking maps were amended to reflect those changes. However, language providing for 90 minute parking was never added to the Code. This amendment would include 90 minute parking in the Code to bring it in line with current practices. Staff recommended that the Committee recommend this Ordinance amendment to the full Council.

Councilor Graham moved Staff recommendation. The motion was seconded by Councilor Faircloth. The motion carried.

2. Brownfields Consultant RFP

Jason Bird, Community and Economic Development Officer, gave an overview of the grant the City received from the EPA to test contaminated sites within the City. As part of this process, the City put out an RFP to solicit bids from firms with expertise in this area to conduct the testing as the City does not have the expertise needed to test these sites. After review of the two RFP's submitted, the firm of Credere Associates is being recommended by the RFP Review Committee. Staff is seeking a positive recommendation of the Committee to award a contract for \$360,000 to Credere Associates for the City's Brownfields Assessment Program.

Councilor Graham moved Staff recommendation. Councilor Faircloth seconded the motion which carried unanimously.

3. Gas Line Easement

Steve Bolduc, Economic Development Officer, explained that this is a request for an easement for Bangor Gas Company to run an underground gas line to provide service to 39 and 49 Florida Avenue. Mr. Bolduc indicated that the City Council previously approved funding to convert the boilers at these two locations to utilize natural gas. Staff is recommending that the Committee recommend this gas line easement to the City Council.

Councilor Graham moved Staff recommendation. Councilor Faircloth seconded the motion which passed unanimously.

4. Lease Agreement with KidsPeace National Centers

Economic Development Officer Steve Bolduc indicated that KidsPeace National Centers is asking to lease 49 Florida Avenue for their administrative offices. Mr. Bolduc outlined the terms of the lease agreement. Staff recommended that the Committee recommend approval to the City Council.

Councilor Civiello asked how the lease amount was determined and what the utility costs would be, especially what the stormwater runoff fee is and how it was determined. Mr. Bolduc indicated that he did not have the exact figure readily available but would forward it on to the Committee.

Councilor Graham indicated that he felt that the City was fortunate that KidsPeace National Centers chose to stay in Bangor.

Councilor Nealley moved Staff recommendation. Councilor Graham seconded the motion. The motion was not doubted and passed.

5. Sale of Land Parcel to Habitat for Humanity – 120 Third Street

Jeff Wallace, Housing Rehabilitation Coordinator, explained that the City owns a double lot at 108 and 120 Third Street and is proposing to divide the lot into two lots. The City is proposing to construct a new house on 108 Third Street with NSP funds. The other half of the lot is proposed to be sold to Habitat for Humanity so that they may construct a new single-family house on it.

Councilor Graham asked if both lots could be given to Habitat for Humanity. Mr. Wallace indicated that it could be possible but normally Habitat for Humanity constructs one new house at a time. Director Emery indicated that the deadline for use of NSP funds is fast approaching and this needs to be done in 2015. The hope is to have both lots being developed at one time. Staff recommended approval of the plan to sell Habitat for Humanity the lot at 120 Third Street for the price of \$1.00

Councilor Nealley moved Staff recommendation. Councilor Graham seconded the motion. The motion was not doubted and it was a vote.

6. Proposed Changes to Downtown Parking Advisory Committee

Jason Bird, Community and Economic Development Officer explained that in 1997 the Downtown Parking Advisory Committee was created as a special committee to address specific parking related topics with a one-year term that could be reinstated as needed. Staff is seeking the establishment of a regular standing Downtown Parking Advisory committee to be the first level of review for downtown parking system improvements. As proposed, the committee would review parking issues focused on the downtown area only and present recommendations to the Business and Economic Development Committee.

Councilor Graham moved Staff recommendation and Councilor Faircloth seconded the motion. The motion passed as it was not doubted.

7. Can-Am Police-Fire Games

Director Emery indicated that this is a follow-up, for informational purposes, on the RFP for the 2020 CanAm PoliceFire Games.

Assistant City Solicitor Paul Nicklas indicated that the City would not be a party to this RFP or contract as the Greater Bangor Convention and Visitors Bureau (GBCVB) is hosting the event. City facilities and property would likely be used for certain events in which case the Games would be required to undergo the same event permitting process used for other events which take place on City property.

8. Sidewalk License Agreements for Outdoor Seating

Staff discussed with the Committee four areas that they would like direction on that the Committee would like to see done regarding outdoor seating on sidewalks and public spaces. The Committee agreed that a fee should be charged for the use of this public space but that a fee holiday for 2015 be instituted, and that in the agreement it should be noted that a fee will be required for 2016. The Committee felt that there should be a set of minimum standards for fencing, etc. and asked that staff prepare the standards. The Committee asked staff to set up cones indicating the area where outdoor seating could be allowed in West market Square and take photographs to be circulated to the Committee for consideration. The fourth area was that of allowing outdoor seating year round. The Committee asked that staff look into how other cities (who are colder than Bangor is) handle this and present their findings to the Committee.

9. BanAir Parcels

Director Emery indicated that Epstein Commercial, in their process of preparing listing agreements for the two remaining parcels in the BanAir Business Park, noted that both of these lots are heavily forested. They indicated that the lots would be more marketable for commercial development if the trees were removed. This could also generate a modest amount of revenue for the City. Staff is requesting the Committee's approval to contact logging companies about the possibility of clearing both lots.

The Committee directed staff to proceed.

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

Councilor Civiello moved to enter Executive Session under – 1 M.R.S.A. § 405(6)(C) . Councilor Faircloth seconded the motion with passed unanimously.

11. Committee Action on Above Item

No action was taken on this item.

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

Councilor Graham moved to enter Executive Session under – 1 M.R.S.A. § 405(6)(C) . Councilor Faircloth seconded the motion with passed unanimously.

13. Committee Action on Above Item

No action was taken on this item.

Meeting adjourned at 7:10 p.m.

MINUTES

BANGOR SCHOOL COMMITTEE REGULAR MEETING 7:00 p.m., Wednesday, June 26, 2013

School Committee Members present: Chairman Phyllis Guerette, Vice Chair Warren Caruso, Sarah Smiley, Christine Szal and Jay Ye. Committee Member Marc Eastman was unable to attend.

A. 1.&2. The Bangor School Committee Regular Meeting was called to order by Chairman Guerette at 7:00 p.m. and the Pledge of Allegiance followed.

B. Superintendent Webb requested an amendment to the Agenda to add under Superintendent's Proposals and Updates, a Camp Invention Update.

VOTED 5-0 to amend the Agenda as requested.

D. 1. a. Principal Paul Butler provided a brief overview of the recommended AP Course (Language & Composition). Superintendent Webb recommended approval of this course.

Committee Members asked questions about sequencing and cost.

VOTED 5-0 to approve the course as presented.

b. Superintendent Webb requested authorization to spend Cameron Stadium reserve funds. These funds were designated through prior School Committee and City Council approval for future use to repair or maintain Cameron Stadium. As shared at an earlier meeting, these funds are needed, in addition to the bond and donation funds, to address code and safety issues at the stadium. The City Council approved the authorization to spend the Cameron Stadium reserve funds at their Monday meeting.

Committee Members expressed appreciation for the renovation and management of the process.

VOTED 5-0 to provide authorization to spend the Cameron Stadium reserve funds.

2. a. Barbara Clewley, Camp Invention Co-Director, provided the Committee with an update on the Camp Invention Program being held in Bangor at the William S. Cohen School this July. This camp is a STEM program for students in grades 1-6 and also provides opportunities for student interns from the middle school and high school levels.

Committee Members asked questions and expressed support for this program.

b. Superintendent Webb updated the Committee that Bangor is no longer a participant in the TIF4 grant for Teacher Evaluation. Bangor is moving forward with the Teacher Professional Evaluation and Growth model that the Bangor Committee created. This model will be piloted in the upcoming school year.

c. Superintendent Webb shared recent information about the State of Maine biennial budget, and updated the Committee on the potential impact on the FY14 School Budget and the bill introduced as LD 1566 to avoid a second referendum vote.

d. Superintendent Webb reported the following retirement:

Carol Mayhew	Title I	(3/5) Downeast School (2/5) All Saints & Bangor Christian Schools
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e. Superintendent Webb reported the following reassignment:

Laurie Sproul-Poisson from Physical Education Teacher at Abraham Lincoln School to Physical Education Teacher at Mary Snow School (.9) and Fourteenth Street School (.1).

E. 1. a. VOTED 5-0 to approve the Minutes of the June 12, 2013 Regular School Committee Meeting.

b. 1. & 2. Superintendent Webb recommended approval of the May 2013 Financial Statement and the May 2013 Budget Transfers.

VOTED 5-0 to approve the May 2013 Financial Statement and the May 2013 Budget Transfers as presented.

c. 1-6. Superintendent Webb recommended Second Reading and approval of the following policies:

1. Revised Policy EFF Meal Prices – ES
2. Revised Policy GDB-5 Lunch Aide Compensation Guide – PE
3. Revised Policy GDB-6 Executive Office Compensation Guide – PE
4. Revised Policy GDB-7 Support Staff Compensation Guide – PE
5. Revised Policy GDB-8 Adult and Community Education Compensation Guide - PE
6. Revised Policy GDB-10 Educational Technology Staff Compensation Guide – PE

VOTED 5-0 to approve the policies as presented.

d. 1. Superintendent Webb recommended the following Teacher nominations for the 2013-2014 school year:

Eric C.H. Steadman, (.2) Mathematics Teacher at Bangor High School, with a one-year Probationary Contract for 2013-2014.

Lauren A. Viles, Guidance Counselor at James F. Doughty School, with a one-year Probationary Contract for 2013-2014.

Dana L. Andrews, Special Education Teacher at Bangor High School, with a one-year Probationary Contract for 2013-2014.

Jennifer D. Albert, Grade 5 Teacher at Fairmount School, with a one-year Probationary Contract for 2013-2014.

Meagan R. Bridges, Grade 1 Teacher at Fourteenth Street School, with a one-year Probationary Contract for 2013-2014.

Courtney C. Harvey, Art Teacher at James F. Doughty School, with a one-year Probationary Contract for 2013-2014.

Darryl A. Loring, Special Education Teacher at William S. Cohen School, with a one-year Probationary Contract for 2013-2014.

Nitisha L. Mitchell, Science Teacher at Bangor High School, with a one-year Probationary Contract for 2013-2014

Courtney L. Putnam, Grade 1 Teacher at Downeast School, with a one-year Probationary Contract for 2013-2014.

Jasmine R. Veilleux, Grade 1 Teacher at Fruit Street School, with a one-year Probationary Contract for 2013-2014.

Committee Members recessed to review the files.

VOTED 5-0 to approve the nominations as presented.

2. Superintendent Webb recommended approval of the following extra-duty assignments for the 2013-2014 school year:

Department Head – Mathematics	Bangor High School	Elaine Grant
STEM Research Coordinator	Bangor High School	Cary James
Envirothon Coordinator	Bangor High School	Genevieve Smith

VOTED 5-0 to approve the nominations as presented.

- e. Superintendent Webb reported the following donation:

To Fruit Street School for the Fruit Street School PTO, Dolphin T-shirts for Field Day, having a total dollar value of \$1,831.20.

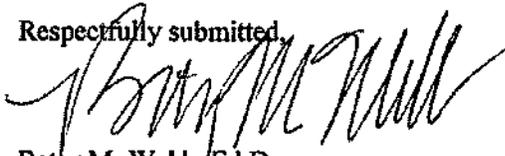
- F. 2. d. Committee Member Ye shared that the Southern Penobscot Regional Program for Children with Exceptionalities (SPRPCE) board met to approve the 2013-2014 budget and to extend the Director's employment.

- G. 1. Principal Ryan Enman presented a report on the NECAP State Assessment results.

- H. Chairman Guerette reviewed the important dates.

- J. The meeting adjourned at 7:59 p.m.

Respectfully submitted,



Betsy M. Webb, Ed.D.
Superintendent of Schools

MINUTES

BANGOR SCHOOL COMMITTEE REGULAR MEETING 7:00 p.m., Wednesday, July 24, 2013

School Committee Members present: Chairman Phyllis Guerette, Vice Chair Warren Caruso, Marc Eastman, Sarah Smiley, Christine Szal and Jay Ye.

A. 1.&2. The Bangor School Committee Regular Meeting was called to order by Chairman Guerette at 7:01 p.m. and the Pledge of Allegiance followed.

B. Superintendent Webb requested an amendment to the agenda to add under Superintendent's Updates, Substitute Caller System and Budget Update.

VOTED 6-0 to amend the agenda as requested.

D. 2. a. Alan Kochis, Director of Business Services, provided an update on the Cameron Stadium Renovation.

b. Superintendent Webb shared the highlights of the AASA Advocacy for Public Education Conference.

c. Superintendent Webb reported on the EPS Funding review and the PICUS Report. A meeting will be held with the City Council to review funding issues to be discussed in the next Legislative Session.

d. Superintendent Webb reported the following resignations:

Timothy M. McCluskey	Principal	Vine Street School
Barbara K. Burditt	Special Education	William S. Cohen School
Thomas D. Logan	Guidance Counselor	Downeast School

e. Superintendent Webb reported the following reassignment:

Lynn M. Silk from (.5) Principal at Fourteenth Street School and (.5) Title I Director to Principal at Vine Street School.

f. Superintendent Webb informed the School Committee of the plans to go to an automated calling system for substitute teachers and employee attendance tracking.

g. Superintendent Webb shared that the vote on the revised School Budget will be held at the November election.

E. 1. a. The Committee voted 6-0 to approve the Minutes of the June 26, 2013 Regular School Committee Meeting.

b.1-3. Superintendent Webb recommended approval of the June Financial Statement (unaudited), June Budget Transfers and July Bids & Quotes.

VOTED 6-0 to approve the June (unaudited) Financial Statement as presented and the June Budget Transfers, and July Bids & Quotations Report.

- c.1. a. Superintendent Webb recommended the following Administrator nominations for the 2013-2014 school year:

Robert L. MacDonald, Assistant Superintendent with a two-year contract.

Daniel W. Chadbourne, (.5) Principal at Fourteenth Street School and (.5) Special Education Teacher at Fourteenth Street School, with a one-year Probationary Contract for 2013-2014.

- b. Superintendent Webb recommended the following Teacher nominations for the 2013-2014 school year:

Jennifer K. Albert, Grade 4 Teacher at Mary Snow School, with a one-year Probationary Contract for 2013-2014.

Suzanne M. Bell, Special Education Teacher at Fruit Street School, with a one-year Probationary Contract for 2013-2014.

Jenna D. Caler, (.4) Art Teacher at Vine Street School, with a one-year Probationary Contract for 2013-2014.

Jocelyn E. Christiansen, Occupational Therapist, with a one-year Probationary Contract for 2013-2014.

Kristy L. Donahue, Grade 3 Teacher at Vine Street School, with a one-year Probationary Contract for 2013-2014.

Audra M. Eaton, Grade 2 Teacher at Fruit Street School, with a one-year Probationary Contract for 2013-2014.

Kathryn M. Kennedy, Social Studies/English Teacher at James F. Doughty School, with a one-year Probationary Contract for 2013-2014.

James S. Pushard, Music Teacher at William S. Cohen School, with a one-year Probationary Contract for 2013-2014.

Eva C. Shannon, Pre-K Teacher at Abraham Lincoln School, with a one-year Probationary Contract for 2013-2014.

Ashley L. Sherry, Grade 1 Teacher at Vine Street School, with a one-year Probationary Contract for 2013-2014.

Leslie S. Stewart, Speech/Language Therapist, with a one-year Probationary Contract for 2013-2014.

Kennon W. Blindow, Physical Education Teacher at (.7) Abraham Lincoln School and (.3) at Fourteenth Street School, with a one-year Probationary Contract for 2013-2014.

Susan B. Bryand, Art Teacher at Bangor High School, with a one-year Probationary Contract for 2013-2014.

Nicole L. Downing, Special Education Teacher at Bangor High School, with a one-year Probationary Contract for 2013-2014.

The Committee recessed to review the files.

VOTED 6-0 to approve the nominations as presented.

- 2. Superintendent Webb recommended approval of the following extra-duty assignments for the 2013-2014 school year:

IEP Coordinator (.83)	William S. Cohen School	Karen Bagley
IEP Coordinator (.83)	William S. Cohen School	Tammy Wymen
Team Leader Grade 6	William S. Cohen School	Patsy Baldus
Team Leader Grade 8	William S. Cohen School	Roland Dube
Math Counts Advisor	William S. Cohen School	Terence Tibbetts
Baseball Coach	William S. Cohen School	Terence Tibbetts
Softball Coach	William S. Cohen School	Lewis Ireland
Track Coach	William S. Cohen School	James Bilancia
English Dept Head (½)	Bangor High School	Emilie Manhart
English Dept Head (½)	Bangor High School	Susan Thibedeau
Guidance Dept Head	Bangor High School	Adam Leach
Special Education Dept Head	Bangor High School	Michelle Jacobson
IEP Coordinator (½)	Bangor High School	Michelle Jacobson
IEP Coordinator (½)	Bangor High School	Stuart Greener
Yearbook Business Manager	Bangor High School	Eric Hutchins
Sophomore Class Advisor	Bangor High School	Scott Clement
Sophomore Class Advisor	Bangor High School	Shannan Fotter
Freshman Football Coach	Bangor High School	Sam Moring
Community School Coord (1/3)	Mary Snow School	Renee Reilly

VOTED 6-0 to approve the nominations as presented.

- d. Superintendent Webb recommended approval of the following donation:

To Mary Snow School in memory of Michael David Pechinski, donations for Art Education having a total dollar value of \$823.

VOTED 6-0 to accept, with great thanks, the donation.

- 2. a.1&2 Superintendent Webb recommended the First Reading of Revised Policy CCA Organizational Chart and Revised Policy JGF Use of Physical Restraint and Seclusion.

VOTED 6-0 to receive the first readings.

- F.1&2 Committee Member Ye expressed his appreciation of receiving the 2012-13 highlights of the Bangor School Department accomplishments during the past school year. Committee Member Szal agreed and Chairman Guerette asked if these highlights could be posted to the school website.

Committee Member Smiley shared that she had heard concerns regarding having a new principal at the Fourteenth Street School. Member Smiley shared that some parents expressed that the 14th Street School is a training school and that parents were looking for consistency for their children.

Superintendent Webb noted the choices that were made to provide consistency in the classrooms in order to support students.

Committee Member Szal reported that the UTC Board had met and that enrollment for the start of the school year is projected at 620 students. UTC has found advertising of new programs and the course offering of Understanding Technology Curriculum are paying off.

Vice Chairman Warren Caruso reported on the City Council meeting with Governor LePage's aide, Jonathan Nass, went well. The Council and Vice Chair Caruso expressed concerns with the funding of charter schools and the negative impact of Superintendent Agreements.

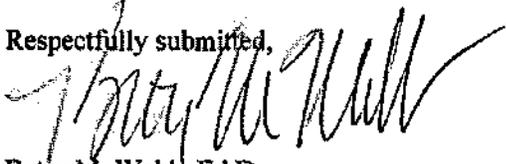
- H. Chairman Guerette reviewed the important dates.
- I. Vice Chairman Caruso reiterated that it is the strength of the entire Bangor School Department that should be noted. Many aspiring leaders moving up through the system into administrative roles in order to further their careers should be celebrated.
- J. By roll call vote (6-0), the Committee entered Executive Session for the purpose of evaluating the Superintendent according to 1 MRSA Subsection 405 (6) (A) at 8:42 p.m.

Entered public session at 10:02 p.m.

VOTED 6-0 to extend the Superintendent's contract till June 30, 2018.

The meeting adjourned at 10:03 p.m.

Respectfully submitted,



Betsy M. Webb, Ed.D.
Superintendent of Schools

MINUTES

BANGOR SCHOOL COMMITTEE REGULAR MEETING

7:00 p.m., Wednesday, August 14, 2013

School Committee Members present: Chairman Phyllis Guerette, Vice Chair Warren Caruso, Marc Eastman, Sarah Smiley, and Jay Ye. Committee Member Christine Szal was unable to attend.

- A. 1.&2. The Bangor School Committee Regular Meeting was called to order by Chairman Guerette at 7 p.m. and the Pledge of Allegiance followed.
3. The Bangor School Department and the Bangor School Committee recognized Caleb Halvorson-Fried, a rising BHS senior who accomplished the exceedingly rare feat of a perfect score on the ACT, a national college admissions examination that consists of subject area tests in English, Mathematics, Reading and Science. According to officials from ACT, a perfect ACT score is accomplished by less than one tenth of one percent of test takers annually.
- C. Citizen John Thompson shared his concerns about the minutes of the June 12th meeting. He stated that at the meeting of June 12th, he had expressed his concern about communication given the Elm Street incident of Friday, May 3rd. Mr. Thompson feels the School Department, in addition to the Bangor Police Department and Cyr Bus, should have communicated directly with the families whose children walked from the bus stop to Elm Street where the police were dealing with the issue. Mr. Thompson also articulated that he feels that comments at the June 12th meeting should have been about his concerns and not involve the prior communication of his wife.
- D. 2. a. Principal Paul Butler reviewed the plan for Bangor High School graduation requirements utilizing a blended system of standards and credits.
- b. Director of Business Services Alan Kochis provided an update on the Cameron Stadium Renovation.
- c. Superintendent Webb reported the following resignation:
- | | | |
|-----------------|---------------------------|--------------------|
| Melinda A. Carr | Special Education Teacher | Vine Street School |
|-----------------|---------------------------|--------------------|
- d. Superintendent Webb reported the following reassignments:
- Travis McClure from Social Worker (.6) at Bangor High School and (.4) Elementary to Guidance Counselor at Downeast School
- Kristy McClure from Reading Recovery/Title I Teacher at Downeast School to Reading Recovery/Title I Teacher at (.6) Abraham Lincoln School and (.4) Fruit Street School
- Julia Bishop from Reading Recovery/Title I Teacher (.75) at Vine and (.25) at Abraham Lincoln School to Reading Recovery/Title I Teacher at Vine Street School
- Danielle Schneider from (4/5) Reading Recovery/Title I Teacher (.5) at Fourteenth Street School and (.5) at Fruit Street School to (4/5) Reading Recovery/Title I Teacher (.6) at Fourteenth Street School and (.4) at Vine Street School

Cynthia Coyne from Reading Recovery/Title I Teacher at Vine Street School to Reading Recovery/Title I Teacher (.45) at Downeast School, (.40) at Bangor Christian School and (.15) at All Saints Catholic School

Kristi Charette from Reading Recovery/Title I Teacher at Fruit Street School to Reading Recovery/Title I Teacher (.5) at Fruit Street School and (.5) at Mary Snow School

Shelly Morin from Reading Recovery/Title I Teacher at Abraham Lincoln School to Reading Recovery/Title I Teacher (.9) at Abraham Lincoln School and (.1) at Fourteenth Street School

E. 1. a. VOTED 5-0 to approve the Minutes of the July 24, 2013 Regular School Committee Meeting.

b.1.a. Superintendent Webb recommended the following Administrator nominations for the 2013-2014 school year:

Edward M. Hackett, as Principal at James F. Doughty School for 2013-2014.

Samuel W. Moring, as a one year interim Acting Assistant Principal at James F. Doughty School for 2013-2014.

b. Superintendent Webb recommended the following Teacher nominations for the 2013-2014 school year:

Courtney R. Brangwynne, Title I Teacher at Mary Snow School, with a one-year probationary contract for 2013-2014.

Jesse L. Gauthier, Special Education Teacher at Bangor High School, with a one-year probationary contract for 2013-2014

Alice G. Brown, Special Education Teacher at Vine Street School, with a one-year probationary contract for 2013-2014.

Sheila M. Krautkremer, Special Education Teacher at (.5) William S. Cohen School and (.5) Fairmount School, with a one-year probationary contract for 2013-2014.

Renee L. Perron, School Social Worker at (.6) Bangor High School and (.4) Downeast School, with a one-year probationary contract for 2013-2014.

The Committee recessed to review the files.

VOTED 5-0 to approve the nominations as presented.

2. Superintendent Webb recommended approval of the following extra-duty assignments for the 2013-2014 school year:

Cert. Gov. Committee	Systemwide	Wendy Hooke
Cert. Gov. Committee	Systemwide	Carolyn Vose
Special Olympics Coord.	Systemwide	Shannan Fotter (1/2)
Special Olympics Coord.	Systemwide	Cynthia Howard (1/2) Ed Tech
IEP Coordinator	Abe Lincoln School	Charlene Southwick (.38)
IEP Coordinator	Mary Snow School	Georgi Freedman

IEP Coordinator	William S. Cohen School	Darryl Loring (.83)
Chorus	William S. Cohen School	James Pushard
Vocal Group	William S. Cohen School	James Pushard
Team Leader – Grade 6	James F. Doughty School	Jennifer Wellington (½)
Team Leader – Grade 6	James F. Doughty School	Anne Mourkas (½)
Team Leader – Grade 7	James F. Doughty School	Robert Finch
Team Leader – Grade 8	James F. Doughty School	Paula Trask
Chorus	James F. Doughty School	Judith Michalik
Vocal Group	James F. Doughty School	Judith Michalik
Orchestra	James F. Doughty School	William Bell
Boys “A” Basketball Coach	James F. Doughty School	Joseph Staffiere
Girls Freshman Soccer Coach	Bangor High School	Shannan Fotter
Asst Cross Country Coach	Bangor High School	Lindsey Mercier
Asst Varsity Football Coach	Bangor High School	John Hersom
Asst Fresh Football Coach	Bangor High School	Keenon Blindow

VOTED 5-0 to approve the extra duty assignments as presented.

- c. Superintendent Webb recommended the following donation:

To Mary Snow School in memory of Michael David Pechinski, a donation for Art Education having a total dollar value of \$100.

VOTED 5-0 to approve with thanks the donation to the Mary Snow School.

- d. Superintendent Webb recommended approval of the Second Readings of Revised Policy CCA Organizational Chart and Revised Policy JGF Use of Physical Restraint and Seclusion.

VOTED 5-0 to approve the second readings of revised Policy CCA and revised Policy JGF.

- H. Chairman Guerette reviewed the important dates.

Superintendent Webb shared the need for a special meeting for the revision to the school budget given the biennial state budget changes.

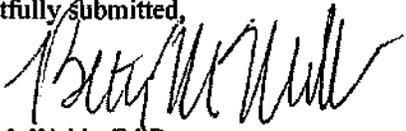
- I. Vice Chair Caruso addressed the public comments made by John Thompson by sharing the role of the School Committee and the responsibilities of the Superintendent. Further, Vice Chair Caruso explained the importance of not publicly discussing emergency plan protocols for the safety of the students. Mr. Caruso explained that everyone wants our students safe and that if people have questions, they should contact the superintendent.

Chairman Guerette complimented the newest edition of the Communique and reminded parents that the bus information is included in this August edition.

Superintendent Webb informed the Committee that the Bangor Administrators were meeting again with Bangor Police Department leadership to review safety plans prior to the opening of school. Superintendent Webb also shared the Bangor Police Department would be in and around all Bangor Schools during the opening week as children and families become familiar with the schools' schedules. This is a proactive partnership to prioritize the safety of our students.

The meeting adjourned at 8:12 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Betsy M. Webb". The signature is written in a cursive style with a large initial "B" and a long horizontal stroke at the end.

Betsy M. Webb, Ed.D.
Superintendent of Schools

MINUTES

BANGOR SCHOOL COMMITTEE
SPECIAL MEETING
4:15 p.m., Monday, August 26, 2013

School Committee Members present: Chairman Phyllis Guerette, Vice Chair Warren Caruso, Christine Szal, and Jay Ye. Committee Members Marc Eastman and Sarah Smiley were unable to attend.

1. The meeting was called to order at 4:18 p.m. by Chairman Guerette and the Pledge of Allegiance followed.

2. Superintendent Webb reported the following reassignments:

George Brissette II from Special Education Teacher (RR) at James F. Doughty School to Special Education Teacher (SC) Grades 6 & 7 at James F. Doughty

Norma Holmquist from Special Education Teacher (RR) (.9) at Downeast School and (.1) at Fourteenth Street School to Special Education teacher (RR) at Downeast School

3. Superintendent Webb recommended the following Teacher nominations for the 2013-2014 school year:

Angela S. Leigh, Title I Teacher Grades 2-3 at Downeast School, with a one-year probationary contract for 2013-2014.

Kent S. McLaughlin, Grade 6 Teacher at James F. Doughty School, with a one-year probationary contract for 2013-2014.

The Committee recessed to review the files.

VOTED 4-0 to approve the nominations as presented.

4. Superintendent Webb recommended approval of the following extra-duty assignments for the 2013-2014 school year:

Student Council Advisor (.5)
IEP Coordinator (.25)
Team Leader

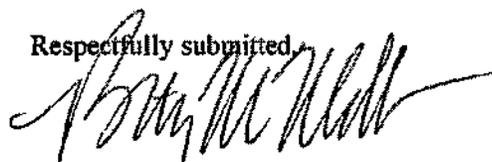
James F. Doughty School
Fruit Street School
James F. Doughty School

Julie Stacey
Suzanne Bell
Jonathan Folsom

VOTED 4-0 to approve the nominations as presented.

The meeting adjourned at 4:26 p.m.

Respectfully submitted,



Betsy M. Webb, Ed.D.
Superintendent of Schools

Meeting Agenda
City of Bangor Airport Committee
City Council Chambers 3rd Floor
December 23, 2014

The following City Councilors were in attendance: Airport Committee Chair Gibran Graham, Councilors, Sean Faircloth, Nelson Durgin and David Nealley. Also in attendance, Airport Director Tony Caruso, Marketing Manager Risteen Bahr.

Agenda:

1. Airport Statistics-August, September, October and November 2014

Airport Director Caruso started with the month of August. Total monthly passengers was up by .8% while YTD was down by .8%. Compared to three year average for total monthly passengers was up by 11% and YTD was up by 12%. Strong load factors with Allegiant at 94%, Delta at 80%, United at 85% and US Airways at 89%. Market Share, Allegiant at 11%, United at 11%, Delta 40%, and US Airways at 39%. Total operations was up by 3%. Fuel sales, the DOD (Military) was down by 60% and total fuel sales was down by 6%. For the month of September, YTD Monthly Passengers was up by 15% and YTD was up 12%. September's numbers was best since 2005. Load factors were strong with Allegiant at 86%, Delta at 80%, and United at 78% and US Airways at 83%. Market Share was Allegiant at 10%, United at 6%, Delta at 36% and US Airways at 48%. Total Operations was up by 4% for the month and up by 1% for YTD. Retail fuel sales was up by 18.7%, DOD Fuel down by 12%, Resellers down by 10% and for total fuel for the month was down by 7%. For the month of October, total monthly passengers was 44,173 up by 7%, and YTD was up by 1%, over three years monthly up by 15% and YTD up by 13%. October's numbers was the best since 2005! Total Operations were down by 1% and YTD up by 1%. Fuel sales, retail up by 123%, DOD down by 32% and resellers up by 20%. Total monthly was down by 7%. Load factors were strong with Allegiant at 86%, Delta at 83%, and United at 86% and US Airways at 84%. Market share, Allegiant at 12%, United at 7%, Delta at 34%, and US Airways at 46%. November's numbers were total monthly passengers was up by 1%, YTD was up by 12%, so far YTD passengers we are at 460,166! Load factors were down a little, with Allegiant at 88%, Delta at 74%, and United at 50% and US Airways at 65%. Market share was Allegiant at 18%, United at 6%, Delta at 31% and US Airways at 45%. Fuel sales were down by 7%.

Questions/Comments:

Councilor Neally asked with the current gas prices dropping, have the Airlines prices gone down at all or do you think they will? Airport Director Caruso responded that at this point, no Airline has reduced prices. Usually, once one Airline does, they all tend to follow.

2. NBAA 2014 Conference

Airport Director Caruso indicated this conference was held October 21-23rd, in Orlando. This conference featured over 1,100 exhibitors and more than 26,000 attendees. Exhibiting at this event provided BGR the opportunity to meet with a large number of current and potential customers. Pre-arranged meetings were established with JETEX, one of our newer clients managing both General Aviation (GA) and commercial sized aircraft out of Dubai. In addition staff was able to spend time personally speaking with representatives of KHI which manages the SEA/AIRCARD program (our DOD payment platform for military), and with Multiservice which manages our credit card platform. Further, staff met with the new Jet Sales Manager with Irving Oil, discussing trends with the Reseller business and the basis of into-plane fee re-alignment. BGR is still sought out as an important partner in GA tech stop promotions. Staff had a follow up contact with two opportunities: First Jet and Kaiser Air. First Jet has since operated a flight through BGR on November 10 and pledges more. Kaiser Air was not completely familiar with our diverse capabilities, and now agrees: "Your location and services makes for a strong contender for a European stop". We have scheduled follow up meetings with Kaiser Air.

Questions/Comments:

None

3. Airport Construction projects-updates

BGR FAA approved 5-year Capital Improvement Plan for 2014-2019. Each year Airport staff works with the FAA Northeast Region Representatives and the Maine State Department of Transportation to develop, review and update our 5 year capital improvement plan (CIP) program. These construction projects involve major enhancements to the airfield infrastructure, airport terminals, and airfield equipment and include projects that improve safety. CIP programs are plans of capital and major maintenance expenses to be incurred over a multi-year period, along with proposed means for financing the expenditures. In order to remain eligible for, and obtain, airport improvement plan (AIP) funds, an airport must have an approved 5-year airport capital improvement plan.

A. Godfrey Blvd rehabilitation-The reconstruction of Godfrey Boulevard was complete the second week in October 2014. During the reconstruction the water line was also replaced and the airport now has all new utilities under the roadway. The project was slightly delayed due to replacing/upgrading the numerous utilities under the roadway. However, the construction team made sure the passengers and customers were taken care of for the inconvenience. The airport has received numerous compliments from tenants, stakeholders and customers on the project.

B. Domestic terminal upgrade-phase 2- This phase of the Domestic Terminal Renovation project kicked off just after Thanksgiving Holiday. Phase 1 of the project involves temporarily relocating the airlines to the south end of the terminal. Currently only US Airways and United Airlines are located on the south end of the terminal. Starting in January, Delta Airlines and Allegiant will join the airlines on the south end. The purpose of the move is to allow the contractors to start on phase 2 on the North end of the Terminal, Phase 2 is the longest, most complex, and most labor intensive phase which consists of building a new TSA inline baggage screening system, new ATO space for the airlines along with new ticket counters. The new inline screening system will allow all of the airlines to operate on one side of the terminal and make it more efficient for TSA and our passengers. Phase 2 is scheduled to be completed by the end of 2015.

C. BGR's 5-Year AIP Capital Improvement Plan review-As mentioned earlier, BGR has a FAA approved 5-year Capital Improvement Plan for 2014-2019. Each year Airport staff works with the FAA Northeast Region Representatives and the Maine State Department of Transportation to develop, review and update our 5-year capital improvement plan program. For 2015 we have four projects planned, for 2016 we have 3 projects planned, 2017-2019 we have two projects planned. This project will be paid for through multiple funding sources including a TSA grant, AIP funds, PFC funds and airport funds.

Meeting Adjourned

COUNCIL ACTION

Item No. 15-065

Date: January 26, 2015

Item/Subject: **ORDER**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 11 I Street, Birch Hill Estates (Map B39, Lot 002).

Responsible Department: Legal

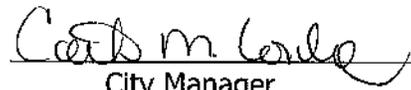
Commentary:

Real estate tax liens matured on the property of Jacqueline Doten, now owned by Eben P. Doten of 14 I Street in Birch Hill Estates. All outstanding charges due the City have been paid. There are no outstanding sewer charges or property issues. Because the liens matured, a municipal quitclaim is required to release the City's interest in the property.

Staff recommends approval.

Department Head

Manager's Comments:



City Manager

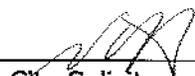
Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for Consent Agenda

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



Assigned to Councilor Blanchette

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 11 I Street, Birch Hill Estates (Map B39, Lot 002).

By the City Council of the City of Bangor:

ORDERED, Deborah A. Cyr, Finance Director, is hereby authorized and directed, on behalf of the City of Bangor, to execute a Municipal Quitclaim Deed releasing any interest the City may have by virtue of undischarged real estate tax liens recorded in the Penobscot County Registry of Deeds in Book 12507, Page 223, Book 12851, Page 330 and Book 13223, Page 24. Said deed shall be directed to Eben P. Doten in a form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 15-066

Date: January 26, 2015

Item/Subject: **ORDER**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 13 Mount Desert Drive (Map 64, Lot 18).

Responsible Department: Legal

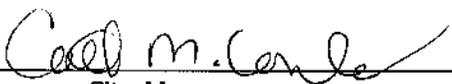
Commentary:

Sewer liens matured on the property of Shona D. Taylor of 13 Mount Desert Drive. 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

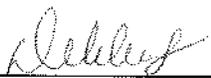
Manager's Comments:



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 13 Mount Desert Drive (Map 64, Lot 18).

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 300, Book 12398, Page 20 and Book 12675, Page 277. Said deed shall be directed to Shona D. Taylor in a form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 15-067

Date: January 26, 2015

Item/Subject: **ORDER**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 14 Manners Avenue (Map 12, Lot 93A).

Responsible Department: Legal

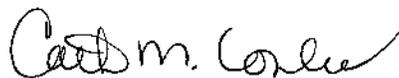
Commentary:

Real estate tax liens matured on the property of Kathleen A. Goodwin of 14 Manners Avenue. All outstanding charges due the City have been paid. There are no outstanding sewer charges 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

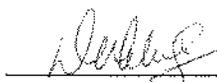
Manager's Comments:



City Manager

Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for Consent Agenda

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



Assigned to Councilor Nealley

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 14 Manners Avenue (Map 12, Lot 93A).

By the City Council of the City of Bangor:

ORDERED, Deborah A. Cyr, Finance Director, is hereby authorized and directed, on behalf of the City of Bangor, to execute a Municipal Quitclaim Deed releasing any interest the City may have by virtue of undischarged real estate tax liens recorded in the Penobscot County Registry of Deeds in Book 8791, Page 116, Book 9410, Page 231, Book 10483, Page 111, Book 11002, Page 297, Book 11434, Page 45, Book 11802, Page 65, Book 12160, Page 336, Book 12507, Page 284, Book 12851, Page 208, Book 13222, Page 247 and Book 13561, Page 206. Said deed shall be directed to Kathleen A. Goodwin in a form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 15-068

Date: January 26, 2015

Item/Subject: **ORDER**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 38 Madison Street (Map 39, Lot 22).

Responsible Department: Legal

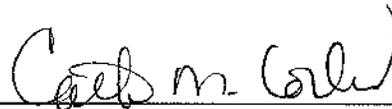
Commentary:

A sewer lien matured on the property of James R. Trimble of 38 Madison Street. All outstanding charges due the City have been paid. There are no outstanding real estate taxes or property issues. Because the lien 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

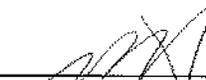
Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for Consent Agenda

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



Assigned to Councilor Civiello

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 38 Madison Street (Map 39, Lot 22).

By the City Council of the City of Bangor:

ORDERED, Deborah A. Cyr, Finance Director, is hereby authorized and directed, on behalf of the City of Bangor, to execute a Municipal Quitclaim Deed releasing any interest the City may have by virtue of an undischarged sewer lien recorded in the Penobscot County Registry of Deeds in Book 11480, Page 120. Said deed shall be directed to James R. Trimble in a form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 15-069

Date: January 26, 2015

Item/Subject: **ORDER**, Authorizing Execution of Municipal Quitclaim Deed – Properties Located at 71 First Street (Map 35, Lots 155 and 156A).

Responsible Department: Legal

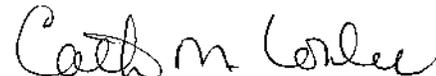
Commentary:

Real estate tax liens matured on the properties of T G & S LLC, located at 71 First Street. All outstanding charges due the City have been paid. There are no outstanding sewer charges or property issues. Because the liens matured, a municipal quitclaim deed is required to release the City's interest in the properties.

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 Baldacci

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of Municipal Quitclaim Deed – Properties Located at 71 First Street (Map 35, Lots 155 and 156A).

By the City Council of the City of Bangor:

ORDERED, Deborah A. Cyr, Finance Director, is hereby authorized and directed, on behalf of the City of Bangor, to execute a Municipal Quitclaim Deed releasing any interest the City may have by virtue of undischarged real estate tax liens recorded in the Penobscot County Registry of Deeds in Book 13223, Page 98, Book 13223, Page 201, Book 13562, Page 61 and Book 13562, Page 183. Said deed shall be directed to T G & S LLC in a form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 15-070

Date: January 26, 2015

Item/Subject: **ORDER**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 76 Smith Street (Map 31, Lot 28).

Responsible Department: Legal

Commentary:

Sewer and real estate tax liens matured on the property of Matthew James Elwell located at 76 Smith Street. All outstanding charges due the City have been paid. There are no 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

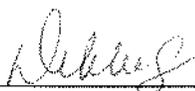
Manager's Comments:



City Manager

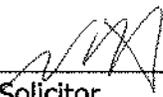
Associated Information:

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 76 Smith Street (Map 31, Lot 28).

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 and real estate tax liens recorded in the Penobscot County Registry of Deeds in Book 12160, Page 305, Book 12398, Page 9, Book 12507, Page 250, Book 12675, Page 265 and Book 12852, Page 149. Said deed shall be directed to Matthew James Elwell in a form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 15-071

Date: January 26, 2015

Item/Subject: **ORDER**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 102 Cedar Falls (Map R21 Lot 11).

Responsible Department: Legal

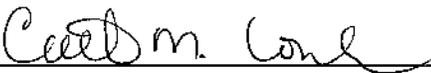
Commentary:

Real estate tax liens matured on the property of Anthony Moon and Skye Botting of 102 Cedar Falls. All outstanding charges due the City have been paid. Because the liens matured, a municipal quitclaim is required to release the City's interest in the property.

Staff recommends approval.

Department Head

Manager's Comments:



City Manager

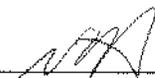
Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for Consent Agenda

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



Assigned to Councilor Faircloth

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 102 Cedar Falls (Map R21 Lot 11).

By the City Council of the City of Bangor:

ORDERED, Deborah A. Cyr, Finance Director, is hereby authorized and directed, on behalf of the City of Bangor, to execute a Municipal Quitclaim Deed releasing any interest the City may have by virtue of undischarged real estate tax liens recorded in the Penobscot County Registry of Deeds in Book 12507, Page 176, Book 12852, Page 279, Book 13223, Page 315 and Book 13562, Page 327. Said deed shall be directed to Anthony Moon and Skye Botting in a form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 15-072

Date: January 26, 2015

Item/Subject: **ORDER**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 695 Kenduskeag Avenue (Map 63, Lot 25).

Responsible Department: Legal

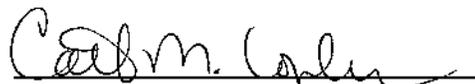
Commentary:

Sewer liens matured on the property located at 695 Kenduskeag Avenue. 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

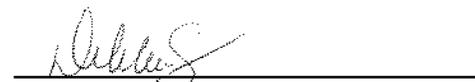
Manager's Comments:



City Manager

Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for Consent Agenda

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



Assigned to Councilor Graham

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 695 Kenduskeag Avenue (Map 63, Lot 25).

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 12398, Page 47 and Book 12675, Page 313. Said deed shall be directed to Lynn M. Draper in a form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 15-073

Date: January 26, 2015

Item/Subject: ORDER, Authorizing Execution of an Easement to Bangor Gas Company, LLC – Maine Avenue, Bangor International Airport Buildings 123 & 210

Responsible Department: Engineering Department

Commentary:

This easement will enable Bangor Gas Company, LLC to install an underground gas line across City property to provide service to Bangor International Airport Building 123 & 210.

This item was reviewed and recommended for approval by the Infrastructure Committee at its meeting on December 23, 2014.

John M. Theriault, P.E.
Department Head

Manager's Comments:

Carol M. Lunde
City Manager

Associated Information: Council Order, Easement, Location Map

Budget Approval:

Debra J. [Signature]
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 Execution of an Easement to Bangor Gas Company, LLC –
Maine Avenue, Bangor International Airport Buildings 123 & 210

WHEREAS, Bangor Gas Company, LLC has requested an easement from the City to extend gas service across City property to buildings located on Maine Avenue, Bangor International Airport Buildings 123 & 210:

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

The City Manager is hereby authorized, on behalf of the City of Bangor, to execute an easement with Bangor Gas Company, LLC to extend a gas service line across City property to service buildings located on Maine Avenue, Bangor International Airport Buildings 123 & 210; said easement to be in a final form as approved by the City Solicitor or Assistant City Solicitor.

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That CITY OF BANGOR, a municipal corporation, located in Bangor, in the County of Penobscot and State of Maine, being the owner in fee simple of certain lands located in the City of Bangor, County of Penobscot, State of Maine, and described as follows, viz:

The land and premises conveyed by United States of America to the Grantor herein by deed dated December 18, 1968, and recorded in the Penobscot County of Deeds in Book 2148, Page 67, as confirmed by a "Confirmatory Deed" dated April 28, 1969 and recorded in the Penobscot Registry of Deeds in Book 2156, Page 449; and other land and premises originally conveyed by the Grantor herein to the United States of America by deed dated December 29, 1942 and recorded in the Penobscot Registry of Deeds in Book 1205, Page 345, title to which reverted to the Grantor herein in December, 1968, upon decommissioning of the former Dow Air Force Base;

in consideration of One Dollar and other valuable considerations, paid to the undersigned by BANGOR GAS COMPANY, LLC, a Maine Limited Liability Company having its legal location and principal place of business at Bangor, County of Penobscot, State of Maine, the receipt whereof is hereby acknowledged, does hereby grant to said Bangor Gas Company, LLC, its successors and assigns forever, the rights, privileges and easements hereinafter set forth which are to be exercised upon and with respect to so much of a strip of land 10 feet in width for its entire length as lies within the aforesaid lands. The centerline of the underground gas line as installed, shall mark the centerline of said strip. A map attached hereto as Exhibit "A" shows the approximate location of said underground gas line.

The rights, privileges and easements hereby conveyed are for utility purposes and are as follows: The right to enter upon said lands with men and conveyances and all necessary tools and machinery; to excavate, lay, bury, construct, reconstruct, install, maintain, operate, alter, repair, rebuild, upgrade, inspect, replace, in the same or different size, patrol, remove and use, all as the Grantee, its successors and assigns, may from time to time desire, along, across, under and beneath said strip of land; a main or mains, pipe line or pipe lines, protective and safety devices, valves, cathodic protection devices, and other apparatus used or useful for the transmission of natural and artificial gas and all by products thereof and/or any liquids, gases or substances; the right to transmit the aforesaid at any lawful pressure and for any lawful purpose; the right to clear and keep said strip of land cleared by any lawful means of trees, undergrowth and all other obstructions.

Also conveying to said Bangor Gas Company, LLC, its successors and assigns, the right to assign to others, in whole or in part, any or all of the rights, privileges and easements herein conveyed. The Grantor herein for itself, and its successors and assigns, covenants and agrees to and with said Bangor Gas Company, LLC, its successors and assigns, that it will not erect or maintain any building, mobile home, or other structure, or permit the erection of maintenance of any building, mobile home, or other structure, of any kind or nature upon said strip of land, any or all of which in the opinion of said Bangor Gas Company, LLC, its successors and assigns would endanger or interfere with the exercise of any of the rights, privileges and easements so conveyed.

Further conveying to said Bangor Gas Company, LLC, its successors and assigns, the right to establish any and all safety regulations which said Bangor Gas Company, LLC, its successors and assigns, in its sole discretion deems necessary and proper for the operation of the rights herein granted and for said transmission any interference or violation by said Grantor, its successors or assigns, as determined by the Grantee, its successors and assigns, of said safety regulations, shall constitute an interference with and violation of the rights, privileges and easements hereby granted.

This conveyance is subject to the Grantee's agreement and covenant to promptly restore the surface of the Grantor's land to its prior condition after an excavation or disturbance to said surface in connection with the exercise of the rights, privileges and easements herein granted, such restoration to be limited to regarding, regrass-seeding, and reasphalting of said surface. Provided, however, that Bangor Gas Company, LLC shall indemnify and save harmless said City of Bangor from and against any liability, loss, damage and fines arising out of Bangor Gas Company, LLC's activities on or use of the easement area including but not limited to environmental liabilities. Provided, however, that Bangor Gas Company, LLC shall comply with all FAA requirements, and not cause visual or other interference with flight operations, radio navigation systems, or radio voice communications.

TO HAVE AND TO HOLD the said rights, privileges and easements to said Bangor Gas Company, LLC, its successors and assigns forever.

IN WITNESS WHEREOF, the said CITY OF BANGOR has caused this instrument to be executed by its duly authorized representative this _____ day of _____, A.D. 2014.

CITY OF BANGOR

Witness

(By) _____
Cathy Conlow
City Manager

STATE OF MAINE

County of PENOBSCOT, ss: _____, 2014

Then personally appeared the above-named CATHY CONLOW, City Manager, and acknowledged the foregoing instrument to be his free act and deed Of said body corporate.
Before me,

Notary Public
Attorney-at-Law

COUNCIL ACTION

Item No. 15-074

Date: January 26, 2015

Item/Subject: Order, Authorizing Execution of an Amended and Restated Development Agreement with Edward G. Ernst Manor Housing Associates Limited Partnership and Broadway Housing, Inc.

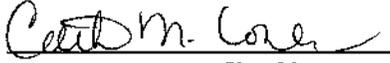
Responsible Department: Legal

Commentary:

Council Order 13-191 authorized the execution of a Development Agreement, Tax Credit Enhancement Agreement and Agreement for a Payment in Lieu of Taxes with Broadway Housing, Inc., a non-profit organization that owns a senior housing project located at 686 Broadway in Bangor, known as Ernst Manor. The property is in need of repairs and upgrades estimated to cost more than \$800,000 with construction. The project was expected to be completed in 2014 but there have been several delays beyond the control of the Developer. The project is now expected to begin this spring and be completed in the fall of 2016. If approved, the completion dates would be extended to the fall of 2016. All other provisions in the agreement including the the payment in lieu of taxes would remain in effect. This item was reviewed and recommended for approval by the Business and Economic Development Committee at its January 20, 2015 meeting.

Department Head

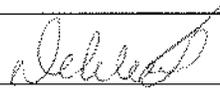
Manager's Comments:



City Manager

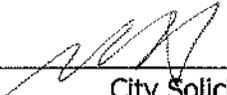
Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for
 Passage
 First Reading
 Referral

Page __ of __

JANUARY 26, 2015



Assigned to Councilor Baldacci

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of an Amended and Restated Development Agreement with Edward G. Ernst Manor Housing Limited Partnership and Broadway Housing, Inc.

WHEREAS, Broadway Housing, Inc., a non-profit, tax exempt corporation, is the owner of property located at 686 Broadway, Bangor, Maine, providing affordable housing for senior citizens; and

WHEREAS, the property at 686 Broadway is in need of repairs and upgrades; and

WHEREAS, the projected costs of the repairs and upgrades to 686 Broadway is in excess of \$800,000; and

WHEREAS, the construction for the repairs and upgrades will begin by June 30, 2015 and be completed by September 30, 2016; and

WHEREAS, the projected operating costs of the proposed project, which include property taxes, exceed the amount projected to be available from affordable rents; and

WHEREAS, Edward G. Ernst Manor Housing Associates Limited Partnership has been formed and will have title to 686 Broadway conveyed to it and will apply to the Maine State Housing Authority for low-income housing tax credits and other available programs to provide the majority of the funds necessary to address the capital needs of the property; and

WHEREAS, in order to qualify for low-income housing tax credits, Edward G. Ernst Manor Housing Associates Limited Partnership is required to be a taxable entity and Broadway Housing, Inc. is, therefore, requesting reimbursement by the City of 70% of the real estate taxes generated by the property located at 686 Broadway for a period of 15 years beginning with the April 1, 2015 assessment to assist in supporting annual operating expenses thereby keeping rents affordable; and

WHEREAS, after the expiration of 15 years the ownership of 686 Broadway will revert to Broadway Housing, Inc. a non-profit, tax exempt entity and Broadway Housing, Inc. agrees to enter into an agreement for a payment in lieu of taxes (PILOT); and

WHEREAS, reimbursement of real estate taxes to Ernest G. Manor Housing Associates Limited Partnership shall be done through a Tax Revenue and Credit Enhancement Agreement; and

WHEREAS, the parties entered into a Development Agreement dated September 13, 2013, which they now wish to amend and restate to reflect their agreement to change certain time frames in the original Development Agreement due to the longer than anticipated pre-development process.

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 Amended and Restated Development Agreement with Edward G. Ernst Manor Housing Associates Limited Partnership and / or Broadway Housing, Inc. and any other documents necessary to meet the terms and conditions of the Development Agreement. Said document(s) shall provide for repairs and upgrades to the property located at 686 Broadway, construction to commence no later than June 30, 2015 and completion of construction no later than September 30, 2016; the use of property to continue in its current use as low income housing for seniors; reimbursement of 70% of the property taxes paid by Edward G. Ernst Manor Housing Associates Limited Partnership assessed after April 1, 2015; a payment of 30% of property taxes by Broadway Housing, Inc. upon conveyance of 686 Broadway from Edward G. Ernst Manor Housing Associates Limited Partnership to Broadway Housing, Inc. or Penquis Cap, and other terms and conditions as approved by the City Solicitor or Assistant City Solicitor. Said document(s) shall be in a final form as approved by the City Solicitor or Assistant City Solicitor.



Assigned to Councilor Faircloth

CITY OF BANGOR

(TITLE.) ORDER, Expanding CDBG Facade Grant Eligibility Area

WHEREAS, the City of Bangor utilizes a portion of its CDBG funding to assist in the rehabilitation of commercial and mixed use properties in the Downtown and West Side Villiage areas; and

WHEREAS, there is interest in the community and among other stakeholders for the eligibility area to be expanded, allowing property owners access to the program:

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

The City staff is hereby authorized to expand the Facade Grant eligibilty area to include commercial and mixed use properties in all Census Blocks in Bangor that are defined as Low to Moderate Income by the U.S. Department of Housing and Urban Development.



**REFERRALS TO COMMITTEES
& FIRST READINGS**

COUNCIL ACTION

Item No. 15-076

Date: January 26, 2015

Item/Subject: Resolve, Appropriating \$76,500 from the General Fund Unassigned Fund Balance to Purchase and Equip 3 Police Cruisers

Responsible Department: Finance

Commentary:

The attached resolve would appropriate \$76,500 from the General Fund unassigned fund balance to purchase and equip three police cruisers.

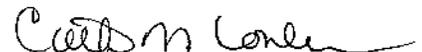
Staff received notification of an opportunity to purchase new 2013 Chevrolet Caprice police package sedans, with full manufacturer warranty from a dealership in MA at a significantly reduced cost of \$18,999 each, which represents a savings of over \$8,000 per vehicle when compared to current year pricing. There will be one-time additional costs to outfit the patrol cars, with lights/sirens, paint, cages, radio changeover, etc estimated at \$6,500 per vehicle.

The Finance Committee reviewed and approved the request to purchase four of these vehicles. As funding for one vehicle is available from existing TSA Bomb dog grant funds, this resolve will appropriate the funding for only three patrol vehicles.

On January 12, 2015 the Finance Committee recommended passage of the attached resolve.

Department Head

Manager's Comments:


City Manager

Associated Information:

Budget Approval:


Finance Director

Legal Approval:


City Solicitor

Introduced for

- Passage
- First Reading
- Referral

15-076
JANUARY 26, 2015

Assigned to Councilor Sprague



CITY OF BANGOR

(TITLE.) Resolve, Appropriating \$76,500 from the General Fund Unassigned Fund Balance to Purchase and Equip 3 Police Cruisers

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT RESOLVED, that \$76,500 is hereby appropriated from the General Fund unassigned fund balance to purchase and equip three police cruisers.



**UNFINISHED
BUSINESS**

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:

Carol 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

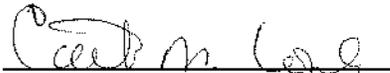
Commentary:

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.

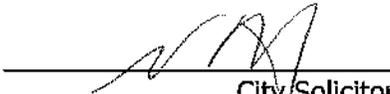

City Manager

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



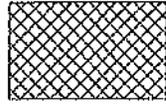
CITY OF BANGOR

(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.

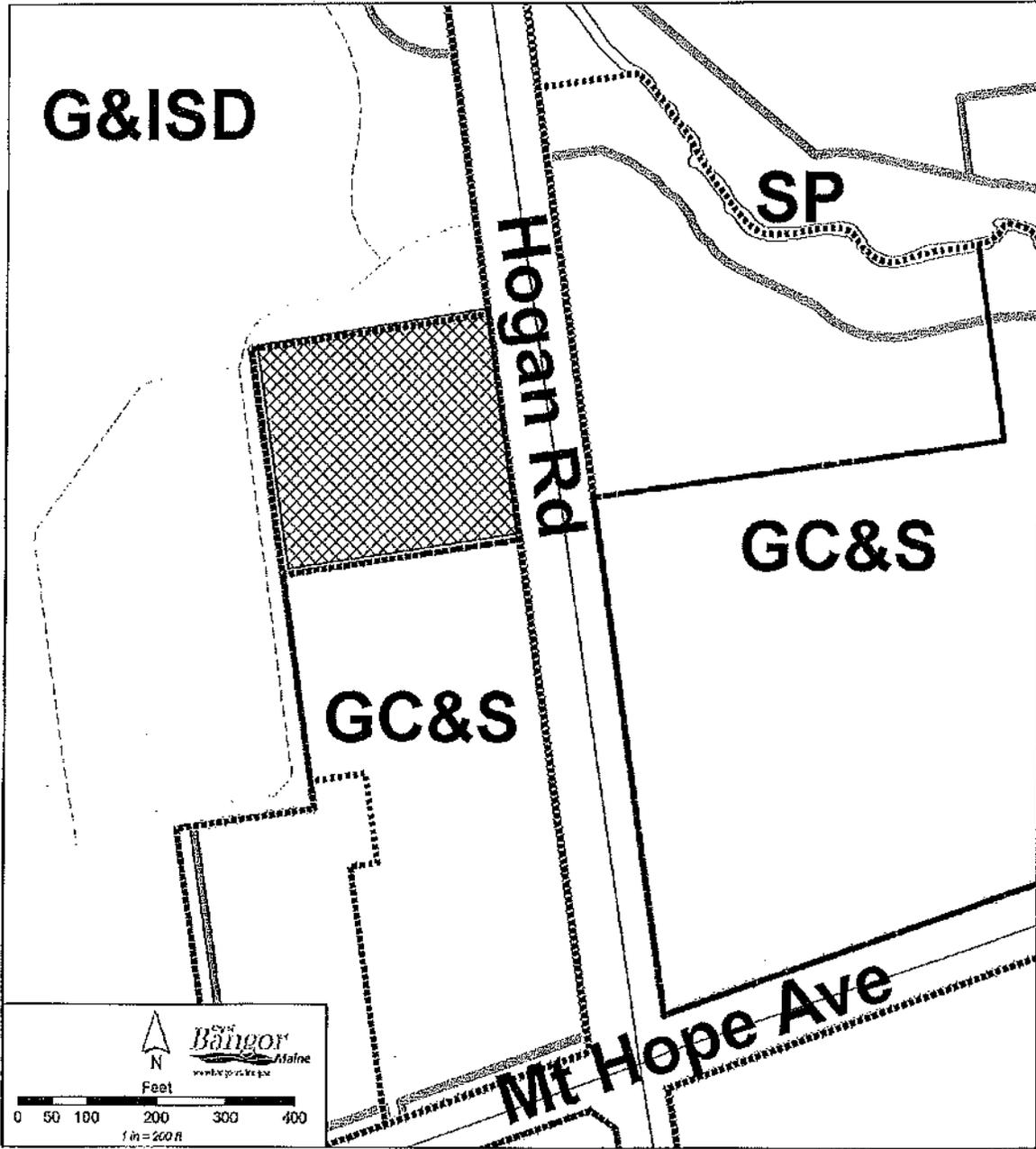
Be it ordained by the City Council of the City of Bangor, as follows:

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

hereby petition to amend the Land Development Code of the City of Bangor, Maine by reclassifying from General Commercial 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
354 Hogan Road
Bangor, ME 04401
10. SIGNATURE OF OWNER OR CONTRACT OWNER: [Signature]
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

MEMORANDUM

DATE: January 21, 2015
TO: The Honorable City Council
FROM: David G. Gould, Planning Officer
SUBJECT: Amending Zoning Ordinance
312 Hogan Road - General Commercial and Service District
(GC&S) to Government and Institutional Service District
(G&ISD) - Council Ordinance 15-057

Please be advised that the Planning Board at its meeting on January 20, 2015, held a Public Hearing on the above zone change request.

Chairman Paul Bolin asked the applicant or their representative to make a brief presentation of the request.

Member Kenney informed the Board that being employed by WBRC, who was the firm doing work for the applicant, he may have a conflict of interest. Member Williams moved that Member Kenney be excused. Member Boothby seconded the motion, and the Board voted unanimously that Member Kenney be excused.

Chairman Bolin noted that Alternate Member Pete Parizo could vote on this item given the absence of Member Kenney.

Mr. Dan Belyea Director of Administrative Services for Eastern Maine Community College representing Maine Community College System indicated that the College is seeking to change the zoning of this property to allow the school to expand its facilities in the existing vacant building. The property was previously owned by the school and through a property swap the land was sold for private commercial use. The land is situated so it can be easily merged into the existing EMCC Campus.

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

Member Mallar asked how traffic would work given the property has a shared driveway with the automobile dealership and no connections to the remainder of the campus.

Mr. Belyea noted that they have looked at a potential inter-connection between the building and the rest of the campus. While the existing access on Hogan Road would serve the car dealership they did not see the need to utilize that drive.

Planning Officer Gould explained the prior actions by the City to amend the Land Use Plan and zoning to facilitate private commercial use. The application requires the Board to consider the guidance the plan offers and where the property is located. It would not be unreasonable to view the request as a shift in the boundary of the institutional boundary. Mr. Gould noted that the specific land use guidance of the Comprehensive Plan is not zoning it's a basis to help the City make decisions. Certainly without that framework, day-to-day decisions would be much less focused, but the Board is free to exercise its judgment in arriving at a recommendation. What is most helpful is to be clear as to why the Board reaches the conclusions it does.

Member Mallar noted that the property, which is assessed at nearly a million dollars, would become nontaxable. Mr. Boothby asked if some means of payment in lieu of taxes would be possible.

Mr. Belyea indicated that current State Law would prohibit it. However, the building is currently idle and the Community College System is willing to invest substantial money in Bangor to enhance its programs, which will be lost if the land use issues are not resolved.

Member Boothby made a motion to recommend the proposed rezoning to the City Council. Member McCarthy seconded the motion. The Board voted six in favor and one opposed to recommend that the City Council approve the rezoning from General Commercial and Service District (GC&S) to Government and Institutional Service District (G&ISD) as contained in C.O. # 15-057.

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

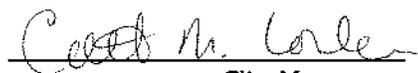
Commentary:

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:



City Manager

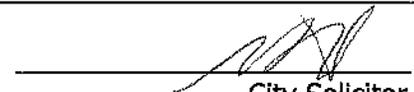
Associated Information:

Budget Approval:



Finance Director

Legal Approval:



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.



**NEW
BUSINESS**

COUNCIL ACTION

Item No. 15-077

Date: January 26, 2015

Item/Subject: ORDER, Confirming the Appointment of Thomas E. Higgins as Fire Chief and Authorizing Execution of an Employment Contract.

Responsible Department: City Manager's Office

Commentary:

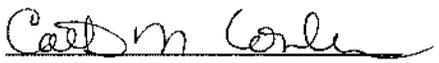
This Order will confirm the City Manager's appointment of Thomas E. Higgins as Fire Chief for the City of Bangor, and will authorize the execution of an employment contract.

Mr. Higgins currently serves in the position of Assistant Fire Chief in the Department, and has held a number of increasingly responsible positions during his twenty-four plus years of service including Firefighter, Lieutenant, and Captain. Previous to his service with Bangor Fire, Higgins served as Chief of the Hermon Fire Department for six years. He holds an Associate Degree in Fire Science from Southern Maine Community College, and holds certifications as Chief Fire Officer II, Certified Emergency Manager-Maine, and Communications Unit Leader, Type III, All-Hazards. He has been active in local organizations including the American Red Cross and Make-A-Wish Foundation. As Fire Chief, Mr. Higgins will also serve as the City's Emergency Management Director.

This appointment has been reviewed with the City Council in Executive Session.

Department Head

Manager's Comments: I recommend your confirmation of this appointment and authorization to execute the employment contract.



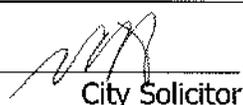
City Manager

Associated Information: Order, Employment Contract

Budget Approval:

Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral



Assigned to Councilor Civiello

CITY OF BANGOR

(TITLE.) ORDER, Confirming the Appointment of Thomas E. Higgins as Fire Chief and Authorizing Execution of an Employment Contract.

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

the City Manager's appointment of Thomas E. Higgins as Fire Chief is hereby confirmed; and

Be it further Ordered by the City Council of the City of Bangor that:

the City Manager is hereby authorized to enter into and execute an employment contract with Mr. Higgins, a copy of which is attached hereto.

EMPLOYMENT CONTRACT

THIS Agreement, made and entered into this 27th 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 Thomas E. Higgins, of Bangor, Maine hereinafter sometimes referred to as "Employee."

WITNESSETH:

WHEREAS, the City of Bangor desires to employ the services of said Thomas E. Higgins as Fire Chief of the Fire Department 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 Thomas E. Higgins to perform the functions and duties of Fire Chief of the Fire Department 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, and to perform such other duties and functions as the City Manager shall from time to time assign. Subject to the provisions contained herein, Employee shall serve at the pleasure of the City Manager.

Section 2. Term

A. Employee agrees to begin employment on January 27, 2015 and remain in the exclusive employ of the Employer until January 27, 2017 and neither to accept other employment nor to become employed by any other employer so long as this Agreement shall be in effect.

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 Manager 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 27, 2017, this Agreement shall be extended on the same terms and conditions providing for an additional term of one (1) year. Said 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 his 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 four thousand six hundred and thirty dollars (\$84,630) (Executive Pay Grade 3, Step 5), payable in installments at the same time as other employees of the Employer are paid. The City Manager shall review the performance the Employee at the end of his first six months (July 27, 2015), and a one step increase may be granted at that time with a satisfactory review.

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.

Section 5. Performance Evaluation

A. On an annual basis, the City Manager and Employee shall define such goals and performance objectives which they deem necessary for the proper operation of the Bangor Fire 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 Manager shall review and evaluate the performance of the Employee annually on or about the Employee's date of hire as Fire Chief of the Bangor Fire Department with the City. More frequent reviews may be held at the discretion of the City Manager. Said review and evaluation shall be in accordance with the goals and performance objectives jointly developed by the City Manager 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 Manager and Employee mutually agree to abide by the provisions of applicable law.

D. Employee agrees and understands that the term of his employment as Fire Chief of the Bangor Fire

Department shall be 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 Manager.

Section 7. Vacation and Sick Leave

Employee will accrue vacation time and sick leave at the rate as provided in the City of Bangor Personnel Rules and Regulations. 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 and such leave is approved in advance by the City Manager.

Section 8. Fringe Benefits

Employer agrees to provide Employee with all other 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 Personnel Rules and Regulations.

Employer shall provide Employee with a city owned and maintained motor vehicle, including associated communications and emergency response equipment, to be used by Employee for official work related duties only. Recognizing that the Employee's position as Fire Chief and Emergency Management Director may require call backs and responses after normal working hours, Employee is authorized to use the City provided vehicle to travel to and from his residence. This vehicle, however, shall not be used for any purposes other than those directly associated with Employee's duties as Fire Chief or Emergency Management Director.

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 Fire Chief. 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 Bangor, Maine, and agrees to maintain residency in the City of Bangor for the term of his employment as Fire Chief of the Bangor Fire Department.

Section 12. Other Terms and Conditions of Employment

The City Manager, 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 13. 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: Thomas E Higgins
1040 Essex Street
Bangor, 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 27, 2015 or when Employee assumes the position as Fire Chief of the Bangor Fire Department, 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 City Manager, 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

Catherine M. Conlow
City Manager

15-077
JANUARY 26, 2015

Thomas E. Higgins

ATTEST:

City Clerk (Seal)

APPROVED AS TO FORM:

City Solicitor

COUNCIL ACTION

Item No. 15-078

Date: **January 26, 2015**

Item/Subject **ORDER, Authorizing Grant of \$2,500 to the Bangor Symphony Orchestra to Support Various Ensemble Performances in Bangor**

Responsible Department: **Community & Economic Development**

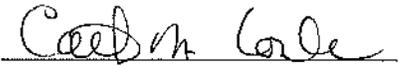
Commentary: This Order will authorize a grant in the amount of \$2,500 to support ensemble performances of the Bangor Symphony Orchestra at various locations within the City.

The Commission on Cultural Development has been tasked to review arts and cultural projects within the City and to provide funding recommendations for the Council's review and consideration. The Commission has recommended approval of this request because of the benefit to the community.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its January 20, 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 Baldacci

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Grant of \$2,500 to the Bangor Symphony Orchestra to Support Various Ensemble Performances in 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, the Bangor Symphony Orchestra has submitted an application for funding to conduct ensemble performances within various Bangor locations; and

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

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

WHEREAS, the Commission on Cultural Development and the Business & Economic Development Committee voted to recommend to the City Council approval of a grant in the amount of \$2,500:

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

A grant of \$2,500 is hereby authorized for the Bangor Symphony Orchestra to support various ensemble performances in Bangor.

COUNCIL ACTION

Item No. 15-079

Date: **January 26, 2015**

Item/Subject **ORDER, Authorizing Grant of \$2,000 to the Maine Discovery Museum to Support the Maine Science Festival**

Responsible Department: **Community & Economic Development**

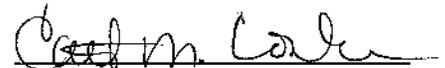
Commentary: This Order will authorize a grant to the Maine Discovery Museum in the amount of \$2,000 to support general funding of the Maine Science Festival.

The Commission on Cultural Development has been tasked to review arts and cultural projects within the City and to provide funding recommendations for the Council's review and consideration. The Commission has recommended approval of this request because of the benefit to the community.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its January 20, 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 Faircloth

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Grant of \$2,000 to the Maine Discovery Museum to Support the Maine Science Festival

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

WHEREAS, the Maine Discovery Museum, as fiscal agent of the Maine Science Festival, has submitted an application for funding to support the production of Maine's inaugural science festival; and

WHEREAS, the Commission on Cultural Development recommends the approval of the request due to the merits of the project and the benefit to the community; 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 \$2,000:

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

A grant of \$2,000 is hereby authorized to the Maine Discovery Museum to support the Maine Science Festival.

COUNCIL ACTION

Item No. **15-080**

Date: **January 26, 2015**

Item/Subject **ORDER, Authorizing Grant of \$1,500 to the Penobscot Theatre Company to Support Production and Community Programs as Part of "End Days"**

Responsible Department: **Community & Economic Development**

Commentary: This Order will authorize a grant in the amount of \$1,500 to support production of and community programs planned in conjunction with the main stage production of "End Days."

The Commission on Cultural Development has been tasked to review arts and cultural projects within the City and to provide funding recommendations for the Council's review and consideration. The Commission has recommended approval of this request because of the benefit to the community and the Theatre's history of quality programming.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its January 20, 2015 meeting.

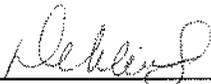
Department Head

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 Plourde

CITY OF BANGOR

(TITLE.) **ORDER, Authorizing Grant of \$1,500 to the Penobscot Theatre Company to Support Production of and Programs in Conjunction with the Show "End Days"**

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

WHEREAS, the Penobscot Theatre has submitted an application for funding to support the production of and the community programs planned in conjunction with the show "End Days"; and

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

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

WHEREAS, the Commission on Cultural Development and the Business & Economic Development Committee voted to recommend to the City Council approval of a grant in the amount of \$1,500:

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

A grant of \$1,500 is hereby authorized for the Penobscot Theatre Company to support the production of and the community programs planned in conjunction with the show "End Days."

COUNCIL ACTION

Item No. 15-081

Date: January 26, 2015

Item/Subject: Order, Authorizing the Execution of Fixed Rate Pricing Contracts with the City's Current Fuel Suppliers

Responsible Department: Finance

Commentary:

The attached order would authorize the Finance Director or City Manager to execute fixed rate pricing contracts with the City's current fuel suppliers for purchases through June 30, 2016. The contract does not provide for a fixed rate. However, the City's fuel supplier has offered the City the opportunity to have a fixed rate through June 30, 2016. The City has a contract with fuel supplier through June 30, 2017.

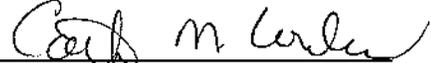
While preparing pricing for the upcoming FY 2016 budget process, both of the City's current fuel vendors, Maine Energy and Dysarts, indicated the ability to provide fixed pricing for diesel gasoline, heating oil and propane. Earlier this evening the Finance Committee will hold a special meeting to review staff recommendation to authorize the Finance Director or City Manager to execute fixed rate pricing contracts for fuel through June 30, 2016.

By way of an example, the City and school purchase approximately 350,000 gallons of diesel from Dysarts. The price per gallon in January 2014 was \$3.40 and the price per gallon in January 2015 was \$2.13. The market price estimate we received from Dysarts on January 15, 2015 was \$2.17 per gallon for gallons purchased during FY 2016.

As timing may be of the essence to capture the current favorable market pricing, the intent would be to minimize the downside risk to the City. If recommended by the Committee and approved by the Council, staff will provide an update at the next Finance Committee meeting following any such action.

Department Head

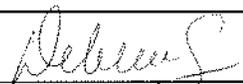
Manager's Comments:



City Manager

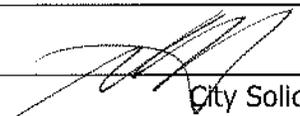
Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

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



Assigned to Councilor Sprague

CITY OF BANGOR

(TITLE.) Order, Authorizing the Execution of Fixed Rate Pricing Contracts with the City's Current Fuel Suppliers

WHEREAS, the City of Bangor currently has a contract with fuel suppliers through June 30, 2017; and

WHEREAS, the contract does not provide for fixed rates for fuel; and

WHEREAS, the City has an opportunity to have fixed rates for fuel through June 30, 2016.

By the City Council of the City of Bangor:

ORDERED, THAT the Finance Director or City Manager is hereby authorized to execute documents necessary to fixed the rate for fuel with the City's current fuel suppliers for purchases through June 30, 2016.