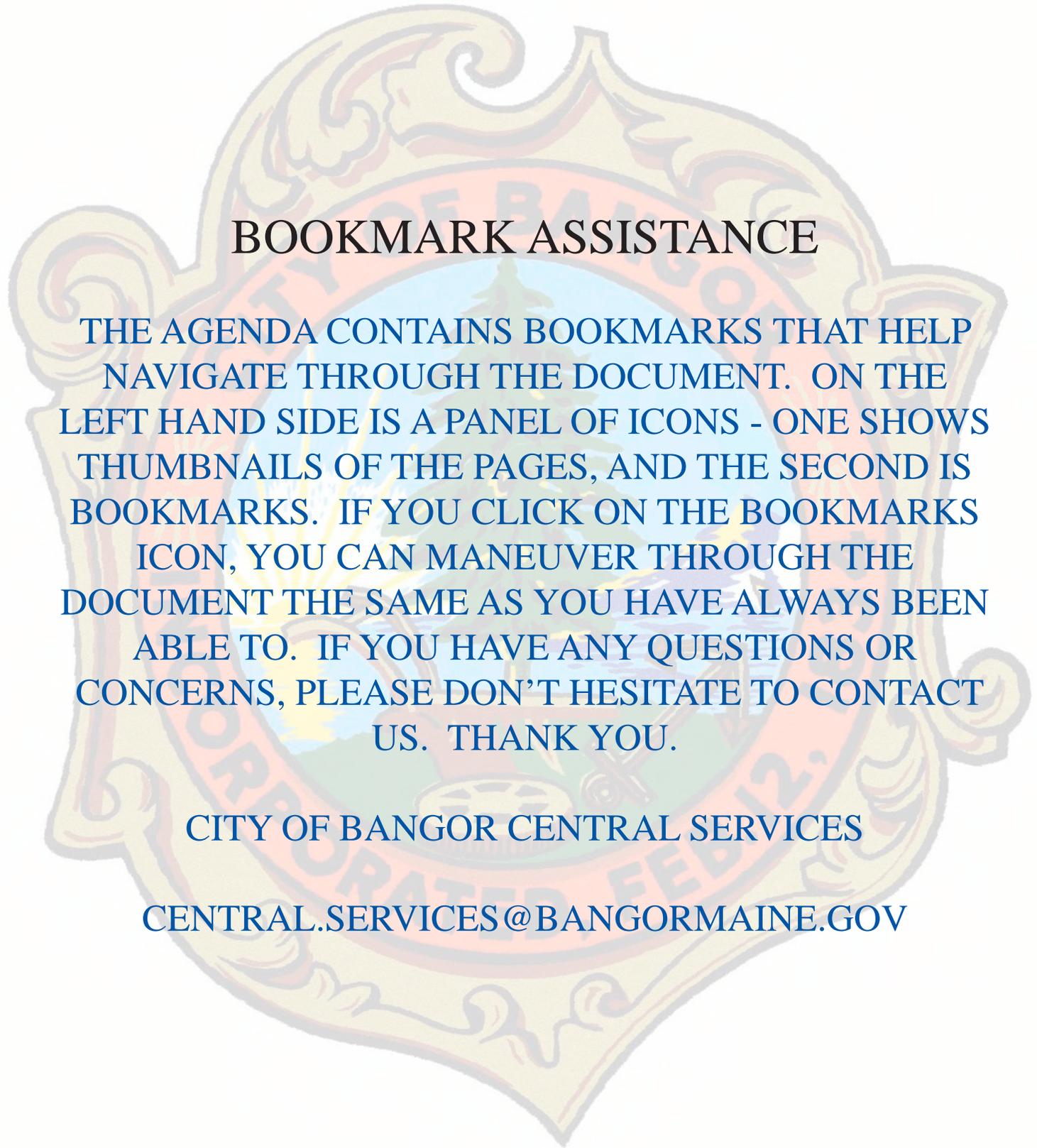




CITY COUNCIL AGENDA

NOVEMBER 9, 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 – NOVEMBER 9, 2015

PLEDGE ALLEGIANCE TO THE FLAG

PROCLAMATION **Proclaiming November as Ride the Bus Month in Bangor**

PUBLIC COMMENT

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

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

MINUTES OF: **Bangor City Council Regular Meeting of October 26, 2015, School Committee Regular Meeting of October 15, 2015 and School Committee Special Meeting of October 15, 2015, Finance Committee Meeting of November 2, 2015, and Business and Economic Development Committee Meetings of August 4, 2015, August 18, 2015, September 8, 2015, October 6, 2015 and October 20, 2015**

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

Application for Liquor License Renewal, Malt, Spirituous, Vinous of Restco, LLC d/b/a Hilton Garden Inn, 250 Haskell Road **GRAHAM**

16-002 ORDER **Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 511 Pushaw Road (Map R30, Lot 2C)** **BALDACCI**

Executive Summary: Real estate tax liens matured on the property of Karen and Terry Bragg of 511 Pushaw Road, now owned by Patrick Audet Jr. and Patrick Audet III. 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.

16-003 ORDER **Authorizing the Execution of Fixed Rate Pricing Contracts with the City’s Current Fuel Suppliers** **SPRAGUE**

Executive Summary: This 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, 2017. The City had previously fixed fuel pricing through June 30, 2016. With the current decline in the market price of fuel, City staff reached out to Dysart’s, the City’s vendor for large diesel deliveries to determine if market pricing beyond June 30, 2016 was favorable. Initial indications are that the City would have the opportunity to obtain favorable pricing well into FY 17 (suppliers can only fix costs 18 months into the future). The City’s current pricing for diesel and propane through June 30, 2016 is \$2.1054 and \$1.30, respectively per gallon.

REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 9, 2015

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

By way of an example, the City and school purchase approximately 350,000 gallons of diesel from Dysart's. The price per gallon in January 2014 was \$3.40, in January 2015 was \$2.13 and through June 30 2016 it is \$2.1054. Initial pricing beyond June 30, 2016 varies by month from \$1.8556 in July 2016 to \$2.1790 in December 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 by authorizing City staff to execute fixed rate pricing contracts with the City's fuel suppliers, provided the pricing is at or near current fixed rate pricing. This item was reviewed and recommended by the Finance Committee at its meeting of November 2, 2015.

**16-004 ORDER Authorizing the City Manager to Execute a Sub PLOURDE
Recipient Agreement with Sebesticook Valley Health**

Executive Summary: This Order will enable the City Manager to execute a sub recipient agreement in the amount of \$10,000.00 with Sebesticook Valley Health, as the Fiscal Agent for Healthy SV, for health promotion activities in the Penobscot County towns of Carmel, Corinna, Dixmont, Etna, Newport and Plymouth. Healthy SV serves as the local Healthy Maine Partnership for the Sebesticook Valley region. The sub recipient agreement is for a one year term, July 1, 2015 to June 30, 2016. This was reviewed and recommended for approval at the November 2, 2015 Government Operations Committee meeting.

**16-005 ORDER Authorizing the City Manager to Execute a Sub FAIRCLOTH
Recipient Agreement in the amount of \$38,546 with
Katahdin Shared Services, as the Fiscal Agent for the
Partnership for a Healthy Northern Penobscot**

Executive Summary: This Order will authorize the City Manager to execute a sub recipient agreement in the amount of \$38,546 with Katahdin Shared Services, for substance abuse prevention activities in northern Penobscot County. The sub recipient agreement would end June 30, 2016. This was reviewed and recommended for approval at the November 2, 2015 Government Operations Committee meeting.

**16-006 ORDER Authorizing the City Manager to Execute a Sub GRAHAM
Recipient Agreement in the amount of \$38,546 with
Mayo Regional Hospital, as the Fiscal Agent for the
Piscataquis Public Health Council**

Executive Summary: This Order will authorize the City Manager to execute a sub recipient agreement in the amount of \$38,546 with Mayo Regional Hospital, as the Fiscal Agent for the Piscataquis Public Health Council, for substance abuse prevention activities in Piscataquis County. If approved, the sub recipient agreement would end June 30, 2016. This was reviewed and recommended for approval at the November 2, 2015 Government Operations Committee meeting.

REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 9, 2015

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

16-007 ORDER **Authorizing Execution of Documents for the Sale of 12 North Street (Map 013 Lot 125) to Gregory & Lara Dorr in the Amount of \$8,620 **DURGIN****

Executive Summary: This Order would authorize the sale of 12 North Street to Gregory & Lara Dorr for \$8,620. The City acquired this property due to matured tax liens and intends to demolish the structure. Given the size of the lot and the housing congestion on this short street, the City determined that a sale to abutters would be in the best interest of the neighborhood. The quitclaim deed issued by the City for this sale will prohibit the construction of a residence on this lot.

The Finance Committee reviewed and recommended this item for approval at its November 2, 2015 meeting.

16-008 ORDER **Authorizing Execution of Documents for the Sale of 130 Thirteenth Street Court (Map 012 Lot 052) to James Gallant, JD Contracting, in the Amount of \$10,500 **SPRAGUE****

Executive Summary: This order will authorize the sale of property located at 130 13th Street to JD Contracting (James Gallant) for the price of 10,500. The property was taken by the City due to matured tax liens and based on its condition was offered for sale through the RFP process. On October 21, 2015, the City received four (4) responses to its RFP. Purchase prices ranged from \$4,000 - \$10,500. The proposal clearly stated that the property would be sold as-is where-is, that only a municipal quitclaim deed would be issued and required the submission of a planned use, timeline and proposed investment level.

The recommended proposal from JD Contracting included a plan to upgrade the heating, electric, and plumbing, replace the roof, windows and siding, as well as demolish the existing garage and construct a new garage with a master suite on the second floor of that structure. The estimated overall investment is \$38,600 and the proposed timeline would be completion by April 2016. The Finance Committee reviewed and recommended this item for approval at its November 2, 2015 meeting.

16-009 ORDER **Authorizing Execution of Agreement for Maine Department of Transportation Local Project – Griffin Road Mill & Fill, WIN 22516.02 **PLOURDE****

Executive Summary: This order would authorize the City Manager to execute a Local Project Agreement with the Maine Department of Transportation for design and construction of a project on Griffin Road beginning at the intersection of Union Street and extending northerly approximately 0.46 miles to Ohio Street. Work will consist of a two inch mill and fill with ADA and drainage improvements.

The Maine Department of Transportation has approved state funds in an amount not to exceed \$460,000.00. Total State share of 50% to equal \$230,000.00, and a Municipality share of 50% to equal \$230,000.00. As part of that project, the City would need to enter into a local project agreement with the Maine Department of Transportation. This item will be discussed at pre-Council on November 9, 2015.

REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 9, 2015

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

<u>16-010</u> <u>ORDER</u>	Authorizing Execution of Agreement for Maine Department of Transportation Local Project – State Street (Route 2) Mill & Fill, WIN 22516.05	FAIRCLOTH
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Executive Summary: This order would authorize the City Manager to execute a Local Project Agreement with the Maine Department of Transportation for design and construction of a project on State Street (Route 2) beginning at the intersection of Young Street and extending northeasterly approximately 0.73 miles to the Bangor/Veazie town line. The work will consist of 2 inch mill & fill with drainage improvements.

The Maine Department of Transportation has approved state funds in an amount not to exceed \$540,000.00. Total State share of 50% to equal \$270,000.00, and a Municipality share of 50% to equal \$270,000.00. As part of that project, the City would need to enter into a local project agreement with the Maine Department of Transportation. This item will be discussed at pre-council on November 9, 2015.

<u>16-011</u> <u>RESOLVE</u>	Acknowledging Receipt of the Official Results and the Declaration Results of the November 3, 2015 Municipal Election and State Referendum	DURGIN
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Executive Summary: This Resolve will acknowledge the results of the Municipal Election and State Referendum held on November 3, 2015.

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

**ASSIGNED TO
COUNCILOR**

<u>16-012</u> <u>ORDINANCE</u>	Amending Chapter 170, Life Safety Code, of the Code of the City of Bangor, By Adopting the National Fire Protection Association’s 2009 Edition of NFPA 101 (First Reading and Referral to Government Operations Committee Meeting of November 16, 2015)	PERRY
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Executive Summary: The proposed ordinance amendment replaces the current life safety code which is the 1994 edition and adopt the 2009 version of NFPA 101, the version presently adopted by the State of Maine, along with the amendments to NFPA 101 that have made by the State. The changes made by the State include removing the requirement that all new one-and two-family dwellings be sprinkled.

<u>16-013</u> <u>ORDINANCE</u>	Amending Chapter 165, Land Development, of the Code of the City of Bangor, By Defining and Regulating Landscaping as a Use in the Rural Residence and Agricultural (RR & A) District (First Reading and Referral to Planning Board Meeting of November 17, 2015)	BALDACCI
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REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 9, 2015

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

**ASSIGNED TO
COUNCILOR**

Executive Summary: This ordinance amendment would define and regulate landscaping service businesses as a use in the Rural Residence and Agricultural District. The City has traditionally included landscaping businesses under the umbrella of agricultural uses in the RR&A District. Recently concerns have been raised about the impact of such businesses and their proximity to residential properties. After a number of meetings with the public, the Planning Board, and the Business and Economic Development Committee, these proposed ordinance amendments have been drafted.

The ordinance is intended to address these concerns by providing a definition of landscaping, separate provisions for small and large landscaping businesses, and setback and buffer requirements. Landscaping businesses currently operating legally within the district will be grandfathered.

**UNFINISHED BUSINESS
ITEM NO**

**ASSIGNED TO
COUNCILOR**

15-357 RESOLVE Authorizing the City Manager to Accept and Appropriate \$321,841 in Federal Transportation Authority Funds, \$36,000 in Department of Transportation State Bond Funds and \$20,796 in Bus Replacement Reserve Funds to Fund Rehabilitation of Three Buses

SPRAGUE

Executive Summary: This Resolve will accept and appropriate \$321,841 in Federal Transportation Authority Funds, \$36,000 in Department of Transportation State Bond Funds and up to \$21,000 in Bus Replacement Reserve Funds for the purpose of acquiring and rehabilitating three buses for use in Bangor. In October the City authorized a contract with Maine Military Authority to acquire and rehabilitate three buses for use in Bangor. After the initial approval and appropriation, it was discovered that the State had less funds to contribute towards the rehabilitation of the buses. As a result, it is necessary to appropriate up to \$21,000 from the Bus Replacement Reserve to ensure adequate funding to complete acquisition and rehabilitation. This was reviewed and recommended for approval at the October 19, 2015 Finance Committee meeting.

15-358 RESOLVE Authorizing the City Manager to Accept and Appropriate \$11,034 in Federal Transportation Authority Bus Support Equipment Funds for the Purchase of Community Connector Radio Equipment

BALDACCI

Executive Summary: This Resolve will accept and appropriate \$11,034 in Federal Transportation Authority Funds to fund 80% of the cost of radio equipment for use in the Community Connector operations. The 20% local share is available within each community's operating budget. This was reviewed and recommended for approval at the October 19, 2015 Finance Committee meeting.

REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 9, 2015

**UNFINISHED BUSINESS
ITEM NO**

**ASSIGNED TO
COUNCILOR**

15-359 RESOLVE Authorizing the City Manager to Accept and Appropriate \$50,000 in Grant Funds from Eastern Maine Healthcare Systems, for the Partnerships to Improve Community Health (PICH) Program **FAIRCLOTH**

Executive Summary: This resolve will authorize the City Manager to accept and appropriate \$50,000 in grant funds from Eastern Maine Healthcare Systems for the Partnership to Improve Community Health. This is the second year of a three-year grant from the US Centers for Disease Control and Prevention (US CDC) to improve health outcomes in the region. The objectives of the project are to improve community access to healthy foods, increase opportunities for populations to engage in regular physical activity, and to strengthen clinical-community linkages and chronic disease prevention. Bangor Public Health and Community services would continue, as a sub-recipient, to serve the communities that comprise our Healthy Maine Partnership service area. The term is 9/30/15 to 9/29/16. This was reviewed and recommended for approval at the November 2, 2015 Government Operations Committee meeting.

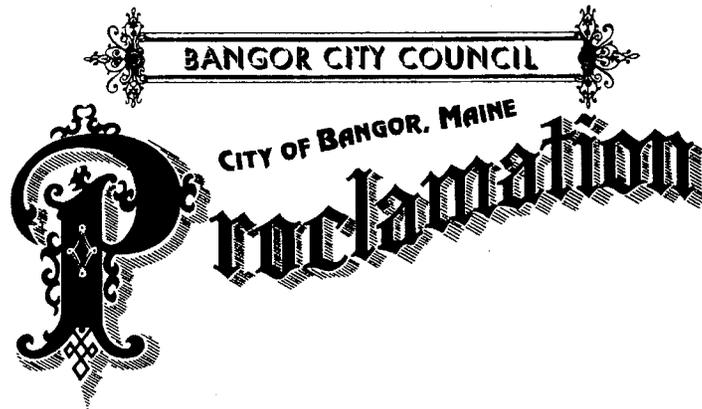
**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

**LIQUOR LICENSE:
(CLASS XI)** **Application for Liquor License Renewal, Malt, Spirituous, Vinous of Endwell LLC d/b/a Paddy Murphy’s, 26 Main Street** **GRAHAM**

PUBLIC HEARING: **Application for Special Amusement License Renewal of Endwell LLC d/b/a Paddy Murphy’s, 26 Main Street** **GRAHAM**

PUBLIC HEARING: **Application for Special Amusement License Renewal of Restco, LLC d/b/a Hilton Garden Inn, 250 Haskell Road** **GRAHAM**



PROCLAIMING NOVEMBER AS RIDE THE BUS MONTH IN BANGOR

WHEREAS, the Community Connector public transit service provides needed transportation services to the communities of Bangor, Brewer, Hampden, Veazie, Orono, Old Town, and the University of Maine through a regional collaborative partnership; and

WHEREAS, the service provides nearly one million rides per year transporting passengers to work, school, medical appointments, shopping, social and personal services appointments, community downtowns and a variety of other important locations; and

WHEREAS, the Community Connector provides a viable transportation alternative for those who do not have personal transportation readily available, or who wish to utilize the convenience and dependability of public transportation; and

WHEREAS, the Community Connector continually strives to serve and retain current passengers and seeks ways to increase ridership, thereby providing necessary fare revenue to help operate the system; and

WHEREAS, public transit is widely considered an environmentally friendly mode of transportation, linking the communities and residents in the Community Connector service area; and

WHEREAS, increased awareness, promotion, and improvement of the transit system are important goals of the local support group "Transportation for All", the management and staff at the Community Connector, and all community partners.

NOW, THEREFORE, I, _____, Mayor of the City of Bangor, on behalf of the City Council of the City of Bangor, do hereby proclaim November as "Ride the Bus" month in Bangor and encourage residents and visitors in the greater Bangor area who haven't used the Community Connector to consider "Riding the Bus" as a viable alternative to your customary transpiration.

Given this the 9th day of November, 2015.

, Mayor



**CONSENT
AGENDA**

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 26, 2015

*Meeting Called to Order at 7:30 PM
 Chaired by Council Chair Durgin
 Absent: Councilor Blanchette
 Meeting adjourned at 8:17 PM*

RECOGNITION *Recognized Gosselin’s Bakery for 70 Years of Successful Business Operation*

PROCLAMATION *Proclaimed Extra Mile Day in the City of Bangor*

PUBLIC COMMENT *Jennifer DeGroff thanked the city for hosting the city neighborhood meetings.*

Leanne and Alan Hewey introduced themselves as the new owners of The Charles Inn.

CONSENT AGENDA ITEM NO.	ASSIGNED TO COUNCILOR
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Agenda Item 15-354 was moved from Consent to New Business.

MINUTES OF: *Bangor City Council Regular Meeting of October 14, 2015, Business and Economic Development Committee Meeting of August 4, 2015, Finance Committee Meeting of October 19, 2015, Regular School Committee Meetings of August 19, 2015, September 9, 2015 and September 23, 2015, Special School Committee Meetings of August 19, 2015 and September 23, 2015 and Government Operations Committee Meeting of October 19, 2015*

Action: *Accepted and Approved*

LIQUOR LICENSE RENEWAL:	<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of Elks BPO Bangor Lodge #244 d/b/a Elks BPO Bangor Lodge #244 108 Odlin Road</i>	PLOURDE
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Action: *Approved*

<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of Fandom Group LLC d/b/a Seasons on Main 427 Main Street</i>	PLOURDE
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Action: *Approved*

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

<u>15-342</u> <u>ORDER</u>	<i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 11 G Street, Birch Hill Estates (Map B39 Lot 2)</i>	SPRAGUE
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Action: *Passed*

<u>15-343</u> <u>ORDER</u>	<i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 29 Pray’s Mobile Home Park (Map R21 Lot 5)</i>	BALDACCI
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Action: *Passed*

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 26, 2015

CONSENT AGENDA ITEM NO.		ASSIGNED TO COUNCILOR
<u>15-344</u>	<u>ORDER</u> <i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 47 Eighteenth Street (Map 10 Lot 14)</i>	CIVIELLO
	<i>Action: Passed</i>	
<u>15-345</u>	<u>ORDER</u> <i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 60 Colonial Pines Mobile Home Park (Map R22 Lot 1)</i>	NEALLEY
	<i>Action: Passed</i>	
<u>15-346</u>	<u>ORDER</u> <i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 103 Cedar Falls Mobile Home Park (Map R21 Lot 11)</i>	SPRAGUE
	<i>Action: Passed</i>	
<u>15-347</u>	<u>ORDER</u> <i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 148 Fruit Street (Map 53 Lot 199)</i>	BALDACCI
	<i>Action: Passed</i>	
<u>15-348</u>	<u>ORDER</u> <i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 1822 Ohio Street (Map R-13 Lot 2)</i>	CIVIELLO
	<i>Action: Passed</i>	
<u>15-349</u>	<u>ORDER</u> <i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 1824 Ohio Street (Map R-3 Lot 7B)</i>	NEALLEY
	<i>Action: Passed</i>	
<u>15-350</u>	<u>ORDER</u> <i>Appointing Nominees to Various Boards, Commissions, and Committees</i>	CIVIELLO
	<i>Action: Passed</i>	
<u>15-351</u>	<u>ORDER</u> <i>Authorizing The City Manager To Execute A Lease Agreement Between The City Of Bangor And The Lander Group For The Rental Of Bay #2 Within Hangar #123 At Bangor International Airport (BGR)</i>	GRAHAM
	<i>Action: Passed</i>	
<u>15-352</u>	<u>ORDER</u> <i>Authorizing The City Manager To Execute An Amendment To The Lease Agreement Between The City Of Bangor And Maine Aero Services, Inc. For The Rental Of Hangar #115 At Bangor International Airport (BGR)</i>	BALDACCI
	<i>Action: Passed</i>	

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 26, 2015

CONSENT AGENDA			ASSIGNED TO
ITEM NO.			COUNCILOR
<u>15-353</u>	<u>ORDER</u>	<i>Authorizing Bid Award in an Amount Not to Exceed \$355,050 to Maine Military Authority to Acquire and Rehabilitate Three Community Connector Buses</i>	SPRAGUE
	<i>Action:</i>	<i>Passed</i>	
<u>15-355</u>	<u>ORDER</u>	<i>Authorizing Execution of Documents for the Sale of 5 Grove Street Court (Map 047 Lot 123) to Alexandra Ricker in the Amount of \$2,000</i>	PLOURDE
	<i>Action:</i>	<i>Passed</i>	
<u>15-356</u>	<u>RESOLVE</u>	<i>Ratifying, Accepting and Appropriating Funds from Bangor Area Non-Profit Arts and Cultural Organizations to Support the Cost of Participation in the Arts and Economic Prosperity V Study (First Reading)</i>	PLOURDE
	<i>Action:</i>	<i>Passed</i>	

REFERRALS TO COMMITTEE AND FIRST READING			ASSIGNED TO
ITEM NO.			COUNCILOR
<u>15-357</u>	<u>RESOLVE</u>	<i>Authorizing the City Manager to Accept and Appropriate \$321,841 in Federal Transportation Authority Funds, \$36,000 in Department of Transportation State Bond Funds and \$20,796 in Bus Replacement Reserve Funds to Fund Rehabilitation of Three Buses</i>	SPRAGUE
	<i>Action:</i>	<i>First Reading</i>	
<u>15-358</u>	<u>RESOLVE</u>	<i>Authorizing the City Manager to Accept and Appropriate \$11,034 in Federal Transportation Authority Bus Support Equipment Funds for the Purchase of Community Connector Radio Equipment</i>	BALDACCI
	<i>Action:</i>	<i>First Reading</i>	
<u>15-359</u>	<u>RESOLVE</u>	<i>Authorizing the City Manager to Accept and Appropriate \$50,000 in Grant Funds from Eastern Maine Healthcare Systems, for the Partnerships to Improve Community Health (PICH) Program</i>	FAIRCLOTH
	<i>Action:</i>	<i>First Reading</i>	

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 26, 2015

UNFINISHED BUSINESS		ASSIGNED TO
ITEM NO		COUNCILOR
<u>15-340</u>	<u>ORDINANCE</u> <i>Amending Map Entitled “Downtown Parking Management District” by Designating Nine Parking Spaces on Union Street as “Parking Limited to Four Hours”</i>	GRAHAM
	<i>Action: Motion made and seconded for Passage Vote: 8 – 0 Councilors Voting Yes: Baldacci, Civiello, Faircloth, Graham, Nealley, Plourde, Sprague, Durgin Councilors Voting No: None Passed</i>	
NEW BUSINESS		ASSIGNED TO
ITEM NO.		COUNCILOR
	PUBLIC HEARING: <i>Application for Special Amusement License Renewal of Elks BPO Bangor Lodge #244 d/b/a Elks BPO Bangor Lodge #244, 108 Odlin Road</i>	PLOURDE
	<i>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</i>	
	PUBLIC HEARING: <i>Application for Special Amusement License Renewal of Fandom Group LLC d/b/a Seasons on Main, 427 Main Street</i>	PLOURDE
	<i>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</i>	
<u>15-354</u>	<u>ORDER</u> <i>Authorizing Grant of \$2,000 to the Bangor Historical Society to Support Educational Programming</i>	BALDACCI
	<i>Action: Motion made and seconded that Council Durgin had a conflict of interest Passed Council Durgin left the meeting Councilor Faircloth chaired the meeting Motion made and seconded for Passage Passed Councilor Durgin resumed his seat as Chair</i>	

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 26, 2015

NEW BUSINESS ITEM NO.		ASSIGNED TO COUNCILOR
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PUBLIC HEARING:

<u>15-360</u> <u>ORDER</u>	<i>Declaring 472 Essex Street a Dangerous Building and Directing its Demolition (Map-Lot 045-009-D)</i>	BALDACCI
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*Action: Motion made and seconded to Open Public Hearing
Motion made and seconded to Postpone Order 15-360 until the
November 23, 2015 City Council Meeting
Passed to Postpone*

*Motion made and seconded to Suspend the Rules to act on Order 15-361
Passed*

<u>15-361</u> <u>ORDER</u>	<i>Extending the Broadband Task Force Committee</i>	BALDACCI
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*Action: Motion made and seconded for Passage
Passed*

ATTEST: _____
Lisa J. Goodwin, MMC, City Clerk

MINUTES

BANGOR SCHOOL COMMITTEE SPECIAL MEETING 6:35 p.m., Thursday, October 15, 2015 City Hall Council Chambers

School Committee Members present: Chairman Warren Caruso, Sarah Smiley, Sue Sorg, and Marlene Susi. Committee Members Vice Chair Jay Ye, Susan Hawes, and Marc Eastman were unable to attend.

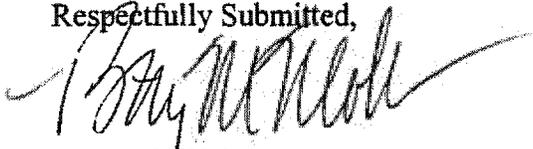
Chairman Caruso called the meeting to order at 6:35 p.m.

By roll call vote entered executive session for the purpose of discussion regarding collective bargaining with the Administrators' Bargaining Unit pursuant to 1 M.R.S.A § 495 (6)(D).

Re-entered public session at 6:54 p.m.

The meeting was adjourned at 6:55 p.m.

Respectfully Submitted,



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

MINUTES

BANGOR SCHOOL COMMITTEE REGULAR MEETING 7:00 p.m., Thursday, October 15, 2015

School Committee Members present: Chairman Warren Caruso, Sarah Smiley, Sue Sorg and Marlene Susi. Committee Members Vice Chair Jay Ye, Marc Eastman, and Susan Hawes were unable to attend.

A. 1. & 2. The meeting was called to order by Chairman Caruso at 7:01 p.m. and the Pledge of Allegiance followed.

B. Superintendent requested to amend the agenda in order to add:

E. 2. c. Storage Building at Cameron Stadium Approval

E. 2. d. October 2015 Bid & Quotation Report.

VOTED 4-0 to amend the agenda as requested.

D. 2. a. Superintendent Webb reported the following resignation:

Matthew Littlefield Special Education Teacher Bangor High School

b. Superintendent Webb reported the following reassignments:

Olivia Holyoke from Social Worker at Bangor Regional Therapeutic Day Program to (.8) Social Worker and (.2) Guidance Counselor at Bangor Regional Therapeutic Day Program

Andrew Sumner from Special Education Teacher (.5) at Bangor High School (Project Transition) and (.5) William S. Cohen School (Self Contained) to Special Education Teacher (Project Transition) at Bangor High School

c. Superintendent Webb provided an update on the Legislative Task Force on School Leadership.

d. Superintendent Webb updated the Committee on Veazie's request regarding the potential for sending their middle school students on a tuition basis. This was an exploratory conversation with Superintendent Webb and Chairman Caruso requested by the Veazie School Committee as they were asked to explore alternatives prior to their FY17 budget presentation.

E. 1. a. 1-3. VOTED 4-0 to approve of the Minutes of the August 19, 2015.

VOTED 4-0 to approve the Minutes of the Regular and the Special School Committee Meetings of September 23, 2015.

- b. 1. Superintendent Webb recommended the following extra-duty assignments for the 2015-2016 school year:

Newspaper Advisor	James F. Doughty School	Bailey Edward
Cheerleading Coach	James F. Doughty School	Mikayla Becker (1 st yr)
Boys Swim Coach	James F. Doughty School	Lauren O'Reilly
Dept. Head (Sp Ed)	Bangor High School	Mechelle Ganglfinger (½)
Dept. Head (Sp Ed)	Bangor High School	Nicole Pinkham (½)

VOTED 4-0 to approve the nominations as presented.

- c. Superintendent Webb reported the following donations:

To Fourteenth Street School from Shaw's Supermarkets, a cash donation to support learning of all students, having a total dollar value of \$400.

To Vine Street School from Shaw's Supermarkets, a cash donation to support learning of all students, having a total dollar value of \$400.

To Vine Street School from Bangor Elks, dictionaries for third grade students, having a total dollar value of \$400.

VOTED 4-0 to receive the donations as presented with thanks.

- d. Superintendent Webb recommended receipt of the Second Reading of the following policies:

1. Policy IL Student Achievement Testing
2. Policy KLGA Relations with School Resource Officers and Law Enforcement Authorities.

VOTED 4-0 to approve the policies as presented.

- E. 2. a. Superintendent Webb recommended receipt of the First Reading of the following policies:

1. Revised Policy IGBCA Comparability of Instructional Services Among School
2. Revised Policy KNAG Reporting Child Abuse and Neglect
3. Policy JLCDA Medical Marijuana in Schools.

VOTED 4-0 to receive the First Reading of policies as presented.

- b. Chairman Caruso reviewed the 2015-2015 Proposed MSMA Resolutions.

- c. Superintendent Webb recommended approval of building a cold storage building at Cameron Stadium to store track and field and football equipment.

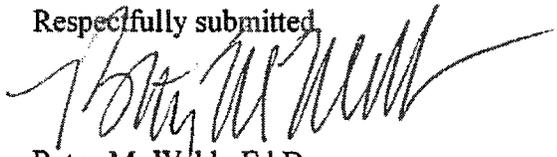
VOTED 4-0 to approve the storage building at Cameron Stadium.

- d. Superintendent Webb recommended approval of the October Bid & Quotation Report.

VOTED 4-0 to approve the October Bid & Quotation Report.

- G. 1. Assistant Superintendent MacDonald provided a Smarter Balanced Report for English Language Arts and Math. Please be reminded this was a one year assessment as the State of Maine Legislature voted to remove this assessment in the future.
- H. 1. Chairman Caruso reviewed the important dates.
- I. Chairman Caruso in recognition of National Principal Appreciation Month to thank the Bangor Administrators for all that they do on behalf of the Bangor School Department, students, and faculty.
- J. Meeting adjourned at 8:20 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Betsy M. Webb", with a long horizontal flourish extending to the right.

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

FINANCE COMMITTEE MINUTES

November 2, 2015 @ 5:15 pm

Councilors in Attendance: Civiello, Graham, Plourde, Sprague, Nealley, Durgin

Staff in Attendance: Conlow, Cyr, Hathaway, Kennison, Higgins, Wardwell

1. Consent Agenda

- a. Report of Bids Awarded by Staff – October 2015

Motion made and seconded to accept consent agenda. Motion pass unanimously.

2. Bids/Purchasing

- a. Request to Upgrade Bomb Squad Robot – Police – Remotec - \$67,600

Motion made and seconded to award contract. Motion passed unanimously.

- b. Request to Piggy Back on State Contract – Lease/Purchase In-Car Recording System – WatchGuard - \$87,660

Motion made and seconded to award contract. Motion passed unanimously.

- c. Request to Contract for Relocation of City Hall Transformer – Public Works

Motion made and seconded to award contract to Hampden Electric. Motion passed unanimously.

- d. Request to Purchase Self Contained Breathing Apparatus (SCBA) – Industrial Protection Services - \$35,000

Motion made and seconded to award contract. Motion passed unanimously.

- e. Disposition of Real Estate – 130 Thirteenth Street – JD Contracting - \$10,500

Motion made and seconded to recommend sale to the full Council. Motion passed unanimously.

3. File a Service Request Update

Staff reviewed the reports and status of the mobile app and website service request data from the past year. Committee members requested this data be reviewed semi-annually, as well as a desire to further refine the reports by type as well as consider establishing response time goals.

4. Order, Authorizing Execution of Fixed Rate Fuel Contracts

Motion made and seconded to recommend passage of Council Order to full Council. Motion passed unanimously.

5. Executive Session 405 (6) (C) – Disposition of Real Estate

6. Open Session – Disposition of Real Estate Recommendation

Motion made and seconded to recommend disposition to full Council.
Motion passed unanimously.

Meeting adjourned 5:53 pm

BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

Tuesday, August 4, 2015 5:15 PM
City Council Chambers

MINUTES

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

City Staff Present: Tanya Emery, Norman Heitmann, Caitlin Brooke, John Theriault.

Chair Baldacci opened the meeting at 5:15 p.m.

1. FTL Design Engineering Studio Presentation of the Master Plan Concepts for the Waterfront.

Tanya Emery, Director of Community and Economic Development, introduced Nic Goldsmith, a Principal with FTL Design Engineering Studio, who made a presentation to the Committee of their proposed Master Plan Concepts for the Waterfront. Mr. Goldsmith also noted the members of the Design Team who contributed to the Plan that included Harriman Associates, Terrance K. DeWan & Associates, Matthew Hilliard, Judy Johnson, and Terry DeWan. To access the Plan for more information the following link is provided.

[http://www.bangormaine.gov/filestorage/2100/4370/BWF Master Plan Final revised.pdf](http://www.bangormaine.gov/filestorage/2100/4370/BWF_Master_Plan_Final_revised.pdf)

The Committee discussed various elements of the plan. Director Emery indicated that Staff would like for the Committee to give its endorsement of the Plan and direct Staff to pursue a timeline for phasing of the Plan. Chair Baldacci asked for a show of hands in support. Six Committee Members were in favor and one Committee Member was in opposition.

2. REFERRAL – ORDINANCE 15-265, Amending Map Entitled "Downtown Parking Management District" by Creating Two 15 Minute Parking Spaces on Columbia Street and Merchants Plaza

Director Emery indicated that this amendment will add two 15 minute downtown parking spaces. One space will be added in Merchants Plaza and the other one on Columbia Street. These spaces will allow downtown businesses and residents

to load and unload their vehicles more easily. The addition of the two spaces will reduce illegal parking such as that on sidewalks in this area. Staff recommended a positive recommendation to the full Council.

Councilor Plourde moved Staff recommendation. Councilor Graham seconded the motion. It was a vote as it was not doubted.

3. REFERRAL – ORDINANCE 15-266, Amending Chapter 223, Property Maintenance, of the Code of the City of Bangor, By Clarifying the Procedures for Disposition of Uninhabitable Buildings.

Director Emery indicated that this proposed ordinance amendment would clarify the procedures for the disposition of uninhabitable buildings. If a building is not only uninhabitable but unsafe and needs to be demolished, the City will be able to bring it to the City Council for demolition as a dangerous building under the State's Dangerous Building statute. Staff recommended that the Committee make a positive recommendation to the full Council.

Councilor Plourde moved Staff recommendation. Councilor Graham seconded the motion, which carried as it was not doubted.

4. Discussion – Draft ORDINANCE, Amending Chapter 165, Land Development Code, of the Code of the City of Bangor, By Instituting a Pre-Application Meeting for Major Projects.

Director Emery indicated that this proposed ordinance amendment is to add a pre-application meeting requirement for certain large development projects such as major site developments and subdivisions. The purpose of the meeting would be for Staff and developers to meet to discuss potential issues early on in the development process to try to avoid potential pitfalls later on.

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

5. Bangor Federal Credit Union Approval of Final Plans

Director Emery explained that this item is for the Committee's review and approval of the Final Plans for Bangor Federal Credit Union to construct a professional office building on the corner of Maine Avenue and Venture Way. Staff recommended approval.

City Solicitor Norm Heitmann explained that the plans have also received approval from the Staff's Design Review Committee that reviews plans within the Maine Business Enterprise Park.

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

6. Request from Bangor Savings Bank to Improve and Maintain City Property Adjacent to their Building on State St.

Caitlin Brooke, Business Development Specialist/Downtown Liaison, explained that Bangor Savings Bank has approached the City requesting that they be granted permission to re-grade and install new concrete on City property adjacent to their building on State Street. Presently, because the concrete is in such disrepair there have been slipping hazards to their employees not to mention that it is an eyesore. Staff is requesting the Committee's approval to move forward with an agreement to allow for these improvements and maintenance of the landscaping in the plaza.

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

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

Councilor Plourde moved to enter Executive Session under 1 M.R.S.A. § 405(6)(C) at 6:35 p.m. Councilor Faircloth seconded the motion. The motion passed unanimously.

8. Committee Action on Above Item

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

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

Councilor Plourde moved to enter Executive Session under 1 M.R.S.A. § 405(6)(C) at 6:50 p.m. Councilor Faircloth seconded the motion. The motion passed unanimously.

10. Action on Above Item.

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

The meeting adjourned at 6:55 p.m.

BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

Tuesday, August 18, 2015 5:00 PM
City Council Chambers

Minutes

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

City Staff Present: Tanya Emery, Norman Heitmann

Chair Baldacci called the meeting to order at 5:00 p.m.

CONSENT AGENDA

Councilor Nealley moved to approve the Consent Agenda. The motion was seconded by Councilor Graham and it passed as it was not doubted. The items approved are as follows:

- 1. Extension of Lease Agreement with Vicki L. Trundy, LCSW**
- 2. Terms of Closing Cost and Down Payment Assistance Programs**
- 3. Amending the Management Agreement Between the City of Bangor and Republic Parking to Include Atler Lot**

REGULAR AGENDA

It was the consensus of the Committee to move Item No. 4 to the end of the meeting.

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

Councilor Graham moved to enter Executive Session under 1 M.R.S.A. § 405(6)(C)) at 5:02 p.m. Councilor Plourde seconded the motion which passed as it was not doubted.

- 6. Committee Action on Above Item**

Councilor Graham moved Staff recommendation. Councilor Plourde seconded the motion. The Board voted unanimously in favor of the motion. The motion passed as it was not doubted.

4. REFERRAL - ORDINANCE 15-246, Adding Chapter 179, Minimum Wage, to the Code of the City of Bangor

Chair Baldacci explained that this item was referred to the Committee by the City Council for further discussion.

Councilor Plourde indicated that after talking with Councilors and Staff he had drafted up a Resolve in support of a petition effort to place this item out to State voters. He made a motion to pass the Resolve for support of the petition efforts and to bring this for a vote. Councilor Durgin seconded the motion.

Councilor Graham said that because he had only received this earlier in the day that he had not had an opportunity to review it.

City Solicitor Heitmann explained that there are three items that the City Council wanted the Committee to discuss. First was the issue of exempting certain employers; second was a clarification on 18 year olds; and third was the deletion of tipped employees.

Councilor Nealley indicated that this is a State of Maine issue and he was not convinced that this is good public policy. Councilor Durgin indicated that what the Committee is talking about is the motion on the floor whether to support the petition efforts. Councilor Sprague felt that this should be discussed by the full Council.

As there were several people in the audience present wishing to speak on this item, Chair Baldacci opened the meeting up for public comments. 14 people spoke. Their comments ranged from supporting the compromise Resolve, supporting only a State initiative as they felt that it should not be done at the municipal level, and to oppose the proposal.

Councilor Graham asked if the City had ever endorsed petition efforts before. City Solicitor Heitmann indicated that he did not recall one on a petition drive but that the City Council sometimes supports questions on the November ballot. Councilor Graham felt that Bangor and every municipality should support it once it is confirmed to be on the ballot.

Chair Baldacci indicated that a motion was on the table and asked for a vote on the motion. Councilor Graham doubted the motion. Councilor Plourde, Councilor Baldacci and Councilor Durgin voted in favor of the motion. Councilor Nealley and Councilor Graham voted against it.

Chair Baldacci indicated that the next item was consideration of an Order to have a wage increase that mirrors a State wide increase. Councilor Plourde added that it should be the same as the State's language and it should indicate that it would only become effective in January 2017 if the State-wide referendum fails.

Councilor Plourde moved recommendation of the Order described in the document. Chair Baldacci seconded the motion.

Chair Baldacci suggested that the full City Council be asked to hold a workshop to discuss all of the issues. Council Chair Durgin indicated that he would check with the Councilors to find a suitable time to hold a workshop. It was the consensus of the Committee to request that a workshop be held by the full City Council to discuss these issues.

The motion recommending that the Resolve proposed by Councilor Plourde was withdrawn. The second to the motion was also withdrawn.

The meeting was adjourned at 6:53 p.m.

BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

Tuesday, September 8, 2015 5:15 PM

City Council Chambers

Minutes

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

City Staff Present: Tanya Emery, Cathy Conlow, Caitlin Brooke, Jeremy Martin, Paul Nicklas, Jeff Wallace, David Gould, Steve Bolduc, and Tyler Collins

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

CONSENT AGENDA

Councilor Plourde moved to approve the Consent Agenda. Councilor Nealley seconded the motion which passed as it was not doubted. The items approved are as follows:

- 1. Community Development Residential Rehabilitation Loan – 293 Grove St.**
- 2. Extension of Lease Agreement with USABFIT, LLC**

REGULAR AGENDA

- 3. Conceptual Design Approval for Babe the Blue Ox**

Jay Martin introduced the item and Rob Frank, WBRC Architects-Engineers, discussed design schematics of the proposed sculpture.

Mr. Paul LeClair asked how this would be financed. Caitlin Brooke, Development Specialist/Downtown Coordinator, indicated that this was just the Conceptual Design phase of the process. If approved, the next step will be the Detailed Design Phase (in accordance with the Guidelines and Procedures for Evaluation and Accepting Public Art and Monuments to be Located on City Property.)

Councilor Nealley moved approval of the Conceptual Design Phase. Councilor Plourde seconded the motion. Councilor Graham doubted the motion. The vote was three in favor and one opposed (Councilor Graham).

4. ARTober Update

Kierie Piccininni, Cultural Commission Chair, gave an update of the numerous events that have been put together for Artober to celebrate arts and culture throughout Bangor for the entire month of October.

Councilors expressed their support for the event. Councilor Graham asked about the budget for this event and Staff indicated that they would e-mail a copy of it to the City Councilors.

No action was taken on this item.

5. Update: Signage for "Continuity of Community" Sculpture on Bangor Waterfront

Caitlin Brooke, Development Specialist/Downtown Coordinator, explained that the Commission on Cultural Development is requesting approval on signage to identify the "Continuity of Community" Sculpture located on the Bangor Waterfront. The Commission was directed by the Council in January to revise the sign's language to include more historical information. The Commission worked with the Bangor Public Library to research historic details regarding the sculpture.

If approved by the Committee Staff will proceed in obtaining quotes for review by the Commission on Cultural Development.

Councilor Graham discussed with Staff the wording of the language.

Councilor Plourde moved approval of the language as written. Councilor Nealley seconded the motion. It was a vote as it was not doubted.

6. Commercial Trash & Recycling in the Downtown District

Caitlin Brooke explained this item has been before the BED Committee on several occasions. The Committee requested that Staff look into this and gather information on what other cities are doing for commercial trash removal in crowded downtown areas. Ms. Brooke noted that in discussions with several downtown businesses and property owners, commercial trash disposal does not appear to be a pressing issue with them. Staff recommended monitoring the situation and if at a future date it is determined that things have changed, then Staff would meet with the downtown stakeholders and come up with a plan.

Councilor Plourde asked about central recycling as he would like to see what the expenses would be. Councilor Graham said that there is a real need for it with all of the card board boxes merchants have to dispose of.

Community and Economic Development Director Emery indicated that the costs would be for City Staff to remove the recycling materials.

It was the consensus of Committee Members for Staff to talk to Public Works Director Dana Wardwell about the possibility for central recycling and then placing this as an agenda item on a future Infrastructure Committee meeting.

7. Proposed Fifteen Minute Parking Space – Merchants Plaza

Director Emery indicated that the proposed Ordinance would add a 15-minute downtown parking space on Merchants Plaza. In the past business owners and residents were allowed to use the pocket park on Merchants Plaza. However, the potential for damage to the former park has led the City to discontinue this practice but the need for a loading area still remains. Adding a 15-minute parking space on Merchants Plaza would provide for this need.

Councilor Plourde moved to recommend approval to the full Council. Councilor Nealley seconded the motion. The motion was not doubted and passed.

8. Discussion – Rural Residence & Agricultural (RR&A) District

Paul Nicklas provided the Committee with proposed language for a possible amendment to the Rural Residence and Agricultural District regarding landscaping businesses.

Committee Members asked Staff to work on language that would clarify the difference between a landscaping business that would be considered a permitted use versus a landscaping business that was deemed to be a conditional use.

Councilor Nealley moved to approve the proposed language with the clarifying addition as described. Councilor Plourde seconded the motion. It was a vote as it was not doubted.

9. Demolition of 44 Patten Street

Director Emery indicated that all of the steps have been taken in the process and Staff is requesting permission to move forward with demolition of the property at 44 Patten Street.

Councilor Graham moved approval of the demolition of 44 Patten Street. Councilor Nealley seconded the motion. The motion passed as it was not doubted.

There being no further items, the meeting was adjourned at 6:20 p.m.

BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

Tuesday, October 6, 2015 5:15 PM
City Council Chambers

Minutes

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

City Staff Present: Tanya Emery, Cathy Conlow, Paul Nicklas, Steve Bolduc, and Tyler Collins

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

1. **REFERRAL – ORDINANCE 15-330, Amending Chapter 23, Boards, Committees and Commissions, of the Code of the City of Bangor, By Amending the Membership of the Downtown Parking Advisory Committee**

Assistant City Solicitor Paul Nicklas explained that this item was referred to the Committee for discussion. This Ordinance would change the membership of the Downtown Parking Advisory Committee by removing two City staff members from the Downtown Parking Advisory Committee and replace them with a downtown resident and a downtown business owner/manager.

Committee Members discussed whether an appointment should be a Bangor resident. Councilor Nealley moved to recommend the Ordinance. Councilor Plourde seconded the motion.

Dave Giroux, a Brewer resident who owns several properties in Bangor, indicated that having only Bangor residents would not help those people who own real estate in Bangor.

Councilor Graham asked whether or not the Committee would be assigned a Staff member. City Manager Cathy Conlow indicated that all Committees appointed by the City Council are assigned a Staff person. The Staff person is not specifically indicated in the Ordinance as this would give flexibility for Staff assignment.

It was the consensus of the Committee that their recommendation for the make-up of the Downtown Parking Advisory Committee would be to increase the membership from five members to seven members as follows: 1 Member a City Councilor who would serve as Committee Chair; 1 Member who resides within the Downtown Parking Management District; 1 Member a City resident with

preference given to one who resides outside of the Downtown Parking Management District; 1 Member who is the owner or manager of a business within the Downtown Parking Management District; 1 Member who owns property in the City of Bangor; and two Members of the Downtown Bangor Partnership Board of Directors.

Councilor Nealley moved the Ordinance, to include the Committee's recommendation. Councilor Plourde seconded the motion, as amended. It was a vote as it was not doubted.

2. Parking on Union Street Beneath the Joshua Lawrence Chamberlain Bridge

Assistant City Solicitor Nicklas explained that two businesses approached the City requesting that nine of the 17 existing parking spaces beneath the Joshua Chamber Bridge be changed from permit parking spaces to four hour parking spaces. Since that time the two businesses have contacted the City indicating that they would prefer that all 17 spaces in this location be changed to four hour parking. To do this, an amendment to the Downtown Parking Management District map would be required. Staff recommended approval.

Councilor Plourde moved Staff recommendation. Councilor Nealley seconded the motion. The motion passed as it was not doubted.

3. Donation to ARTober from the University of Maine Humanities Center

Tanya Emery, Director of Community and Economic Development, indicated that this is to formalize the acceptance of a \$250.00 donation from the University of Maine's Humanities Center to support ARTober. Staff recommended acceptance of the donation.

Councilor Plourde moved Staff recommendation. Councilor Nealley seconded the motion. The motion passed as it was not doubted.

4. Amendment to the Lease Agreement with FGS/CMT, Inc.

Steve Bolduc, Economic Development Officer, explained that this is a renewal/extension of a long standing lease for another three year term. The only change to the lease will be that it be extended for three more years and the lease rate will increase yearly over that period of time. Staff recommended approval.

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

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

Councilor Nealley moved to enter Executive Session at 5:35 p.m. in accordance with 1 M.R.S.A. § 405(6)(C). The motion was seconded by Councilor Graham and passed unanimously.

6. Committee Action on Above Item

No action was taken on this item.

7. Executive Session – Economic Development – Parking Agreement – 1 M.R.S.A. § 405(6)(C)

Councilor Nealley moved to enter Executive Session at 5:35 p.m. in accordance with 1 M.R.S.A. § 405(6)(C). The motion was seconded and it passed unanimously.

8. Committee Action on Above Item

The Committee moved and seconded a motion to approve Staff recommendation. It was a vote as it was not doubted.

9. Executive Session – Economic Development – Lease Negotiations – 1 M.R.S.A. § 405(6)(C)

Councilor Graham moved to enter Executive Session at 5:43 p.m. in accordance with 1 M.R.S.A. § 405(6)(C). The motion was seconded by Councilor Plourde and passed unanimously.

10. Committee Action on Above Item

The Committee moved and seconded a motion to approve Staff recommendation. The motion passed as it was not doubted.

The meeting was adjourned at 5:50 p.m.

BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

Tuesday, October 20, 2015 5:15 PM
City Council Chambers

MINUTES

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

City Staff Present: Tanya Emery, Cathy Conlow, Jeremy Martin, Caitlin Brooke, Norman Heitmann, Paul Nicklas, and Tyler Collins

Chair Baldacci opened the meeting at 5:15 p.m.

1. Commission on Cultural Development Grant Recommendation

Caitlin Brooke, Business Development Specialist/Downtown Coordinator, indicated that the Commission on Cultural Development is recommending that the Bangor City Council approve a grant application request from the Bangor Historical Society in the amount of \$2,000. The grant money will help fund history based programming and relevant activities for children between the ages of 5 to 13.

Councilors Nealley and Graham expressed their support as they felt this is a great program.

Councilor Nealley moved Staff approval. Councilor Graham seconded the motion. It was a vote as it was not doubted.

2. Arts and Economic Prosperity Study

Caitlin Brooke indicated that the Commission on Cultural Development wishes to participate in the Arts and Economic Prosperity V study. This study documents the key role played by the non-profit arts and culture industry and their audiences in strengthening the nation's economy. The Commission feels that participating in this study will be an effective and efficient way to collect data, provide resources, and provide in-depth analytics to Bangor area non-profits. Normally the cost would be \$5,000 but the cost is \$2,500 thanks to a discount provided by the Maine Arts Commission. This data can be used for writing other grants.

Members of the Committee had questions as to how this would be funded. Staff indicated that the Commission on Cultural Development along with the

Community and Economic Development Department has secured a commitment from many of the area's arts and culture non-profits to collect data as well as pay for 50% of the cost of participation. The remaining 50% of the cost of participation will be paid out of the Community and Economic Development Department's budget (approximately \$1,200).

Staff is recommending that the Committee ratify the City Manager's signing the contract with the Americans for the Arts and acceptance of funds from Bangor region non-profits to pay for 50% of the study participation.

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

3. Dangerous Building – 472 Essex Street

Paul Nicklas, Assistant City Solicitor explained that the Code Enforcement Division seeks to demolish the building at 472 Essex Street as Staff feels it is a dangerous building. Mr. Nicklas indicated that the building has been vacant since 2010 and has experienced significant deterioration. The roof failed in 2010 and the foundation is collapsing. Staff has been in the process of notifying the owners/persons of interest. All but one has been served notice. There is a public hearing scheduled for the next Monday night that may need to be postponed if service to everyone affected has not been completed.

Jeremy Martin, Code Enforcement Officer, described the location and condition of the building for the Committee. He indicated that this was a grandfathered 4-unit building on a buildable lot.

Councilor Civiello asked what the value of the land is. Director Emery indicated that Staff would look into this and the information would be e-mailed to the Council.

Staff recommended that this structure be declared to be a Dangerous Building and that the City Council authorize its demolition.

Councilor Nealley moved Staff recommendation to the full Council. Councilor Faircloth seconded the motion. The motion passed as it was not doubted.

The meeting was adjourned at 5:32 p.m.

COUNCIL ACTION

Item No. 16-002

Date: November 9, 2015

Item/Subject: **ORDER**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 511 Pushaw Road (Map R30, Lot 2C).

Responsible Department: Legal

Commentary:

Real estate tax liens matured on the property of Karen and Terry Bragg of 511 Pushaw Road, now owned by Patrick Audet Jr. and Patrick Audet III. 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 Baldacci

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 511 Pushaw Road (Map R30, Lot 2C).

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 12160, Page 223, Book 12507, Page 160, Book 12852, Page 186, Book 13223, Page 227, Book 13562, Page 220 and Book 13908, Page 92. Said deed shall be directed to Patrick L. Audet, Jr. and Patrick L. Audet, III and in final form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 16-003

Date: November 9, 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, 2017. The City had previously fixed fuel pricing through June 30, 2016.

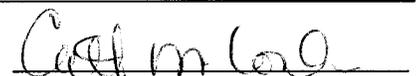
With the current decline in the market price of fuel, City staff reached out to Dysart's, the City's vendor for large diesel deliveries to determine if market pricing beyond June 30, 2016 was favorable. Initial indications are that the City would have the opportunity to obtain favorable pricing well into FY 17 (suppliers can only fix costs 18 months into the future). The City's current pricing for diesel and propane through June 30, 2016 is \$2.1054 and \$1.30, respectively per gallon.

By way of an example, the City and school purchase approximately 350,000 gallons of diesel from Dysart's. The price per gallon in January 2014 was \$3.40, in January 2015 was \$2.13 and through June 30 2016 it is \$2.1054. Initial pricing beyond June 30, 2016 varies by month from \$1.8556 in July 2016 to \$2.1790 in December 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 by authorizing City staff to execute fixed rate pricing contracts with the City's fuel suppliers, provided the pricing is at or near current fixed rate pricing. This item was reviewed and recommended by the Finance Committee at its meeting of November 2, 2015.

Department Head

Manager's Comments:



City Manager

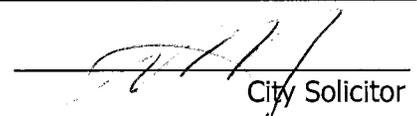
Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

Passage
 First Reading
 Referral

Page of



Assigned to Councilor 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 City currently has fixed rates for fuel through June 30, 2016; and

WHEREAS, the City will have opportunities to have fixed rates for fuel through June 30, 2017.

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, 2017.

COUNCIL ACTION

Item No. 16-004

Date: November 9, 2015

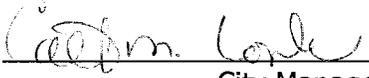
Item/Subject: **ORDER**, Authorizing the City Manager to Execute a Sub Recipient Agreement with Sebecook Valley Health.

Responsible Department: Public Health and Community Services

Commentary: This Order will enable the City Manager to execute a sub recipient agreement in the amount of \$10,000.00 with Sebecook Valley Health, as the Fiscal Agent for Healthy SV, for health promotion activities in the Penobscot County towns of Carmel, Corinna, Dixmont, Etna, Newport and Plymouth. Healthy SV serves as the local Healthy Maine Partnership for the Sebecook Valley region. The sub recipient agreement is for a one year term, July 1, 2015 to June 30, 2016. This was reviewed and recommended for approval at the November 2, 2015 Government Operations Committee meeting.

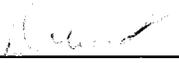
Department Head

Manager's Comments:

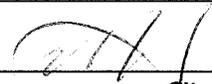

City Manager

Associated Information: Order

Budget Approval:


Finance Director

Legal Approval:


City Solicitor

Introduced for

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

Page 1 of 1

NOVEMBER 9, 2015

Assigned to Councilor Plourde



CITY OF BANGOR

(TITLE.) Order, Authorizing the City Manager to Execute a Sub Recipient Agreement with Seabasticook Valley Health

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT ORDERED, that the City Manager is hereby authorized to enter into a sub-recipient agreement in the amount of \$10,000.00 with Seabasticook Valley Health, as the Fiscal Agent for Healthy SV, the local Healthy Maine Partnership for the Seabasticook Valley region, for a term of one year (7-1-15 to 6-30-16) in a form acceptable to the City Solicitor or Assistant City Solicitor

**Memorandum of Understanding
Between City of Bangor and Sebecook Valley Health**

THIS AGREEMENT is by and between the City of Bangor, hereinafter called CITY, and Sebecook Valley Health hereinafter called SVH, for the period of July 1, 2015 to June 30, 2016.

In consideration of the payments and agreements hereinafter mentioned, to be made and performed by the CITY, SVH hereby agrees with CITY to furnish all qualified personnel, facilities, materials and services and in consultation with CITY, to perform the services, study or projects under the terms of this Agreement.

The HMP for which SVH is the lead agency is expected to serve the towns of Carmel, Corinna, Dixmont, Etna, Newport, and Plymouth to meet MOU deliverables.

I. AGREEMENT FUNDING SUMMARY

Funds are provided under this Agreement for the provision of services detailed in section "Service Specifications and Performance Guidelines", of this Agreement.

II. GENERAL REPORTING REQUIREMENTS

SVH agrees to submit reports to CITY in accordance with the specifications of the DHHS Appendix B, according to the following schedule:

a. Quarterly Fiscal Reports

Due thirty (30) days following the last day of each quarter: October 30, 2015, January 31, 2016, April 30, 2016, July 30, 2016.

b. Quarterly Prevention Performance Measure IMPACT Report

Due thirty (30) days following the last day of each quarter: October 30, 2015, January 31, 2016, April 30, 2016, July 30, 2016.

c. Agreement Closeout Report

Sixty days following the close of the Agreement period.

III. SERVICE SPECIFICATIONS AND PERFORMANCE GUIDELINES

1. Staffing

The SVH HMP Partnership Director will serve as the point of contact for the CITY and will provide overall leadership to the local coalition for the implementation of deliverables outlined in this Agreement.

2. Programming Criteria and Deliverables

- SVH agrees to develop and increase local capacity and support District infrastructure to deliver essential public health services across the State of Maine. SVH agrees to continue to strengthen the local Coalition to assess local public health needs and participate in Shared Health Needs Assessment and Planning Process (SHNAPP).
- SVH agrees to collaborate with District HMPs to create shared efficiencies on common HMP contract work.

3. Infrastructure and Capacity Deliverables and Expectations

The HMP for which SVH is the lead agency, agrees to:

- Actively participate on the Penquis District Coordinating Council
- Assure two-way exchange of information between DCC and local service area
- Participate in District Public Health Improvement Plan effort
- Respond to emerging public health opportunities and calls to action
- Participate in SHNAPP community engagement activities
- Provide SHNAPP engagement contacts and promote inclusion of populations from the local service area
- Respond appropriately to direction and guidance from the CITY and the District Liaison from the Maine CDC

IV. AGREEMENT AMOUNT: \$10,000

V. INVOICES AND PAYMENT

CITY shall pay SVH twelve monthly payments; the total amount of the payments will not exceed the Agreement amount.

SVH will submit a monthly invoice to CITY for the amount of \$833.33 per month for eleven [11] months and one [1] month for \$833.37. A detailed budget report and accompanying expense documentation must accompany each monthly invoice.

Payments may be adjusted by City on a quarterly basis if the State of Maine determines an under expenditure of budgeted funds as reported on the quarterly financial reports.

VI. INDEPENDENT CAPACITY

In the performance of this Agreement, the parties hereto agree that and any agents and employees of SVH, shall act in the capacity of an independent contractor and not as officers or employees or agents of the State or employees of CITY.

VII. TERMINATION

The Agreement may be terminated by CITY in whole, or in part, if the State of Maine DHHS Agreement Administrator determines such termination is in the best interest of the State of Maine. CITY will be notified by the State of Maine of any such termination by a Notice of Termination specifying the extent to which performance of the work under the Agreement is terminated and the date on which such termination becomes effective. The Agreement shall be equitably adjusted to compensate for such termination, and modified accordingly.

VIII. GENERAL

This Agreement will be reviewed and renewed annually by SVH and CITY as long as the parties are in Agreement throughout the HMP funding cycle.

IX. CONTACTS

SVH: Karen Hawkes
447 N. Main Street
Pittsfield, ME 04967
207.487.3890 ext. 2733
khawkes@emh.org

CITY: Jamie Comstock
103 Texas Avenue
Bangor, ME 04401
207.992.4466
Jamie.comstock@bangormaine.gov

City of Bangor

Catherine M. Conlow, City Manager

Date

Sebasticook Valley Health

Randall Clark, Chief Financial Officer

Date

COUNCIL ACTION

Item No. 16-005

Date: November 9, 2015

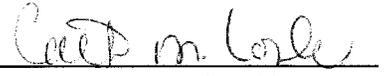
Item/Subject: **ORDER**, Authorizing the City Manager to Execute a Sub Recipient Agreement in the amount of \$38,546 with Katahdin Shared Services, as the Fiscal Agent for the Partnership for a Healthy Northern Penobscot

Responsible Department: Public Health and Community Services

Commentary: This Order will authorize the City Manager to execute a sub recipient agreement in the amount of \$38,546 with Katahdin Shared Services, for substance abuse prevention activities in northern Penobscot County The sub recipient agreement would end June 30, 2016. This was reviewed and recommended for approval at the November 2, 2015 Government Operations Committee meeting.

Department Head

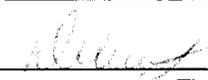
Manager's Comments:



City Manager

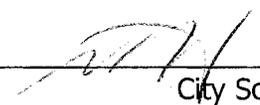
Associated Information: Order

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

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

Page 1 of 1

Assigned to Councilor Faircloth



CITY OF BANGOR

(TITLE.) Order, Authorizing the City Manager to Execute a Sub Recipient Agreement in the amount of \$38,546 with Katahdin Shared Services, as the Fiscal Agent for the Partnership for a Healthy Northern Penobscot.

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT ORDERED, that the City Manager is hereby authorized to enter into a sub-recipient agreement with Katahdin Shared Services, as the Fiscal Agent for the Partnership for a Healthy Northern Penobscot in the amount of \$38,546, for a term ending 6-30-16, in a form acceptable to the City Solicitor or Assistant City Solicitor

**City of Bangor
Agreement to Purchase Services**

THIS AGREEMENT, made this 3rd day of November, 2015 is by and between the City of Bangor, hereinafter called "Contractor" and Katahdin Shared Services, mailing address 200 Somerset St, Millinocket, ME 04462, hereinafter called "Provider," for the period of 10/1/2015 to 6/30/2016.

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

The following Riders and Attachments are hereby incorporated into this Agreement and made part of it by reference:

- Rider A - Specifications of Work to be Performed
- Rider B - Payment and Other Provisions
- Rider D - Additional Requirements
- Rider E - Program Requirements
- Rider F - Budget, F-1 Proforma, F-2 Agreement Compliance Form
- Rider G - Identification of Country In Which Contracted Work Will Be Performed
- Rider I - Assurance of Compliance
- Rider - Exceptions
- Appendix A - Strategy Resource and Count Guide To Substance Abuse Prevention Objectives

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

CITY OF BANGOR

By: _____
Catherine M. Conlow, City Manager

AND

KATAHDIN SHARED SERVICES

By: _____
Robert Peterson, President

Total Agreement Amount: \$38,546.00

COUNCIL ACTION

Item No. 16-006

Date: November 9, 2015

Item/Subject: **ORDER**, Authorizing the City Manager to Execute a Sub Recipient Agreement in the amount of \$38,546 with Mayo Regional Hospital, as the Fiscal Agent for the Piscataquis Public Health Council

Responsible Department: Public Health and Community Services

Commentary: This Order will authorize the City Manager to execute a sub recipient agreement in the amount of \$38,546 with Mayo Regional Hospital, as the Fiscal Agent for the Piscataquis Public Health Council, for substance abuse prevention activities in Piscataquis County. The PPHC serves as the local Healthy Maine Partnership for Piscataquis County. The sub recipient agreement would end 6/30/16. This was reviewed and recommended for approval at the November 2, 2015 Government Operations Committee meeting.

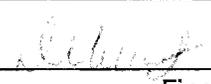
Department Head

Manager's Comments:

City Manager

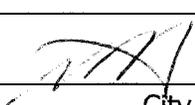
Associated Information: Order

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

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

Page 1 of 1

Assigned to Councilor Graham



CITY OF BANGOR

(TITLE.) Order, Authorizing the City Manager to Execute a Sub Recipient Agreement in the amount of \$38,546, with Mayo Regional Hospital, as the fiscal agent for the Piscataquis Public Health Council.

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT ORDERED, that the City Manager is hereby authorized to enter into a sub-recipient agreement in the amount of \$38,546 with Mayo Regional Hospital, as the fiscal agent for the Piscataquis Public Health Council, for a term ending 6-30-16 in a form acceptable to the City Solicitor or Assistant City Solicitor

**City of Bangor
Agreement to Purchase Services**

THIS AGREEMENT, made this 3rd day of November, 2015 is by and between the City of Bangor, hereinafter called "Contractor" and Mayo Regional Hospital, mailing address 897 W. Main Street, Dover-Foxcroft, ME 04426, hereinafter called "Provider," for the period of 10/1/2015 to 6/30/2016.

WITNESSETH, that for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the Contractor, the Provider hereby agrees with the Contractor to furnish all qualified personnel, facilities, materials and services and in consultation with the Contractor, to perform the services, study or projects described, and under the terms of this Agreement. The following Riders and Attachments are hereby incorporated into this Agreement and made part of it by reference:

- Rider A - Specifications of Work to be Performed
- Rider B - Payment and Other Provisions
- Rider D - Additional Requirements
- Rider E - Program Requirements
- Rider F - Budget, F-1 Proforma, F-2 Agreement Compliance Form
- Rider G - Identification of Country In Which Contracted Work Will Be Performed
- Rider I - Assurance of Compliance
- Rider - Exceptions
- Appendix A - Strategy Resource and Count Guide To Substance Abuse Prevention Objectives

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

CITY OF BANGOR

By: _____
Catherine M. Conlow, City Manager

AND

MAYO REGIONAL HOSPITAL

By: _____
Marie Vienneau, CEO

Total Agreement Amount: \$38,546.00

COUNCIL ACTION

Item No. 16-007

Date: November 9, 2015

Item/Subject: ORDER, Authorizing Execution of Documents for the Sale of 12 North Street (Map 013 Lot 125) to Gregory & Lara Dorr in the Amount of \$8,620

Responsible Department: Finance

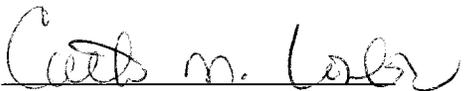
Commentary:

This Order would authorize the sale of 12 North Street Court to Gregory & Lara Dorr for \$8,620. The City acquired this property due to matured tax liens and intends to demolish the structure. Given the size of the lot and the housing congestion on this short street the City determined that a sale to abutters would be in the best interest of the neighborhood. The quitclaim deed issued by the City for this sale will prohibit the construction of a residence on this lot.

The Finance Committee reviewed and recommended this item for approval at its November 2, 2015 meeting.

Department Head

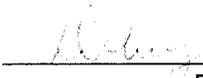
Manager's Comments:



City Manager

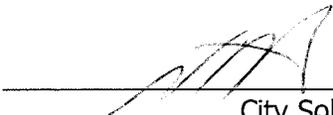
Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

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

Page of



Assigned to Councilor Durgin

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of Documents for the Sale of 12 North Street
(Map 013 Lot 125) to Gregory & Lara Dorr in the Amount of \$8,620

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 Agreement, and all other necessary documents, for the sale of real estate located at 12 North Street to Gregory & Lara Dorr, in the amount of \$8,620. Said documents shall be a final form as approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 16-008

Date: November 9, 2015

Item/Subject: ORDER, Authorizing Execution of Documents for the Sale of 130 Thirteenth Street (Map 012 Lot 052) to James Gallant, JD Contracting, in the amount of \$10,500

Responsible Department: Finance

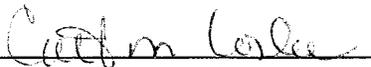
Commentary:

The above referenced property was taken by the City due to matured tax liens and based on its condition was offered for sale through the RFP process. On October 21, 2015, the City received four (4) responses to its RFP. Purchase prices ranged from \$4,000 - \$10,500. The proposal clearly stated that the property would be sold as-is where-is, that only a municipal quitclaim deed would be issued and required that the submission of a planned use, timeline and proposed investment level.

At the November 2, 2015, the Finance Committee reviewed and recommended for approval staff recommendation is to accept the offer of \$10,500 from JD Contracting, a subsidiary of Bangor Lawn and Landscape. The proposal included a plan to upgrade the heating, electric, and plumbing, to replace the roof, windows and siding, demolish the existing garage and construct a new one care garage with a master suite on the second floor of that structure. The estimated overall investment is \$38,600 and the proposed timeline would be completion by April 2016.

Department Head

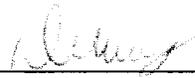
Manager's Comments:



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 Execution of Documents for the Sale of 130 Thirteenth Street (Map 012 Lot 052) to James Gallant, JD Contracting, in the Amount of \$10,500

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 Agreement, and all other necessary documents, for the sale of real estate located at 130 Thirteenth Street to James Gallant, JD Contracting, in the amount of \$10,500. Said documents shall be a final form as approved by the City Solicitor or Assistant City Solicitor.

Date: November 9, 2015

Item/Subject: ORDER, Authorizing Execution of Agreement for Maine Department of Transportation Local Project – Griffin Road Mill & Fill, WIN 22516.02

Responsible Department: Engineering

Commentary:

This order would authorize the City Manager to execute a Local Project Agreement with the Maine Department of Transportation for design and construction of a project on Griffin Road beginning at the intersection of Union Street and extending northerly approximately 0.46 miles to Ohio Street. Work will consist of a two inch mill and fill with ADA and drainage improvements.

The Maine Department of Transportation has approved state funds in an amount not to exceed \$460,000.00. Total State share of 50% to equal \$230,000.00, and a Municipality share of 50% to equal \$230,000.00. As part of that project, the City would need to enter into a local project agreement with the Maine Department of Transportation. This item will be discussed at a pre-council on November 9, 2015.

John M. Theriault, PTOE, PE
Department Head

Manager's Comments:

Carlton Cole
City Manager

Associated Information: Council Order, Agreement

Budget Approval:

W. [Signature]
Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for

- Passage
- First Reading
- Referral



Assigned to Councilor Plourde

CITY OF BANGOR

(TITLE.) Order, Authorizing Execution of Agreement for Maine Department of Transportation Local Project – Mill & Fill, WIN 22516.02

(TITLE.) ORDER, Authorizing Execution of Agreement for Maine Department of Transportation Local Project – WIN #22516.02, Griffin Road Mill and Fill Project

ORDERED,

THAT: the City Manager is hereby authorized and directed to execute an agreement with the Maine Department of Transportation for the following:

An Agreement with the Maine Department of Transportation – Griffin Road Mill and Fill Project, WIN #22516.02

Copy of the agreement is attached.

<i>Internal Use Only</i> TEDOCS #: _____
CT#: _____
CSN#: _____

**STATE OF MAINE DEPARTMENT OF TRANSPORTATION
MUNICIPAL PARTNERSHIP AGREEMENT**

WIN 22516.02

REGARDING

GRIFFIN ROAD MILL AND FILL PROJECT, BANGOR

This Cooperative Agreement (AGREEMENT) is entered into by and between the MAINE DEPARTMENT OF TRANSPORTATION ("MaineDOT"), an agency of state government with its principal administrative offices located on Child Street, Augusta, Maine, and the CITY OF BANGOR ("Bangor"), a municipality in the State of Maine with offices located at 73 HARLOW STREET, BANGOR, ME.

WHEREAS, Bangor shall oversee the design and construction of a project on Griffin Road beginning at the intersection of Union Street and extending northerly approximately 0.46 miles to Ohio Street. The work will consist of a 2 inch mill and fill with ADA and drainage improvements. Bangor estimates the total cost of this project to be \$460,000.00.

BANGOR SHALL:

- A. Shall procure and oversee a project on Griffin Road for the work outlined above.
- B. Perform such work in accordance with a design by an engineer licensed in the State of Maine. The Licensed Engineer shall provide a certification to the Municipality and to MaineDOT that, in his/her professional opinion, the Project as designed will provide a smooth ride, not reduce the safety, mobility or structural quality of the state [state aid] road. All design documents must be stamped and signed in accordance with this provision by the Professional Engineer.
- C. Agree to secure all necessary Federal, State and Local permits necessary to complete the work. Bangor also agrees to secure any needed property rights in accordance with all applicable State and Federal Laws.
- D. Agree that any exceptions to State Design Standards shall be documented as part of this process. This documentation shall compare the new design to the existing conditions for each of the exceptions to current design standards. Any such exceptions shall be displayed on the cover sheet for the Project plans with the signature and PE stamp of the engineer responsible for the design of the Project.
- E. Be responsible, within the Project limits, for the following:

- a. Ensuring that the safety of the corridor and the life of the resulting structural and design elements are equal to or better than existing conditions and design;
 - b. Ensuring that the structures, roadways and/or design features affected by the Project work shall, at a minimum, be of equal dimensions to the existing features or structures and shall be of improved quality in terms of materials and utility;
 - c. Ensuring that the Project does not introduce any unanticipated safety hazards to the traveling public;
 - d. Ensuring that the Project retains the same level of mobility or improves mobility of travel within the corridor; and,
 - e. Ensuring that the Project does not in any manner decrease the life expectancy of this component of Maine's transportation system.
 - f. Ensure the project meets the most recent Americans with Disabilities Act of 1990 (ADA) design requirements.
- F. Provide certification through their Engineer to MaineDOT that the project is complete and was constructed as designed.
- G. Commence construction within twelve (12) months and shall be certified complete within twenty four (24) months of execution of this agreement. Bangor may forfeit the unpaid balance of this grant if these deadlines are not met or they can not demonstrate earnest and good faith efforts to meet them.

MAINEDOT SHALL:

- A. **Provide a maximum of \$230,000.00 in State funds supporting the project work stated above in initiative monies.** Reimbursement will be made by the Department at a minimum of 1/3 project completion upon receipt of supporting cost documentation from the Municipality. Payments will be made per Appendix A, attached. The Department's Region Engineer shall review the costs and certify their eligibility prior to reimbursement to the Municipality. Payment by MaineDOT Municipal Partnership Initiative funds shall not exceed 50% of the actual costs incurred and paid by the Municipality or **\$230,000.00.**

The City of Bangor and MaineDOT agree to function within all applicable laws, statutes, regulations, and AGREEMENT provisions; avoid hindering each other's performance; fulfill all obligations diligently; and cooperate in achievement of the intent of this AGREEMENT.

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT in duplicate effective on the day and date last signed.

CITY OF BANGOR

Dated: _____

By: _____
Catherine Conlow
City Manager

**STATE OF MAINE
DEPARTMENT OF TRANSPORTATION**

Dated: _____

By: _____
David Bernhardt, PE
Commissioner

APPENDIX A
PROJECT SCOPE AND COST SHARING
MAINE DEPARTMENT OF TRANSPORTATION

Municipal Partnership Initiative Project

MUNICIPALITY OF Bangor

PROPOSED IMPROVEMENTS TO: Griffin Road

STATE PROJECT IDENTIFICATION NUMBER (WIN) 22516.02

Project Scope: 2 inch mill and fill with drainage and ADA improvements

Funding Outline: The Total Project Estimated Cost is \$460,000.00, and the Parties agree to share costs through all stages of the Project under the terms outlined below.

Work Element	Municipal Share		State Share		Total Cost
	%	\$	%	\$	\$
Project Costs	50	230,000.00	50	230,000.00	460,000.00
PROJECT SHARES		230,000.00		230,000.00	460,000.00
Total Cost of Additional Work above agreement estimate	100%				
TOTAL ESTIMATED MUNICIPAL REIMBURSEMENT		230,000.00			

REIMBURSEMENT SCHEDULE:

Upon 1/3 project completion the municipality may begin invoicing the Department. Preferred invoicing interval is 1/3, 2/3, final, the Department will accept monthly invoices after 1/3 project completion with a maximum invoice submittal not to exceed 5 invoices.

DESIGN EXCEPTIONS REQUIRED: YES NO

Design exceptions where required for this project. Please see attached approval from MaineDOT Chief Engineer outlining design exceptions.

Date: November 9, 2015

Item/Subject: ORDER, Authorizing Execution of Agreement for Maine Department of Transportation Local Project – State Street (Route 2) Mill & Fill, WIN 22516.05

Responsible Department: Engineering

Commentary:

This order would authorize the City Manager to execute a Local Project Agreement with the Maine Department of Transportation for design and construction of a project on State Street (Route 2) beginning at the intersection of Young Street and extending northeasterly approximately 0.73 miles to the Bangor/Veazie town line. The work will consist of 2 inch mill & fill with drainage improvements.

The Maine Department of Transportation has approved state funds in an amount not to exceed \$540,000.00. Total State share of 50% to equal \$270,000.00, and a Municipality share of 50% to equal \$270,000.00. As part of that project, the City would need to enter into a local project agreement with the Maine Department of Transportation.

John M. Theriault, PTOE, PE
Department Head

Manager's Comments:

This item will be discussed at a pre-canceled meeting on Nov. 9 2015.

Castro-Love
City Manager

Associated Information: Council Order, Agreement

Budget Approval:

Reber
Finance Director

Legal Approval:

MTA
City Solicitor

Introduced for
 Passage
 First Reading
 Referral

Assigned to Councilor Faircloth



CITY OF BANGOR

(TITLE.) Order, Authorizing Execution of Agreement for Maine Department of Transportation Local Project – State Street (Route 2) Mill & Fill, WIN 22516.05

(TITLE.) ORDER, Authorizing Execution of Agreement for Maine Department of Transportation Local Project – WIN #22516.05, State Street (Route 2) Mill and Fill Project

ORDERED,

THAT: the City Manager is hereby authorized and directed to execute an agreement with the Maine Department of Transportation for the following:

An Agreement with the Maine Department of Transportation – State Street (Route 2) Mill and Fill Project, WIN #22516.05

Copy of the agreement is attached.

<i>Internal Use Only</i>
TEDOCS #: _____
CT#: _____
CSN#: _____

**STATE OF MAINE DEPARTMENT OF TRANSPORTATION
MUNICIPAL PARTNERSHIP AGREEMENT**

WIN 22516.05

REGARDING

STATE STREET (ROUTE 2) MILL AND FILL PROJECT, BANGOR

This Cooperative Agreement (AGREEMENT) is entered into by and between the MAINE DEPARTMENT OF TRANSPORTATION ("MaineDOT"), an agency of state government with its principal administrative offices located on Child Street, Augusta, Maine, and the CITY OF BANGOR ("Bangor"), a municipality in the State of Maine with offices located at 73 HARLOW STREET, BANGOR, ME.

WHEREAS, Bangor shall oversee the design and construction of a project on State Street (Route 2) beginning at the intersection of Young Street and extending northeasterly approximately 0.73 miles to the Bangor/Veazie town line. The work will consist of a 2 inch mill and fill with drainage improvements. Bangor estimates the total cost of this project to be \$540,000.00.

BANGOR SHALL:

- A. Shall procure and oversee a project on State Street for the work outlined above.
- B. Perform such work in accordance with a design by an engineer licensed in the State of Maine. The Licensed Engineer shall provide a certification to the Municipality and to MaineDOT that, in his/her professional opinion, the Project as designed will provide a smooth ride, not reduce the safety, mobility or structural quality of the state [state aid] road. All design documents must be stamped and signed in accordance with this provision by the Professional Engineer.
- C. Agree to secure all necessary Federal, State and Local permits necessary to complete the work. Bangor also agrees to secure any needed property rights in accordance with all applicable State and Federal Laws.
- D. Agree that any exceptions to State Design Standards shall be documented as part of this process. This documentation shall compare the new design to the existing conditions for each of the exceptions to current design standards. Any such exceptions shall be displayed on the cover sheet for the Project plans with the signature and PE stamp of the engineer responsible for the design of the Project.
- E. Be responsible, within the Project limits, for the following:

- a. Ensuring that the safety of the corridor and the life of the resulting structural and design elements are equal to or better than existing conditions and design;
 - b. Ensuring that the structures, roadways and/or design features affected by the Project work shall, at a minimum, be of equal dimensions to the existing features or structures and shall be of improved quality in terms of materials and utility;
 - c. Ensuring that the Project does not introduce any unanticipated safety hazards to the traveling public;
 - d. Ensuring that the Project retains the same level of mobility or improves mobility of travel within the corridor; and,
 - e. Ensuring that the Project does not in any manner decrease the life expectancy of this component of Maine's transportation system.
 - f. Ensure the project meets the most recent Americans with Disabilities Act of 1990 (ADA) design requirements.
- F. Provide certification through their Engineer to MaineDOT that the project is complete and was constructed as designed.
- G. Commence construction within twelve (12) months and shall be certified complete within twenty four (24) months of execution of this agreement. Bangor may forfeit the unpaid balance of this grant if these deadlines are not met or they can not demonstrate earnest and good faith efforts to meet them.

MAINEDOT SHALL:

- A. **Provide a maximum of \$270,000.00 in State funds supporting the project work stated above in initiative monies.** Reimbursement will be made by the Department at a minimum of 1/3 project completion upon receipt of supporting cost documentation from the Municipality. Payments will be made per Appendix A, attached. The Department's Region Engineer shall review the costs and certify their eligibility prior to reimbursement to the Municipality. Payment by MaineDOT Municipal Partnership Initiative funds shall not exceed 50% of the actual costs incurred and paid by the Municipality or **\$270,000.00**.

The City of Bangor and MaineDOT agree to function within all applicable laws, statutes, regulations, and AGREEMENT provisions; avoid hindering each other's performance; fulfill all obligations diligently; and cooperate in achievement of the intent of this AGREEMENT.

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT in duplicate effective on the day and date last signed.

CITY OF BANGOR

Dated: _____

By: _____
Catherine Conlow
City Manager

**STATE OF MAINE
DEPARTMENT OF TRANSPORTATION**

Dated: _____

By: _____
David Bernhardt, PE
Commissioner

APPENDIX A
PROJECT SCOPE AND COST SHARING
MAINE DEPARTMENT OF TRANSPORTATION

Municipal Partnership Initiative Project

MUNICIPALITY OF Bangor

PROPOSED IMPROVEMENTS TO: State Street (Route 2)

STATE PROJECT IDENTIFICATION NUMBER (WIN) 22516.05

Project Scope: 2 inch mill and fill with drainage improvements

Funding Outline: The Total Project Estimated Cost is \$540,000.00, and the Parties agree to share costs through all stages of the Project under the terms outlined below.

Work Element	Municipal Share		State Share		Total Cost
	%	\$	%	\$	\$
Project Costs	50	270,000.00	50	270,000.00	540,000.00
PROJECT SHARES		270,000.00		270,000.00	540,000.00
Total Cost of Additional Work above agreement estimate	100%				
TOTAL ESTIMATED MUNICIPAL REIMBURSEMENT		270,000.00			

REIMBURSEMENT SCHEDULE:

Upon 1/3 project completion the municipality may begin invoicing the Department. Preferred invoicing interval is 1/3, 2/3, final; the Department will accept monthly invoices after 1/3 project completion with a maximum invoice submittal not to exceed 5 invoices.

DESIGN EXCEPTIONS REQUIRED: YES NO

Design exceptions where required for this project. Please see attached approval from MaineDOT Chief Engineer outlining design exceptions.

COUNCIL ACTION

Item No. 16-011

Date: November 9, 2015

Item/Subject: **Resolve**, Acknowledging Receipt of the Official Results and the Declaration Results of the November 3, 2015 Municipal Election and State Referendum

Responsible Department: City Clerk

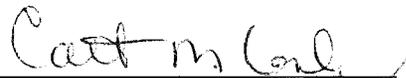
Commentary:

This Resolve will acknowledge the results of the Municipal Election and State Referendum held on November 3, 2015.



Department Head

Manager's Comments:



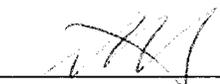
City Manager

Associated Information: Resolve

Budget Approval:

Finance Director

Legal Approval:



City Solicitor

Introduced for CONSENT

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



Assigned to Councilor Durgin

CITY OF BANGOR

(TITLE.) RESOLVE, Acknowledging Receipt of the Official Results and the Declaration Results of the November 3, 2015 Municipal Election and State Referendum

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT the attached election results are received and acknowledged for the Municipal Election and State Referendum held on November 3, 2015.

OFFICIAL RETURN OF VOTES CAST - CITY OF BANGOR
 STATE REFERENDUM AND MUNICIPAL ELECTIONS
 NOVEMBER 3, 2015

16-011
 NOVEMBER 9, 2015

State Question 1: Citizen's Initiative	
YES	2543
NO	1700
BLANKS	64
State Question 2: Bond Issue	
YES	3149
NO	1112
BLANKS	46
State Question 3: Bond Issue	
YES	3294
NO	953
BLANKS	60

CITY COUNCIL	
CAPEHART, GARY E.	1590
LECLAIR, PAUL THOMAS	645
SHORETTE, MEGAN LINMARIE	1607
OSMER, WILLIAM DAVIS	861
PERRY, JOSEPH C.	2071
NEALLEY, DAVID SAWYER	1770
NICHOLS, SARAH ANN	2230
Write-ins	30
Blanks	2126
SCHOOL COMMITTEE	
DEGROFF, JENNIFER ANNE	1865
DOORE, BRIAN E.	2335
STURM, DAVID E.	1605
Write-ins	50
Blanks	2765



**REFERRALS TO COMMITTEES
& FIRST READINGS**

COUNCIL ACTION

Item No. 16-012

Date: November 9, 2015

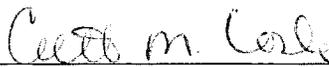
Item/Subject: **ORDINANCE**, Amending Chapter 170, Life Safety Code, of the Code of the City of Bangor, By Adopting the National Fire Protection Association's 2009 Edition of NFPA 101

Responsible Department: Legal

Commentary: The proposed ordinance amendment replace the current life safety code which is the 1994 edition and adopt the 2009 version of NFPA 101, the version presently adopted by the State of Maine, along with the amendments to NFPA 101 that have made by the State. The changes made by the State include removing the requirement that all new one-and two-family dwellings be sprinkled.

Department Head

Manager's Comments:


City Manager

Associated Information: Ordinance

Budget Approval:

Finance Director

Legal Approval:


City Solicitor

Introduced for

Passage

First Reading

Referral to the Government Operations Committee on November 16, 2015

Assigned to Councilor Perry



CITY OF BANGOR

ORDINANCE, Amending Chapter 170, Life Safety Code, of the Code of the City of Bangor, By Adopting the National Fire Protection Association's 2009 Edition of NFPA 101

WHEREAS, the City's Life Safety Code is presently based on NFPA No. 101, 1994 Edition; and

WHEREAS, the State of Maine presently operates under NFPA 101, 2009 Edition;

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

Chapter 170 of the Code of the City of Bangor be amended as follows:

§ 170-1. Adoption of codes.

In accordance with 30-A M.R.S.A. § 3003, the Life Safety Code, 1994 2009 Edition, designated as "NFPA No. 101" and adopted by the National Fire Protection Association is hereby adopted and incorporated by reference as the minimum standards of construction, protection and occupancy of structures and buildings located within the City of Bangor for the purposes of life safety from fire and like emergencies, with the following amendments:

- A. Section 12.3.5.3, subsections (3) and (4) and section 13.3.5.3 are deleted and shall not be incorporated by reference.
- B. Section 24.3.5.1 is deleted and shall not be incorporated by reference.

§ 170-2. Enforcement.

...

- B. Whenever the Fire Chief, Fire Prevention Bureau Chief, the Code Enforcement Officer or their authorized agent(s) determine(s) that there is a violation of any provisions of said code, he/they shall give written notice of such violation to the property owner or the lessee or occupant or their agent(s). Such written notice shall:

...

- (4) Order that said violation(s) be corrected within a reasonable time, such reasonable time to be determined by the Fire Chief, Fire Prevention Bureau Chief, or Code Enforcement Officer or their authorized agent(s) and indicated upon such written notice.

...

§ 170-3. Appeals.

...

- B. The Board may only reverse the order, decision or other action being appealed from if the appellant shows that it can clearly meet the provisions of §§ ~~1-4~~ 1.3 (Application) and ~~1-5~~ 1.4 (Equivalency Concepts) of the code Life Safety Code with regard to any alleged violation.

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

COUNCIL ACTION

Item No. 16-013

Date: November 9, 2015

Item/Subject: **ORDINANCE**, Amending Chapter 165, Land Development, of the Code of the City of Bangor, By Defining and Regulating Landscaping as a Use in the Rural Residence and Agricultural (RR & A) District

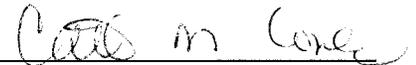
Responsible Department: Legal

Commentary: This ordinance amendment would define and regulate landscaping service businesses as a use in the Rural Residence and Agricultural District. The City has traditionally included landscaping businesses under the umbrella of agricultural uses in the RR&A District. Recently concerns have been raised about the impact of such businesses and their proximity to residential properties. After a number of meetings with the public, the Planning Board, and the Business and Economic Development Committee, these proposed ordinance amendments have been drafted.

The attached ordinance is intended to address these concerns by providing a definition of landscaping, separate provisions for small and large landscaping businesses, and setback and buffer requirements. Landscaping businesses currently operating legally within the district will be grandfathered.

Department Head

Manager's Comments:

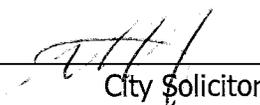

City Manager

Associated Information: Ordinance

Budget Approval:

Finance Director

Legal Approval:


City Solicitor

Introduced for

Passage

First Reading

Referral to the B&ED Committee and the Planning Board on November 17, 2015



Assigned to Councilor Baldacci

CITY OF BANGOR

(TITLE.) Ordinance, Amending Chapter 165, Land Development, or the Code of the City of Bangor, By Defining and Regulating Landscaping as a Use in the Rural Residence and Agricultural (RR & A) District

WHEREAS, landscaping service businesses have traditionally been considered as an agricultural use in the Rural Residence and Agricultural District (RR&A);

WHEREAS, concerns have been raised regarding the proximity of such businesses to residences in the RR&A District; and

WHEREAS, the needs of landscaping businesses must be balanced with the concerns of residential property owners;

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BANGOR AS FOLLOWS:

That Chapter 165, Land Development of the Code of the City of Bangor be amended as follows:

§ 165-13. Definitions.

For the purpose of interpreting this chapter, the following terms, phrases, words and their derivations shall have the meanings given herein:

...

LANDSCAPING SERVICES

Onsite and offsite business activities related to planting, bed preparation, installation of landscape materials, and attendant maintenance activities. A small landscaping services business may have no more than four employees, including the owner, while a large landscaping services business may have any number of employees. Landscaping includes:

- A. Raising, planting, and caring for plants, shrubs, and trees;
- B. Mowing, irrigation, raking, rolling and reseeded of lawns;
- C. The application of fertilizers, pesticides, herbicides, and disease control agents;
- D. Construction and maintenance of landscaping features, such as flower beds, patios, fountains, and decorative pools; and
- E. Snow removal.

...

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

- A. Statement of purpose. The Rural Residence and Agricultural District is established to preserve in agricultural use lands where urban development is generally not feasible because of the absence of public utilities and community facilities. As these utilities and facilities become available within the urban development boundary and a demand for urban land use develops, a change of zoning from agricultural to other districts may be made. Minimum lot sizes in this district are also intended to preserve the quiet, rural atmosphere and to conserve property values.
- B. Basic requirements. Buildings or land used or occupied and buildings or structures erected, constructed, reconstructed, moved or structurally altered, whether permitted uses or conditional uses, shall comply with the requirements of this section, Articles II through XII and the specific development standards of Article XIX of this chapter.
- C. Permitted uses. The following uses are permitted in this district:
- (1) Agriculture.
 - (2) The sale of farm, nursery, dairy or poultry products within a structure having a gross floor area of not more than 500 square feet.
 - (3) Sale of farm products where:
 - (a) The retail area shall not exceed 2,500 square feet.
 - (b) The property is located on a major arterial street.
 - (c) The property is a working farm.
 - (4) One-family dwellings and one-family detached manufactured housing units.
 - (5) Home occupation or profession (subject to the requirements of Article IV).
 - (6) Municipal uses.
 - (7) Public utility and public service uses.
 - (8) Community living arrangements, in accordance with 30-A M.R.S.A. § 4357-A, as may be amended.
 - (9) Cluster subdivision for detached single-family dwellings, provided that:
 - (a) Such project has a minimum of five acres.

- (b) Provision is made for the maintenance in perpetuity of open space areas in such a project.
 - (c) Such project receives approval under Article XVI of this chapter.
- (10) Cellular telecommunication towers, provided that:
- (a) They do not exceed 195 feet in height, or the minimum height required under federal law, whichever is greater.
 - (b) They are set back from property lines a minimum of 100% of the tower height.
 - (c) They conform to the requirements of § 165-80.1.
- (11) Bed-and-breakfasts, provided that:
- (a) Meals provided are limited to patrons and their guests.
 - (b) It is limited to a maximum of 10 guest rooms.
 - (c) It provides, at a minimum, an A Buffer Yard or an equivalent of existing woody vegetation to buffer neighboring properties.
 - (d) The applicant demonstrates compliance with the State Plumbing Code for the proposed number of units.
- (12) Small landscaping services business, provided that:
- (a) The landscaping services use is accessory to the primary use of the parcel as a residence.
 - (b) Facilities, equipment, and storage areas are located at least 50 feet from the property line of any other parcel.
 - (c) At least 50 feet of existing or planted woody vegetation creating an effective visual barrier must be provided between facilities, equipment, and storage areas and the property line of any adjacent parcel.
 - (d) No more than four people, including the owner, may be employed or used as independent contractors by the landscaping services business.
 - (e) A stockade fence at least six feet in height must enclose any storage or parking area on any side not facing a building on the parcel or a street adjacent to the parcel.
- (13) Accessory uses on the same lot and customarily incidental to and subordinate to the above uses and any use approved under Subsection D below.

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

- (1) Excavations of soil or loam, provided that they meet the requirements of Article VI.
- (2) Animal pounds, kennels, animal hospitals, animal clinics, and animal crematoria, provided that such facilities are located at least 100 feet from any residential district and at least 150 feet from any residential building on an adjoining parcel.
- (3) Tenting and camping areas, golf courses and driving ranges (except miniature golf courses), provided that:
 - (a) They are located on the following arterial highways: Route 15 (Broadway) and Route 222 (Union Street).
 - (b) Such facilities are set back at least 50 feet from the street right-of-way line.
 - (c) Access drives are so located and designed to provide free, unobstructed views of vehicles from the drives and from the street and adequate stopping sight distances to such drives are available on the street.
- (4) Reconstruction of mobile home parks established prior to 1971, provided that:
 - (a) They have water service from the Bangor Water District sewer service from the City of Bangor and a minimum of 25 mobile home spaces.
 - (b) The reconstruction is done consistent with the requirements of § 165-121C.
- (5) Places of worship, provided that such site development is located on a major arterial street.
- (6) Cemeteries, provided that they meet the requirements for access drives in Subsection D(3)(c) above and conform to state statutes.
- (7) Large landscaping services business, provided that:
 - (a) The property is five acres or larger in area.
 - (b) The property is on a major arterial street.
 - (c) Facilities, equipment, and storage areas are located at least 150 feet from the property line of any other parcel.
 - (d) A stockade fence at least six feet in height must enclose any storage or parking area on any side not facing a building on the parcel or a street adjacent to the parcel, or, in the alternative, at least 50 feet of existing or planted woody vegetation creating an effective visual barrier must be provided between facilities, equipment, and storage areas and the property line of any adjacent parcel.

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



**UNFINISHED
BUSINESS**

COUNCIL ACTION

Item No. 15-357

Date: October 26, 2015

Item/Subject: Resolve, Authorizing the City Manager to Accept and Appropriate \$321,841 in Federal Transportation Authority Funds, \$36,000 in Department of Transportation State Bond Funds and \$20,796 in Bus Replacement Reserve Funds to Fund Acquisition and Rehabilitation of Three Buses

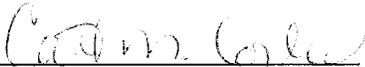
Responsible Department: Community Connector

Commentary: This Resolve will accept and appropriate \$321,841 in Federal Transportation Authority Funds, \$36,000 in Department of Transportation State Bond Funds and \$20,796 in Bus Replacement Reserve Funds for the purposes of rehabilitating three buses. In October the City authorized a contract with Merwin Consulting and Maine Military Authority to acquire and rehabilitate three buses for use in Bangor. After the initial approval and appropriation, it was discovered that the State had less funds to contribute towards the rehabilitation of the buses. As a result, it is necessary to appropriate \$20,796 from the Bus Replacement Reserve to ensure adequate funding to complete the rehabilitation.

This was reviewed and recommended for approval at the 10-19-15 Finance Committee meeting.

Department Head

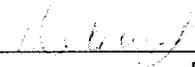
Manager's Comments:



City Manager

Associated Information: Resolve

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral

OCTOBER 26, 2015

Assigned to Councilor Sprague



CITY OF BANGOR

(TITLE.) Resolve , Authorizing the City Manager to Accept and Appropriate \$321,841 in Federal Transportation Authority Funds, \$36,000 in Department of Transportation State Bond Funds and \$20,796 in Bus Replacement Reserve Funds to Fund the Acquisition And Rehabilitation of Buses

Resolved By the City Council of the City of Bangor:

that \$321,841 in Federal Transportation Authority Funds, \$36,000 in Department of Transportation State Bond Funds and \$20,796 in Bus Replacement Reserve funds are hereby accepted and appropriated for the purpose of funding the acquisition of three rehabbed buses.

COUNCIL ACTION

Item No. 15 -358

Date: October 26, 2015

Item/Subject: RESOLVE, Authorizing the City Manager to Accept and Appropriate \$11,034 in Federal Transportation Authority Bus Support Equipment Funds for the Purchase of Community Connector Radio Equipment

Responsible Department: Community Connector

Commentary: This Resolve will accept and appropriate \$11,034 in Federal Transportation Authority Funds to fund 80% of the cost of radio equipment for use in the Community Connector operations. The 20% local share is available within each community's operating budget.

This was reviewed and recommended for approval at the 10-19-15 Finance Committee meeting.

Department Head

Manager's Comments:

Casey M. Cole
City Manager

Associated Information: Resolve

Budget Approval:

[Signature]
Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for

- Passage
- First Reading
- Referral

OCTOBER 26, 2015

Assigned to Councilor Baldacci



CITY OF BANGOR

(TITLE.) Resolve , Authorizing the City Manager to Accept and Appropriate \$11,034 in Federal Transportation Authority Bus Support Equipment Funds for the Purchase of Community Connector Radio Equipment

Resolved By the City Council of the City of Bangor:

that \$11,034 in Federal Transportation Authority Bus Support Equipment Funds are hereby accepted and appropriated for the purchase of Community Connector radio equipment.

COUNCIL ACTION

Item No. 15-359

Date: October 26, 2015

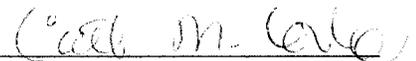
Item/Subject: RESOLVE, Authorizing the City Manager to Accept and Appropriate \$50,000 in Grant Funds from Eastern Maine Healthcare Systems, for the Partnerships to Improve Community Health (PICH) Program.

Responsible Department: Public Health and Community Services

Commentary: This resolve will authorize the City Manager to accept and appropriate \$50,000 in grant funds from Eastern Maine Healthcare Systems for the Partnership to Improve Community Health. This is the second year of a three-year grant from the US Centers for Disease Control and Prevention (US CDC) to improve health outcomes in the region. The objectives of the project are to improve community access to healthy foods, increase opportunities for populations to engage in regular physical activity, and to strengthen clinical-community linkages and chronic disease prevention. Bangor Public Health and Community services would continue, as a sub-recipient, to serve the communities that comprise our Healthy Maine Partnership service area. The term is 9/30/15 to 9/29/16.

Department Head

Manager's Comments:


City Manager

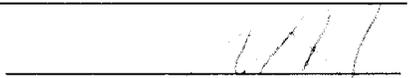
Associated Information:

Resolve

Budget Approval:


Finance Director

Legal Approval:


City Solicitor

Introduced for

Passage
 First Reading

Page 1 of

Referral to Gov't Ops on 11-2-15



Assigned to Councilor Faircloth

CITY OF BANGOR

RESOLVE: Authorizing the City Manager to Accept and Appropriate \$50,000 in Grant Funds from Eastern Maine Healthcare Systems, for the Partnerships to Improve Community Health (PICH) Program.

BE IT RESOLVED THAT: The City Manager is hereby authorized to Accept & Appropriate grant funds in the amount of \$50,000 in Grant Funds from Eastern Maine Healthcare Systems for the period September 30, 2015 to September 29, 2016 for the Partnerships to Improve Community Health (PICH) Program.



**NEW
BUSINESS**