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
PLEDGE OF ALLEGIANCE TO THE FLAG

PRESENTATION: AARP Maine Age Friendly Community

PROCLAMATION: Proclaiming December 1, 2016 World Aids Day In The City Of Bangor

PUBLIC COMMENT

CONSENT AGENDA

ITEM NO.                    ASSIGNED TO COUNCILOR

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

MINUTES OF:

Bangor City Council Organizational Meeting and Regular Meeting of November 12, 2016, and Bangor School Committee Regular Meeting of October 25, 2016, Bangor School Committee Organizational Meeting of November 12, 2016, and Government Operations Committee Meeting of November 21, 2016

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

17-013 ORDER Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 12 Colonial Pines Mobile Home Park (Map R22 Lot 001)

Executive Summary: Real estate tax liens matured on the property of Lori Ann Chalila located at 12 Colonial Pines Mobile Home Park, now owned by Sarahlynn Robinson. 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.

17-014 ORDER Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 307 Maple Street (Map 052 Lot 065-C)

Executive Summary: Real estate tax, sewer and stormwater liens have matured on the property of Kimberly J. Black of 307 Maple Street. All outstanding charges due the City have been paid. There are no property issues. Because the liens matured, a municipal quitclaim is required to release the City’s interest in the property. Staff recommends approval.
CONSENT AGENDA

ITEM NO. | ORDER | Authorizing an Amendment to the Indenture of Lease with Stillwater Enterprises, Inc. – 108 Florida Avenue | TREMBLE

Executive Summary: Stillwater Enterprises, Inc. has exercised its option to extend its lease of a building at 108 Florida Ave. for three (3) years. Stillwater Enterprises, Inc. has agreed to a rate of $1,580 per month during the first two years, and $1,600 per month during the third year of the term.

Stillwater Enterprises, Inc. is a custom metal fabrication business that has been a tenant since 2007. They manufacture special orders for general contractors and architects from sheet, solid or tubular stock metal. They also create custom products such as tidal energy structures, stair railings, elevator ladders, security doors, wheelchair ramps and fire escapes.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its November 22, 2016 meeting.

17-016 ORDER Authorizing the City Manager to Sign College Pass Agreements | NICHOLS

Executive Summary: This Order would allow the City Manager to enter into agreements with area colleges and universities to allow their students and staff to ride the Community Connector by showing a college identification card.

The Community Connector has traditionally arranged with local colleges and universities, such as the University of Maine in Orono and Augusta (Bangor campus), Eastern Maine Community College, and Husson University, to allow their students and staff to ride the Community Connector for free by showing a valid college identification card. In return, the college or university pays one or more lump sum payments.

This Order will allow the City Manager to sign these routine agreements on an ongoing basis, removing the need to come back to Council every time they expire. This item was reviewed and recommended for approval at the November 21, 2016 Government Operations Committee.

17-017 ORDER Authorizing the City to work with the Penobscot Region of the New England Mountain Biking Association | WESTON

Executive Summary: This order would authorize City staff to work with the Penobscot Region chapter of the New England Mountain Biking Association for maintenance and repair activities of various trails in the Rolland Perry City Forest as well as Essex Woods. In addition, the group would like to fundraise for larger projects. If approved, this order would also provide that the group can fundraise on behalf of the City for larger trail projects in accordance with policies established by the Finance Director.

This was reviewed and approved at the November 21st meeting of the Government Operations Committee.
CONSENT AGENDA

ITEM NO.  

17-018  ORDER  Authorizing Amendment to Agreement with David S. Boyd for 73 Central Street (Map 041, Lot 083)  NEALLEY

Executive Summary: This Order will authorize an amendment to an agreement with David S. Boyd for acquisition of property located at 73 Central Street. A real estate tax lien on property located at 73 Central Street matured in 2016 and the City took possession. Through an agreement approved in July 2016, the City agreed to convey title back to the previous owner, David S. Boyd, once the property has been renovated to correct all code deficiencies including fixing the façade, sprinkler system, and creating commercial space on the first floor. The owner is making good progress however, demolition and renovation have proven to be more extensive than initially estimated. The owner has requested an extension of deadlines for completion of the first floor renovations. If approved, this order would authorize amending the agreement to include a deadline of December 31, 2016 for final plan submission and March 15, 2017 for the required renovations work to be complete.

The Agreement shall be in in a final form as acceptable to the City Solicitor or Assistant City Solicitor. This item was reviewed and approved at the November 22, 2016 Business and Economic Development Committee Meeting.

17-019  ORDER  Authorizing the City to work with the Bangor Green Drinks for the Purchase and Installation of a Bicycle Repair Station  FAIRCLOTH

Executive Summary: This order authorizes the City to work with Bangor Green Drinks to purchase and install a bike repair station at a downtown location. Bangor Green Drinks would purchase the unit and City staff would work Bangor Green Drinks to determine the best location. The City would store the unit until it is installed in the spring of 2017. The accompanying order includes the parameters regarding the purchase and assistance staff will provide to the group. This was reviewed and recommended for approval at the November 22nd meeting of the Business and Economic Development Committee.

17-020  RESOLVE  Ratifying a Memorandum of Understanding with the Bangor Area Comprehensive Transportation System  GRAHAM

Executive Summary: This resolve would ratify the action of staff in signing a new Memorandum of Understanding (MOU) with the Bangor Area Comprehensive Transportation System (BACTS). BACTS is the designated Metropolitan Planning Organization (MPO) for the Bangor area. BACTS provides transit planning, public participation support and technical support on many transit related issues for the Community Connector. BACTS and the City of Bangor have had a MOU for several years that helps to define the relationship the two parties have. The new MOU is for FY16, FY17 and FY18, to coincide with the timing of the Federal Transit Administration’s (FTA) triennial review process for the Community Connector. This new version of the MOU is more extensive than in the past, doing more to outline the responsibilities of both parties. The MOU was modified to meet the FTA requirements, and we expect the future MOUs to look very similar to the one that has been developed this fall. This item was recommended for approval at the Government Operations Committee meeting on November 21, 2016.
### Referrals to Committee and First Reading

<table>
<thead>
<tr>
<th>Item No.</th>
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<tr>
<td>17-021</td>
<td>ORDINANCE</td>
<td>GRAHAM</td>
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<tr>
<td></td>
<td>Amending Chapters 165, Land Development Code, and 271, Streets, of the Code of the City of Bangor, By Adding Construction Standards for Private Streets (First Reading and Referral to Planning Board Meeting of December 6, 2016)</td>
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**Executive Summary:** This Ordinance would remove some minor inconsistencies between the “Design Standards for Streets and Right of Ways” and the existing standards within the Code, as well as authorize the City Engineer to set construction standards for private streets in addition to public streets in the City of Bangor.

The changes include increasing the required excavation depth to subgrade to a range of 25 to 28 inches and increasing the minimum sidewalk width from 5 feet to 6 feet to accommodate the existing maintenance equipment. The Design Standards were recently approved by the City Council. This item was reviewed and recommended for approval at the Infrastructure Committee meeting on November 15, 2016.

| 17-022   | ORDINANCE | NEALLEY            |
|          | Amending Chapter 268, Stormwater, of the Code of the City of Bangor, By Clarifying Enforcement Authority and Stormwater Maintenance Plan Provisions (First Reading) |

**Executive Summary:** This ordinance amendment would clarify the City’s stormwater maintenance ordinance, including by clarifying staff responsibilities for enforcing the ordinance.

The stormwater maintenance ordinance, which deals with the maintenance of stormwater management structures on properties throughout the City, is required by the state as part of our Municipal Separate Storm Sewer System permit. The City’s Code Enforcement Office is primarily responsible for administering this ordinance. Other departments, including the City’s Engineering and Water Quality Departments, often assist with review, approval, and enforcement efforts. The amendments would make this clear.

The ordinance amendment would also clarify that the locations of stormwater management structures should be included in a property’s maintenance plan, and that any discharging to waters of the state should be so noted.

This item was reviewed and recommended for approval at the Infrastructure Committee meeting on November 15, 2016.

| 17-023   | ORDINANCE | PERRY              |
|          | Amending Land Development Code – Contract Zone Change – 72 Broadway (Tax Map 049-018) from an Urban Residence Two District to a Contract Government and Institutional Service District (First Reading and Referral to Planning Board Meeting of December 6, 2016) |

This item was reviewed and recommended for approval at the Infrastructure Committee meeting on November 15, 2016.
Executive Summary: The applicant, John Bapst Memorial High School, is requesting a contract zone change for a parcel of land (.46 acres) located at 72 Broadway (Tax Map 049-018) from an Urban Residence Two District to a Contract Government and Institutional Service District.

This proposed rezoning will expand the John Bapst Campus to across Penobscot Street on a property that is currently in an Urban Residence Two District (URD-2) where the existing use is mixed use (dental office/residential). The property is presently within the Broadway Historic District, which will guide any exterior changes on the property.

The contract owner seeks to operate as a mixed residential use facility (Private residence/student housing), and would be permitted use in the Government and Institutional Service District.

17-024 RESOLVE Authorizing the City Manager to Accept and Appropriate funds for a Maine Health Access Foundation Healthy Communities Phase III Implementation Grant (First Reading) NICHOLS

Executive Summary: This Resolve will accept and appropriate $67,500 for the third phase of the Healthy Community Grants Program. The goal is to build on the community collaboration that occurred during the first two phases of the MEHAF Healthy Communities program. During Phase One the community identified substance use disorder as a significant issue. During Phase Two the community created action steps to reduce stigma and to identify gaps in services and supports for people affected by substance use disorder.

The implementation plan for Phase Three will focus on building successful, accessible and sustainable recovery coaching in the Greater Bangor area. This goal was identified by people living with substance use disorder and by the professionals working in recovery as a best practice for recovery and as a gap in the current array of services available.

If approved, the city will provide staff support, coordination and technical assistance for the development of recovery coaching. A program of recovery coaching will be delivered under the auspices of one or more community based partners. The term of the grant is November 15, 2016 – December 31, 2017. This item was recommended for approval at the Government Operations Committee meeting on November 21, 2016.

17-025 RESOLVE Accepting and Appropriating a $100,000 Grant from the University of New England to conduct an assessment of and work on youth substance abuse prevention initiatives in the Penquis Public Health District (First Reading) FAIRCLOTH

Executive Summary: This resolve will accept and appropriate $100,000 from the University of New England to conduct an assessment and work on youth substance abuse prevention initiatives in the Penquis Public Health District, which covers Penobscot and Piscataquis Counties.
This voluntary program will also work to build capacity and implement a planning process to identify appropriate evidence-based best activities to implement within the Penquis Public Health District. Action plans will focus on policies, procedures, and strategies to reduce youth substance use. The term of the grant is November 1, 2016 to September 30, 2017. This item was recommended for approval at the Government Operations Committee meeting on November 21, 2016.

**17-026 RESOLVE** Accepting and Appropriating an $85,000 Grant from *Let’s Go! Maine* to increase healthy eating and active living in key settings for children and families in the Penquis Public Health District (First Reading)

**Executive Summary:** This resolve will accept and appropriate $85,000 from *Let’s Go! Maine* to increase healthy eating and active living in key settings for children and families in the Penquis Public Health District, which covers Penobscot and Piscataquis Counties.

This voluntary program will offer technical assistance to schools and early care and education sites in the District by assessing current practices and helping to develop action plans. Action plans will focus on policies and procedures to increase physical activity and access to healthy foods. The term of the grant is November 1, 2016 to September 30, 2017. This item was recommended for approval at the Government Operations Committee meeting on November 21, 2016.

**17-027 RESOLVE** Accepting and Appropriating Grant Funds from Maine DHHS Centers for Disease Control Lead Poisoning Prevention Fund for a Two Year Period Beginning January 1, 2017 (First Reading)

**Executive Summary:** This order authorizes the City Manager to accept and appropriate a two-year grant in the amount of $60,000 from the Maine DHHS to advance meaningful progress toward reducing the burden of childhood lead poisoning in Bangor. This grant will support community-based activities that enable parents and property owners to identify and address lead hazards and risks before children are poisoned. Specifically, the grant will focus on: 1) owners of rental units built before 1950 in Bangor; and, 2) households with expectant parents and parents with children less than six (6) years old who live in rental units or owner-occupied homes built before 1950. Bangor is one of the five high risk areas in Maine which also includes the municipalities of: Augusta, Biddeford, Lewiston/Auburn and Portland.

Revenue for the Lead Poison Prevention Fund is obtained from a twenty-five cent ($0.25) per gallon fee imposed on manufacturers or wholesalers of paint sold in Maine. The LPPF is administered by the DHHS Childhood Lead Poisoning Prevention Unit.
DHHS has been providing contracts to Bangor to conduct lead poisoning education and outreach activities since 2009. Over that time period, DHHS has documented declines in the percentage of children under age six (6) who have been newly identified with lead poisoning in all high risk areas for the years 2010-2014 as compared to 2003-2007, the five (5) year time period prior to the initiation of lead poisoning prevention activities. The term of the initial grant will be January 1, 2017 to December 31, 2018. Renewals for two subsequent two year terms are possible based on performance. This was reviewed and approved by the Government Operations Committee on November 21, 2016.

**17-028 RESOLVE Accepting and Appropriating a $104,128 Grant from MaineHealth: Center for Tobacco Independence, to reduce tobacco-use in the Penquis Public Health District (First Reading)**

**Executive Summary:** This resolve will accept and appropriate $104,128 from MaineHealth: Center for Tobacco Independence, to reduce tobacco-use in the Penquis Public Health District which includes Penobscot and Piscataquis Counties.

This voluntary program will offer technical assistance to schools, youth-serving entities and municipalities in the District that look to adopt and implement tobacco policies. Other focus areas include the reduction of involuntary exposure to second-hand smoke and an increase in referrals to the Maine Tobacco Help Line.

Bangor Public Health and Community Services has been engaged in tobacco prevention work since 2007. The term of the grant is December 1, 2016 to September 30, 2017.

This item was reviewed and approved at a Government Operations Committee meeting on November 21, 2016.

**17-029 RESOLVE Appropriating $10,450 from Fire Equipment Reserve to Fund Vehicle Replacement (First Reading)**

**Executive Summary:** This resolve would appropriate $10,450 from the Fire Equipment Reserve account to partially fund the replacement of the Fire Department’s Public Educator vehicle. Currently, the Fire Educator uses a retired police cruiser; however, it was revealed that this old cruiser would not pass inspection due to rusted floor boards and fenders and other items that are in worse condition than previously understood.

If approved, this resolve would appropriate funds in the amount of $10,450 from the recent sales of surplus equipment including a fire engine ($5,000), old rescue vehicle ($2,700) and miscellaneous parts ($2,750). In addition, the Chief proposes using an additional $5,050 from the fire department’s FY 16/17 operating budget equipment replacement account to pay for the remainder of the purchase. The intent is to replace the vehicle with a low mileage program car that is efficient to operate.

This item was reviewed and recommended for approval by the Finance Committee on November 21, 2016.
UNFINISHED BUSINESS

ITEM NO. | ORDINANCE | ASSIGNED TO COUNCILOR
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17-010 | ORDINANCE | NEALLEY

Amending Land Development Code – Zone Change – Odlin Road (Tax Map R10 parcels 002, 002A, and 003) from an Industry and Service District to Urban Industry

Executive Summary: The applicant, Lane Construction Corporation, is requesting a zone change for several parcels of land (approximately 7.9 acres) located on Odlin Road (Tax Map R10, Parcels 002, 002A, and 003) from an Industry and Service (I&S) District to an Urban Industry District (UID). In 2013, the City amended the Land Development Code to direct quarries to Urban Industry District. The Lane quarry was an existing grandfathered use, however over the past few decades some of the quarry and its road and buffering has expanded into I&S. The owners would like to maintain access to the quarry and a buffer around the quarry so as to maintain safe operations and minimize impact on the neighbors. Because the land owned by Lane encompasses several parcels in a different zone, the request is provide for one consistent zone. If approved, the UID zone will allow them to move and maintain the existing landscape berm around the Lane Quarry.

This item was reviewed and unanimously recommended for passage at the Planning Board meeting on November 15, 2016.

NEW BUSINESS

ITEM NO. | PUBLIC HEARING: | GRAHAM
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Application for Special Amusement License Renewal of Restco, LLC d/b/a Hilton Garden Inn of Bangor, 250 Haskell Road
CONSENT AGENDA
WHEREAS, HIV infection and AIDS continues to be a major health concern – with currently over 1,800 people living with HIV in Maine, more than 1 million in the United States, and an estimated 42 million worldwide; and

WHEREAS, The global epidemic of HIV infection and AIDS requires a worldwide effort to increase communication, education, and united action to stop the spread of HIV and AIDS; and

WHEREAS, Down East AIDS Network and the Health Equity Alliance, and other HIV/AIDS Education and Prevention organizations, observes December 1st of each year as World AIDS Day to celebrate the progress made in the battle against the epidemic – and brings into focus the remaining challenges; and

WHEREAS, World AIDS Day provides an opportunity to focus local, state, national, and worldwide attention on HIV and AIDS, and to disseminate information on how to prevent the spread of HIV; and

WHEREAS, In recognition of the fact that the fight against HIV and AIDS will be won by scientific research and by breaking down barriers to effective HIV prevention; and

WHEREAS, As part of this year's World AIDS Day observance, people are encouraged to ensure that policies and programs exist to protect the rights of the people, to be informed and educated about the risk of HIV infection, and to deliver care for those infected and affected.

NOW, THEREFORE, I, Joseph M. Baldacci, Mayor of the City of Bangor, on behalf of the citizens of Bangor and the City Council do hereby proclaim December 1, 2016 to be World AIDS Day in the City of Bangor.

Given this the 1st day of December, 2015.

Joseph M. Baldacci, Mayor
Meeting Called to Order at 10:00 am by Council Chair Faircloth
Councilors Absent: None
Meeting Adjourned at 10:10 am

Invocation by Rev. Drew Moeller of Unitarian Universal Church

City Clerk, Lisa Goodwin, administered oath of office to Councilors Graham, Tremble and Weston.

NEW BUSINESS
ITEM NO.

17-001 ORDER

Motion made and seconded to nominate Joseph Baldacci as Council Chair
Motion made and seconded to cease nominations
Passed to Cease Nominations
Main motion Passed

ATTEST:
Lisa J. Goodwin, MMC, City Clerk
MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – NOVEMBER 14, 2016

Meeting called to order at 7:30 PM
Chaired by Council Chair Baldacci
Meeting Adjourned at 8:14 PM

RECOGNITION:
Recognized Eastern Maine Community College on Their 50th Anniversary for Their Commitment and Service to the Greater Bangor Area

RECOGNITION:
Recognized the Hammond Street Congregational Church for Its Historical and Cultural Treasure- The Libbey-McClure Organ

PUBLIC COMMENT
Melissa Newbury thanked the council for the free busses on November 22 which is free rides day. Also on election day almost 5,000 people rode the bus.

Joshua Gass who is the chair for Downtown Bangor Partnership spoke about political signs in the adopted gardens this election and wanted council to maybe look at passing an ordinance to not allow this for future elections.

CONSENT AGENDA

MINUTES OF: Bangor City Council Meeting of October 24, 2016, Bangor City Council Special Meeting of November 1, 2016, Bangor School Committee Workshop and Meeting of October 13, 2016, Finance Committee Meeting of November 1, 2016 and Business and Economic Development Committee Meeting of October 18, 2016

Action: Accepted and Approved

Liquor License Renewal: Application for Liquor License Renewal, Malt, Spirituous, Vinous of Bafs, Inc d/b/a Bafs, Inc., 61 Florida Avenue

Action: Approved

Application for Liquor License Renewal, Malt, Spirituous, Vinous of The Back Alley Restaurant d/b/a The Back Alley Restaurant, 15 Hildreth Street

Action: Approved

Application for Liquor License Renewal, Malt, Spirituous, Vinous of Spectacular Event Center d/b/a Spectacular Event Center, 395 Griffin Road

Action: Approved

Application for Liquor License New, Malt, Spirituous, Vinous of Cutler LLC d/b/a Novio's, 130 Hammond Street

Action: Approved

17-002 ORDER
Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 20 Sixth Street (Map 034 Lot 036)

Action: Passed
17-003 ORDER Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 222 Cedar Falls Mobile Home Park (Map R21 Lot 011)

Action: Passed

17-004 RESOLVE Ratifying Execution of Municipal Quitclaim Deed – Real Estate Located at 68 Pier Street (Map 023 Lot 119)

Action: Passed

17-005 ORDER Authorizing the City Manager to Accept $6070.50 in U.S. Currency, or a Portion Thereof, as a result of a State Criminal Forfeiture

Action: Passed

17-006 ORDER Authorizing the City Manager to Accept $8596.50 in U.S. Currency, or a Portion Thereof, as a result of a State Criminal Forfeiture

Action: Passed

17-007 ORDER Authorizing the City Manager to Accept $326.00 in U.S. Currency, or a Portion Thereof, as a result of a State Criminal Forfeiture

Action: Passed

17-008 ORDER Authorizing the City Clerk to Cast Voting Ballot for the Municipal Review Committee, Inc. Board of Directors

Action: Passed

17-009 RESOLVE Acknowledging Receipt of the Official Results and the Declaration Results of the November 8, 2016 General Election and Municipal Election

Action: Passed

17-010 ORDINANCE Amending Land Development Code – Zone Change – Odlin Road (Tax Map R10 parcels 092, 002A, and 003) from an Industry and Service District to Urban Industry (First Reading and Referral to Planning Board Meeting of November 15, 2016)

Action: First Reading and Referral to Planning Board Meeting of November 15, 2016
16-342 ORDNANCE Amending Land Development Code – Contract Zone Change – 900 NEALLEY
State Street (Tax Map R 71, Parcel 22) from a Low Density Residential District to a Contract Government & Institutional Service District

Action: Motion made and seconded to Postpone Indefinitely
Passed to Postpone Indefinitely

PUBLIC HEARING: Application for Special Amusement License Renewal of Spectacular Event Center d/b/a Spectacular Event Center, 395 Griffin Road GRAHAM

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

17-011 RESOLVE Pledging the City of Bangor’s support for the Maine Global Culture and Economic Center FAIRCLOTH

Action: Motion made and seconded to Amend by Substitution to correct name
Amend by Substitution to correct name
Approved
Motion made and seconded for Passage as Amended
Passed

17-012 ORDER Authorizing an Easement with Ice Holdings LLC. – Coffey Street NEALLEY

Action: Motion made and seconded for Passage
Passed

Attest: Jodi Leonard, Deputy Clerk
MINUTES
BANGOR SCHOOL COMMITTEE
REGULAR MEETING
7:00 p.m., Tuesday, October 25, 2016

School Committee Members present: Chairman Warren Caruso, Jennifer DeGroff, Brian Doore, Sue Hawes, Sue Sorg, and Marlene Susi. Member Jay Ye was unable to attend.

A. The meeting was called to order by Chairman Caruso at 7:00 p.m. and the Pledge of Allegiance followed.

B. Superintendent Webb requested to amend the agenda to include D.2.d. Revolving Fund Update and E.1.d.1. First Reading Revised Policy ICA 2017-2018 School Calendar.

VOTED 6-0 to amend the agenda as requested.

D. 1. a Superintendent Webb recommended the required annual approval of the Comprehensive Emergency Plan.

VOTED 6-0 to approve the Comprehensive Emergency Plan.

2. a. Superintendent Webb reviewed the draft October 1 enrollment report, which needs to be certified by the Maine Department of Education by the end of the month.

b. Superintendent Webb reported the following reassignment for the 2016-2017 school year:

Herbert Travis McClure from Guidance at Downeast School to Guidance (.9) at Downeast School and (.1) at the Bangor Regional Program.

c. Superintendent Webb reported the following resignation(s):

Sandra Seavey Mary Snow School (.5) IEP Coordinator

E. 1. a.1 VOTED 4 (Caruso, Doore, Hawes, Susi) for 0 opposed and 2 (DeGroff and Sorg) abstained to approve the Minutes of the October 13, 2016 School Committee Workshop Meeting.

2 VOTED 5 (Caruso, Doore, Hawes, Sorg, Susi) for 0 opposed and 1 (DeGroff) abstained to approve the minutes of the October 13, 2016 Regular School Committee Meeting.

b.1 Superintendent Webb recommended the following extra-duty assignments for the 2016-2017 school year:

Head Coach Varsity Baseball BHS David Morris
Minutes, Regular Meeting, October 25, 2016

Assistant Coach Boys Swim  BHS  Matt England
Assistant Coach Girls Swim  BHS  Meredith Wicks
Chorus  WSCS  James Pushard
Vocal Group  WSCS  James Pushard

VOTED 6-0 to approve the nominations as presented.

c. Superintendent Webb recommended the following donations:
To Downeast School from Steve and Heidi Godsoe, 35 children’s books, having a total dollar value of $175.

To Downeast School from Cancer Care of Maine, 30 children’s hats, having a total dollar value of $120.

To William S. Cohen School from Mr. David Getchell, Bangor High School Class of 1958, a painted portrait of Senator William S. Cohen, having a total dollar value of $100.

VOTED 6-0 to approve the donations with appreciation.

d. 1. Superintendent Webb recommended receipt of the First Reading of revised Policy ICA 2017-2018 Calendar.

Committee members asked questions regarding the parent teacher conferences.

VOTED 6-0 to receive the policy as presented.

e. 1. Superintendent Webb recommended approval of the Second Reading of Policy JN Student Fees, Fines, and Charges.

VOTED 6-0 to approve the policy as presented.

F. 2. f. Superintendent Webb updated the Committee on the Revolving Fund application status.

Meeting adjourned at 7:33 p.m.

Respectfully submitted,

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

BANGOR SCHOOL COMMITTEE
ORGANIZATIONAL MEETING
11:00 a.m., Monday, November 14, 2016

School Committee Members present: Warren Caruso, Jennifer DeGroff, Brian Doore, Karen Sychterz, Sue Sorg, and Marlene Susi. Member Susan Hawes was unable to attend.

The meeting was called to order by Superintendent Webb at 11 a.m. and the Pledge of Allegiance followed.

A. City Clerk Lisa Goodwin led the oath of office for newly elected member Karen Sychterz.

B. 1. Member Susi nominated and Member Sorg seconded Warren Caruso as the Chair of the School Committee.

   VOTED 6-0 to approve the nomination as presented.

   2. Member Susi nominated and Member Sorg seconded Susan Hawes as the Vice Chair.

   VOTED 6-0 to approve the nomination as presented.

C. 1. Superintendent Webb recommended the Building Principals as the Attendance Officers.

   VOTED 6-0 to approve the recommendation as presented.

   2. Superintendent Webb recommended Dan Chadbourne as the Affirmative Action Officer.

   VOTED 6-0 to approve the recommendation as presented.

   3. Superintendent Webb recommended Lynn Silk as the Title IX Coordinator.

   VOTED 6-0 approve the recommendation as presented.

   4-6. Chairman Caruso elected to appoint committee representatives at the next regularly scheduled meeting.

   7. Superintendent Webb recommended the Finance Committee Rotation List.

   VOTED 6-0 to approve the list as presented.

   8. Superintendent Webb recommended Dr. Kristen Martin as the School Physician.

   VOTED 6-0 to approve the recommendation as presented.

   9. Superintendent Webb recommended continued legal services of Brann & Isaacson with Daniel Stockford serving as General Counsel and Chief Negotiator for the Bangor School Department.

   VOTED 6-0 to approve as presented.
Meeting adjourned at 11:07 a.m.

Respectfully submitted,

[Signature]

Betsy M. Webb, Ed.D.
Superintendent of Schools
Government Operations Committee

Monday, November 21, 2016

Immediately Following Finance

City Council Chambers

Present: Nichols, Chair; Sprague, Weston, Tremble, Faircloth, Nealley, Baldacci, Graham

Staff: Catherine Conlow, Jamie Comstock, Tracy Willette, Laurie Linscott, Mark Hathaway

1. Resolve, Authorizing the City Manager to Accept and Appropriate a two year Grant in the amount of $60,000 from the Maine Department of Health and Human Services (DHHS), Centers for Disease Control, Lead Poisoning Prevention Fund

   - Jamie Comstock from Community Health gave an update on this grant renewal for lead poisoning prevention. Moved by Councilor Sprague and seconded by Faircloth, the item was referred to the November 28, 2016 Council Meeting.

2. Resolve, Authorizing the City Manager to Accept and Appropriate funds for a Maine Health Access Foundation Healthy Communities Phase Ill Implementation Grant.

   - Jamie Comstock gave an overview of this grant which is a proposal to work with the BARN on a Peer Recovery Program. Moved by Councilor Sprague and seconded by Faircloth, the item was referred unanimously to the November 28, 2016 Council Meeting.

3. Resolve, Accepting and Appropriating a $100,000 Grant from the University of New England to conduct an assessment of and work on youth substance abuse prevention initiatives in the Penquis Public Health District.

   - Jamie Comstock gave a brief update on this grant. Moved by Councilor Sprague and seconded by Weston, the item was referred unanimously to the November 28, 2016 Council Meeting.

4. Resolve, Accepting and Appropriating an $85,000 grant from Let’s Go! Maine to increase healthy eating and active living in key settings for children and families in the Penquis Public Health District.

   - Jamie Comstock gave a brief update on this grant. Moved by Councilor Sprague and seconded by Faircloth, the item was referred unanimously to the November 28, 2016 Council Meeting.

5. Resolve, Accepting and Appropriating a $104,128 Grant from Maine Health, Center for Tobacco Independence to reduce tobacco-use in the Penquis Public Health District.

   - Jamie Comstock gave a brief update on this grant. Moved by Councilor Sprague and seconded by Faircloth, the item was referred unanimously to the November 28, 2016 Council Meeting.
6. Order, Authorizing the City Manager to Sign College Pass Agreements for Community Connector Services.

- The City has annual college pass agreements whereby the colleges pay a flat fee and the students can ride the bus for free with their student id. These agreements with University of Maine, University of Maine Augusta, and Eastern Maine Community College come up for annual renewal and do not change dramatically over time. The request is that barring unusual changes, that the manager be permitted to sign off on those agreements. Councilor Graham asked if Beal College was included. Laurie Linscott indicated that they were not. There have been discussions in the past but they have not signed on. Councilor Graham asked if Laurie would follow up with them and she indicated that she would. Moved by Sprague and seconded by Tremble, the item was referred unanimously to the November 28, 2016 Council Meeting.

7. Memorandum of Understanding with BACTS.

- Paul indicated that this was a routine agreement with BACTS. Following the first Triennial review of the Community Connector it was recommended that changes be made to the agreement with BACTS to ensure compliance with the Federal Transit Authority. Moved by Sprague and seconded by Faircloth, the item was referred unanimously to the November 28, 2016 Council Meeting.

8. Authorization to work with local chapter of the New England Mountain Biking Association for the purpose of reclaiming various trails.

- Tracy Willette indicated that the New England Mountain Biking Association was making trail improvements and would like to raise funds to make additional repairs to City owned trails. Councilor Sprague indicated that he was pleased with the article in the newspaper and supported efforts to improve the trail system. Councilor Weston asked what the relationship means and Tracy indicated that it allows them to raise funds for the purpose of making improvements to city owned property. Moved by Sprague and seconded by Faircloth, the item was referred unanimously to the November 28, 2016 Council Meeting.

9. Authorization to allow the use of Council Chambers on Sunday, December 4th for a memorial service in honor of Patricia Blanchette.

- Gerry Palmer had asked if the Council Chambers could be used on December 4th for a memorial service for former councilor Pat Blanchette. Staff provided a brief overview of the use of City Hall policy and the fee for use which would be $25 for use of the room and $35 per hour for staff time to open, heat, and close the facility. Councilors Faircloth and Sprague felt that section 2.5 indicated that the policy appears to support such a request in that it is reasonable and there is a public interest. Councilors Baldacci, Nichols and Nealley agreed that it fit. Councilor Tremble indicated that he was not sure Pat Blanchette would approve of the precedence. Moved by Sprague and seconded by Faircloth, the item was referred unanimously to the November 28, 2016 Council Meeting.
10. Winter Parking Rules

- This request came from a number of councilors. The proposed ordinance amendment would suspend winter parking rules for a period of one year. Odd/Even would remain in effect, however PW would post when no overnight parking rules would be in effect based on the weather. Chief Hathaway indicated that this one year period would give the PW Director the opportunity to see how well it worked. Councilor Weston was concerned about how we would measure whether this system would be more successful. Councilor Sprague indicated that his preference would be to enforce winter parking rules as soon as the first snow fell and they would remain in effect until April. Councilor Sprague indicated that since November was over, we could stay with the status quo and review in the spring for the next year. Chief Hathaway indicated that they are only issuing warnings and have not ticketed or towed. Councilor Baldacci asked if the Chief could continue that practice until it snows. Chief Hathaway agreed that would work. Staff will bring this back to the committee in late spring for potential changes. Item was not moved or seconded.
Item No. 17-013

Date: November 28, 2016

Item/Subject: ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 12 Colonial Pines Mobile Home Park (Map R22 Lot 001)

Responsible Department: Legal

Commentary:

Real estate tax liens matured on the property of Lori Ann Chailla located at 12 Colonial Pines Mobile Home Park, now owned by Sarahlynn Robinson. 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.

Manager’s Comments:

Department Head

City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:

City Solicitor

Introduced for Consent Agenda
  x  Passage
  First Reading
  Referral
ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 12 Colonial Pines Mobile Home Park (Map R22 Lot 001)

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 13562, Page 286 and Book 13908, Page 158. Said deed shall be directed to Sarahlynn Robinson in final form approved by the City Solicitor or Assistant City Solicitor.
Item/Subject: ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 307 Maple Street (Map 052 Lot 065-C).

Responsible Department: Legal

Commentary:

Real estate tax, sewer and stormwater liens have matured on the property of Kimberly J. Black of 307 Maple Street. All outstanding charges due the City have been paid. There are no property issues. Because the liens matured, a municipal quitclaim is required to release the City's interest in the property.

Staff recommends approval.

Manager’s Comments:


City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:

City Solicitor

Introduced for Consent Agenda

- Passage
- First Reading
- Referral
ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 307 Maple Street (Map 052 Lot 065-C).

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, sewer and stormwater liens recorded in the Penobscot County Registry of Deeds in Book 13223, Page 57, Book 13562, Page 23, Book 13891, Page 139, Book 13892, Page 220, Book 13907, Page 282, Book 14039, Page 210, Book 14187, Page 88, Book 14267, Page 107 and Book 14268, Page 191. Said deed shall be directed to Kimberly J. Black and in final form approved by the City Solicitor or Assistant City Solicitor.
Item No. 17-015

Date: November 28, 2016

Item/Subject: ORDER, Authorizing an Amendment to the Indenture of Lease with Stillwater Enterprises, Inc. – 108 Florida Avenue

Responsible Department: Community & Economic Development

Commentary: Stillwater Enterprises, Inc. has exercised its option to extend its lease of a building at 108 Florida Ave. for three (3) years. Stillwater Enterprises, Inc. has agreed to a rate of $1,580 per month during the first two years, and $1,600 per month during the third year of the term.

Stillwater Enterprises, Inc. is a custom metal fabrication business that has been a tenant since 2007. They manufacture special orders for general contractors and architects from sheet, solid or tubular stock metal. They also create custom products such as tidal energy structures, stair railings, elevator ladders, security doors, wheel chair ramps and fire escapes.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its November 22, 2016 meeting.

/s/ Tanya Emery
Department Head

Manager's Comments:

________________________
City Manager

Associated Information:

Budget Approval:

________________________
Finance Director

Legal Approval:

________________________
City Solicitor

Introduced for
___ Passage
___ First Reading
___ Referral

Page _ of _
ORDER, Authorizing an Amendment to the Indenture of Lease with Stillwater Enterprises, Inc. – 108 Florida Avenue

WHEREAS, the City of Bangor is the owner of Building #269, 108 Florida Avenue in the Bangor International Airport Complex; and

WHEREAS, Stillwater Enterprises, Inc. has been a tenant at Building #269, 108 Florida Avenue since 2007; and

WHEREAS, Stillwater Enterprises, Inc. has exercised its option to extend its lease for three (3) years:

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

The City Manager is hereby authorized to execute, on behalf of the City of Bangor, an Amendment to the Indenture of Lease between the City of Bangor and Stillwater Enterprises, Inc. with a term of three (3) years including an option to extend the agreement for three (3) years and a lease rate of $1,580 per month during the first two years and $1,600 during the third year in a form approved by the City Solicitor or the Assistant City Solicitor.
Item/Subject: ORDER, Authorizing the City Manager to Sign College Pass Agreements

Commentary:

This Order would allow the City Manager to enter into agreements with area colleges and universities to allow their students and staff to ride the Community Connector by showing a college identification card.

The Community Connector has traditionally arranged with local colleges and universities, such as the University of Maine in Orono and Augusta (Bangor campus), Eastern Maine Community College, and Husson University, to allow their students and staff to ride the Community Connector for free by showing a valid college identification card. In return, the college or university pays one or more lump sum payments.

This Order will allow the City Manager to sign these routine agreements on an ongoing basis, removing the need to come back to Council every time they expire. This item was reviewed and recommended for approval at the November 21, 2016 Government Operations Committee.

Manager's Comments:

Associated Information: Order

Budget Approval:

Legal Approval:

Introduced for

x Passage
____ First Reading

Referral
ORDER, Authorizing the City Manager to Sign College Pass Agreements

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

The City Manager is hereby authorized to sign agreements on an ongoing basis with colleges and universities for the purpose of providing fare-free rides to students and staff in exchange for lump sum payments. Said agreements shall be in final form as approved by the City Solicitor or Assistant City Solicitor.
Item No. 17-017

Date: November 28, 2016

Item/Subject: Order, Authorizing the City to work with the Penobscot Region of the New England Mountain Biking Association

Responsible Department: Parks and Recreation

Commentary: This order would authorize City staff to work with the Penobscot Region chapter of the New England Mountain Biking Association for maintenance and repair activities of various trails in the Rolland Perry City Forest as well as Essex Woods. In addition, the group would like to fundraise for larger projects. If approved, this order would also provide that the group can fundraise on behalf of the City for larger trail projects in accordance policies established by the Finance Director.

This was reviewed and approved at the November 21st meeting of the Government Operations Committee.
(TITLE.) ORDER, Authorizing the Parks and Recreation Department to Proceed with the Penobscot Region Chapter of the New England Mountain Biking Association

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

1. The Parks and Recreation Department is hereby authorized to proceed with the group Penobscot Region Chapter of the New England Mountain Bike Association for the purpose of assisting with repairs and maintenance of trails in the City; and

2. If necessary, fundraising efforts to assist with the costs of this effort are hereby authorized, and the Finance Director is hereby authorized to accept such donations; and

3. The Parks and Recreation Director or his designee is authorized to work with those volunteers/individuals involved with this effort to complete the work intended including incidental use of Department funds, materials, supplies, and City equipment; and

4. The Finance Director shall establish such procedures as she deems necessary to insure that any donated funds, goods, or services that are eligible for a tax deduction are appropriately received and accounted for and are used specifically for the purpose intended by the donors.
Item No. 17-018

Date: November 28, 2016

Item/Subject: Order, Authorizing Amendment to Agreement with David S. Boyd for 73 Central Street (Map 041, Lot 083)

Responsible Department: Legal

Commentary: This Order will authorize an amendment to an agreement with David S. Boyd for acquisition of property located at 73 Central Street. A real estate tax lien on property located at 73 Central Street matured in 2016 and the City took possession. Through an agreement approved in July 2016, the City agreed to convey title back to the previous owner, David S. Boyd, once the property has been renovated to correct all code deficiencies including fixing the façade, sprinkler system, and creating commercial space on the first floor. The owner is making good progress; however, demolition and renovation have proven to be more extensive than initially estimated. The owner has requested an extension of deadlines for completion of the first floor renovations. If approved, this order would authorize amending the agreement to include a deadline of December 31, 2016 for final plan submission and March 15, 2017 for the required renovations work to be complete.

The amendment shall be in a final form as acceptable to the City Solicitor or Assistant City Solicitor. This item was reviewed and approved at the November 22, 2016 Business and Economic Development Committee Meeting.

Department Head

Manager’s Comments:

City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:

City Solicitor

Introduced for
___x___ Passage
___ First Reading
___ Referral

Page __ of ___
(TITLE.) ORDER, Authorizing Amendment to Agreement with David S. Boyd for 73 Central Street (Map 041, Lot 083)

WHEREAS, a real estate tax lien on property located at 73 Central Street previously matured; and

WHEREAS, the property owner, David S. Boyd, has entered into an agreement with the City of Bangor whereby the City will convey title to the property back to him if the property is renovated to correct all code deficiencies and commercial space is created on the first floor; and

WHEREAS, the property owner, David S. Boyd, has made significant progress on demolition and renovation planning but requires additional time to complete the rehabilitation work; and

WHEREAS, City staff have verified significant progress has been made on rehabilitating the building which is in the best interest of the community.

By the City Council of the City of Bangor:

ORDERED,

THAT Catherine M. Conlow, City Manager, is hereby authorized on behalf of the City of Bangor to execute an amendment to the agreement with David S. Boyd for the redevelopment of 73 Central Street to extend plan submission deadline to December 31, 2016 and rehabilitation deadline to March 31, 2017. Said amendment shall be in in a final form as approved by the City Solicitor or Assistant City Solicitor.
Item/Subject: ORDER, Authorizing the City to work with the Bangor Green Drinks for the Purchase and Installation of a Bicycle Repair Station.

Responsible Department: Community Economic Development/Parks and Recreation

Commentary: This order authorizes the City to work with Bangor Green Drinks to purchase and install a bike repair station at a downtown location. Bangor Green Drinks would purchase the unit and City staff would work Bangor Green Drinks to determine the best location. The City would store the unit until it is installed in the spring of 2017. The accompanying order includes the parameters regarding the purchase and assistance staff will provide to the group. This was reviewed and recommended for approval at the November 22nd meeting of the Business and Economic Development Committee.
ORDER, Authorizing the City to work with Bangor Green Drinks to purchase and install a new bicycle repair station in Downtown Bangor.

WHEREAS, Bangor Green Drinks has partnered with the City on a variety of community projects, and;

WHEREAS, the City has continually encouraged alternative modes of transportation in the downtown area as well as throughout the City, and;

WHEREAS, the Bangor Green Drinks organization has offered to assist the City to purchase and install a new bicycle repair station, therefore;

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

City staff is hereby authorized to work with Bangor Green Drinks for the purpose of purchasing and installing a new bicycle repair station at a downtown location. The appropriate City staff is authorized to participate with those volunteers/individuals involved with this project to complete the project intended including incidental use of City funds, materials, supplies, and City equipment.

BE IT FURTHER ORDERED, THAT

Pursuant to Section 33-9.1 of the Code of the City of Bangor City staff is hereby authorized to participate in fundraising efforts to assist with the costs of the project, and the Finance Director is hereby authorized to accept such donations. The Finance Director shall establish such procedures as she deems necessary to insure that any donated funds, goods, or services that are eligible for a tax deduction are appropriately received and accounted for and are used specifically for the purpose intended by the donors.
Item/Subject: RESOLVE, Ratifying a Memorandum of Understanding with the Bangor Area Comprehensive Transportation System

Responsible Department: Community Connector

Commentary:

This resolve would ratify the action of staff in signing a new Memorandum of Understanding (MOU) with the Bangor Area Comprehensive Transportation System (BACTS).

BACTS is the designated Metropolitan Planning Organization (MPO) for the Bangor area. BACTS provides transit planning, public participation support and technical support on many transit related issues for the Community Connector. BACTS and the City of Bangor have had a MOU for several years that helps to define the relationship the two parties have.

The new MOU is for FY16, FY17 and FY18, to coincide with the timing of the Federal Transit Administration’s (FTA) triennial review process for the Community Connector. This new version of the MOU is more extensive than in the past, doing more to outline the responsibilities of both parties. The MOU was modified to meet the FTA requirements, and we expect the future MOUs to look very similar to the one that has been developed this fall.

This item was discussed at the Government Operations Committee meeting on November 21, 2016.

Manager's Comments:

Associated Information: Resolve

Budget Approval:

Legal Approval:

Introduced for

_x_ Passage
___ First Reading
___ Referral
RESOLVE, Ratifying a Memorandum of Understanding with the Bangor Area Comprehensive Transportation System

WHEREAS, the Bangor Area Comprehensive Transportation System (BACTS) is the designated Metropolitan Planning Organization (MPO) for the Bangor area;

WHEREAS, BACTS provides transit planning, public participation support and technical support on many transit related issues for the Community Connector;

WHEREAS, BACTS and the City of Bangor have had a Memorandum of Understanding for several years that helps to define the relationship the two parties have; and

WHEREAS, a new Memorandum of Understanding was recently signed by BACTS and City staff, continuing the relationship between these two parties and doing more to outline their responsibilities, as well as meeting Federal Transit Administration requirements;

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

The action of the Community Connector Superintendent of signing a Memorandum of Understanding with the Bangor Area Comprehensive Transportation System is hereby ratified.
REFERRALS TO COMMITTEES & FIRST READINGS
Item/Subject: ORDINANCE, Amending Chapters 165, Land Development Code, and 271, Streets, of the Code of the City of Bangor, By Adding Construction Standards for Private Streets

Responsible Department: Engineering

Commentary:

This Ordinance would remove some minor inconsistencies between the “Design Standards for Streets and Right of Ways” and the existing standards within the Code, as well as authorize the City Engineer to set construction standards for private streets in addition to public streets in the City of Bangor.

The changes include increasing the required excavation depth to subgrade to a range of 25 to 28 inches and increasing the minimum sidewalk width from 5 feet to 6 feet to accommodate the existing maintenance equipment. The Design Standards were recently approved by the City Council.

This item was reviewed and recommended for approval at the Infrastructure Committee meeting on November 15, 2016.

Manager’s Comments:

City Manager

Associated Information: Ordinance

Budget Approval: Finance Director

Legal Approval: City Solicitor

Introduced for

x First Reading
x Referral to the Planning Board on December 6, 2016
ORDINANCE, Amending Chapters 165, Land Development Code, and 271, Streets, of the Code of the City of Bangor, By Adding Construction Standards for Private Streets

WHEREAS, some properties in the City are only accessible by private street;

WHEREAS, emergency vehicles must be able to access properties in the City safely;

WHEREAS, construction standards for streets help ensure that access by emergency vehicles and others is possible;

WHEREAS, the City Engineer has developed minimum standards for streets, including private streets; and

WHEREAS, some of the standards in the subdivision section of the Land Development Code do not conform with these standards;

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

Chapter 165 of the Code of the City of Bangor be amended as follows:

§ 165-131. Improvement construction standards.

A. Streets and roadways. The subdivider shall be required to provide the following:

... 

(3) Subgrade. Said street or way shall be graded to the subgrade of not less than 18 to 24 25 to 28 inches, as specified by the City Engineer, for the road area and not less than nine 14 inches for the sidewalk areas below the finished grade shown on the plan, profile and cross section of said street right-of-way. The petitioner shall provide the land necessary for cut or fill slopes beyond the limits of the street right-of-way.

...

D. Sidewalks (nonindustrial subdivision).
Sidewalks shall be provided at a minimum of five six feet in width as deemed necessary by the Planning Board.

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

Chapter 271 of the Code of the City of Bangor be amended as follows:

§ 271-12. Purpose; definition; city participation in costs.

B. For purposes of this article, the terms "public street" and "public sewer" shall refer to any legally established municipal street or sewer in the City of Bangor. "Private street" shall refer to any drive or way that serves three or more properties in the City of Bangor and allows vehicular traffic.


All new public streets and sewers and private streets and all reconstructed public streets and sewers and private streets shall be constructed in accordance with such minimum standards as may be established from time to time by the City Engineer.

Additions are underlined, deletions struck through.
Date: November 28, 2015

Item/Subject: ORDINANCE, Amending Chapter 268, Stormwater, of the Code of the City of Bangor, By Clarifying Enforcement Authority and Stormwater Maintenance Plan Provisions

Responsible Department: Engineering

Commentary: This ordinance amendment would clarify the City's stormwater maintenance ordinance, including by clarifying staff responsibilities for enforcing the ordinance.

The stormwater maintenance ordinance, which deals with the maintenance of stormwater management structures on properties throughout the City, is required by the state as part of our Municipal Separate Storm Sewer System permit. The City's Code Enforcement Office is primarily responsible for administering this ordinance. Other departments, including the City's Engineering and Water Quality Departments, often assist with review, approval, and enforcement efforts. The amendments would make this clear.

The ordinance amendment would also clarify that the locations of stormwater management structures should be included in a property's maintenance plan, and that any discharging to waters of the state should be so noted.

This item was reviewed and recommended for approval at the Infrastructure Committee meeting on November 15, 2016.
ORDINANCE, Amending Chapter 268, Stormwater, of the Code of the City of Bangor, By Clarifying Enforcement Authority and Stormwater Maintenance Plan Provisions

WHEREAS, the Code Enforcement Office is primarily responsible for administering the City's stormwater maintenance ordinance;

WHEREAS, other City departments, primarily the Engineering and Water Quality Departments, are also involved in review, approval, and enforcement efforts for this ordinance; and

WHEREAS, stormwater maintenance plans should, where appropriate, indicate the location of stormwater management structures and where they discharge to waters of the state;

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

Chapter 268 of the Code of the City of Bangor be amended as follows:

§ 268-3. Definitions.

For the purposes of this chapter article, the terms listed below are defined as follows:

...  

ENFORCEMENT AUTHORITY

The Code Enforcement Officer or his or her designee, the or other person(s) or department(s) authorized by the municipality City Manager to administer and enforce this chapter. Other City departments, including but not limited to the Engineering and Water Quality Departments, may assist in the review, approval, and enforcement duties of this chapter, and act with the authority of the Enforcement Authority in doing so.

...

§ 268-6. Post-construction stormwater maintenance plan approval.

...
B. Required provisions. A post-construction stormwater maintenance plan must:

(1) Include a list of all stormwater management structures constructed or to be constructed on the premises in question, along with as-built drawings of all such structures constructed in September 1997 or thereafter. The locations of all stormwater management structures shall be noted on the list and/or the as-built drawings. The list shall note all those structures that discharge, and shall additionally note whether those structures discharge to the municipality's MS4 or to waters of the state. Should an as-built drawing for a structure not exist, the Code Enforcement Office enforcement authority may require an as-built drawing to be completed and provided, waive the requirement for the as-built drawing, or require alternative evidence of the structure in a form as deemed acceptable by the Code Enforcement Office enforcement authority.

Additions are underlined, deletions struck through.
COUNCIL ACTION

Item No. 17-023
Date: November 28, 2016

Item/Subject ORDINANCE, Amending Land Development Code—Contract Zone Change—72 Broadway (Tax Map 049-018) from an Urban Residence Two District to a Contract Government and Institutional Service District.

Responsible Department: Planning Division

Commentary:

The applicant, John Bapst Memorial High School, is requesting a contract zone change for a parcel of land (.46 acres) located at 72 Broadway (Tax Map 049-018) from an Urban Residence Two District to a Contract Government and Institutional Service District.

This proposed rezoning will expand the John Bapst Campus to across Penobscot Street on a property that is currently in an Urban Residence Two District (URD-2) where the existing use is mixed use (dental office/residential). The property is presently within the Broadway Historic District, which will guide any exterior changes on the property.

The contract owner seeks to operate as a mixed residential use facility (Private residence/student housing), and would be permitted use in the Government and Institutional Service District.

/s/ Tanya L. Emery
Dept. Head

Manager’s Comments:

For Referral to Planning Board Meeting of December 6, 2016

City Manager

Associated Information:

Budget Approval: 

Finance Director

Legal Approval: 

City Solicitor

Introduced for 
X First Reading
X Referral to Planning Board Meeting of December 6, 2016 7:00 p.m.
Ordinance, Amending Land Development Code – Contract Zone Change – 72 Broadway (Tax Map 049-018) from an Urban Residence Two District to a Contract Government and Institutional Service District.

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

THAT the zoning boundary lines as established by the Zoning Map of the City of Bangor dated October 28, 1991, as amended, be hereby further amended as follows:

By changing a parcel of land located at 72 Broadway (Tax Map No. 049, Parcel No. 018) from an Urban Residence Two District to a Contract Government and Institutional Service District. Said parcel of land containing approximately .46 acres and being more particularly indicated on the map attached hereto and made a part hereof.

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

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

A. The use of the Property shall continue to be subject to those requirements of the Bangor Historic Preservation Ordinance applicable to properties within the Broadway Historic District for so long as the 72 Broadway property is designated within that District.

B. There shall be no more than two principal use structures on the property.

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

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

1. (WE) John Bapst Memorial High School

2. 100 Broadway, Bangor, Maine 04401 (207-947-0313
   Address     City or Post Office Telephone

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

3. ADDRESS OF PROPERTY (if any) 72 Broadway
   Total Area (acres or square feet) 0.46 Acres

4. PROPERTY LOCATION (General location): Example - South side of
   State Street 400 yards, East of Pine Street
   Corner of West side of Broadway and South side of
   Penobscot Street

5. LEGAL DESCRIPTION OF PROPERTY - Assessors Map No 49 Parcel 18

6. EXISTING USE: Mixed use (office/residential)

7. PROPOSED USE: Mixed residential use (Private residence/student housing)

8. NAME AND ADDRESS OF OWNER OF RECORD: Name John Bapst Memorial High School
   Address 100 Broadway

9. NAME AND ADDRESS OF CONTRACT OWNER (if such): N/A

10. SIGNATURE OF OWNER OR CONTRACT OWNER: N/A

11. REPRESENTATIVE OF APPLICANT: Name P. Andrew Hamilton, Esq.
    (if applicable)
    Address 80 Exchange Street, Bangor, Me 04401

12. ATTACH ANY CONDITIONS PROPOSED FOR A CONTRACT ZONE REQUEST.

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

Application fee Processing Advertising Total

| Zone Change 1/2 acre or less | $575.00 | $410.00* | $ 985.00 |
| Zone Change (in excess of 1/2 acre) | $920.00 | $410.00* | $1,330.00 |
| Contract Zone Change 5 conditions or less | $1,377.00 | $509.00* | $1,886.00 |
| More than 5 conditions or 50 words | $1,900.00 | $509.00** | $To be determined |

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

PLEASE READ PROCESSING PROCEDURE ON REVERSE SIDE
Contract Zone Change Conditions for 72 Broadway:
From URD-2 to G&ISD (Contract)

1. The use of the Property shall continue to be subject to those requirements of the Bangor
   Historic Preservation Ordinance applicable to properties within the Broadway Historic
   District for so long as the 72 Broadway property is designated within that District.

2. There shall be no more than two principal use structures on the property.
URD2 to G&ISD Contract
Item/Subject: Resolve, Authorizing the City Manager to Accept and Appropriate funds for a Maine Health Access Foundation Healthy Communities Phase III Implementation Grant.

Responsible Department: Public Health and Community Services

Commentary: This Resolve will accept and appropriate $67,500 for the third phase of the Healthy Community Grants Program. The goal is to build on the community collaboration that occurred during the first two phases of the MEHAF Healthy Communities program. During Phase One the community identified substance use disorder as a significant issue. During Phase Two the community created action steps to reduce stigma and to identify gaps in services and supports for people affected by substance use disorder.

The implementation plan for Phase Three will focus on building successful, accessible and sustainable recovery coaching in the Greater Bangor area. This goal was identified by people living with substance use disorder and by the professionals working in recovery as a best practice for recovery and as a gap in the current array of services available.

If approved, the city will provide staff support, coordination and technical assistance for the development of recovery coaching. A program of recovery coaching will be delivered under the auspices of one or more community based partners. The term of the grant is November 15, 2016 – December 31, 2017.

This item was recommended for approval at the Government Operations Committee meeting on November 21, 2016.

Manager's Comments: 

Associated Information: Resolve

Budget Approval: 

Legal Approval: 

Introduced for 

_X_ First Reading 

_page_ of_
(TITLE.) RESOLVE, Authorizing the City Manager to Accept and Appropriate $67,500 for a Maine Health Access Foundation Healthy Communities Phase III Implementation Grant

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT RESOLVED, that the City Manager is hereby authorized to Accept and Appropriate a Maine Health Access Foundation Healthy Communities Phase III Implementation Grant in the amount of $67,500 for the term of November 15, 2016 to December 31, 2017.
Item No. 17-025

Date: November 28, 2016

Item/Subject: Resolve, Accepting and Appropriating a $100,000 Grant from the University of New England to conduct an assessment of and work on youth substance abuse prevention initiatives in the Penquis Public Health District.

Responsible Department: Public Health & Community Services

Commentary: This resolve will accept and appropriate $100,000 from the University of New England to conduct an assessment and work on youth substance abuse prevention initiatives in the Penquis Public Health District, which covers Penobscot and Piscataquis Counties.

This voluntary program will also work to build capacity and implement a planning process to identify appropriate evidence-based best activities to implement within the Penquis Public Health District. Action plans will focus on policies, procedures, and strategies to reduce youth substance use. The term of the grant is November 1, 2016 to September 30, 2017.

This item was recommended for approval at the Government Operations Committee meeting on November 21, 2016.

Manager's Comments:

Associated Information: Resolve

Budget Approval:

Legal Approval:

Introduced for

X First Reading

Page 1 of 1
(TITLE.) Resolve, Accepting and Appropriating a $100,000 grant from the University of New England to conduct an assessment of and work on youth substance abuse prevention initiatives in the Penquis Public Health District.

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT RESOLVED, that a grant in the amount of $100,000 grant from the University of New England to conduct an assessment of and work on youth substance abuse prevention initiatives in the Penquis Public Health District is hereby accepted and appropriated for the period November 1, 2016 to September 30, 2017.
Item/Subject: Resolve, Accepting and Appropriating an $85,000 Grant from Let's Go! Maine to increase healthy eating and active living in key settings for children and families in the Penquis Public Health District.

Responsible Department: Public Health & Community Services

Commentary: This resolve will accept and appropriate $85,000 from Let's Go! Maine to increase healthy eating and active living in key settings for children and families in the Penquis Public Health District, which covers Penobscot and Piscataquis Counties.

This voluntary program will offer technical assistance to schools and early care and education sites in the District by assessing current practices and helping to develop action plans. Action plans will focus on policies and procedures to increase physical activity and access to healthy foods. The term of the grant is November 1, 2016 to September 30, 2017.

This item was recommended for approval at the Government Operations Committee meeting on November 21, 2016.
(TITLE.) Resolve, Accepting and Appropriating an $85,000 grant from Let’s Go! Maine to increase healthy eating and active living in key settings for children and families in the Penquis Public Health District.

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT RESOLVED, that a grant in the amount of $85,000 grant from Let’s Go Maine to increase healthy eating and active living in key settings for children and families in the Penquis Public Health District is hereby accepted and appropriated for the period November 1, 2016 to September 30, 2017.
Item/Subject: **RESOLVE**, Accepting and Appropriating Grant Funds from Maine DHHS Centers for Disease Control Lead Poisoning Prevention Fund for a Two Year Period Beginning January 1, 2017

**Responsible Department:** Public Health & Community Services

**Commentary:** This order authorizes the City Manager to accept and appropriate a two-year grant in the amount of $60,000 from the Maine DHHS to advance meaningful progress toward reducing the burden of childhood lead poisoning in Bangor. This grant will support community-based activities that enable parents and property owners to identify and address lead hazards and risks before children are poisoned. Specifically, the grant will focus on: 1) owners of rental units built before 1950 in Bangor; and, 2) households with expectant parents and parents with children less than six (6) years old who live in rental units or owner-occupied homes built before 1950. Bangor is one of the five high risk areas in Maine which also includes the municipalities of: Augusta, Biddeford, Lewiston/Auburn and Portland.

Revenue for the Lead Poison Prevention Fund is obtained from a twenty-five cent ($0.25) per gallon fee imposed on manufacturers or wholesalers of paint sold in Maine. The LPPF is administered by the DHHS Childhood Lead Poisoning Prevention Unit.

DHHS has been providing contracts to Bangor to conduct lead poisoning education and outreach activities since 2009. Over that time period, DHHS has documented declines in the percentage of children under age six (6) who have been newly identified with lead poisoning in all high risk areas for the years 2010-2014 as compared to 2003-2007, the five (5) year time period prior to the initiation of lead poisoning prevention activities. The term of the initial grant will be January 1, 2017 to December 31, 2018. Renewals for two subsequent two year terms are possible based on performance.

This was reviewed and approved by the Government Operations Committee on November 21, 2016.

**Manager's Comments:**

**Department Head**

**City Manager**

**Associated Information:** Resolve

**Budget Approval:**

**Finance Director**

**Legal Approval:**

**City Solicitor**

**Introduced for**

- [x] First Reading
- [ ] Referral

[ ] Passage

Page ___ of ___
Assigned to Councilor Weston

CITY OF BANGOR

(TITLE.) Resolve, Accepting and Appropriating Grant Funds from Maine DHHS Centers for Disease Control Lead poisoning Prevention fund for a two year period beginning January 1, 2017

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT RESOLVED, that lead poisoning prevention grant funds in the amount of $60,000 from Maine DHHS Center for Disease Control Lead poisoning prevention fund are hereby accepted and appropriated for the purpose of supporting lead poisoning prevention activities for the grant period January 1, 2017 to December 31, 2018.
Item/Subject: Resolve, Accepting and Appropriating a $104,128 Grant from MaineHealth: Center for Tobacco Independence, to reduce tobacco-use in the Penquis Public Health District.

Responsible Department: Public Health & Community Services

Commentary: This resolve will accept and appropriate $104,128 from MaineHealth: Center for Tobacco Independence, to reduce tobacco-use in the Penquis Public Health District which includes Penobscot and Piscataquis Counties.

This voluntary program will offer technical assistance to schools, youth-serving entities and municipalities in the District that look to adopt and implement tobacco policies. Other focus areas include the reduction of involuntary exposure to second-hand smoke and an increase in referrals to the Maine Tobacco Help Line.

Bangor Public Health and Community Services has been engaged in tobacco prevention work since 2007. The term of the grant is December 1, 2016 to September 30, 2017.

This item was reviewed and approved at a Government Operations Committee meeting on November 21, 2016.
(TITLE.) Resolve, Accepting and Appropriating a $104,128 Grant from MaineHealth, Center for Tobacco Independence to reduce tobacco-use in the Penquis Public Health District.

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT RESOLVED, that a grant in the amount of $104,128 from MaineHealth, Center for Tobacco Independence to reduce tobacco-use in the Penquis Public Health District is hereby accepted and appropriated for the period December 1, 2016 to September 30, 2017.
Item No. 17-029

Date: November 28, 2016

Item/Subject: Resolve, Appropriating $10,450 from Fire Equipment Reserve to Fund Vehicle Replacement

Responsible Department: Finance

Commentary: This resolve would appropriate $10,450 from the Fire Equipment Reserve account to partially fund the replacement of the Fire Department’s Public Educator vehicle. Currently, the Fire Educator uses a retired police cruiser; however, it was revealed that this old cruiser would not pass inspection due to rusted floor boards and fenders and other items that are in worse condition than previously understood.

If approved, the attached resolve would appropriate funds $10,450 from the recent sales of surplus equipment including a fire engine ($5,000), old rescue vehicle ($2700) and miscellaneous parts ($2,750). In addition, the Chief proposes using and additional $5,050 from the fire department’s FY 16/17 operating budget equipment replacement account to pay for the remainder of the purchase. The intent is to replace the vehicle with a low mileage program car that is efficient to operate.

This item was reviewed and recommended for approval by the Finance Committee on November 21, 2016.

Manager's Comments:

Associated Information:

Budget Approval:

Legal Approval:

Introduced for

Passage

x First Reading

Referral
(TITLE.) Resolve, Appropriating $10,450 from the Fire Equipment Reserve to Fund Vehicle Replacement

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT RESOLVED, that $10,450 in Fire Equipment Reserve Funds are hereby appropriated for the purpose of partially funding the replacement of the public educator's vehicle.
UNFINISHED BUSINESS
Item/Subject: ORDINANCE, Amending Land Development Code - Zone Change - Odlin Road (Tax Map R10 parcels 002, 002A, and 003) from an Industry and Service District to Urban Industry District.

Responsible Department: Planning Division

Commentary:
The applicant, Lane Construction Corporation, is requesting a zone change for several parcels of land located on Odlin Road (Tax Map R10, Parcels 002, 002A, and 003) from an Industry and Service (I&S) District to an Urban Industry District (UID). The combined area of the three parcels being rezoned is 7.9 acres. The UID zone will allow them to move and maintain the existing landscape berm around the Lane Quarry. In 2013, the City amended the Land Development Code to direct quarries to Urban Industry District.

/s/ Tanya Emery
Dept. Head

Manager's Comments:
For Referral to Planning Board Meeting of November 15, 2016 at 7:00 p.m.

City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:

City Solicitor

Introduced for
___ Passage
X First Reading

Page 1 of 1
Ordinance, Amending Land Development Code - Zone Change - Odlin Road from Industry and Service District to Urban Service District.

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

THAT the zoning boundary lines as established by the Zoning Map of the City of Bangor dated October 28, 1991, as amended, be hereby further amended as follows:

By changing two parcels of land and a portion of another parcel of land located on Odlin Road (Tax Map R10, Parcel Numbers 002, 002A and 003) from Industry and Service District (I&S) to Urban Industry District (UID). Said parcels containing approximately 7.9 acres and being more particularly indicated on the map attached hereto and made a part hereof.
APPLICATION FOR LAND DEVELOPMENT CODE AND MAP AMENDMENT

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

1. I(WE) The Lane Construction Corporation

2. of 953 Odlin Road, Bangor, ME 945-0873

Address City or Post Office Telephone

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

3. ADDRESS OF PROPERTY (if any) Various - see attached

Total Area (acres or square feet) 7.9 Acres +/-

4. PROPERTY LOCATION (General location): Example - South side of State Street 400 yards. East of Pine Street North of Odlin Road

5. LEGAL DESCRIPTION OF PROPERTY - Assessors Map No. Parcel Multiple - see attached

6. EXISTING USE: Quarry and associated structures, office, warehouse, scale house scales

7. PROPOSED USE: same

8. NAME AND ADDRESS OF OWNER OF RECORD: Name The Lane Construction Corporation

Address 953 Odlin Road, Bangor, ME

9. NAME AND ADDRESS OF CONTRACT OWNER (if such):

10. SIGNATURE OF OWNER OR CONTRACT OWNER:

11. REPRESENTATIVE OF APPLICANT: Name (if applicable)

Address

12. ATTACH ANY CONDITIONS PROPOSED FOR A CONTRACT ZONE REQUEST.

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

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

PLEASE READ PROCESSING PROCEDURE ON REVERSE SIDE
Re: The Lane Construction Corporation Bangor Zoning Change Request

Mr. Gould,

The Lane Construction Corporation is formally requesting zoning boundaries be amended surrounding our existing quarry based on current uses. Please find our application and map attached, as well as the additional information below.

Application for Land Development Code and Map Amendment

Questions 3 & 5

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If you should have any questions or require any further information, please do not hesitate to call me at 207-945-0858, or by email epweldon@laneconstruct.com

Thank You,

Eugene P. Weldon
Sr. Environmental Manager

cc: John Therault, Jeremy Martin, RPL, EGR, BAR
MEMORANDUM

DATE: November 16, 2016
TO: The Honorable City Council
FROM: David G. Gould, Planning Officer
SUBJECT: Amending Zoning Ordinance

Odlin Road – Industry and Service District (I&S) to Urban Industry District (UID) – Council Ordinance 17-010

Please be advised that the Planning Board at its meeting on November 15, 2016, held a Public Hearing on the above zone change request.

Chairman John Kenney asked the applicant or their representative to make a brief presentation of the request. Mr. Eugene Weldon of Lane Construction indicated that Lane would like to straighten out some of the jogs in the zoning lines on their property. In recent discussions with the City Staff concerning the status of the quarry it was apparent the zoning boundary straddles some of the quarry and adjacent Lane properties. Mr. Weldon introduced other representatives with him, Rodney Lane and Kelly Cyr of Lane Construction, Attorney Ed Bearor, and Sarah Nicolson PE of Woodard & Curran.

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

Planning Officer Gould indicated that the request was to rezone 7.9 acres of land around the quarry. A few years back the City shifted its policy for quarries from the Rural Residential District to the Urban Industry District. The long nonconforming Lane quarry was once again an allowable use in UID. In discussions with Lane about eventual permitting by the City the zone boundaries and other ongoing activities at the quarry were discussed. Some portions of the Lane property are outside of the UID Zone. In looking at the map and Land Use Plans within the Comprehensive Plan it looks like some zone boundaries cut through existing Lane parcels and it is their intention to create a uniform zone boundary.

Mr. Gould noted he had no concerns relative to such an adjustment. He did indicate that there is a significant difference between the two districts. Industry and Service District is intended to be a fully serviced industrial district and is the location for new industrial parks. The Urban Industry District is for older industrial sites which may or may not have utility services that allow a wide variety of uses and has less than rigorous development standards. Mr. Gould noted that while he has no concern with Lane’s application he wanted the Board to be aware that the two districts are quite different and had some concern that the Urban Industry District, given its flexibility of uses and limited development standards might become a popular request moving down Odlin Road.
Member Mallar did have some concerns as to whether this would allow the quarry to expand beyond its current footprint. Mr. Weldon indicated that was not their plan and some setbacks may limit outward expansion anyway.

Chairman Kenney indicated that in looking at the zoning and the quarry he felt comfortable that the request was consistent with elements that should be part of the Lane quarry facilities and in the same district.

Member Boothby made a motion to recommend the City Council adopt C.O. # 17-010, amending the Zoning off Odlin Road from Industry and Service District to Urban Industry District for 7.9 acres of land, Lane Construction Corporation applicant. Member McCarthy seconded the motion and the Board voted unanimously in favor to recommend the City Council pass C.O. # 17-010.
NEW BUSINESS