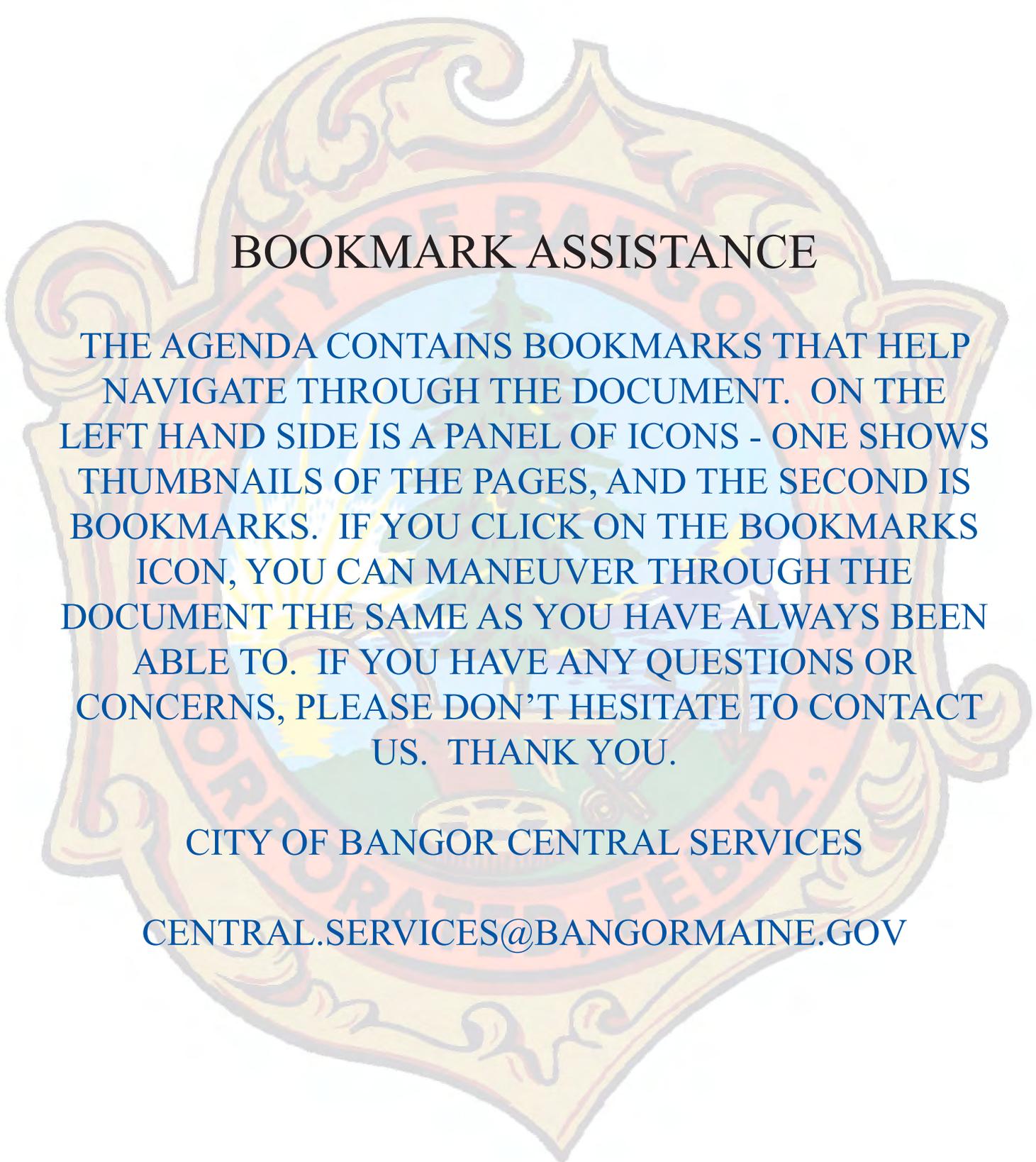




# **CITY COUNCIL AGENDA**

January 11, 2016





## 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](mailto:CENTRAL.SERVICES@BANGORMAINE.GOV)

**REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 11, 2016**

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**PLEDGE ALLEGIANCE TO THE FLAG**

**Swearing in of New Sub-Committee Members**

**PUBLIC COMMENT**

**CONSENT AGENDA  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

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

**MINUTES OF: Bangor City Council Regular Meeting of December 28, 2015,  
Business and Economic Development Committee Meetings of  
December 8, 2015 and December 22, 2015, Government Operations  
Committee Meeting of January 4, 2015**

**LIQUOR LICENSE RENEWAL: Application for Liquor License Renewal, Malt, Vinous of Capital Pizza Huts d/b/a Pizza Hut, 49 Bangor Mall Blvd NICHOLS**

**Application for Liquor License Renewal, Malt of Capital Pizza Huts d/b/a Pizza Hut, 611 Broadway NICHOLS**

**Application for Liquor License Renewal, Malt, Vinous of Giacomo's d/b/a Giacomo's, 1 Central Street NICHOLS**

**Application for Liquor License Renewal, Malt, Spirituous, Vinous of Hero's Sports Grill LLC d/b/a Hero's Sports Grill, 41 Washington Street NICHOLS**

**Application for Liquor License Renewal, Malt, Spirituous, Vinous of PR Mexican Restaurants LLC d/b/a Pepino's, 49 Park Street NICHOLS**

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

**16-061 ORDER Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 199 Bomarc Road Unit 5 (Map R45, Lot 1L) GRAHAM**

**Executive Summary:** A sewer lien matured on the property of Candace Doucette, now owned by Secretary of Housing and Urban Development of Washington, D.C. All outstanding charges due the City have been paid. There are no outstanding real estate taxes or property issues. Because the lien matured, a quitclaim deed is required to release the City's interest in the property. Staff recommends approval.

**REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 11, 2016**

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**CONSENT AGENDA  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

**16-062   ORDER**      **Authorizing Execution of Municipal Quitclaim Deed –  
Real Estate Located at 523 Essex Street (Map 45, Lot 36)**      **PERRY**

**Executive Summary:** Sewer liens matured on the property of Janice Martinez of 523 Essex Street. All outstanding charges due the City have been paid. There are no outstanding real estate taxes or property issues. Because the liens matured, a quitclaim deed is required to release the City's interest in the property. Staff recommends approval.

**16-063   ORDER**      **Authorizing Settlement of Worker's Compensation  
Claim**      **DURGIN**

**Executive Summary:** This Order would authorize the settlement of a workers' compensation claim for Brian Webb, an electrician. The settlement will provide for a lump sum payment of \$100,000 which will fully settle the claim.

The Finance Committee will review this proposed settlement in executive session prior to this evening's City Council meeting.

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

**ASSIGNED TO  
COUNCILOR**

**16-064   RESOLVE**      **Authorizing the City Manager to Accept and  
Appropriate \$22,000 from the Bangor Land Trust for  
Trail V Design (First Reading)**      **SPRAGUE**

**Executive Summary:** This Resolve will accept a donation of \$22,000 from the Bangor Land Trust to fund the final design of Trail V. This money was provided to the Bangor Land Trust through grants from the Elmina B. Sewall Foundation and the Stephen and Tabitha King Foundation. The purpose of these grants is to help with the design and construction of the proposed trail.

This item was reviewed and recommended for approval by the Infrastructure Committee on January 4, 2016.

**UNFINISHED BUSINESS  
ITEM NO**

**ASSIGNED TO  
COUNCILOR**

**PUBLIC HEARING:  
15-360   ORDER**      **Declaring 472 Essex Street a Dangerous Building and  
Directing its Demolition (Map-Lot 045-009-D)**      **BALDACCI**

**Executive Summary:** This order would authorize the demolition of property located on Essex Street. At this time we have been unable to properly notice all the owners of this property. Therefore, we request that Council postpone this item indefinitely to allow for the City Solicitor to notify other owners appropriately.

**REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 11, 2016**

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**UNFINISHED BUSINESS  
ITEM NO**

**ASSIGNED TO  
COUNCILOR**

**16-058   ORDINANCE   Amending Chapter 95, Cultural Development, of the Code of the City of Bangor, By Allowing the Commission to Define their Grant Approval Cycle (First Reading)**

**PLOURDE**

**Executive Summary:** This ordinance amendment would remove ordinance references to a grant approval cycle of the Commission on Cultural Development.

At present, grant requests to the Cultural Commission are split into two tiers. Grant requests of less than \$1000 are considered on a rolling basis, while grant requests of \$1000 or more are considered twice a year. This can lead to confusion for applicants, and make it difficult for the Commission to make decisions about how much money should be allocated and how much held at different points in the year.

The ordinance amendment would allow the Commission to consider all grant applications as part of a review process laid out in the Commission’s annual work plan. Other provisions of the ordinance would remain intact. This amendment was reviewed and recommended for approval by the Business and Economic Development Committee on December 22, 2015.

**16-059   RESOLVE   Appropriating \$102,850 from the General Fund Improvement Reserve to Purchase and Equip Two Police Cruisers (First Reading)**

**SPRAGUE**

**Executive Summary:** This resolve would appropriate \$102,850 from the General Fund Improvement Reserve fund balance to purchase and equip two police cruisers.

A few years back, the city decreased the number of unmarked vehicles assigned to the police department.

Because the Police Department had some staffing shortages, there did not seem the need to acquire additional cars at that time. However, the PD is now approaching full staffing and combined with the Council and Police Chief’s desire to have police officers more visible, we are requesting two new police cars be added to the fleet.

These marked patrol vehicles will be assigned to the Community Services Unit for use by the Community Relations Officer, Special Enforcement Team (SET) and Traffic Enforcement Officer. On any day when the SET unit, School Resource Officer, downtown officer and patrol officers with special assignments are on duty, coupled with the regular patrol crew, the department runs out of marked patrol cars requiring officers to utilize some of the older unmarked vehicles. These vehicles would be marked as Community Services and it would enhance the department’s visibility within the community.

This was reviewed and recommended for approval by the Finance Committee on December 21, 2015.

**NEW BUSINESS  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

**None.**





**CONSENT  
AGENDA**

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – DECEMBER 28, 2015**

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*Meeting called to order at 7:30 PM  
 Chaired by Council Chair Faircloth  
 Absent: Councilors Baldacci and Nichols  
 Meeting adjourned at 7:54 PM*

- RECOGNITION:** *Recognized Paul Bussiere for His R2D2 Charitable Work*
- RECOGNITION:** *Recognized Brian Enman for his service to the City of Bangor*
- INTRODUCTION:** *Introduced new Police Officers*
- PUBLIC COMMENT** *None*

<b>CONSENT AGENDA ITEM NO.</b>	<b>ASSIGNED TO COUNCILOR</b>
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**MINUTES OF:** *Bangor City Council Regular Meeting of December 14, 2015, Bangor School Committee Workshop of November 18, 2015, Bangor School Committee Regular Meeting of November 18, 2015, Business and Economic Development Committee Meeting of November 17, 2015 and Finance Committee Meeting of December 21, 2015*

**Action:** *Accepted and Approved*

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

<b><u>16-048</u></b>	<b><u>ORDER</u></b>	<i>Appointing Nominees to Various Boards, Commissions, and Committees</i>	<b>GRAHAM</b>
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**Action:** *Passed*

<b><u>16-049</u></b>	<b><u>ORDER</u></b>	<i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 374 Ohio Street (Map 20 Lot 57)</i>	<b>DURGIN</b>
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**Action:** *Passed*

<b><u>16-050</u></b>	<b><u>ORDER</u></b>	<i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 26 Parker Street (Map 35 Lot 48)</i>	<b>SPRAGUE</b>
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**Action:** *Passed*

<b><u>16-051</u></b>	<b><u>ORDER</u></b>	<i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 2220 Ohio Street (Map R2 Lot 2)</i>	<b>NEALLEY</b>
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**Action:** *Passed*

<b><u>16-052</u></b>	<b><u>RESOLVE</u></b>	<i>Ratifying Execution of Municipal Quitclaim Deed – Real Estate Located at 1257 Hammond Street (Map R9 Lot 11)</i>	<b>BALDACCI</b>
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**Action:** *Passed*

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – DECEMBER 28, 2015**

<b>CONSENT AGENDA</b>			<b>ASSIGNED TO</b>
<b>ITEM NO.</b>			<b>COUNCILOR</b>
<u>16-053</u>	<u>ORDER</u>	<i>Authorizing the City Manager to Enter into a Contract with the Maine Bureau of Highway Safety to Distribute Child Passenger Safety Seats to Qualified Individuals</i>	<b>PERRY</b>
		<i>Action: Passed</i>	
<u>16-054</u>	<u>ORDER</u>	<i>Authorizing the City Manager to execute an agreement between Gene Richardson, d/b/a Maine Aero Services, Inc., and the City of Bangor for the termination of their lease</i>	<b>NICHOLS</b>
		<i>Action: Passed</i>	
<u>16-055</u>	<u>ORDER</u>	<i>Authorizing the City Manager to execute a lease agreement between the City of Bangor and Charles Feaga, d/b/a Maine Aero Services Inc. at Bangor International Airport (BGR)</i>	<b>BALDACCI</b>
		<i>Action: Passed</i>	
<u>16-056</u>	<u>ORDER</u>	<i>Authorizing the City Manager to execute a lease and concession agreement with Stellar Partners, Inc. at Bangor International Airport (BGR)</i>	<b>NEALLEY</b>
		<i>Action: Passed</i>	
<u>16-057</u>	<u>ORDER</u>	<i>Authorizing Execution of Easement to Bangor Gas Company LLC – Bangor International Airport, Bangor Air National Guard Building #512 Fuller Road</i>	<b>GRAHAM</b>
		<i>Action: Passed</i>	
<b>REFERRALS TO COMMITTEE AND FIRST READING</b>			<b>ASSIGNED TO</b>
<b>ITEM NO.</b>			<b>COUNCILOR</b>
<u>16-058</u>	<u>ORDINANCE</u>	<i>Amending Chapter 95, Cultural Development, of the Code of the City of Bangor, By Allowing the Commission to Define their Grant Approval Cycle</i>	<b>PLOURDE</b>
		<i>Action: First Reading</i>	
<u>16-059</u>	<u>RESOLVE</u>	<i>Appropriating \$102,850 from the General Fund Improvement Reserve to Purchase and Equip Two Police Cruisers</i>	<b>SPRAGUE</b>
		<i>Action: First Reading</i>	

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – DECEMBER 28, 2015**

<b>UNFINISHED BUSINESS</b>		<b>ASSIGNED TO</b>
<b>ITEM NO</b>		<b>COUNCILOR</b>
<u>16-043</u>	<u>ORDINANCE</u> <i>Amending Schedule XVI of Chapter 291, Article II, Sec. 28 of the Code of the City of Bangor – One-Way Streets – Union Street under the Chamberlain Bridge</i>	<b>SPRAGUE</b>
	<i>Action: Motion made and seconded for Passage Vote: 7 – 0 Councilors Voting Yes: Durgin, Graham, Nealley, Perry, Plourde, Sprague, Faircloth Councilors Voting No: None Passed</i>	
<u>16-044</u>	<u>RESOLVE</u> <i>Accepting and Appropriating \$383,182 in Grant Funds from the U.S. Department of Housing and Urban Development – Shelter Plus Care Renewal</i>	<b>PLOURDE</b>
	<i>Action: Motion made and seconded for Passage Passed</i>	
<u>16-045</u>	<u>RESOLVE</u> <i>Accepting and Appropriating \$114, 847 in Grant funds from the U.S. Department of Housing and Urban Development for the Shelter Plus Care Program</i>	<b>NICHOLS</b>
	<i>Action: Motion made and seconded for Passage Passed</i>	

<b>NEW BUSINESS</b>		<b>ASSIGNED TO</b>
<b>ITEM NO.</b>		<b>COUNCILOR</b>
	<b>LIQUOR LICENSE (CLASS X)</b> <i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of Arayos LLC d/b/a Diamonds, 190B Main Street</i>	<b>PERRY</b>
	<i>Action: Motion made and seconded for Approval Approved</i>	
	<b>PUBLIC HEARING:</b> <i>Application for Special Amusement License Renewal of Arayos LLC d/b/a Diamonds, 190B Main Street</i>	<b>PERRY</b>
	<i>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>16-060</u>	<u>ORDER</u> <i>Authorizing Development Agreement with Abraham and Heather Furth for Property at 26 State Street</i>	<b>GRAHAM</b>
	<i>Action: Motion made and seconded for Passage Passed</i>	

ATTEST: \_\_\_\_\_  
Lisa J. Goodwin, MMC, City Clerk

# **BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE**

Tuesday, December 8, 2015 5:15 PM  
City Council Chambers

## **MINUTES**

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

City Staff Present: Tanya Emery, Norman Heitmann, Cathy Conlow, Steve Bolduc, John Theriault, Dana Wardwell, and Tyler Collins

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

- 1. Executive Session** – Economic Development – Business Development – 1 M.R.S.A. § 405(6)(C)

It was moved by Councilor Plourde and seconded by Councilor Baldacci to enter Executive Session under 1 M.R.S.A. § 405(6)(C). The motion passed as it was not doubted.

- 2. Committee Action on Above Item.**

The Committee moved Staff recommendation. The motion was seconded and passed unanimously.

- 3. Executive Session** – Economic Development – Business Development – 1 M.R.S.A. § 405(6)(C)

It was moved and seconded to enter Executive Session under 1 M.R.S.A. § 405(6)(C). The motion passed as it was not doubted.

- 4. Committee Action on Above Item**

No Committee action was taken on this item.

- 5. Request to Purchase Land - Odlin Road**

City Solicitor Norm Heitmann explained that Stillwater Realty LLC owns property abutting a City owned property on Odlin Road. They are requesting that the City sell them approximately 2,700 sq. ft. feet of land on the easterly side of their property to facilitate a development. The City Assessor has determined that the fair market value of the parcel is \$4,574. Mr. Heitmann explained that the property is subject to Federal Aviation Administration (FAA) restrictions and the City cannot sell the property without permission from the FAA.

Mr. Heitmann indicated that there two ways to achieve this prior to obtaining FAA permission, which could take a considerable amount of time. One is a lease with an option to purchase and when the City obtains permission from FAA the property will be conveyed. Another option is for an easement with an agreement to convey the property once the City obtains permission from the FAA. The applicant would prefer and Staff would recommend that the applicant purchase the easement for the value of the land and that the City convey it at no additional cost once it obtains permission from the FAA.

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

## **6. Proposed Easement from Bangor Target Area Development Corporation**

City Solicitor Heitmann explained that Bangor Target Area Development Corporation owns a lot (Lot 7) in the Dowd Industrial Estates subdivision located off of Odlin Road. They are conveying the lot to an abutter but would like the City to have the right, but not the obligation, to enter the lot with workers and equipment to alter, maintain, repair and reconstruct the storm water detention pond and related drainage improvements that are on the site. Staff recommended approval.

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

## **7. CDBG Update**

Tyler Collins, Community and Economic Development Officer, explained that each year the Community and Economic Development Staff is required to prepare an Annual Action Plan for its CDBG Program and submit it to the U. S. Department of HUD. Part of the plan is to identify priorities through a needs assessment based upon input from various community organizations.

Two priorities that were identified through this process were "more childcare/Head Start facilities" and "homeless transitional facility." C & ED Staff is planning to provide funding for two separate projects to help address these priorities. Mr. Collins noted that the City is proposing to provide a \$50,000 loan to Community Housing of Maine to assist in a proposed four-unit support housing redevelopment and for a \$50,000 grant to Penquis CAP, Inc. to assist in opening an additional classroom at Eastern Maine Community College campus to provide child care.

## **8. Nonconformities - Discussion**

Tanya Emery, Director of Community and Economic gave an overview of the reason for the proposed language amendment regarding nonconformities. She explained that Staff has received requests from people who would like to purchase abandoned and foreclosed buildings only to discover that because they have sat vacant for over one year that in many cases the nonconforming status has expired.

She explained that foreclosure proceedings and taking properties for unpaid taxes can take many years. The proposed nonconformities provisions would increase the expiration date for a nonconforming use from one year to ten years. This would enable purchases more options and make rehabilitation project more viable. Jeremy Martin, Code Enforcement Officer and Assistant City Solicitor were also present to discuss the proposed amendment with the Committee.

Councilor Nealley moved Staff recommendation to move this forward to the Council for referral to the Planning Board. Councilor Baldacci seconded the motion. It was a vote as it was not doubted.

## **9. MDOT Presentation – Proposed Hogan Road Improvements**

Representatives with the Maine Department of Transportation (MDOT) discussed with the Committee the Hogan Road Improvements they are proposing. This discussion included a history of traffic movements, accidents, and current conditions. It was noted that this diamond interchange is the busiest diamond interchange in the State of Maine. MDOT is proposing a "diverging diamond" type of configuration for this interchange and provided a slide show of diverging diamonds that have been constructed in other states. This would be the first one built in the State of Maine.

Committee Members had questions as to where there would be public hearing scheduled and notification to the public of meetings and hearings.

For more information please click on the following link to view MDOT's presentation. <http://www.bangormaine.gov/divergingdiamond>

There being no further items for discussion, the meeting was adjourned at 6:35 p.m.

## **BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE**

Tuesday, December 22, 2015 5:15 PM  
City Council Chambers

### **MINUTES**

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

City Staff Present: Tanya Emery, Steve Bolduc, Norman Heitmann, Tyler Collins, Parke Clemons (Republic Parking)

Chair Graham called the meeting to order at 5:15 pm. Chair Graham indicated that the revised agenda included removing items 7 and 8 from the agenda.

#### 1. ORDINANCE – Cultural Commission Grant Review

Community and Economic Development Director Tanya Emery outlined a proposed ordinance change to align the grant application timeline of the Commission on Cultural Development to provide quarterly deadlines, rather than rolling, with all deadlines open to both individual artist applicants and group applicants. The current system has occasionally caused confusion for applicants, as well as the short turnaround time between submission and CCD meetings causes a challenge for staff. Councilor Graham asked several clarifying questions about the process and budget.

Councilor Plourde moved staff recommendation. Councilor Baldacci seconded the motion, which passed as it was not doubted.

#### 2. Republic Parking Annual Report

Parke Clemons from Republic Parking provided a synopsis of the 2015 annual report detailing utilization of itinerant and monthly parking and the various lots. The report will be made available on the City's website for members of the public wishing to review the document. Republic has also created a new parking website for the City, [parkbangor.com](http://parkbangor.com). One of the recommendations Mr. Clemons proposed is a rate increase on the lots that were not adjusted in 2014. Those lots have not seen a price adjustment since 2009. Additionally, Mr. Clemons suggested the Council consider using funds from the rate increase to contract a feasibility study, as parking inventory is at the lowest rate in history and the City could easily face a shortage of monthly permit spaces in the future. Director Emery stated the Council could consider, in January, action on the rate increase and feasibility study recommendations once they have had time to review the report in full.

No action was required on this item.

3. Parking Leases

Director Emery explained that as part of the transition to having Republic Parking bill for our long-term parking leases, she sent a letter to the tenants updating them on the process and current status of their leases. Several have responded asking to be considered for a longer-term lease. Bangor House, LLC and Baltimore Waterfront Associates both requested longer leases. City staff recommends moving forward with lease negotiations with these parties and will bring new leases back to the Council for approval.

Councilor Plourde moved staff recommendation. Councilor Faircloth seconded the motion, which passed as it was not doubted.

4. Surplus Property – ANG Building #345

City staff has been notified that the ANG Building #345 will no longer be needed by the military in January 2016. The City currently owns the building. Economic Development Officer Steve Bolduc discussed potential reuse scenarios, including an RFP or a commercial kitchen facility. Staff will continue to pursue options and bring information back to the Committee and Council as soon as possible.

No action was required on this item.

5. **Executive Session** – Economic Development – Business Development Assistance – 1 M.R.S.A. § 405(6)(C) (Confidential Memo provided separately)

Councilor Baldacci moved to enter executive session at 5:57 pm. Councilor Nealley seconded the motion.

6. Committee Action on Above Item

No action was required on this item.

There being no further business, the meeting was adjourned at 6:15 pm.

## Government Operations Committee

### Minutes

January 4, 2016

Councilors Attending: Plourde, Perry, Graham, Sprague, Faircloth, Durgin

Staff Attending: Conlow, Farrar, Emery, Higgins, Riitano, Sandborn

Others Attending: Media Representatives

Committee Chair Plourde called the Meeting to Order at 5:15pm

#### 1. Update—Multifamily Housing Inspection Program

- Fire Chief Higgins, Assistant Fire Chief Riitano, Fire Inspector Sandborn and Community and Economic Development Director Emery provided background information and details on the first five months of the program which commenced on July 1<sup>st</sup>. Engine Company's from the Fire Department have completed 149 inspections—549 individual units have been inspected so far. These are three and four unit dwellings. Dwellings with over five units that are not inspected by other regulatory agencies are being inspected by fire inspectors given their size and the additional complexity. Among the more common findings / violations have been the lack of working smoke and C.O. detectors, no GFI's, misuse of electrical cords and the need for general clean-up / housekeeping. Many of these issues have been corrected quickly and at minimal cost. The number of serious violations has not been significant to date. When violations are found that involve time consuming or expensive repairs or alterations, staff works with the landlord to develop a reasonable remedy schedule. Staff indicated that landlords have been receptive to the inspection program so far. A brochure was distributed that is made available to tenants and landlords describing general types of violations and other inspection related information. Committee members asked several questions about the program and specific types of violations, and expressed their appreciation for the work that has been done to date. While there was some initial skepticism about the program and privacy concerns, Committee members indicated that they were pleased with how the program is operating and the results. Chief Higgins noted that inspection work will continue and he praised the work of the firefighters who are conducting the inspections in addition to their other regular duties. The Committee thanked staff involved for their work and the positive report. As this was an update, there was no Committee action required.

With no further business to come before the Committee, the meeting was adjourned at 5:30.

**COUNCIL ACTION**

**Item No. 16-061**

**Date:** January 11, 2016

**Item/Subject:** **Order**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate  
Located at 199 Bomarc Road Unit 5 (Map R45, Lot 1L).

**Responsible Department:** Legal

**Commentary:**

A sewer lien matured on the property of Candace Doucette, now owned by Secretary of Housing and urban Development of Washington, D.C. All outstanding charges due the City have been paid. There are no outstanding real estate taxes or property issues. Because the lien matured, a quitclaim deed 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**

16-061  
JANUARY 11, 2016



Assigned to Councilor Graham

## CITY OF BANGOR

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**(TITLE.) ORDER,** Authorizing Execution of Municipal Quitclaim Deed – Real Estate  
Located at 199 Bomarc Road Unit 5 (Map R45, Lot 1L).

*By the City Council of the City of Bangor:*

**ORDERED,** Deborah A. Cyr, Finance Director, is hereby authorized and directed, on behalf of the City of Bangor, to execute a Municipal Quitclaim Deed releasing any interest the City may have by virtue of an undischarged sewer lien recorded in the Penobscot County Registry of Deeds in Book 12211, Page 241. Said deed shall be directed to Secretary of Housing and Urban Development of Washington, D.C. and in final form approved by the City Solicitor or Assistant City Solicitor.

**COUNCIL ACTION**

**Item No. 16-062**

**Date:** January 11, 2016

**Item/Subject:** **Order**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate  
Located at 523 Essex Street (Map 45, Lot 36).

**Responsible Department:** Legal

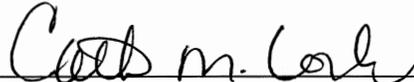
**Commentary:**

Sewer liens matured on the property of Janice Martinez of 523 Essex Street. All outstanding charges due the City have been paid. There are no outstanding real estate taxes or property issues. Because the liens matured, a quitclaim deed is required to release the City's interest in the property.

Staff recommends approval.

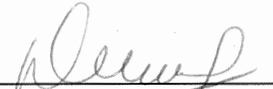
\_\_\_\_\_  
Department Head

**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 Perry

# CITY OF BANGOR

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**(TITLE.) Order,** Authorizing Execution of Municipal Quitclaim Deed – Real Estate  
Located at 523 Essex Street (Map 45, Lot 36).

*By the City Council of the City of Bangor:*

**ORDERED,** Deborah Cyr, Finance Director, is hereby authorized and directed, on behalf of the City of Bangor, to execute a Municipal Quitclaim Deed releasing any interest the City may have by virtue of undischarged sewer liens recorded in the Penobscot County Registry of Deeds in Book 11480, Page 45, Book 11654, Page 306, Book 11890, Page 223, Book 12060, Page 296, Book 12211, Page 171, Book 12397, Page 244 and Book 12675, Page 127. Said deed shall be directed to Janice Martinez in final form approved by the City Solicitor or Assistant City Solicitor.

**COUNCIL ACTION**

**Item No. 16-063**

**Date:** January 11, 2016

**Item/Subject:** Order, Authorizing Settlement of Workers' Compensation Claim

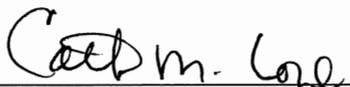
**Responsible Department:** Finance

**Commentary:** This Order would authorize the settlement of a workers' compensation claim for Brian Webb, an electrician. The settlement will provide for a lump sum payment of \$100,000 which will fully settle the claim.

The Finance Committee will review this proposed settlement in executive session prior to this evening's City Council meeting.

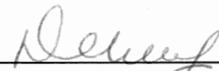
  
\_\_\_\_\_  
Department Head

**Manager's Comments:**

  
\_\_\_\_\_  
City Manager

**Associated Information:** Order

**Budget Approval:**

  
\_\_\_\_\_  
Finance Director

**Legal Approval:**

  
\_\_\_\_\_  
City Solicitor

**Introduced for**

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

**Page**    **of**

16-063  
JANUARY 11, 2016



Assigned to Councilor Durgin

## CITY OF BANGOR

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**(TITLE.)** Order, Authorizing Settlement of Worker's Compensation Claim

*By the City Council of the City of Bangor:*

ORDERED, THAT the settlement of a workers' compensation claim of Brian Webb in the lump sum amount of \$100,000 is hereby approved.



**REFERRALS TO COMMITTEES  
& FIRST READINGS**

**COUNCIL ACTION**

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**Item No. 16-064**

**Date:** January 11, 2016

**Item/Subject:** RESOLVE, Authorizing the City Manager to Accept and Appropriate \$22,000 from the Bangor Land Trust for Trail V Design

**Responsible Department:** Engineering

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**Commentary:** This Resolve will accept a donation of \$22,000 from the Bangor Land Trust to fund the final design of Trail V. This money was provided to the Bangor Land Trust through grants from the Elmina B. Sewall Foundation and the Stephen and Tabitha King Foundation. The purpose of these grants is to help with the design and construction of the proposed trail.

This item was reviewed and recommended for approval by the Infrastructure Committee on January 4, 2016.

John M. Theriault

Department Head

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**Manager's Comments:**

Carl M. Cole

City Manager

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**Associated Information:** Resolve, Memo

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**Budget Approval:**

[Signature]

Finance Director

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**Legal Approval:**

[Signature]

City Solicitor

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**Introduced for**

- Passage
- First Reading
- Referral

JANUARY 11, 2016



Assigned to Councilor Sprague

## CITY OF BANGOR

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**(TITLE.) Resolve , Authorizing the City Manager to Accept and Appropriate \$22,000 from the Bangor Land Trust for Trail V Design**

*By the City Council of the City of Bangor:*

***RESOLVED***

that the City Manager is hereby authorized to Accept & Appropriate donations in the amount of \$22,000 from The Bangor Land Trust for Trail V Design.



**UNFINISHED  
BUSINESS**

**COUNCIL ACTION**

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**Item No. 15-360**

**Date: October 26, 2015**

**Item/Subject:** Order Declaring 472 Essex Street a Dangerous Building and Directing its Demolition (Map-Lot 045-009-D)

**Responsible Department:** Legal

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**Commentary:** This order will declare 472 Essex Street a dangerous building and direct the demolition of the property. This formerly grandfathered 4-unit building at 472 Essex Street has been vacant since January 2010 and experienced significant deterioration since that time. Since 2010 staff from Code Enforcement have inspected the property on numerous occasions, and noted that the building's foundation is collapsing and that the roof has failed.

In April of 2014, the Code Enforcement Division issued a notice to the bank to register the building as a vacant building and ordered them to maintain the property in compliance with the City's Property Maintenance Code or demolish the building. The bank registered the building in April and October of 2014, and indicated that they would maintain the building per local ordinances. As of this date, however, no maintenance on the building has taken place.

In accordance with Maine Revised Statutes, Title 17, §2851 the Code Enforcement Division finds that the building is structurally unsafe, unstable; unsanitary; constitutes a fire hazard; is unsuitable or improper for use or occupancy as a residence; constitutes a hazard to health or safety because of inadequate maintenance, obsolescence or abandonment; and is otherwise dangerous to life or property.

In September of 2015, the City gave notice to all parties of interest that there would be a discussion about this property on October 20, 2015 at 5:15 and that a Dangerous Building Hearing would take place on October 26, 2015 at 7:30 p.m. This item was reviewed and recommended for approval at the October 20, 2015 BED meeting.

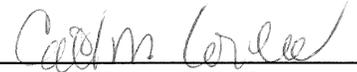
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Department Head

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**Manager's Comments:**

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City Manager

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**Associated Information:**

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**Budget Approval:**

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Finance Director

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**Legal Approval:**

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City Solicitor

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**Introduced for**

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



Assigned to Councilor

## CITY OF BANGOR

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**ORDER,** Order Declaring 472 Essex Street a Dangerous Building and Directing its Demolition  
(Map-Lot 045-009-D)

**WHEREAS,** after all owners and parties-in-interest (the "Owners") of the property at 472 Essex Street, Map 45 Lot 9D, Bangor (the "Premises") were properly given notice, the Bangor City Council held a public hearing to determine whether the building located at the Premises (the "Structure") constitutes a dangerous building or nuisance;

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

Based upon the evidence presented at said public hearing, the City Council hereby finds:

1. The Structure is structurally unsafe; unstable; unsanitary; a fire hazard; unsuitable or improper for use or occupancy as a residence; a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; and dangerous to the life and property of the inhabitants of the City of Bangor; and
2. The Structure constitutes a dangerous building and a nuisance within the meaning of 17 M.R.S.A. §2851 et seq.

**BE IT FURTHER ORDERED THAT**

1. The Owners shall remedy the conditions cited above that render the Structure dangerous and a nuisance within 30 days by demolishing the Structure and properly disposing of all debris.
2. If the Owners fail to obtain the Structure as required above, the City Council may, by separate Council Order, direct the Code Enforcement Officer, or his or her designee, to remove and dispose of any personal property remaining in the Structure, cause the Structure to be demolished or removed, and recover the City's costs as provided in 17 M.R.S.A. §2853.
3. This Order may be appealed to the Superior Court pursuant to the provisions of the Maine Rules of Civil Procedure, Rule 80B.

**COUNCIL ACTION**

**Item No. 16-058**

**Date:** December 28, 2015

**Item/Subject:** **ORDINANCE**, Amending Chapter 95, Cultural Development, of the Code of the City of Bangor, By Allowing the Commission to Define their Grant Approval Cycle

**Responsible Department:** Community and Economic Development

**Commentary:**

This ordinance amendment would remove ordinance references to a grant approval cycle of the Commission on Cultural Development.

At present, grant requests to the Cultural Commission are split into two tiers. Grant requests of less than \$1000 are considered on a rolling basis, while grant requests of \$1000 or more are considered twice a year. This can lead to confusion for applicants, and make it difficult for the Commission to make decisions about how much money should be allocated and how much held at different points in the year.

The ordinance amendment would allow the Commission to consider all grant applications as part of a review process laid out in the Commission's annual work plan. Other provisions of the ordinance would remain intact.

This amendment was reviewed by the Business and Economic Development Committee on December 22, 2015.

/s/ Tanya L. Emery  
Department Head

**Manager's Comments:**

Carl M. Cole  
City Manager

**Associated Information:** Ordinance

**Budget Approval:**

\_\_\_\_\_  
Finance Director

**Legal Approval:**

[Signature]  
City Solicitor

**Introduced for**

- Passage
- First Reading
- Referral

Assigned to Councilor Plourde



## CITY OF BANGOR

**ORDINANCE**, Amending Chapter 95, Cultural Development, of the Code of the City of Bangor, By  
Allowing the Commission to Define their Grant Approval Cycle

**WHEREAS**, the current schedule for awarding cultural grants can be confusing to applicants, and makes it difficult for the Commission on Cultural Development to decide how much of their budget should be allocated to particular projects;

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

Chapter 95 of the Code of the City of Bangor be amended as follows:

**§ 95-7. Cultural grant program and budget recommendation.**

...

B. The Commission shall review grant applications from nonprofit arts and cultural organizations and from individuals and recommend a course of action to the City Council for its review and consideration. The Bangor City Council shall have the sole authority to adopt, reject, or revise any such recommendation. The Commission will make its recommendation relative to funding and access to cultural activities and projects without attempting to influence programming or content or diminishing its capacity to challenge audiences. In making its recommendation, the Commission shall consider the following:

- (1) ~~Grant requests less than \$1,000 from nonprofit organizations and individual artists shall be considered on a rolling basis.~~ Individual artists are eligible only for reimbursement of actual costs for supplies and materials incurred for completed works of art produced, at least initially, for public use;
- (2) ~~Grant requests of \$1,000 or greater from nonprofit organizations shall be considered twice a year in accordance with a funding cycle calendar published by the Finance Director of the City of Bangor.~~ Grant requests of \$1,000 or greater from individuals shall not be considered;

...

Additions are underlined, deletions struck through.

**COUNCIL ACTION**

**Item No. 16-059**

**Date: December 18, 2015**

**Item/Subject: Resolve, Appropriating \$102,850 from the General Fund Improvement Reserve to Purchase and Equip Two Police Cruisers**

**Responsible Department:** Finance

**Commentary:**

The attached resolve would appropriate \$102,850 from the General Fund Improvement Reserve fund balance to purchase and equip two police cruisers.

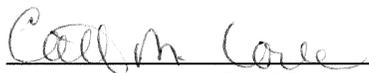
A few years back, the city decreased the number of unmarked vehicles assigned to the police department. Because the Police Department had some staffing shortages, there did not seem the need to acquire additional cars at that time. However, the PD is now approaching full staffing and combined with the Council and Police Chief's desire to have police officers more visible, we are requesting two new police cars be added to the fleet.

These marked patrol vehicles will be assigned to the Community Services Unit for use by the Community Relations Officer, Special Enforcement Team (SET) and Traffic Enforcement Officer. On any day when the SET unit, School Resource Officer, downtown officer and patrol officers with special assignments are on duty, coupled with the regular patrol crew, the department runs out of marked patrol cars requiring officers to utilize some of the older unmarked vehicles. These vehicles would be marked as Community Services and it would enhance the department's visibility within the community.

This was reviewed and recommended for approval by the Finance Committee on December 21, 2015.

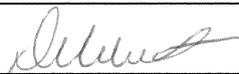
  
\_\_\_\_\_  
Department Head

**Manager's Comments:**

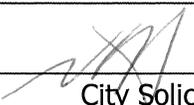
  
\_\_\_\_\_  
City Manager

**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

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**(TITLE.) Resolve, Appropriating \$102,850 from the General Fund Improvement Reserve to Purchase and Equip Two Police Cruisers**

**BY THE CITY COUNCIL OF THE CITY OF BANGOR:**

**BE IT RESOLVED,** that \$102,850 is hereby appropriated from the General Fund Improvement Reserve fund balance to purchase and equip two police cruisers.



**NEW  
BUSINESS**