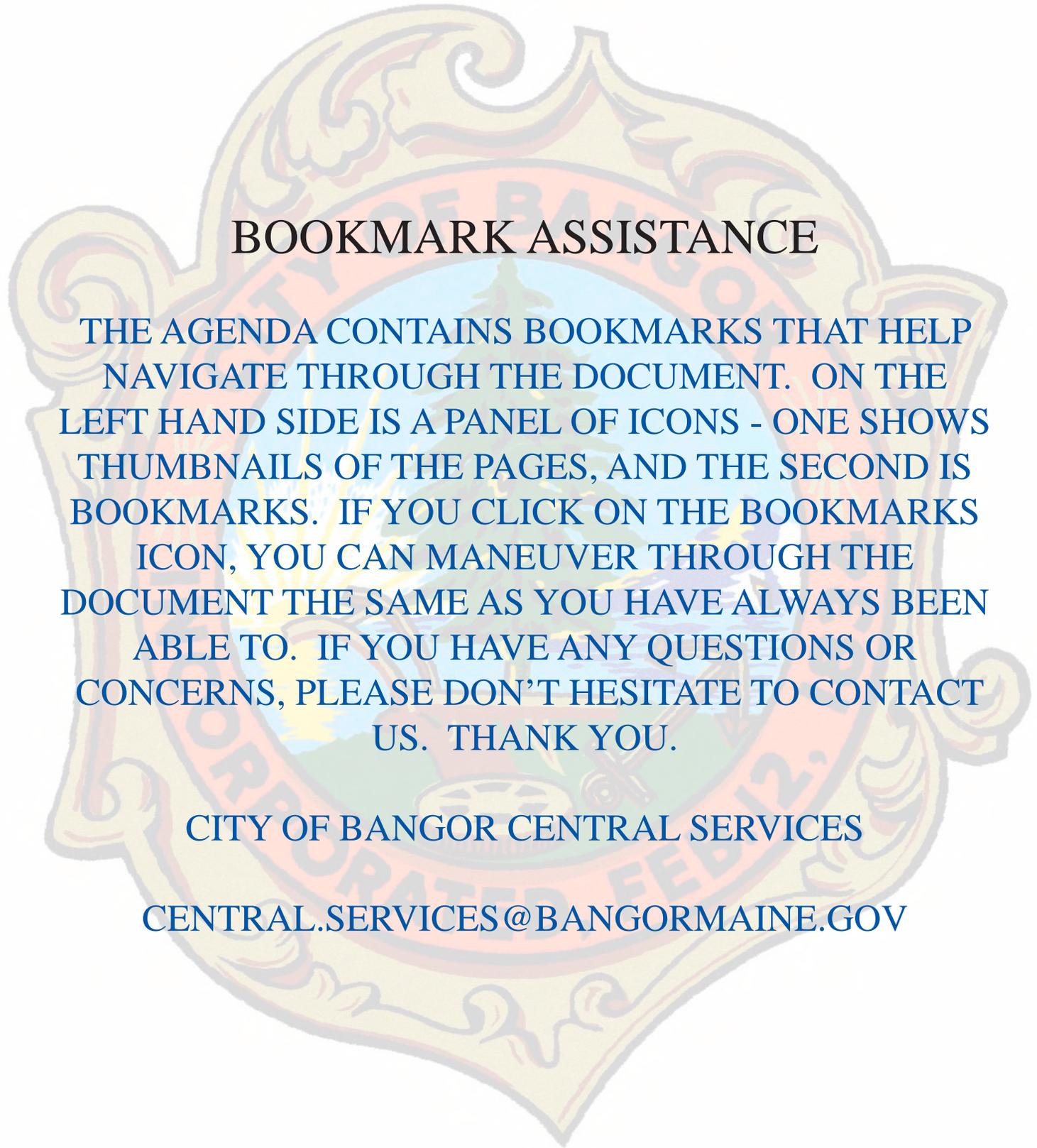




CITY COUNCIL AGENDA

FEBRUARY 8, 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

REGULAR MEETING BANGOR CITY COUNCIL – FEBRUARY 8, 2016

PLEDGE ALLEGIANCE TO THE FLAG

PUBLIC COMMENT

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

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

MINUTES OF: Bangor City Council Regular Meeting of January 25, 2016, Bangor School Committee Workshop of December 9, 2015, Bangor School Committee Regular Meetings of December 9, 2015 and January 13, 2016, Airport Committee Meetings of December 15, 2015 and January 12, 2016, Government Operations Committee Meetings of January 20, 2016 and February 1, 2016, Infrastructure Committee Meetings of December 15, 2015 and January 12, 2016 and Finance Committee Meeting of February 1, 2016

**LIQUOR LICENSE
RENEWAL:**

Liquor License Application Renewal Malt of Chipotle Mexican Grill of Colorado, LLC d/b/a Chipotle Mexican Grill #2287, 583 Stillwater Avenue

SPRAGUE

16-081 ORDER

Authorizing Bid Award for the Purchase of a Backhoe/Loader from Nortrax in the Amount of \$110,000

DURGIN

Executive Summary: On January 20, 2016 the City received three bids for a backhoe/loader. The total “life cycle” cost over a five year period ranged from \$57,000 – \$73,795.

The “life cycle” bidding process guarantees a maximum cost of repairs over a five year period as well as a buy back amount at the end of the five years. On February 1, 2016, the Finance Committee reviewed and approved staff recommendation to purchase the backhoe/loader from Nortrax in the amount of \$110,000. At the end of the five years, the City will have the option of keeping the machine or returning it to Nortrax for the guaranteed buy back amount of \$53,000.

The contract award recommendation must be reviewed and approved by the City Council as it is over \$100,000.

16-082 ORDER

Authorizing Grant of \$2,500 to Maine Discovery Museum to Support the Maine Science Festival

GRAHAM

Executive Summary: This Order will authorize a grant in the amount of \$2,500 to the Maine Discovery Museum to support general funding of the Maine Science Festival which showcases and highlights the remarkable science that happens throughout Maine. The Cultural Commission has recommended approval of this request because of the benefit to the community. This item was reviewed and recommended for approval by the Business & Economic Development Committee at its February 2, 2016 meeting.

REGULAR MEETING BANGOR CITY COUNCIL – FEBRUARY 8, 2016

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

16-083 ORDER Authorizing Grant of \$1,250 to the Bangor Band to support the 35th Annual R.B. Hall Day **NEALLEY**

Executive Summary: This Order will authorize a grant in the amount of \$1,250 to the Bangor Band. The Bangor Band will be hosting the 35th annual R.B. Hall Day—a day to honor the memory of Robert Browne Hall, a Maine-born cornetist, who was prolific in his composition of many marches that have gone on to become standards in concert band performance literature. The funding will go towards printing costs of programs and commemorative t-shirts, rental of portable toilets and a tent. The Cultural Commission has recommended approval of this request because of the benefit to the community and the Bangor Band’s history of quality programming. This item was reviewed and recommended for approval by the Business & Economic Development Committee at its February 2, 2016 meeting.

16-084 ORDER Authorizing Grant of \$1,518 to Bangor Ballet to Support Students at Downeast School Learning Classical Ballet **BALDACCI**

Executive Summary: This Order will authorize a grant in the amount of \$1,518 to the Bangor Ballet. The Bangor Ballet submitted an application to provide up to 25 students at Downeast School with the opportunity to learn classical ballet and to attend a live performance of Sleeping Beauty. The Cultural Commission has recommended approval of this request because of the benefit to the community and the Ballet’s history of quality programming. This item was reviewed and recommended for approval by the Business & Economic Development Committee at its February 2, 2016 meeting.

16-085 RESOLVE Ratifying the Finance Director’s Application to the Efficiency Maine Large Customer Program **PLOURDE**

Executive Summary: This resolve will ratify the Finance Director’s application to the Efficiency Maine Large Customer Program. The Large Customer Program provides several advantages, it typically contains higher incentives, provides incentives for improvements beyond those in the Efficiency Maine’s business program and allows customers to bundle projects to meet the program requirements. In addition, it allows for the higher level of incentives on typical business program prescriptive measures, when that program is closed, as it currently is.

Efficiency Maine offers free scoping audits to businesses that have the potential of developing a project as part of the Large Customer Program. Scoping audits provide an opportunity for a business to get a professional consultation on a facility’s specific energy needs and identify cost-effective energy efficiency projects that will reduce operating expenses. The audit resulted in the identification of three significant lighting projects that the City should consider pursuing, with an average payback of under five years. Additional measures are also characterized that would save a mixture of fuel and electricity, but would need further development by a contractor or city engineer to estimate their potential energy impacts. This item was reviewed and recommended for approval at the Finance Committee meeting on February 1, 2016.

REGULAR MEETING BANGOR CITY COUNCIL – FEBRUARY 8, 2016

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

**16-086 ORDER Authorizing Execution of Consent to Sublease Between GRAHAM
USABFIT, LLC and Harvest Moon Deli – 366 Griffin
Road (Map 100, Lot 006)**

Executive Summary: This Order will authorize the execution of a consent for the subleasing of the space to Harvest Moon Deli by USABFIT, LLC. The City of Bangor is the owner of Lot 10 in the BIA Commercial / Industrial Park, 366 Griffin Road. By virtue of an Indenture of Lease dated October 8, 2015 USABFIT, LLC leases Lot 10 in the BIA Commercial / Industrial Park from the City of Bangor.

The lease provides that the tenant may not sublet any portion of the premises without the express consent of the City of Bangor. USABFIT, LLC wishes to sublet approximately 925 square feet of the building on Lot 10 in the BIA Commercial / Industrial Park to Harvest Moon Deli to operate a delicatessen.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its February 2, 2016 meeting.

**16-087 ORDER Authorizing the City Manager to Accept \$1,101.10 in PERRY
U.S. Currency, or a Portion Thereof, as a result of a
State Criminal Forfeiture**

Executive Summary: This order authorizes the City Manager to accept and transfer \$1,101.10 State Criminal Forfeiture Funds. Members of the Bangor Police Department were instrumental in an arrest leading to the seizure of drugs, cash and property that was subsequently forfeited by the individual who was arrested. As a result, the City is entitled to a portion of the seized funds. This Order will authorize the acceptance of the funds and the execution of the approval of the fund transfer.

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

**ASSIGNED TO
COUNCILOR**

**16-088 ORDINANCE Amending Chapter 165, Land Development Code, of the GRAHAM
Code of the City of Bangor, By Amending Provisions
Dealing with Nonconformities (First Reading and
Referral to Business and Economic Development
Committee and Planning Board Meetings on February
16, 2016)**

Executive Summary: This ordinance would amend Chapter 165 of the Land Development Code dealing with nonconforming properties. Prior to 1991, City zoning often allowed single family homes to be converted to multiple residential units. After 1991, the City changed the ordinance to prohibit these conversions in many parts of the City where they had previously been allowed, thus creating a number of legal non-conformities.

REGULAR MEETING BANGOR CITY COUNCIL – FEBRUARY 8, 2016

REFERRALS TO COMMITTEE AND FIRST READING ITEM NO.

ASSIGNED TO COUNCILOR

Under the ordinance, if the property is not used for a period of one year, the legal non-conformity ceases to exist and the property must be redeveloped to a conforming use. While such nonconformities are discouraged, it is sometimes impractical to require their elimination. As a result of the recent surge in foreclosures, residential properties sometimes are vacant for several years before they can be sold and brought back into beneficial use. The problem is that these legally created non-conforming uses are too expensive and challenging to convert back to single family use. As a result, they are left vacant and deteriorating.

If approved, this ordinance amendment would allow nonconforming residential units that otherwise comply with the Code to retain their nonconforming use as long as they are not changed to another use, destroyed, or vacant for seven years. The goal is to prevent the indefinite vacancy and degradation of nonconforming buildings that were legally created. The ordinance would make other minor changes to the nonconformities ordinance, including allowing nonconforming uses to change to permitted uses without site plan approval unless otherwise required. This item was discussed at the Business and Economic Development Committee on December 8, 2015 and the Planning Board on January 19, 2016. The Planning Board recommended allowing nonconforming residential units to be vacant for a shorter period than the 10 years originally proposed.

16-089 ORDER Authorizing a Loan in the Amount of \$2,145,000 from SPRAGUE
the Maine Municipal Bond Bank State Revolving Fund,
and the Issuance of the City’s General Obligation Bonds
and a Tax Levy Therefor (First Reading)

Executive Summary: This Order would authorize a loan in the amount of \$2,145,000 from the Maine Municipal Bond Bank State Revolving Fund (SRF) and the issuance of the City’s general obligation bonds. These funds would be used fund the bio media replacement project that was recently discussed by the Infrastructure Committee.

The SRF program was created in 1987 by the Clean Water Act. The Environmental Protection Agency (EPA) provided all states with the seed money to capitalize this revolving loan fund. SRF funding is typically at below market rates, but does carry additional State administrative costs and processes. In addition, all bidding must comply with federal regulations such as; Davis Bacon wage rates. Borrowing through this program is most cost effective for larger combined sewer overflow type projects.

This item was reviewed and recommended for approval at the Finance Committee meeting of February 1, 2016.

This Order will require a Public Hearing at the February 22nd City Council Meeting.

16-090 RESOLVE Accepting and Appropriating \$31,762 in Grant funds NICHOLS
from the U.S. Department of Housing and Urban
Development for the Shelter Plus Care Program (First
Reading)

REGULAR MEETING BANGOR CITY COUNCIL – FEBRUARY 8, 2016

REFERRALS TO COMMITTEE AND FIRST READING ITEM NO.

ASSIGNED TO COUNCILOR

Executive Summary: This resolve will accept and appropriate \$31,762 in HUD funds for the city's Shelter Plus Care Program. Since 1993, the City has applied for funding for several homeless programs under the Department of Housing and Urban Development's Homeless Continuum of Care. Specifically, the Shelter Plus Care Program provides subsidized rents for qualified homeless individuals with a primary diagnosis of mental illness, substance abuse, or HIV related illness and who are receiving support services. If approved, this grant will fund subsidized apartments for 3 families with children in Penquis Housing on Griffin Road. The term of the grant is January 1 to December 31, 2016. This was reviewed and recommended for approval at the February 1, 2016 Government Operations Committee meeting.

UNFINISHED BUSINESS ITEM NO

ASSIGNED TO COUNCILOR

16-075 ORDINANCE Amending Chapter 265, Solid Waste, of the Code of the City of Bangor, By Clarifying the Amount of Solid Waste that May Be Collected from Multifamily Residential Properties

PERRY

Executive Summary: This ordinance amendment would close a loophole that may allow larger multi-unit developments to qualify for curbside rubbish and recycling collection. This revision will ensure the ordinance is in line with current rubbish and recycling collection practices.

The City's solid waste ordinance currently provides for curbside rubbish and recycling collection for single family residential units and apartment buildings of 4 units or less. Recently, there was a question about whether apartment complexes, that have multiple buildings but fewer than 5 units per building, would qualify under the City's residential collection program. If approved, this change will provide that rubbish and recycling collection for parcels containing five units or more must be provided by the building owner. This is a housekeeping item and the intent is to ensure that the ordinance language is clear, fair, and consistent with our established practice.

This item was recommended for approval by the Infrastructure Committee on January 12, 2016.

16-076 RESOLVE Appropriating \$35,200 from the Mall Area Traffic Infrastructure TIF to Fund the Local Share of the Hogan Road Sidewalk Project

DURGIN

Executive Summary: This resolve would appropriate \$35,200 from the Mall Area Traffic Infrastructure TIF to fund the local share of the Hogan Road Sidewalk project. The Maine Department of Transportation has awarded construction funding to the City of Bangor for the construction of a new sidewalk on Hogan Road. This sidewalk will begin at Springer Drive and will extend to Stillwater Avenue for a total length of approximately 1,900 feet (0.36 miles). The estimated construction cost of this work is \$211,200. MDOT will provide 80% or \$176,000 of the funding and the City is required to provide a 20% match of \$35,200.

This was reviewed and recommended for approval by the Finance Committee on January 20, 2016.

REGULAR MEETING BANGOR CITY COUNCIL – FEBRUARY 8, 2016

**UNFINISHED BUSINESS
ITEM NO**

**ASSIGNED TO
COUNCILOR**

16-077 RESOLVE **Appropriating \$1,500 from the City Forest Reserve Fund for the Purchase of a Property from the Small Family Trust – Stillwater Gardens Subdivision (Map R55 Lot 12-F) **NICHOLS****

Executive Summary: This resolve will appropriate \$1,500 from the City Forest Reserve Fund to purchase a small landlocked parcel (R55-012-F) from the Small Family Trust.

This is one of two parcels that the city wishes to acquire to create additional access to trails along the Veazie railroad bed. Currently, the public is utilizing this and other private property to access city trails and easements. Acquisition of this parcel will help resolve provide legal access to the trails. This was reviewed and recommended for approval at the Government Operations Committee meeting of January 20, 2016.

**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

PUBLIC HEARING:

16-091 ORDER **Accepting Provisions of Title 21-A, Section 696, Subsection 2, Paragraph C and Title 21-A, Section 722-A, As Governance For Counting Write-In Votes **PLOURDE****

Executive Summary: On June 11, 2015, the Maine Legislature passed L.D. 626 An Act Regarding Write-In Candidates in Municipal and City Elections. This law provides towns and cities with the opportunity to accept the provisions of State law regarding counting write-in candidates. If accepted, the provisions would require write-in candidates to declare candidacy with the City Clerk on or before the 45th day prior to the election. Only write-in votes for declared candidates would require hand count. All other write-in votes would not be hand counted. Should there be no candidates for either School Committee or City Council, all write-in votes would be hand counted.

This was reviewed and recommended for approval at the January 20, 2016 Government Operations Committee meeting, and staff recommends approval, as well.

16-092 ORDER **Authorizing Grant of \$2,500 to Bangor Symphony Orchestra to Continue its Outreach Initiatives throughout Bangor via its “On the Town” Program **NEALLEY****

REGULAR MEETING BANGOR CITY COUNCIL – FEBRUARY 8, 2016

**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

Executive Summary: This Order will authorize a grant in the amount of \$2,500 to the Bangor Symphony Orchestra (BSO). The BSO submitted an application to continue its outreach initiatives throughout Bangor via its “On the Town” program. The BSO has requested funding to conduct ensemble performances at a variety of locations in Bangor. The Cultural Commission has recommended approval of this request because of the benefit to the community and the organization’s reputation for quality programming. This item was reviewed and recommended for approval by the Business & Economic Development Committee at its February 2, 2016 meeting.



**CONSENT
AGENDA**

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 25, 2016

*Meeting Called to Order at 7:30 PM
 Chaired by Council Chair Faircloth
 Councilors Absent: None
 Meeting Adjourned at 7:57 PM*

PUBLIC COMMENT

Jay Dresser indicated he had an alternative to the mobile collection in Hampden and would like to discuss it at the Business and Economic Development Committee meeting. The City Manager will get in touch with him.

CONSENT AGENDA ITEM NO.	ASSIGNED TO COUNCILOR
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Order 16-072 was removed from the Consent Agenda and placed under New Business.

MINUTES OF: *Bangor City Council Regular Meeting of January 11, 2016, Finance Committee Meeting of January 20, 2016 and Business & Economic Development Committee Meeting of January 19, 2016*

Action: *Accepted and Approved*

**LIQUOR LICENSE
RENEWAL:**

Application for Liquor License Renewal, Malt, Spirituous, Vinous of Siam House Inc. d/b/a Umami Noodle Bar, 1 Main Street

BALDACCI

Action: *Approved*

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

BALDACCI

Action: *Approved*

16-065 ORDER

Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 97 Holiday Park (Map R47 Lot 7A)

NICHOLS

Action: *Passed*

16-066 ORDER

Extending the Designation of Sheldon Hartstone as Tentative Developer of a Parcel of City-Owned Land – Map 001 Lot 134 and a Portion of Map 001 Lot 001

GRAHAM

Action: *Passed*

16-067 ORDER

Authorizing the City to Apply for and Accept a Grant from the American Association of Retired Persons for a Planning Study

DURGIN

Action: *Passed*

16-068 ORDER

Authorizing a Grant Application in the Amount of \$1,243,004 to the United States Economic Development Administration (EDA) for C&L Aerospace Renovation and Expansion

GRAHAM

Action: *Passed*

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 25, 2016

CONSENT AGENDA ITEM NO.	ASSIGNED TO COUNCILOR
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<u>16-069</u> <u>ORDER</u> <i>Authorizing Execution of an Amendment of the Purchase Option and Development Agreement with John Karnes for Development of Former Pine Tree Inn – 22 Cleveland Street (Tax Map 001-017)</i>	DURGIN
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Action: Passed

<u>16-070</u> <u>ORDER</u> <i>Authorizing the Fire Department to submit a Grant Application to FM Global Company for \$3,000 for the Purchase of two Computer Tablets</i>	PERRY
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Action: Passed

<u>16-071</u> <u>ORDER</u> <i>Authorizing the execution of a contract extension between Irving Oil, Inc. and the City of Bangor for the fuel supply agreement at Bangor International Airport</i>	BALDACCI
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Action: Passed

<u>16-073</u> <u>ORDER</u> <i>Authorizing Execution of Documents to Purchase Property of the Small Family Trust – Stillwater Gardens Subdivision (Map 55, Lot 012-F)</i>	SPRAGUE
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Action: Passed

<u>16-074</u> <u>ORDER</u> <i>Authorizing Execution of Documents to Accept Property from LTI, Inc. – Stillwater Gardens Subdivision (Map 55, Lot 012-C)</i>	NICHOLS
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Action: Passed

REFERRALS TO COMMITTEE AND FIRST READING ITEM NO.	ASSIGNED TO COUNCILOR
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<u>16-075</u> <u>ORDINANCE</u> <i>Amending Chapter 265, Solid Waste, of the Code of the City of Bangor, By Clarifying the Amount of Solid Waste that May Be Collected from Multifamily Residential Properties</i>	PERRY
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Action: First Reading

<u>16-076</u> <u>RESOLVE</u> <i>Appropriating \$35,200 from the Mall Area Traffic Infrastructure TIF to Fund the Local Share of the Hogan Road Sidewalk Project</i>	DURGIN
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Action: First Reading

<u>16-077</u> <u>RESOLVE</u> <i>Appropriating \$1,500 from the City Forest Reserve Fund for the Purchase of a Property from the Small Family Trust – Stillwater Gardens Subdivision (Map R55 Lot 12-F)</i>	NICHOLS
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Action: First Reading

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 25, 2016

UNFINISHED BUSINESS ITEM NO.		ASSIGNED TO COUNCILOR
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<u>16-064</u> <u>RESOLVE</u>	<i>Authorizing the City Manager to Accept and Appropriate \$22,000 from the Bangor Land Trust for Trail V Design</i>	SPRAGUE
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*Action: Motion made and seconded for Passage
Passed*

NEW BUSINESS ITEM NO.		ASSIGNED TO COUNCILOR
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<i>LIQUOR LICENSE (CLASS XI)</i>	<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of Blaze Bangor LLC d/b/a Blaze Restaurant, 18 Broad Street</i>	BALDACCI
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*Action: Motion made and seconded for Approval
Approved*

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

<u>16-072</u> <u>RESOLVE</u>	<i>Ratifying the City Manager's Approval of a Grant Application for the Fund for the Efficient Delivery of Services, Submitted by Penobscot County</i>	DURGIN
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James Morrill of York Street stated in 2010 the citizens voted to keep Bangor's dispatch and did not think that should change.

*Action: Motion made and seconded for Passage
Passed*

<u>16-078</u> <u>ORDER</u>	<i>Authorizing the City Manager to apply for funding in the amount of \$10,000 from the Maine Community Foundation to support the Community Health Leadership Board</i>	DURGIN
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*Action: Motion made and seconded for Passage
Passed*

<u>16-079</u> <u>ORDER</u>	<i>Authorizing the Parks and Recreation Department to Apply for Grant Funding through the State of Maine Recreational Trails Program in the amount of \$8,416.32 to Repair the Kenduskeag Stream Trail</i>	PLOURDE
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*Action: Motion made and seconded for Passage
Passed*

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 25, 2016

NEW BUSINESS ITEM NO.		ASSIGNED TO COUNCILOR
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<u>16-080</u>	<u>ORDER</u>	<i>Amending Schedule of Fees, Schedules X and XVI, to Increase the Off-Street and On-Street Parking Permit Rates – Chapter 291 §§291-42 and 291-42.1</i>	GRAHAM
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*Action: Motion made and seconded for Passage
Passed*

*Attest: _____
Lisa J. Goodwin, MMC, City Clerk*

MINUTES

**BANGOR SCHOOL COMMITTEE
WORKSHOP MEETING
6:00 p.m., Wednesday, December 9, 2015
Council Chambers**

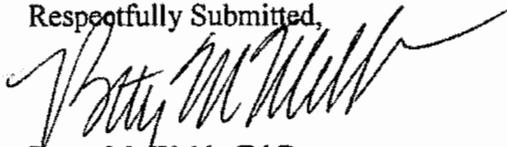
School Committee Members Present: Chairman Warren Caruso, Jennifer DeGroff, Sue Hawes, and Sue Sorg. Committee Members Vice Chair Jay Ye, Brian Doore, and Marlene Susi were unable to attend.

Chairman Caruso called the meeting to order at 6:01 p.m.

Superintendent Webb and Bangor School Department Administrators reviewed the School Core Competency Plans and answered questions with the School Committee Members.

The meeting adjourned at 7:01 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Betsy M. Webb", written over the typed name.

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

MINUTES

BANGOR SCHOOL COMMITTEE REGULAR MEETING 7:00 p.m., Wednesday, December 9, 2015

School Committee Members present: Chairman Warren Caruso, Jennifer DeGross, Sue Hawes, and Susan Sorg. Committee Members Vice Chair Jay Ye, Brian Doore, and Marlene Susi were unable to attend.

A. 1. & 2. The meeting was called to order by Chairman Caruso at 7:02 p.m. and the Pledge of Allegiance followed.

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

- E. 1. d. 1. Nominations
- E. 1. e. Donations

VOTED 4-0 to amend the agenda as requested.

D. 1. a. Superintendent Webb recommended approval of the Comprehensive Educational Plan. Revisions were reviewed.

VOTED 4-0 to approve the plan as presented.

2. a. Director Patti Rapaport provided an update of the Bangor Special Education programs and enrollments.

School Committee members asked questions on the data.

b. Principal Ryan Enman reviewed the State's Free and Reduced Lunch Status Report on Bangor's qualifications over the last ten years as compared to the State averages.

School Committee members asked questions on the data.

c. The Bangor School Department has a comprehensive Chemical Health Plan and students in Grades K-12 receive developmentally appropriate lessons in the dangers of drug abuse. The Bangor School Department reviews issues and trends across the community, state, and nation to determine appropriate updates and revisions to add to the lessons. Teachers Cary James, Tracy Vassiliev and Don Stanhope reviewed the updated Chemical Health Lessons for the Committee.

School Committee members asked questions and shared their appreciation for these important lessons.

d. Superintendent Webb reported on the recent Parent/Teacher Conferences.

- e. Superintendent Webb reported the following reassignments:

Andrew Sumner, Special Education Teacher (Project Transition) at Bangor High School to Special Education Teacher (Resource Room) at Bangor High School.

Rebekah Timms, Special Education Teacher (Resource Room) at Vine Street School to Special Education Teacher (Resource Room) (.9) at Vine Street School and (.1) at Fourteenth Street School.

Mary Wright, School Nurse at (.5) James F. Doughty School and (.5) Fairmount School to School Nurse at (.4) James F. Doughty School, (.4) Fairmount School and (.2) Bangor Regional Therapeutic Day Program

- E. 1. a. 1-2. VOTED 4-0 to approve the Minutes of the November 18, 2015, Special Workshop Meeting and the November 18, 2015, Regular School Committee Meeting.

- b. Title 20-A M.R.S.A. Section 1051 (2) requires that school committees certify employment of a superintendent each December for the following school year. All Maine school units are required by law to have a superintendent. The Bangor School Committee must vote to authorize the Chair to complete the certification of employment form for the next school year 2016-2017.

VOTED 3 (Caruso, Sorg, Susi) to 0 opposed and 1 (DeGroff) abstained to authorize the Chair to complete the certification of employment form for the next school year 2016-2017.

- c. 1. Superintendent Webb recommended approval of the October 2015 Financial Report.

VOTED 4-0 to approve the financial report as presented.

- d. 1. Superintendent Webb recommended the following teacher nomination for the 2015-2016 school year:

Carmin Curry, Special Education Teacher at Bangor High School, with a one-year probationary contract for the 2015-2016 school year.

VOTED 4-0 to approve the nomination as presented.

- 2. Superintendent Webb recommended approval of the following Extra-Duty assignments:

IEP Coordinator (.75)	Bangor High School	Mechelle Ganglfinger
IEP Coordinator (.75)	Bangor High School	Nicole Pinkham
Envirothon/SEED Advisor (.65)	Bangor High School	Joyce Harrison
Envirothon/SEED Advisor (.35)	Bangor High School	Michele Benoit

VOTED 4-0 to approve the nominations as presented.

- e. Superintendent Webb reported the following donation:

To Downeast School from DaVita Boyd Dialysis, (18) eighteen snowsuits and (2) two scarves having a total dollar value of \$1,000.

VOTED 4-0 to approve the donations with thanks.

- F. 2. d. Committee Member Sorg reported on the UTC Board meeting of December 3, 2015. Important meeting notes including swearing in of new members, election of officers, recent happenings including UTC video winning first place and a \$500 award for new classroom equipment. The video was played for the Bangor School Committee Members.

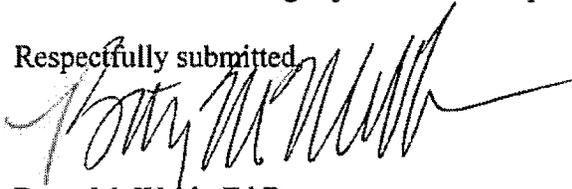
- H. 1. Chairman Caruso reviewed the important upcoming dates.

- J. By roll call VOTED 4-0 to enter executive session at 7:55 p.m. for the purpose of discussion of information in confidential records according to 1 MRSA subsection 405 (6) (F).

Returned to public session at 8:10 p.m.

- K. Meeting adjourned at 8:11 p.m.

Respectfully submitted,



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

MINUTES

BANGOR SCHOOL COMMITTEE
REGULAR MEETING
7:00 p.m., Wednesday, January 13, 2016
EXECUTIVE SESSION at 6:00 p.m.

School Committee Members present: Chairman Warren Caruso, Vice Chair Jay Ye (arrived at 7:00 p.m.), Jennifer DeGroff, Brian Doore, Susan Hawes, Sue Sorg, and Marlene Susi.

By roll call vote (6-0) (Ye did not attend) entered Executive Session for the purpose of discussion of a personnel issue according to 1 M.R.S.A. § 405(6)(A).

Return to public session at 6:51 p.m.

VOTED 6-0 to recess until 7:00 p.m. meeting start time.

A. 1. & 2. The meeting was called to order by Chairman Caruso at 7:00 p.m. and the Pledge of Allegiance followed.

B. Superintendent Webb requested amending the agenda to add:

E. 1. c. 1. Extra Duty Assignments

E. 2. a. 4. Revised Policy GCA-31 Technology Director Job Description.

VOTED 7-0 to amend the agenda as requested.

D. 1. a. Superintendent Webb recommended concept approval of the Bangor High School Humanities Academy. Principal Butler and English, History, and World Language Department Heads presented the specifics of the proposal.

School Committee Members asked questions and voiced support of the Humanities Academy.

VOTED 7-0 to approve the concept of the Bangor High School Humanities Academy as presented.

b. Superintendent Webb recommended approval of FY17 Budget filters of:

1. What is in the best interest of the students?
2. What is needed to pursue the mission of academic excellence for all?
3. What is in alignment with the ten year strategic plan?
4. What is fiscally responsible as defined by the 2012 Study of Maine's More Efficient Public Schools?

VOTED 7-0 to approve the budget filters as presented.

2. a. Bangor High School Co-Chair of the History Department, William Ames, updated the Committee on the global awareness work in the course, GeoCivics, as it aligns to the ten year strategic plan.

School Committee Members asked questions.

- b. Principal Al Mooers shared that Downeast School received a Walking School Bus Grant from the Department of Transportation. Downeast School administration will be planning the implementation of the grant in the next several weeks.
- c. Principal Butler shared that Bangor High School received a grant from the Maine Humanities Council's Pulitzer Prize Centennial Campfires Initiative. The grant will enable Pulitzer Prize winning multimedia journalist Larry C. Price to attend Bangor High School's World Geography Symposium in spring 2016.
- d. Superintendent Webb reported the success of the Bangor Day efforts in collecting over 3,000 pounds of food and approximately \$2,400 in donations for fuel assistance for the benefit of Bangor families in need.
- e. Superintendent Webb reported the following resignation:

Alan Moulton	Technology Director	Systemwide
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E. 1. a. 1.-2. VOTED 4 (Caruso, DeGross, Hawes, Sorg) for 0 opposed and 3 (Ye, Doore, Susi) abstained to approve the Minutes of the December 9, 2015, Special Workshop Meeting and the December 9, 2015, Regular School Committee Meeting.

- b. Superintendent Webb reported the following donations:

To Fairmount School from Richard Bernstein & Heather Hallsey-Bernstein, a cash donation for the Pay-It-Forward fund, having a total dollar value of \$500.

To William S. Cohen School from Richard Bernstein & Heather Hallsey-Bernstein, a cash donation for the Pay-It-Forward fund, having a total dollar value of \$500.

To Bangor Regional Therapeutic Day Program from Kathy Childs of Brewer Stitchers Group, thirty (30) fleece hats, ten (10) scarves, and twenty (20) pairs of knitted mittens, having a total dollar value of \$390.

To Mary Snow School from Mary Snow PTO, four (4) boxes of squid for dissection and outdoor clothing for students, having a total dollar value of \$557.12.

To James F. Doughty School from Quality Jewelers, one (1) 50 inch screen television, having a total dollar value of \$350.

To William S. Cohen School from Mr. & Mrs. Jason Cyr, a cash donation to support students and families during the holiday season, having a total dollar value of \$200.

To William S. Cohen School from Mrs. Marlene Susi, a cash donation to support students and families during the holiday season, having a total dollar value of \$300.

To Downeast School from Steve & Heidi Godsoe, thirty-five (35) hardcover books and forty (40) softcover books, having a total dollar value of \$340.

To William S. Cohen School from Suzhong Tian and Jing Zhang, a cash donation, having a total dollar value of \$300.

To Bangor High School from Bucksport Monuments, material and labor for the installation of a new sign for the Bangor High School administration entrance related to the Eagle Scout project by Jack Cutting, having a total dollar value of \$1,800.

VOTED 7-0 to approve the donations with great appreciation.

c. Superintendent Webb recommended the following extra-duty assignments:

Math Team Advisor	Bangor High School	Stephen Godsoe
Math Team Advisor	Bangor High School	Carl Robbins
Math Team Asst. Advisor	Bangor High School	Eric Steadman
Math Team Asst. Advisor	Bangor High School	Michael Corneil
Math Team Asst. Advisor	Bangor High School	Jonathan Dearing
Math Team Asst. Advisor	Bangor High School	Kevin Birkel
Math Team Asst. Advisor	Bangor High School	Donald Erb

VOTED 7-0 to approve the nominations as presented.

2. a. Superintendent Webb recommended First Reading of the following new and revised policies:

1. Policy GDN – Evaluation of Support Staff
2. Policy GDNA – Evaluation of Educational Technicians
3. Policy GCFA – Employee Social Media Privacy
4. Policy GCA-31 – Technology Director

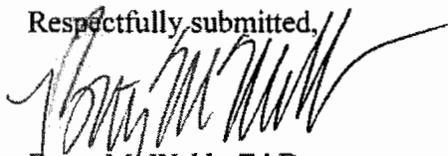
VOTED 7-0 to approve the First Reading of policies as presented.

F. 2. c. Committee Member Ye reported the SPRPCE Board met on December 21st. Roles and responsibilities were reviewed, professional development opportunities were shared, and savings through regional programs located in Bangor were discussed. Budget meetings will be held at various Bangor regional programs throughout the spring. Member Ye was elected Chair of the SPRPCE Board again this year.

H. Chairman Caruso reviewed the important dates.

J. Meeting adjourned at 8:35 p.m.

Respectfully submitted,



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

Meeting Agenda
City of Bangor Airport Committee
City Council Chambers 3rd Floor
December 15, 2015

The following City Councilors were in attendance: Filling in for Airport Committee Chair Joseph Perry, Councilors Gibran Graham, David Nealley, Sarah Nichols, Sean Faircloth and Joseph Baldacci (arrived late). Airport Director Tony Caruso and Marketing Manager Risteen Bahr.

Agenda:

1. The Summit Project-Honor Case display request-Heather Audett and Greg Johnson from the Summit project attended this meeting and discussed discussed with the Committee the Summit project display honor case.

Airport Director introduced Heather and Greg. Director Caruso indicated that the Airport was recently contacted by MAJ David Cote and Greg Johnson, USMC retired with a request from The Summit Project to display their Honor Case. The Summit Project, a nationally recognized, Maine based, 501 ©3 service organization, is a living memorial that pays tribute to the fallen service members from Maine who have died in the line of duty since September 11, 2011. Their website is www.the-summitproject.org. Each Maine service member has a specially selected stone with their name and service dates engraved. Because The Summit Project is a Living Memorial each volunteer trekker must learn all they can about our fallen; and carry the stone through a physical challenge; and compose a post-event reflection letter addressed to the family of the fallen. The stones are placed with the Honor Case, which is displayed at public buildings such as schools, Federal and State buildings, universities, and libraries. Mr. Cote and Mr. Johnson requested that we display the Honor Case at our Airport. Airport staff have identified an area which this Honor Case can be properly displayed. This Honor Case will be displayed for a period of 2 months. Greg Johnson and Heather Audett spoke about this display to the Committee. The display will be on the first floor of the Domestic Building by the new airline ticket counter area.

2. Maine Aero Services, Inc. lease-(a) Termination with Gene Richardson (b) New lease with Charles Feaga.

Airport Director Caruso indicated that Gene Richardson, Owner and President of Maine Aero Services is retiring and selling his business. He has been a great partner with the airport. He took over from Telford several years ago. This is for the rental of Hangar #115, which Maine Aero uses for small general aviation aircraft maintenance services. Gene has found a new buyer for his business, which will be Charles Feaga. Charles will be keeping the business the

same as Gene has. He will keep the same employees, and the lease and terms will be the same. The Airport is asking for the Committee's authorization to terminate the lease with Gene Richardson and authorizing the new lease agreement with Charles Feaga.

Motion to approve by Councilor Nealley and seconded by Nichols.

3. Stellar Partners-lease rate adjustment request.

Airport Director Caruso introduced Todd Knight, the Vice President of Steller Partners. Steller Partners operates the Bangor News and Gift shop concession at the airport. They have been a long standing and great tenant since 1993. Airport Director Caruso indicated that we are requesting rate adjustment, but we would like to do a new lease agreement with them since the agreement is overdo by many years. The original agreement is still with the previous Concession, Fenton-Hill. Since the decline in Military traffic we would like to do a new 3 year lease term with new rates. The sales have been down by 70%, with the new rates, they will be able to keep all 8 of the employees on staff.

Motion to approve by Councilor Baldacci and seconded by Councilor Nealley.

4. Airport Statistics- September, October & November 2015.

Airport Director Caruso indicated that last year, once again was a banner year for the Airport. For the month of September, total monthly passengers were up by 4.93% and YTD was down by 1.98%. Airline load factors for the month were strong with Allegiant at 85%, Delta at 85%, and United at 88% and US Airways at 82%. Market share for the month was a good mix, Allegiant at 11%, Delta at 34%, United at 7% and US Airways at 47%. Our DOD fuel sales was still down at 34.5%, And YTD down 28%. Total fuel sales down by 26.4%. For the month of October, Total monthly passengers was down by 3.04% and YTD was down by 2.15%. We still had strong Airline load factors with Allegiant at 83%, Delta at 85%, and United at 84% and US Airways at 83%. Market Share was Allegiant at 17%, Delta at 31%, United 6% and US Airways at 46%. Fuel Sales, DOD down by 57.9%, Total fuel sales down by 26%. For the month of December, Total monthly passengers were down by .17% and year to date down by 8.30%. Airline load factors once again were strong with Allegiant at 88%, Delta 79% and US Airways/American 82%. Market Share, Allegiant 21%, Delta 33% and US Airways/American 47%. Fuel Sales, DOD up by 103.1%, total fuel sales for the month, down by 24.1%. The DOD fuel sales is improving now that we are handling the Air National Guard planes at night and on the weekends. As an example of the effect of the loss of MIL traffic, we used to handle 10 military flights a day, and now we are not even handling 10 military flights in a month.

5. NBAA 2015 conference briefing.

Airport Caruso indicated that this is the largest corporate aviation event held in the world! We meet with all sides of the airline folks, i.e. Fuel brokers, resellers, ECT. This is a key show that we attend each year. We get to talk to our customers, who also have booths at this show. The National Business Aviation Association (NBAA) convention was held November 15-20th in Las Vegas featured over 1,000 exhibitors and more than 27,000 attendees. Exhibiting at this event provided BGR the opportunity to meet with a large number of current and potential customers.

6. Bangor International Airport- AIP Capital Improvement Plan 2015-2020.

Airport Director Caruso indicated that we have to have a FAA approved 5 year capital improvement plan. We met with the folks from the FAA and DOT back in October. We have two major projects coming up over this period. The first one is the Taxiway Alpha, which is the longest taxiway. This needs rehabilitation. We will do this in phases, the first phase, which we did start this past summer, is in the front of the Air guard, and next year will be the South end, by Hammond Street, then when completed we will go back over by the Guard. The next project will be installing a new jet bridge/jet way. Because our passenger numbers are raising and we have experienced congestion on our gate area, we will be installing a new jet bridge on the south end of the terminal. Future CIP projects will be that the runway needs to be rehabbed. This is scheduled in 2024. AIP will help with this project, the last time we rehabbed the runway was in 2002.

Meeting Adjoined.

Meeting Agenda
City of Bangor Airport Committee
City Council Chambers 3rd Floor
January 12, 2016

The following City Councilors were in attendance: Airport Committee Chair Joseph Baldacci, Councilors Gibran Graham, David Nealley, Sarah Nichols, Joseph Perry, and Nelson Durgin. Also in attendance was City Manager Cathy Conlow, General Manager for Republic Parking, Parke Clemons. Airport Director Tony Caruso, Assistant Airport Director James Canders and Marketing Director Risteen Bahr.

Agenda:

1. Airport's Jet A & Avgas Fuel Supply contract-renewal with Irving Oil.

Airport Director Caruso indicated that this order will authorize a contract extension with Irving Oil, Inc. for the supply of jet fuel and avgas to the Bangor International Airport. The supply agreement allows for the automatic renewal for up to three (3) successive three (3) year terms. Throughout the initial 3 year term and the first 3 year extension, Irving Oil has been a responsive partner for fuel supply to the Airport, and have been very reliable with supplying quality product. Irving is a responsive and reliable. We have had a contact with Irving since 2009.

Councilor Nealley asked if it would be prudent to put this back out to bid. Director Caruso responded that we anticipate only two possible vendors would respond and Irving, most likely, will be the most cost effective. Their refinery is located in St. John, which is the closet refinery to our location.

Motion to approve by Councilor Perry and seconded by Durgin.

2. Republic Parking-Airport parking annual report by Parke Clemons, General Manager.

Airport Director introduced Parke to the Committee, who reviewed the 2015 annual operations as well as providing recommendations for consideration. Parke indicated that in the overnight lot (long term) the strongest months were February, March and April. These are the months that people tend to go to Florida and leave their cars in the Long Term lot and use our Shuttle lot. For our parking rates, we still are the lowest for the long term rate, so we will not up our rates, which we did adjust the rates in January 2014. The Airport has 3 lots. The main lots are for airport customers who park for a short term of time (hourly lot or short term parking) or for longer periods (Long term Lot). We also have the Shuttle lot. The shuttle lot was created in 2013 to meet the increasing demand for long term parking during the peak travel period. This

period starts in mid-February and continues through the first of May. The Shuttle lot will be open again this year, but not as long due to the decline in the Canadian passengers, due to the decrease in the Canadian dollar, which reduces the number of Canadian travelers using the Airport. Parke also discussed some recommendations for the Airport. The majority of the Long Term lot was built and paved 24 years ago and has not been repaved since. The lot has significant deterioration. Three years ago, the Airport had a portion of the Short Term lot milled and paved. Two years ago the Short Term was completed and a portion of the Long Term was paved. No paving will be done in FY 2015. The milling and paving process revealed areas of the lot that have poor base materials. In these areas, the old materials were removed and replaced with a suitable base before applying new pavement. We recommend that the Airport initiate an assessment of the remaining old lot. This assessment would identify what actions are required, prioritize a repair program and help with the budgetary process for the repairs and paving. The next recommendation is a Cell Phone lot. Portland, Manchester, and now Burlington all have what is known as a Cell Phone lot. This is a lot or small area beside the road where people can wait with their vehicles until their passenger arrives. The passenger then calls the driver who proceeds to the front of the terminal for pick up. Over the past few years, we have noticed an increase in drivers waiting in their vehicles for passengers. However, rather than being in a designated area, drivers park along Godfrey Boulevard, in front of the terminal or simply circle around and around until their passenger arrives. We recommend that the Airport look at areas around the Airport that could be used as a free Cell phone lot. This area could be as small as 12 spaces used specifically for this purpose.

Questions/Comments

The Committee discussed the lot assessments and funding for this project from the Enterprise fund. Director Caruso and airport staff will respond to the Committee once a paving assessment is complete and a plan is recommended, as well as a recommendation for a cell phone lot.

3. Airport statistics-December 2015

Marketing Director Bahr indicated that December was not as strong as we had hoped, but we had a total of 477,244 YTD passengers. We were down by 2.56%, this was due to cancellations at the beginning of the year due to weather. Our load factors were weak for the month of December with Allegiant at 81%, Delta at 67%, and American (USAir) at 74%. The market share was Allegiant at 27%, Delta at 28% and American (USAir) at 46%. Our operation figures were not available at the time of the meeting, but will present at the next meeting. Delta has had the DTW flight pulled out for a few months, just like last year. United had a shortened season last year, and not sure what they will do this year.

Questions/Comments

The Committee discussed the leakage study and discussed other airline opportunities

4. Unmanned Aircraft Systems (UAS's)/Drones

Assistant Airport Director Canders provided the Committee with a briefing on the topic of unmanned aircraft systems, also known as drones. There has much media attention on the operation of drones and the airport will provide the Committee members with additional information on how BGR is working with the FAA and the local community. Over the last few months there has been an increase of close proximity sightings of drones/UAS (Unmanned Aircraft Systems) over large airports by commercial aircraft. The number of these close proximity sightings reported to the FAA for 2015 has increased by more than 270% from the previous year. The UAS themselves are typically very small and all commercial aircraft are all designed to take a hit from a 5 pound bird and keep flying. In addition to this increase in proximity sightings there has also been an increase in incidents involving UAS and people on the ground. In an effort to address the potential collision hazards and minimize risk, the FAA has recently implemented requirements and informational campaigns for operators of UAS. All this information can be found at www.faa.gov/uas or www.knowbeforeyoufly.org. There is also a B4UFLY app for iOS. With these new requirements you may have members of the public approaching you with questions. The key information that all operators need to know is as follows:

- All UAS flights conducted within 5 miles of an airport require airport owner and air traffic control permission.
- Flights must be conducted below 400 feet for private/hobby use.
- Operator must maintain visual contact with UAS personally or by communicating with another individual acting as a spotter.
- Remain well clear of, and do not interfere with manned aircraft operations.
- Don't fly near people or stadiums.
- Don't fly an aircraft that weighs more than 55 lbs.
- Don't be careless or reckless with your unmanned aircraft.
- Do not photograph people in areas where there is an expectation of privacy without the individual's permission.
- Do not fly under the influence of alcohol or drugs.
- Violations of FAA UAS regulations can involve fines up to \$27,500 and up to 20 years in jail.
- **ALL** UAS weighing between 0.55 and 55 pounds must be registered with the FAA as of December 21, 2015. A unique identification number will be assigned by the FAA and must be affixed to the UAS. This registration is free until January 20, 2016. After that date it will cost \$5 to register. Registrations are valid for 3 years. This registration can be accomplished on the www.knowbeforeyoufly.org website.

Airport Assistant Director Candors also indicated that BGR has posted a link to the FAA requirements on our website. The Airport has also listed on the website contacts for the BGR tower.

Questions/Comments

The Committee discussed several items related to this topic, such as safety, continuing to monitor for the final FAA regulation, what BGR is currently doing to help inform the public, and recommending that any personnel should contact the airport before any operation.

Meeting Adjoined at 6:30pm.

Government Operations Committee

Minutes

January 20, 2016

Councilors in Attendance: Plourde, Graham, Baldacci, Sprague, Nichols, Durgin

Staff in Attendance: Farrar, Goodwin, Hamilton, Riitano, Sandborn, Willette, Heitmann, Linscott

Others in Attendance: Martin Chartrand, Kim Meyerdeirks and several members of Transportation for All.

Committee Chair Plourde called the meeting to Order at 5:30

1. Accepting state law provisions for counting write-in votes at elections.
 - City Clerk Goodwin explained the revised process for counting write-in votes, which would incorporate state law provisions. It was moved by Baldacci, seconded by Sprague and unanimously voted to recommend approval of the Order to the full Council.
2. Authorization to apply for a \$10,000 grant from the Maine Community Foundation to support the on-going efforts of the Community Health Leadership Board (CHLB).
 - Public Health and Community Services Director Hamilton explained the nature and intent of the \$10,000 grant which would provide funding for the Community Health Leadership Board. It was moved by Graham, seconded by Baldacci and unanimously voted to recommend approval of the Order to the full Council.
3. Authorization to apply for a \$3,000 grant from FM Global Company to purchase computer tablets for the Fire Inspection Bureau.
 - Assistant Fire Chief Riitano explained that the purpose of the \$3,000 grant would be to purchase two computer tablets for the Fire Inspection Division. It was moved by Graham, seconded by Baldacci and unanimously voted to recommend approval of the Order to the full Council.
4. Authorization to apply for an \$8,416.32 State of Maine Recreational Trails grant to fund improvements on the Kenduskeag Stream Trail between Franklin Street and Harlow Street.
 - Parks and Recreation Director Willette explained that this \$ 8,416.32 grant would assist with needed improvements on to the Kenduskeag Stream Trail between Franklin Street and Harlow Street. It was moved by Baldacci, seconded by Sprague and voted unanimously to recommend approval of the Order to the full Council.
5. Executive Session: 1 MRSA 405 6 (c) -- Property Acquisition
 - It was moved by Baldacci, seconded by Durgin to enter into Executive Session (1 MRSA 405 6 c) to discuss property acquisition. It was moved by Baldacci, seconded by Durgin and voted to return to public session.

6. Committee action, if necessary, related to Agenda Item #5 above.
 - Committee Chair Plourde stated for the record that there would be an item on the Council agenda on January 25th, concerning the property acquisition that was the subject of the Executive Session.

7. Presentation from and discussion with representatives from Transportation for All regarding recommendations for public transit service improvements.
 - Assistant City Manager Farrar introduced the item and provided background for the Committee. Representatives with Transportation for All were in attendance to discuss several areas of interest with the Committee. Transportation for All leaders Martin Chartrand and Kim Meyerdeirks and various representatives spoke to the Committee about the following topics: Bus Ambassador Program, Additional System Operating Hours, Pickering Square Operational Issues, Bus Cleaning, General Signage, and Additional Passenger Waiting Shelters. They also spoke about recommendations that they have already brought forward that have been or in the process of being implemented. Committee members discussed their views on these items and indicated their appreciation for all the work that Transportation for All has done to support of the Transit System. Councilors indicated their willingness to work towards solutions in the areas brought forward, understanding that many of the issues required financial commitment that would need to be part of the city's budgeting process. Farrar indicated that staff would be willing to cost out funding requirements for the items, and that these could be brought forward for consideration as part of the FY 17 budget review process. This approach was acceptable to the Committee with the exception of Graham, who felt that improvements, specifically additional bus hours, should be dealt with now, not as part of the budget process. The Committee urged the group to stay involved and work with bus staff and the Council to help improve the bus system. Transportation for All thanked the Committee for their support and the discussion and indicated that they looked forward to continuing the dialog in an effort to help make improvements to the system.

With no further business to come before the Committee, the meeting was adjourned at 6:30pm

Government Operations Committee

Minutes

February 1, 2016

Councilors Present: Plourde, Graham, Nichols, Perry, Sprague, Faircloth, Durgin, Nealley
Staff Present: Farrar, Fogler, Hathaway
Others Present: Ray Bessette

Councilor Graham called the meeting to Order at 5:15 pm

1. Acceptance and Appropriation of Shelter Plus Care Grant in the amount of \$31,762.

Public Health and Community Services Department Social Services Manager Rindy Fogler explained the nature and purpose of the Shelter Plus Care grant and associated funding. It was moved by Sprague, seconded by Graham and unanimously voted to recommend approval to the full Council.

2. Proposal to Provide Police Services to Husson University during the Academic Year.

Police Chief Hathaway introduced Ray Bessette, Director of Security at Husson University. Husson has expressed interest in having a Bangor Police Officer assigned to the campus on a full-time basis for the academic year (9 months). The Chief supports the request and he explained that this would be an enhancement of the existing relationship. Husson would pay all costs associated with the position for the nine month period, including any over-time costs. The officer would return to the PD during the summer months, when the need for extra patrol officers for city service increases. Mr. Bessette explained the need for the position and indicated that the assigned officer could also assist with issues involving Husson students off campus, which would help the Department's workload. Councilors commented about the benefits of the arrangement and the positive relationship between the City and the University. It was moved by Graham, seconded by Sprague and voted unanimously to recommend approval to the full Council. This item will appear on the February 22nd Council agenda as the details of the agreement are being finalized.

With no further business to come before the Committee, the meeting was adjourned at 5:23 pm.

Infrastructure Committee

Minutes

December 15, 2015

ATTENDEES

Councilors:

Gibran Graham
Sarah Nichols

Joshua Plourde

Sean Faircloth

Staff:

John Theriault

Catherine Conlow

Members of the Public:

Danel & Jennifer Degroff

1. Easement Request: Bangor Natural Gas Company, Provide Service to Bangor Air National Guard Building #512, Fuller Road on Bangor International Airport

This Order will authorize the City Manager to execute an easement with Bangor Gas Company LLC to install a natural gas line across a portion of property owned by the City at Bangor International Airport. Bangor Gas Company LLC wishes to provide natural gas service to the Air National Guard Building #512 located at Bangor International Airport. The gas line will go across land owned by the City of Bangor, thereby requiring an easement. Easement 10 foot wide and 380 foot long.

Vote: Councilor Plourde moved/Councilor Nichols seconded. Unanimous

2. One Way Street: Union Street, Under Joshua Chamberlain Bridge

The Police Department requested that the portion of Union Street under the Joshua Lawrence Chamberlain Bridge be designated as a one-way street from Broad Street to Independent Street.

The portion of Union Street under the Joshua Lawrence Chamberlain Bridge is presently marked as one-way to where it intersects with Independent Street. It had not, however, been officially designated as one-way. Given the narrowness and low visibility of this portion of Union Street, two-way traffic is potentially dangerous. This ordinance change would bring the Code into line with current practice of treating this street section as one-way.

Vote: Councilor Plourde moved/Councilor Nichols seconded. Unanimous

Additional unrelated agenda discussion: Daniel and Jennifer Degroff addressed and requested a deterrent measure be placed at/in the Griffin Road pedestrian crosswalk area during the interim of an upgrade project that is to be performed in the summer of 2016. John noted he and Dana would take a look and Councilor Graham noted it may be difficult to place anything in the road with the winter snow plowing.

Meeting Adjourned.

Infrastructure Committee

Minutes

January 12, 2016

ATTENDEES

Councilors:

Gibran Graham
Sarah Nichols
Joseph Perry

Joshua Plourde
Benjamin Sprague
Joseph Baldacci

Sean Faircloth
Nelson Durgin

Staff:

John Theriault

Catherine Conlow

Dana Wardwell

Members of the Public:

Walk and Roll
Representative/Volunteer Carrie

1. Solid Waste Ordinance Revision

Dana provided an outline: The solid waste ordinance currently provided for curbside rubbish and recycling collection from single family residential units and apartment buildings of four units or less. Rubbish and recycling collection for five unit or more buildings must be provided by the building owner. To close a loop hole that may allow large multi-unit developments to qualify for curbside rubbish and recycling collection, Staff recommended revising the solid waste ordinance by removing language under 265-3 Section A "of four units or fewer in a single structure" and including language in the same section to read: "where four or fewer units are located on a single parcel, provided that said parcel has frontage on a City street. And the deletion of language in Section E: "structure" and replaced with language: "parcel".

Vote: Councilor Durgin moved and it was seconded. Unanimous

2. Discussion: Intersection of Water Street and Main Street

Dana and John provided an outline: Concern had been raised for pedestrian safety at the intersection of Main Street, Water Street, and Middle Street. This intersection is under traffic signal control and currently provides crosswalks at Water Street, Middle Street, and the north leg of Main Street. Middle Street is one-way with motorists traveling towards the intersection.

The crosswalks on both Water and Middle Streets have pedestrian signal heads to inform pedestrians when to cross the two side roads. No pedestrian push buttons exists at that intersection and the pedestrian signal head come on automatically for the two side roads when Main Street through phase comes on, which is typical of concurrent pedestrian signal phasing.

No pedestrian signal head currently exists for the Main Street crosswalk and pedestrians must determine when it is safe for them to cross Main Street, which would typically be when the side roads get their vehicle green display. Public Works is currently planning to provide a conduit across Main Street in the Spring of 2016, such that pedestrian signal heads could be installed to assist pedestrians in crossing Main Street at the northerly leg to the intersection. At that time, overhead signs would also be installed to instruct motorists on Water Street and Middle Street that turning traffic must yield to pedestrians.

There was some discussion of ADA compliance which would be included in the upcoming project.

Vote: No vote necessary, informational only.

Meeting Adjourned.

FINANCE COMMITTEE MINUTES
February 1, 2016

Councilors in Attendance: Baldacci, Sprague, Nealley, Graham, Durgin, Faircloth, Perry, Nichols

Staff in Attendance: Cyr, Dawes, Wardwell, Hathaway, Rudzinski

Others in Attendance: Karen Marysdaughter

1. Consent Agenda

a. Fuel Update

b. Emergency Purchase – Patrol Car – Quirk Ford - \$27,561

Motion made and seconded to accept consent agenda items. Motion passed unanimously.

2. Bids/Purchasing

a. Backhoe/Loader – Public Services – Nortrax - \$110,000 (net life cycle cost of \$57,000)

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

b. Engineering Services – Engineering – Woodard & Curran - \$21,905

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

3. Bond Order

Staff reviewed the need to authorize additional SRF borrowings for upcoming Wastewater Treatment Plant projects. The three planned projects are the bio media replacement, Hammond Street and Court Street.

4. Scoping Audit – Large Customer Energy Efficiency Program

Staff reviewed the parameters of the Large Customer program offered by Efficiency Maine as well as the scoping audit that was recently completed as part of that program. Councilors were in favor of the savings that could be achieved in the three identified projects. Councilor Sprague expressed that this is a process that should be repeated every five years or so due to the rapidly changing nature of technology. A citizen, Karen Marysdaughter spoke in favor of this and wanted to ensure that the additional potential efficiency measures that were identified were followed up on. Staff responded that this would be a consideration in the upcoming FY 17 budget process.

Motion made and seconded to approve staff's submission of an application to Efficiency Maine's Large Customer Program.

5. Executive Session – 1 MRSA Section 405 6 (E) - Contract Negotiations

Meeting adjourned at 5:52 pm

Date: February 8, 2016

Item/Subject: ORDER, Authorizing Bid Award for the Purchase of a Backhoe/Loader from Nortrax in the Amount of \$110,000

Responsible Department: Fleet Maintenance

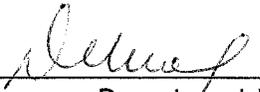
Commentary:

On January 20, 2016 the City received three bids for a backhoe/loader. The total "life cycle" cost over a five year period ranged from \$57,000 – \$73,795 – see attached bid tabulation.

The "life cycle" bidding process guarantees a maximum cost of repairs over a five year period as well as a buy back amount at the end of the five years. See bid tabulation for details.

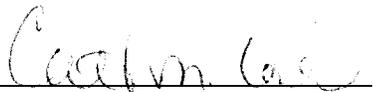
On February 1, 2016, the Finance Committee reviewed and approved staff recommendation to purchase the backhoe/loader from Nortrax in the amount of \$110,000. At the end of the five years, the City will have the option of keeping the machine or returning it to Nortrax for the guaranteed buy back amount of \$53,000.

The contract award recommendation must be reviewed approved by the City Council as it is over \$100,000.



Department Head

Manager's Comments:

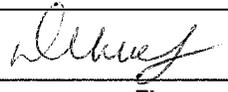


City Manager

Associated Information:

Bid Tabulation

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage - Consent
- First Reading
- Referral

16-081
FEBRUARY 8, 2016



Assigned to Councilor Durgin

CITY OF BANGOR

(TITLE.) Order, Authorizing Bid Award for the Purchase of a Backhoe/Loader from Nortrax in the Amount of \$110,000

By the City Council of the City of Bangor:

ORDERED,

THAT, Deborah Cyr, Finance Director is hereby authorized to execute a purchase order to Nortrax in the amount of \$110,000 for the purchase of a backhoe/loader.

COUNCIL ACTION

Item No. 16-082

Date: February 8, 2016

Item/Subject **ORDER, Authorizing Grant of \$2,500 to Maine Discovery Museum to Support the Maine Science Festival**

Responsible Department: **Community & Economic Development**

Commentary: This Order will authorize a grant in the amount of \$2,500 to the Maine Discovery Museum to support general funding of the Maine Science Festival which showcases and highlights the remarkable science that happens throughout Maine. The Cultural Commission has recommended approval of this request because of the benefit to the community.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its February 2, 2016 meeting.

Tanya Emery
Department Head

Manager's Comments:

Cast on load
City Manager

Associated Information:

Budget Approval:

[Signature]
Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for

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

Page of



Assigned to Councilor Graham

CITY OF BANGOR

(TITLE.) **ORDER, Authorizing Grant of \$2,500 to Maine Discovery Museum to Support the Maine Science Festival**

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

WHEREAS, the Maine Discovery Museum, as fiscal agent of the Maine Science Festival, has submitted an application for funds to support the general funding for the festival; and

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

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

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

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

A Grant of \$2,500 is hereby authorized to the Maine Discovery Museum to support the 2nd Annual Maine Science Festival.

COUNCIL ACTION

Item No. **16-083**

Date: **February 8, 2016**

Item/Subject ORDER, Authorizing Grant of \$1,250 to the Bangor Band to support the 35th Annual R.B. Hall Day

Responsible Department: Community & Economic Development

Commentary: This Order will authorize a grant in the amount of \$1,250 to the Bangor Band. The Bangor Band will be hosting the 35th annual R.B. Hall Day—a day to honor the memory of Robert Browne Hall, a Maine-born cornetist, who was prolific in his composition of many marches that have gone on to become standards in concert band performance literature. The funding will go towards printing costs of programs and commemorative t-shirts, rental of portable toilets and a tent. The Cultural Commission has recommended approval of this request because of the benefit to the community and the Bangor Band's history of quality programming.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its February 2, 2016 meeting.

Tanya Emery
Department Head

Manager's Comments:

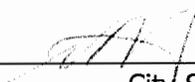

City Manager

Associated Information:

Budget Approval:


Finance Director

Legal Approval:


City Solicitor

Introduced for

- Passage
- First Reading
- Referral



Assigned to Councilor Nealley

CITY OF BANGOR

(TITLE.) **ORDER, Authorizing Grant of \$1,250 to the Bangor Band to support the 35th Annual R.B. Hall Day**

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

WHEREAS, the Bangor Band has submitted an application for funding to support the 35th Annual R.B. Hall Day; and

WHEREAS, the Commission on Cultural Development recommends the approval of this request because of the benefits to the community and the Bangor Band's history of quality programming; and

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

WHEREAS, the Commission on Cultural Development and the Business & Economic Development Committee voted to recommend to the City Council approval of a grant in the amount of \$1,250:

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

A Grant of \$1,250 is hereby authorized for the Bangor Band for funding in support of the 35th Annual R.B. Hall Day.

COUNCIL ACTION

Item No. 16-084

Date: February 8, 2016

Item/Subject **ORDER, Authorizing Grant of \$1,518 to Bangor Ballet to Support Students at Downeast School Learning Classical Ballet**

Responsible Department: **Community & Economic Development**

Commentary: This Order will authorize a grant in the amount of \$1,518 to the Bangor Ballet. The Bangor Ballet submitted an application to provide up to 25 students at Downeast School with the opportunity to learn classical ballet and to attend a live performance of Sleeping Beauty. The Cultural Commission has recommended approval of this request because of the benefit to the community and the Ballet's history of quality programming.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its February 2, 2016 meeting.

Tanya Emery
Department Head

Manager's Comments:

Cathy M. Leahy
City Manager

Associated Information:

Budget Approval:

[Signature]
Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for
 Passage
 First Reading
 Referral

Page of



Assigned to Councilor Baldacci

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Grant of \$1,518 to Bangor Ballet to Support Students at Downeast School Learning Classical Ballet

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

WHEREAS, the Bangor Ballet has submitted an application for funding to provide up to 25 students at Downeast School with the opportunity to learn classical ballet and to attend a live performance of Sleeping Beauty; and

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

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

WHEREAS, the Commission on Cultural Development and the Business & Economic Development Committee voted to recommend to the City Council approval of a grant in the amount of \$1,518:

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

A Grant of \$1,518 is hereby authorized for the Bangor Ballet for funding to provide up to 25 students at Downeast School with the opportunity to learn classical ballet and to attend a live performance of Sleeping Beauty.

Date: February 8, 2016

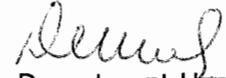
Item/Subject: RESOLVE Ratifying the Finance Director's Application to the Efficiency Maine Large Customer Program

Responsible Department: Finance

Commentary: This resolve will ratify the Finance Director's application to the Efficiency Maine Large Customer Program. The Large Customer Program provides several advantages, it typically contains higher incentives, provides incentives for improvements beyond those in the Efficiency Maine's business program and allows customers to bundle projects to meet the program requirements. In addition, it allows for the higher level of incentives on typical business program prescriptive measures, when that program is closed, as it currently is.

Efficiency Maine offers free scoping audits to businesses that have the potential of developing a project as part of the Large Customer Program. Scoping audits provide an opportunity for a business to get a professional consultation on a facility's specific energy needs and identify cost-effective energy efficiency projects that will reduce operating expenses. The audit resulted in the identification of three significant lighting projects that the City should consider pursuing, with an average payback of under five years. Additional measures are also characterized that would save a mixture of fuel and electricity, but would need further development by a contractor or city engineer to estimate their potential energy impacts.

This item was reviewed and recommended for approval at the Finance Committee meeting on February 1, 2016.

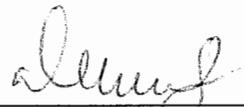

Department Head

Manager's Comments:

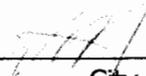

City Manager

Associated Information:

Budget Approval:


Finance Director

Legal Approval:


City Solicitor

Introduced for
 Passage
 First Reading
 Referral



Assigned to Councilor Plourde

CITY OF BANGOR

(TITLE.) RESOLVE, Ratifying the Finance Director's Application to the Efficiency Maine Large Customer Program

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

Ratifies the Finance Director's application to the Efficiency Maine Large Customer Program to implement energy efficiency measures within City facilities.

COUNCIL ACTION

Item No. 16-086

Date: February 8, 2016

Item/Subject: ORDER, Authorizing Execution of Consent to Sublease Between USABFIT, LLC and Harvest Moon Deli – 366 Griffin Road (Map 100, Lot 006)

Responsible Department: Community and Economic Development

Commentary: This Order will authorize the execution of a consent for the subleasing of the space to Harvest Moon Deli by USABFIT, LLC. The City of Bangor is the owner of Lot 10 in the BIA Commercial / Industrial Park, 366 Griffin Road. By virtue of an Indenture of Lease dated October 8, 2015 USABFIT, LLC leases Lot 10 in the BIA Commercial / Industrial Park from the City of Bangor.

The lease provides that the tenant may not sublet any portion of the premises without the express consent of the City of Bangor. USABFIT, LLC wishes to sublet approximately 925 square feet of the building on Lot 10 in the BIA Commercial / Industrial Park to Harvest Moon Deli to operate a delicatessen.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its February 2, 2016 meeting.

Department Head

Manager's Comments:

City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:

City Solicitor

Introduced for

- Passage
- First Reading
- Referral

Page __ of __

Assigned to Councilor Graham



CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of Consent to Sublease Between USABFIT, LLC and Harvest Moon Deli – 366 Griffin Road (Map 100, Lot 006)

WHEREAS, the City of Bangor is the owner of Lot 10 in the BIA Commercial / Industrial Park, 366 Griffin Road; and

WHEREAS, by virtue of an Indenture of Lease dated October 8, 2015 USABFIT, LLC leases Lot 10 in the BIA Commercial / Industrial Park from the City of Bangor; and

WHEREAS, said Indenture of Lease provides that the tenant may not sublet any portion of the premises without the express consent of the City of Bangor; and

WHEREAS, USABFIT, LLC wishes to sublet approximately 925 square feet of the building on Lot 10 in the BIA Commercial / Industrial Park to Harvest Moon Deli to operate a delicatessen.

By the City Council of the City of Bangor:

ORDERED,

THAT Catherine M. Conlow, City Manager, is hereby authorized to execute a Consent for the subleasing of approximately 925 square feet to Harvest Moon Deli by USABFIT, LLC of the building at Lot 10 in the BIA Commercial / Industrial Park. Said Consent shall be in a final form as approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 16-087

Date: February 8, 2016

Item/Subject: **Order**, Authorizing the City Manager to Accept \$1,101.10 in U.S. Currency, or a Portion Thereof, as a result of a State Criminal Forfeiture.

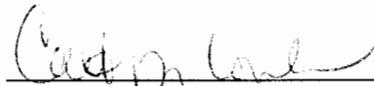
Responsible Department: Police

Commentary:

This order authorizes the City Manager to accept and transfer \$1,101.10 State Criminal Forfeiture Funds. Members of the Bangor Police Department were instrumental in an arrest leading to the seizure of drugs, cash and property that was subsequently forfeited by the individual who was arrested. As a result, the City is entitled to a portion of the seized funds. This Order will authorize the acceptance of the funds and the execution of the approval of the fund transfer.

Department Head

Manager's Comments:



City Manager

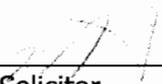
Associated Information: Order

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for Consent Agenda

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

Assigned to Councilor Perry



CITY OF BANGOR

(TITLE.) ORDER, Authorizing the City Manager to Accept \$1,101.10 in U.S. Currency, or a Portion Thereof, as a result of a State Criminal Forfeiture

By the City Council of the City of Bangor:

ORDERED, THAT the City Manager is authorized to accept \$1,101.10 in U.S. currency, or a portion thereof, as a result of a State criminal forfeiture and deposit it in the State Forfeiture Account (60020309050).



**REFERRALS TO COMMITTEES
& FIRST READINGS**

COUNCIL ACTION

Item No. 16-088

Date: February 8, 2015

Item/Subject: **ORDINANCE**, Amending Chapter 165, Land Development Code, of the Code of the City of Bangor, By Amending Provisions Dealing with Nonconformities

Responsible Department: Code

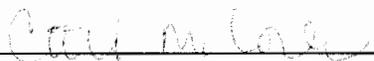
Commentary: This ordinance amendment would amend Chapter 165 of the Land Development Code dealing with nonconforming properties. Prior to 1991, City zoning often allowed single family homes to be converted to multiple residential units. After 1991, the City changed the ordinance to prohibit these conversions in many parts of the City where they had previously been allowed, thus creating a number of legal non-conformities.

Under the ordinance, if the property is not used for a period of one year, the legal non-conformity ceases to exist and the property must be redeveloped to a conforming use. While such nonconformities are discouraged, it is sometimes impractical to require their elimination. As a result of the recent surge in foreclosures, residential properties sometimes are vacant for several years before they can be sold and brought back into beneficial use. The problem is that these legally created non-conforming uses are too expensive and challenging to convert back to single family use. As a result, they are left vacant and deteriorating.

If approved, this ordinance amendment would allow nonconforming residential units that otherwise comply with the Code to retain their nonconforming use as long as they are not changed to another use, destroyed, or vacant for seven years. The goal is to prevent the indefinite vacancy and degradation of nonconforming buildings that were legally created. The ordinance would make other minor changes to the nonconformities ordinance, including allowing nonconforming uses to change to permitted uses without site plan approval unless otherwise required. This item was discussed at the Business and Economic Development Committee on December 8, 2015 and the Planning Board on January 19, 2016. The Planning Board recommended allowing nonconforming residential units to be vacant for a shorter period than the 10 years originally proposed ordinance.

Department Head

Manager's Comments:

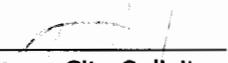

City Manager

Associated Information: Ordinance

Budget Approval:

Finance Director

Legal Approval:


City Solicitor

Introduced for

Passage

First Reading

Referral to the B&ED Committee and Planning Board on February 16, 2016



Assigned to Councilor Graham

CITY OF BANGOR

ORDINANCE, Amending Chapter 165, Land Development Code, of the Code of the City of Bangor,
By Amending Provisions Dealing with Nonconformities

WHEREAS, many parcels in Bangor have uses which, while at one time allowed, are now considered nonconforming under the Land Development Code;

WHEREAS, the City strongly discourages nonconformities, but recognizes that in some cases it is impractical to require their elimination;

WHEREAS, the City has strong interests in preventing blight and preserving the housing stock of the City;

WHEREAS, nonconforming residential buildings are sometimes left vacant for several years, in particular if foreclosed upon, but would not be financially viable if brought into compliance with the zoning requirements of their parcel, and so continue to be left vacant;

WHEREAS, to discourage nonconformities, owners of damaged or destroyed nonconforming buildings should not be allowed unlimited time to rebuild their nonconforming building; and

WHEREAS, changes from a nonconforming to a conforming use should not, per se, require site development plan approval;

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:

§ 165-17. Discontinuance.

- A. If any nonconforming use is discontinued for 12 consecutive months it shall be deemed abandoned, and the right to continue it shall terminate; provided, however, that even after such discontinuance a conforming or conditional use may be established in accordance with § 165-20 below.
- B. Notwithstanding subsection A above, a nonconforming residential unit otherwise in compliance with this Code of Ordinances may, upon application for and receipt of a Certificate of Occupancy, retain its nonconforming residential use so long as it has not been vacant for a period of 7 years or longer, changed to another use, or destroyed.

§ 165-18. Restoration of nonconforming use.

- A. If any building or structure housing a nonconforming use is damaged, destroyed or decays to the extent that the cost of restoration of such damage, destruction or decay exceeds 50% of the appraised fair market value of the building or structure prior to such damage, destruction or decay, the nonconforming use may not be restored, and the right to continue it shall terminate. In the absence of a prior appraisal, the term "fair market value," as used in this subsection, shall mean the City of Bangor assessed valuation of the building or structure only, adjusted to 100% of state assessed value on the most recent date prior to the damage, destruction or decay to be restored, provided that nothing in this subsection shall prohibit establishment of a conforming or conditional use in accordance with § 165-20 below.
- B. Notwithstanding the provisions of Subsection A above, any legally established residential nonconforming use in an Urban Residence 1 District or an Urban Residence 2 District which is destroyed or damaged may be reconstructed pursuant to a building permit obtained within three years of its destruction or damage, subject to the following conditions:
- (1) No more dwelling units may be installed in the structure housing such residential nonconforming use than were legally established prior to the passage of this chapter.
 - (2) No more than three dwelling units in addition to that permitted under the district provisions shall be permitted.
 - (3) The gross floor area contained in the preexisting structure shall not be increased in the reconstructed structure.
 - (4) Any and all development standards of the zoning district which, in the opinion of the Code Enforcement Officer, can reasonably be met at the time of reconstruction shall be met.

...

§ 165-20. Change to conforming use.

~~Subject to site development plan approval by the Planning Board pursuant to Article XVI~~ any required approvals, a nonconforming use may be changed to a use which is a permitted use in the zone in which it is located. Subject to treatment as a conditional use pursuant to § 165-9, a nonconforming use may be changed to a use which is a conditional use in the district in which it is located.

...

§ 165-111. Site developments requiring permit.

- A. Any activity covered under this chapter shall require a land development permit under the following conditions:
- (1) Any conditional use.
 - (2) ~~Any change in use of a nonconforming use.~~

...

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

COUNCIL ACTION

Item No. 16-089

Date: February 8, 2016

Item/Subject: Order, Authorizing a Loan in the Amount of \$2,145,000 from the Maine Municipal Bond Bank State Revolving Fund, and the Issuance of the City's General Obligation Bonds and a Tax Levy Therefor

Responsible Department: Finance

Commentary: The attached Order would authorize a loan in the amount of \$2,145,000 from the Maine Municipal Bond Bank State Revolving Fund (SRF) and the issuance of the City's general obligation bonds. These funds would be used fund the bio media replacement project that was recently discussed by the Infrastructure Committee.

The SRF program was created in 1987 by the Clean Water Act. The Environmental Protection Agency (EPA) provided all states with the seed money to capitalize this revolving loan fund. SRF funding is typically at below market rates, but does carry additional State administrative costs and processes. In addition, all bidding must comply with federal regulations such as; Davis Bacon wage rates. Borrowing through this program is most cost effective for larger combined sewer overflow type projects.

This item was reviewed and recommended for approval at the Finance Committee meeting of February 1, 2016.

This Order will require a Public Hearing at the February 22nd City Council Meeting



Department Head

Manager's Comments:



City Manager

Associated Information:

Order

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral

Assigned to Councilor Sprague



CITY OF BANGOR

(TITLE.) Order, Authorizing a Loan in the Amount of \$2,145,000 from the Maine Municipal Bond Bank State Revolving Fund, and the Issuance of the City's General Obligation Bonds and a Tax Levy Therefor.

WHEREAS, the Bangor City Council previously authorized the City's general obligation bonds to finance sewer infrastructure improvements; and

WHEREAS, based on the final engineering costs prepared for the sewer infrastructure improvements, the City Council now desires to authorize additional bonds in the amount of \$2,145,000;

By the City Council of the City of Bangor, be it hereby ORDERED:

THAT the Finance Director is hereby authorized, in the name of and on behalf of the City, to borrow an amount not to exceed \$2,145,000 at any one time outstanding from the Maine Municipal Bond Bank (the "Bond Bank") pursuant to its Revolving Loan Fund program, the proceeds of which loan are hereby appropriated to pay a portion of the costs (as herein defined) of the following Projects:

<u>Description</u>	<u>Amount</u>	<u>Estimated Life</u>
Sewer Infrastructure Improvements	\$2,145,000	20 years

THAT in furtherance of said loan, the Finance Director be and hereby is authorized and empowered, in the name and on behalf of the City, to execute and deliver, under the seal of the City attested by its Clerk and countersigned by the Chairman of the City Council, a Loan Agreement between the City and the Bond Bank, said Loan Agreement to contain such usual and customary terms and provisions, not contrary to the general tenor hereof, as the Bond Bank may require in connection with the State Revolving Loan Fund, and as the Finance Director may approve, her approval to be conclusively evidenced by the execution thereof.

THAT pursuant to 30-A M.R.S.A. §5772, Section 13 of Article VI of the City Charter (Private and Special Laws of 1931, Chapter 54 and all amendments thereof and acts additional thereto), and all other authority thereto enabling, and to evidence such loan, there is hereby authorized the issue and sale at one time and from time to time the City's general obligation bonds in like amount to the above authorized loan, not to exceed the aggregate principal amount of Two Million One Hundred Forty-Five Thousand Dollars (\$2,145,000). The proceeds derived from the sale of said bonds, including premium, if any, and any investment earnings thereon shall be used and are hereby appropriated to pay a portion of the costs (as herein defined) of the Projects.

THAT the estimated weighted period of utility for the property constituting the Projects to be financed with the proceeds of said loan and bonds is hereby determined to be the period of time indicated above for said Projects.

THAT the date, maturities (not to exceed the maximum term permitted by law), denominations, interest rate or rates, place of payment, and other details of said bonds, including the timing and provision for their sale and award shall be determined by the Finance Director with the approval of the Finance Committee.

THAT the bonds hereby authorized may be made subject to call for redemption, with or without a premium, before the date fixed for final payment of the bonds, as provided in 30 A M.R.S.A. §5772(6), as amended, as shall be determined by the Finance Director with the approval of the Finance Committee.

THAT said bonds shall be signed by the Finance Director, countersigned by the Chair of the City Council, sealed with the seal of the City, attested by its Clerk, and that said bonds shall be in such form and contain such terms and provisions not inconsistent herewith as they may approve, their approval to be conclusively evidenced by their execution thereof. Any issue of bonds may be consolidated with and issued at the same time as any other issue of bonds authorized prior to their issuance, and the bonds may be divided into multiple series and issued in separate plans of financing, with the approval of the Finance Committee

THAT in each of the years during which any of the bonds are outstanding, there shall be levied a tax in an amount that, with other revenues, if any, available for that purpose, shall be sufficient to pay the interest on said bonds, payable in such years, and the principal of such bonds maturing in such years.

THAT pursuant to 30 A M.R.S.A. §5772, Section 15 of Article VI of the City Charter and any other authority thereto enabling, the Finance Director, with approval of the Finance Committee is hereby authorized to issue temporary notes of the City in anticipation of the forgoing bond issue, said notes to be signed by the Finance Director, countersigned by the Chair of the City Council, sealed with the seal of the City, attested by its Clerk, and otherwise to be in such form and contain such terms and provisions including, without limitation, maturities (not to exceed 3 years from the issue date), denominations, interest rate or rates, place of payment, and other details as they shall approve, their approval to be conclusively evidenced by their execution thereof.

THAT the bonds and notes shall be transferable only on the registration books of the City kept by the transfer agent, and said principal amount of the bonds and notes of the same maturity (but not of other maturity), upon surrender thereof at the principal office of the transfer agent, with a written instrument of transfer satisfactory to the transfer agent duly executed by the registered owner or his or her attorney duly authorized in writing.

THAT the Finance Director and Chair of the City Council from time to time shall execute such bonds or notes as may be required to provide for exchanges or transfers of bonds or notes as heretofore authorized, all such bonds or notes to bear the original signature of the Finance Director and Chair of the City Council, and in case any officer of the City whose signature appears on any bond or note shall cease to be such officer before the deliver of said bond or note, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery thereof.

THAT upon each exchange or transfer of bonds or notes, the City and transfer agent shall make a charge sufficient to cover any tax, fee, or other governmental charge required to be paid with respect to such transfer or exchange, and subsequent to the first exchange or transfer, the cost of which shall be borne by the City, the cost of preparing new bonds or notes upon exchanges or transfers thereof shall be paid by the person requesting the same.

THAT in lieu of physical certificates of the bonds and notes hereinbefore authorized, the Finance Director be and hereby is authorized to undertake all acts necessary to provide for the issuance and transfer of such bonds and notes in book-entry form pursuant to the Depository Trust Company Book-Entry Only System, as an alternative to the provisions of the foregoing paragraphs regarding physical transfer of bonds, and the Finance Director be and hereby is authorized and empowered to enter into a Letter of Representation or any other contract, agreement or understanding necessary or, in her opinion, appropriate in order to qualify the bonds for and participate in the Depository Trust Company Book-Entry Only System.

THAT the bonds and notes issued in anticipation thereof be issued on either a taxable or a tax-exempt basis, or a combination thereof, as determined by the Finance Director, with the approval of the Finance Committee.

THAT, if the bonds or notes, or any part of them are issued on a tax exempt basis, the officers executing such bonds or notes be and hereby are individually authorized and directed to covenant and certify on behalf of the City that no part of the proceeds of the issue and sale of the bonds or notes authorized to be issued hereunder shall be used directly or indirectly to acquire any securities or obligations, the acquisition of which would cause such bonds or notes to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code").

THAT, if the bonds or notes, or any part of them, are issued on a tax exempt basis, the officers executing such bonds or notes be and hereby are individually authorized to covenant and agree, on behalf of the City, for the benefit of the holders of such bonds or notes, that the City will file any required reports and take any other action that may be necessary to ensure that interest on the bonds or notes will remain exempt from federal income taxation and that the City will refrain from any action that would cause interest on the bonds or notes to be subject to federal income taxation.

THAT, if the bonds or notes, or any part of them, are issued on a tax exempt basis, the Finance Director be and hereby is authorized and empowered to take all such action as may be necessary to designate the bonds or notes as qualified tax-exempt obligations for purposes of Section 265(b) of the Code; it being the City Council's intention that, to the extent permitted under the Code, the bonds or notes be Section 265(b) designated and that the Finance Director with advice of bond counsel, make the required Section 265(b) election with respect to such bonds to the extent that the election may be available and advisable as determined by the Finance Director.

THAT the officers executing the bonds or notes be and hereby are individually authorized to covenant, certify, and agree, on behalf of the City, for the benefit of the holders of such bonds or notes, that the City will file any required reports, make any annual financial or material event disclosure, and take any other action that may be necessary to ensure that the disclosure requirements imposed by Rule 15c2-12 of the Securities and Exchange Commission, if applicable, are met.

THAT the term "cost" or "costs" as used herein and applied to the Projects, or any portion thereof, includes, but is not limited to: (1) the purchase price or acquisition cost of all or any portion of the Projects; (2) the cost of construction, building, alteration, enlargement, reconstruction, renovation, improvement, and equipping of the Projects; (3) the cost of all appurtenances and other facilities either on, above, or under the ground which are used or usable in connection with the Projects; (4) the cost of landscaping, site preparation, and remodeling of any improvements or facilities; (5) the cost of all labor, materials, building systems, machinery and equipment; (6) the cost of land, structures, real property interests, rights, easements, and franchises acquired in connection with the Projects; (7) the cost of all utility extensions and site improvements and development; (8) the cost of planning, developing, preparation of specifications, surveys, engineering, feasibility studies, legal and other professional services associated with the Projects; (9) the cost of environmental studies and assessments; (10) the cost of financing charges and issuance costs, including premiums for insurance, interest prior to and during construction and, following completion of construction, for a period not to exceed 3 years from the issue date thereof, underwriters' fees and costs, legal and accounting fees and costs, application fees, and other fees and expenses relating to the financing transaction; and (11) the cost of all other financing authorized hereunder, whether related or unrelated to the foregoing.

THAT the investment earnings on the proceeds of the bonds and notes, if any, and the excess proceeds of the bonds or notes (including premium), if any, be and hereby are appropriated for the following purposes:

1. To any costs of the Projects in excess of the principal amount of the bonds or notes authorized hereunder;
2. If the bonds or notes are issued on a tax exempt basis, in accordance with applicable terms and provisions of the Arbitrage and Use of Proceeds Certificate delivered in connection with the sale of the bonds or notes including, to the extent permitted thereunder, to the City's General Fund;
3. To pay debt service on the bonds.

THAT if the actual cost of any Projects differs from the estimated cost set forth herein, the Finance Director is authorized, in her discretion to reallocate proceeds of the Bonds to any other listed Projects.

THAT the Finance Director, Chair of the City Council, Clerk, and other proper officials of the City be, and hereby are, authorized and empowered in its name and on its behalf to do or cause to be done all such acts and things, and to execute, deliver, file, approve, and record all such financing documents, contracts, agreements, deeds, assignments, certificates, memoranda, abstracts, and other documents as may be necessary or advisable, with the advice of counsel for the City, to carry out the provisions of the resolutions heretofore adopted at this meeting in connection with the Projects, the issuance, execution, sale, and delivery by the City of the bonds and notes and the execution and delivery of the documents, including the entering into of a Loan Agreement with the Bond Bank, as may be necessary or desirable.

THAT if any of the officers or officials of the City who have signed or sealed the bonds and notes hereinbefore authorized shall cease to be such officers or officials before the bonds or notes so signed and sealed shall have been actually authenticated or delivered by the City,

such bonds or notes nevertheless may be authenticated, issued, and delivered with the same force and effect as though the person or persons who signed or sealed such bonds notes had not ceased to be such officer or official; and also any such bonds or notes may be signed and sealed on behalf of the City by those persons who, at the actual date of the execution of such bonds or notes, shall be the proper officers and officials of the City, although at the nominal date of such bonds or notes any such person shall not have been such officer or official.

THAT if the Finance Director, Chair of the City Council, or Clerk are for any reason unavailable to approve and execute the bonds or any related financing documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had himself or herself performed such act.

THAT the following resolutions required by Section C(4)(e) of the State of Maine Revolving Loan Fund Rules, Chapter 595, Department of Environmental Protection and Maine Municipal Bond Bank (the "SRF Regulations"), and governing the loan to be made to the City under the State Revolving Loan Fund Program be and hereby are adopted:

- (1) That a Project Account shall be created for the Projects which shall be separate from all other accounts of the City. If operating revenues are to be used to retire the debt, a sub-account will be established.
- (2) That the Project Account shall be maintained in accordance with standards set forth by the Maine Municipal Bond Bank and in accordance with generally accepted government account standards.
- (3) That a final accounting shall be made to the Bank of the total cost of the Projects upon completion of the Project performance certification as set out in Section G(3) of the SRF Regulations and the City acknowledges that the Bank reserves the right at its sole discretion to be provided with a cost certification of the Projects as built.
- (4) That an annual audit of the City, prepared by a certified public accountant or licensed public accountant be provided to the Bank for the term of the loan.
- (5) That the City shall maintain insurance coverage on the Projects in an amount adequate to protect the Bank's interest for the term of the loan with the Bank named as loss payee.
- (6) That the City will comply with any special conditions specified by the Department of Environmental Protection's environmental determination until all financial obligations to the State have been discharged.
- (7) That the City certify to the Bank that it has secured all permits, licenses and approvals necessary and that it has a dedicated source of revenue for repayment.
- (8) That the City establish a rate, charge or assessment schedule in order to pay principal and interest. Such rate change or schedule shall provide total operations and debt service coverage at a level at which the coverage for the Bank is sufficient.
- (9) That the City must demonstrate the ability to pay reasonably anticipated costs of operating and maintaining the financed Projects.

(10) That the City abide by the SRF Regulations, as revised and amended and relevant State statutes of the State of Maine.

THAT during the term any of the bonds are outstanding, the Finance Director is hereby authorized, in the name and on behalf of the City, to issue and deliver refunding bonds on either a current or advance refunding basis, to refund some or all of the bonds then outstanding, and to determine the date, form, interest rate, maturities (not to exceed 30 years from the date of issuance of the original bonds) and all other details of such refunding bonds including the form and manner of their sale and award. The Finance Director is hereby further authorized to provide that any of such refunding bonds hereinbefore authorized be made callable, with or without premium, prior to their stated date(s) of maturity, and each refunding bond issued hereunder shall be signed by the Finance Director, countersigned by the Chair of the City Council, sealed with the seal of the City, attested by its Clerk.

COUNCIL ACTION

Item No. 16-090

Date: February 8, 2016

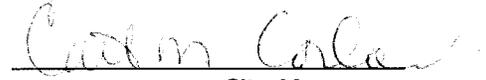
Item/Subject: RESOLVE, Accepting and Appropriating \$31,762 in Grant funds from the U.S. Department of Housing and Urban Development for the Shelter Plus Care Program .

Responsible Department: Health & Community Services

Commentary: This resolve will accept and appropriate \$31,762 in HUD funds for the city's Shelter Plus Care Program. Since 1993, the City has applied for funding for several homeless programs under the Department of Housing and Urban Development's Homeless Continuum of Care. Specifically, the Shelter Plus Care Program provides subsidized rents for qualified homeless individuals with a primary diagnosis of mental illness, substance abuse, or HIV related illness and who are receiving support services. If approved, this grant will fund provide subsidized apartments for 3 families with children in a Penquis Housing on Griffin Road. The term of the grant is January 1 to December 31, 2016. This was reviewed and recommended for approval at the February 1, 2016 Government Operations Committee meeting.

Department Head

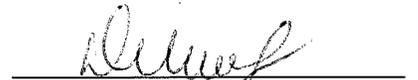
Manager's Comments:



City Manager

Associated Information: Resolve

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral

Page __ of __

Assigned to Councilor Nichols



CITY OF BANGOR

(TITLE.) Resolve, Accepting and Appropriating \$31,762 in Grant Funds from the U.S. Department of Housing and Urban Development in support of the Shelter Plus Care Program.

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT RESOLVED, That project based rental assistance funds in the amount of \$31,762 from the U.S. Department of Housing and Urban Development are hereby accepted and appropriated for the Shelter Plus Care Program for a term of January 1 to December 31, 2016.



**UNFINISHED
BUSINESS**

COUNCIL ACTION

Item No. 16-075

Date: January 25, 2016

Item/Subject: **ORDINANCE**, Amending Chapter 265, Solid Waste, of the Code of the City of Bangor, By Clarifying the Amount of Solid Waste that May Be Collected from Multifamily Residential Properties

Responsible Department: Public Works

Commentary: This ordinance amendment would close a loophole that may allow larger multi-unit developments to qualify for curbside rubbish and recycling collection. This revision will ensure the ordinance is in line with current rubbish and recycling collection practices.

The City's solid waste ordinance currently provides for curbside rubbish and recycling collection for single family residential units and apartment buildings of 4 units or less. Recently, there was a question about whether apartment complexes, that have multiple buildings but fewer than 5 units per building, would qualify under the City's residential collection program. If approved, this change will provide that rubbish and recycling collection for parcels containing five units or more must be provided by the building owner. This is a housekeeping item and the intent is to ensure that the ordinance language is clear, fair, and consistent with our established practice.

This item was recommended for approval by the Infrastructure Committee on January 12, 2016.

Department Head

Manager's Comments:

City Manager

Associated Information: Ordinance

Budget Approval:

Finance Director

Legal Approval:

City Solicitor

Introduced for

- Passage
- First Reading
- Referral

Assigned to Councilor Perry



CITY OF BANGOR

ORDINANCE, Amending Chapter 265, Solid Waste, of the Code of the City of Bangor, By Clarifying the Amount of Solid Waste that May Be Collected from Multifamily Residential Properties

WHEREAS, the City has traditionally collected solid waste from residential parcels containing four units or fewer, and required larger residential complexes to provide dumpsters or other means of trash removal;

WHEREAS, contrary to this practice, the Code of Ordinances presently allows for residential collection for four or fewer units per structure, rather than per parcel; and

WHEREAS, large accumulations of rubbish can lead to unpleasant odors, vermin, and other dangers to the public health, safety, and welfare;

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

Chapter 265 of the Code of the City of Bangor be amended as follows:

§ 265-3 Residential collection.

The City of Bangor shall provide for the collection of acceptable residential solid waste and acceptable recyclable items in accordance with the following rules and regulations.

- A. Designated residences. The City shall provide residential collection to all single-family residences and multifamily residential units ~~of four units or fewer in a single structure~~ where four or fewer units are located on a single parcel, provided that said parcel has frontage on a City street. Service may be provided to multifamily residential units in excess of four upon finding of the Director of Operations and Maintenance that such units cannot be serviced by commercial providers due to their inability to place a collection container of sufficient size to service the units in a location which is acceptable to the City's Code Enforcement Division.

...

- E. Amount. No more than 10 total cans, bags, and bundles may be placed for collection per residential structure parcel per collection day.

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

COUNCIL ACTION

Item No. **16-076**

Date: **January 25, 2016**

Item/Subject: Resolve, Appropriating \$35,200 from the Mall Area Traffic Infrastructure TIF to Fund the Local Share of the Hogan Road Sidewalk Project

Responsible Department: Finance

Commentary: This resolve would appropriate \$35,200 from the Mall Area Traffic Infrastructure TIF to fund the local share of the Hogan Road Sidewalk project.

The Maine Department of Transportation has awarded construction funding to the City of Bangor for the construction of a new sidewalk on Hogan Road. This sidewalk will begin at Springer Drive and will extend to Stillwater Avenue for a total length of approximately 1,900 feet (0.36 miles). The estimated construction cost of this work is \$211,200. MDOT will provide 80% or \$176,000 of the funding and the City is required to provide a 20% match of \$35,200.

This was reviewed and recommended for approval by the Finance Committee on January 20, 2016.

Department Head

Manager's Comments:

City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:

City Solicitor

Introduced for
 Passage
 First Reading
 Referral

Page __ of __

Assigned to Councilor Durgin



CITY OF BANGOR

**(TITLE.) Resolve, Appropriating \$35,200 from the Mall Area Traffic Infrastructure TIF to Fund the Local Share of the Hogan Road Sidewalk Project
BY THE CITY COUNCIL OF THE CITY OF BANGOR:**

BE IT RESOLVED, that \$35,200 is hereby appropriated from the Mall Area Traffic Infrastructure TIF to fund the local share of the Hogan Road sidewalk project.

COUNCIL ACTION

Item No. 16-077

Date: January 25, 2016

Item/Subject: Resolve, Appropriating \$1,500 from the City Forest Reserve Fund for the Purchase of a Property From Small Family Trust – Stillwater Gardens Subdivision (Map R55 Lot 12-F)

Responsible Department: Parks & Recreation

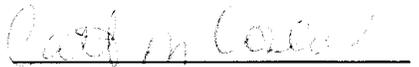
Commentary: The attached resolve will appropriate \$1,500 from the City Forest Reserve Fund to purchase a small landlocked parcel (R55-012-F) from the Small Family Trust.

This is one of two parcels that the city wishes to acquire to create additional access to trails along the Veazie railroad bed. Currently, the public is utilizing this and other private property to access city trails and easements. Acquisition of this parcel will help resolve provide legal access to the trails.

This was reviewed and recommended for approval at the Government Operations Committee meeting of January 20, 2016.

Department Head

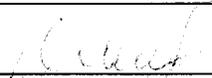
Manager's Comments:



City Manager

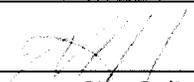
Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral

Assigned to Councilor Nichols



CITY OF BANGOR

(TITLE.) Resolve, Appropriating \$1,500 from the City Forest Reserve Fund for the Purchase of a Property From Small Family Trust – Stillwater Gardens Subdivision (Map R55 Lot 12-F)

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT RESOLVED, that \$1,500 in City Forest Reserve Funds are hereby appropriated for the purpose of purchasing property from the Small Family Trust adjacent to the Essex Woods Recreation Area for the purpose of extending a trail to the City's easement to Molly Lane.



**NEW
BUSINESS**

COUNCIL ACTION

Item No. 16-091

Date: February 8, 2016

Item/Subject: ORDER, Accepting Provisions of Title 21-A, Section 696, Subsection 2, Paragraph C and Title 21-A, Section 722-A, As Governance For Counting Write-In Votes

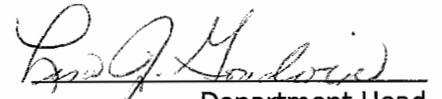
Responsible Department: City Clerk

Commentary:

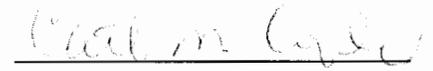
On June 11, 2015, the Maine Legislature passed L.D. 626 An Act Regarding Write-In Candidates in Municipal and City Elections. This law provides towns and cities with the opportunity to accept the provisions of State law regarding counting write-in candidates. If accepted, the provisions would require write-in candidates to declare candidacy with the City Clerk on or before the 45th day prior to the election. Only write-in votes for declared candidates would require hand count. All other write-in votes would not be hand counted.

Should there be no candidates for either School Committee or City Council, all write-in votes would be hand counted.

This action requires a public hearing. This was reviewed and recommended for approval at the January 20, 2016 Government Operations Committee meeting, and staff recommends approval, as well.


Department Head

Manager's Comments:


City Manager

Associated Information: Order

Budget Approval:

Finance Director

Legal Approval:


City Solicitor

Introduced for

- Passage – Public Hearing**
- First Reading**
- Referral**

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Assigned to Councilor Plourde

CITY OF BANGOR

(TITLE.) **Order**, Accepting Provisions of Title 21-A, Section 696, Subsection 2, Paragraph C and Title 21-A, Section 722-A, As Governance For Counting Write-In Votes

WHEREAS, an amendment to the law regarding the counting of write-in votes, 30-A M.R.S.A. §2501, subsection 3, was enacted last year; and

WHEREAS, municipalities now have the option of having the same requirements regarding write-in candidates and vote counting for municipal elections as for other elections.

By the City Council of the City of Bangor:

ORDERED, that the provisions of Title 21-A, Section 696, Subsection 2, Paragraph C and Title 21-A, Section 722-A, are accepted as governance for Counting Write-In Votes. Votes for a write-in candidate are counted only if that candidate has filed a timely declaration of write-in candidacy with the municipal clerk in accordance with Title 21-A, section 722-A, except that votes for write-in candidates who have not filed a declaration of write-in candidacy must be counted if:

- (1) The printed ballot does not include a properly nominated candidate for the office; or
- (2) A properly nominated candidate for the office listed on the ballot withdraws from the race before or on election day.

COUNCIL ACTION

Item No. 16-092

Date: February 8, 2016

Item/Subject **ORDER, Authorizing Grant of \$2,500 to Bangor Symphony Orchestra to Continue its Outreach Initiatives throughout Bangor via its "On the Town" Program**

Responsible Department: **Community & Economic Development**

Commentary: This Order will authorize a grant in the amount of \$2,500 to the Bangor Symphony Orchestra (BSO). The BSO submitted an application to continue its outreach initiatives throughout Bangor via its "On the Town" program. The BSO has requested funding to conduct ensemble performances at a variety of locations in Bangor. The Cultural Commission has recommended approval of this request because of the benefit to the community and the organization's reputation for quality programming.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its February 2, 2016 meeting.

Tanya Emery
Department Head

Manager's Comments:

Cost M. Carter
City Manager

Associated Information:

Budget Approval:

[Signature]
Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for

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

Page of



Assigned to Councilor Nealley

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Grant of \$2,500 to Bangor Symphony Orchestra to Continue its Outreach Initiatives throughout Bangor via its "On the Town" Program

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

WHEREAS, the Bangor Symphony Orchestra has submitted an application for funding in support of continuing its "On the Town" program to conduct 14 ensemble performances at a variety of locations in Bangor; and

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

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

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

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

A Grant of \$2,500 hereby authorized for the Bangor Symphony Orchestra for funding in support of continuing its "On the Town" program.