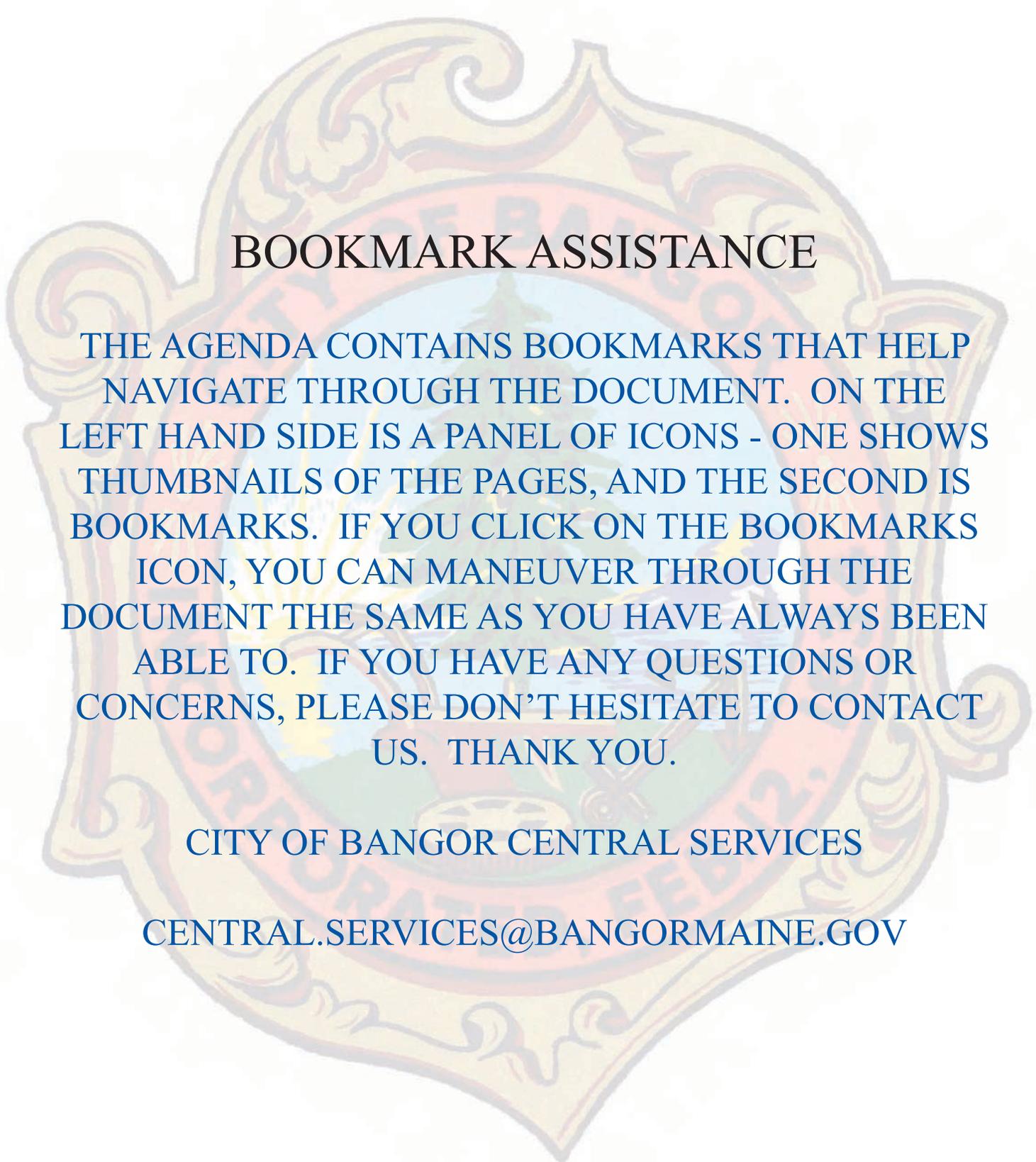




# **CITY COUNCIL AGENDA**

October 12, 2016





## BOOKMARK ASSISTANCE

THE AGENDA CONTAINS BOOKMARKS THAT HELP NAVIGATE THROUGH THE DOCUMENT. ON THE LEFT HAND SIDE IS A PANEL OF ICONS - ONE SHOWS THUMBNAILS OF THE PAGES, AND THE SECOND IS BOOKMARKS. IF YOU CLICK ON THE BOOKMARKS ICON, YOU CAN MANEUVER THROUGH THE DOCUMENT THE SAME AS YOU HAVE ALWAYS BEEN ABLE TO. IF YOU HAVE ANY QUESTIONS OR CONCERNS, PLEASE DON'T HESITATE TO CONTACT US. THANK YOU.

CITY OF BANGOR CENTRAL SERVICES

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

**REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 12, 2016**

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**PLEDGE ALLEGIANCE TO THE FLAG**

**RECOGNITION:** Recognizing Gerald “Gerry” Ledwith For His service To The City Of Bangor

**PROCLAMATION:** Proclaiming November As “Ride The Bus” Month In Bangor

**PUBLIC COMMENT**

**CONSENT AGENDA  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

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

**MINUTES OF: Bangor City Council Meeting of September 26, 2016, Bangor School Committee Workshop and Meeting of September 14, 2016, Infrastructure Committee Meetings of June 28, 2016, July 11, 2016, July 25, 2016, August 8, 2016 and September 13, 2016, Finance Committee Meeting of October 3, 2016 and Government Operations Committee Meeting of October 3, 2016**

<b>Liquor License Renewal:</b>	<b>Application for Liquor License Renewal, Malt, Spirituous, Vinous of Hogan, LLC d/b/a Miguel’s Mexican Restaurant, 697 Hogan Road</b>	<b>GRAHAM</b>
	<b>Application for Liquor License New, Malt, Spirituous, Vinous of Arayos, LLC d/b/a Diamonds, 190B Harlow Street</b>	<b>GRAHAM</b>
	<b>Application for Liquor License Renewal, Malt, Spirituous, Vinous of Amas, Inc d/b/a Thistles Restaurant, 175 Exchange Street</b>	<b>GRAHAM</b>
	<b>Application for Liquor License Renewal, Malt, Vinous of First Lady, Inc d/b/a Governor’s Restaurant, 643 Broadway</b>	<b>GRAHAM</b>

**REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 12, 2016**

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<b>CONSENT AGENDA ITEM NO.</b>		<b>ASSIGNED TO COUNCILOR</b>
	<b>Application for Liquor License Renewal, Malt, Spirituos, Vinous of Uno of Bangor, Inc d/b/a Uno Pizzeria &amp; Grill, 725 Stillwater Avenue</b>	<b>GRAHAM</b>
	<b>Application for Liquor License Renewal, Malt, Spirituos, Vinous of Magic Wok, Inc d/b/a New Panda Garden, 123 Franklin St</b>	<b>GRAHAM</b>
	<b>Application for Liquor License Renewal, Malt, Spirituos, Vinous of Endwell, LLC d/b/a Paddy Murphy's, 26 Main Street</b>	<b>GRAHAM</b>
<b><u>16-368</u>   <u>ORDER</u></b>	<b>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 7 Pray's Mobile Home Park (Map R21 Lot 005)</b>	<b>DURGIN</b>

**Executive Summary:** Real estate tax liens have matured on the property of Henry Lawler Sr. at 7 Pray's Mobile Home Park. The liens have been paid in full. There are no sewer charges or property issues. Because the liens have matured, a municipal quitclaim deed is required to release the City's interest in the property. Staff recommends approval.

**16-369   ORDER                      Accepting Street in Fairways Subdivision - Fairways                      SPRAGUE**

**Executive Summary:** This order will accept roads located in the Fairways Subdivision as public streets. The Fairways Subdivision, located off of New York Avenue, was approved by the Bangor Planning Board on November 5, 2002 and recorded in the Penobscot Registry of Deeds on December 17, 2002, Plan #2002-280. This order represents a housekeeping item as the City Engineer determined that Fairways was completed and we have been providing services on these streets for more than a decade. The Infrastructure Committee has reviewed and recommended approval on September 27, 2016 to accept. The attached Order is a routine action to formally accept this street as a public way.

**16-370   ORDER                      Accepting Street in Stillwater Gardens - Extension of                      PLOURDE  
Molly Lane**

**Executive Summary:** Stillwater Gardens Subdivision, Molly Lane North was approved by the Bangor Planning Board on August 7, 2007 and recorded in the Penobscot Registry of Deeds on August 13, 2007, Plan #2007-131. This residential subdivision is located off Stillwater Avenue and is served by Molly Lane. The City Engineer has determined that the north extension of Molly Lane has been satisfactorily completed.

The Infrastructure Committee has reviewed and recommended approval on September 27, 2016 to accept. The attached Order is a routine action to formally accept this street as a public way.

## REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 12, 2016

### CONSENT AGENDA ITEM NO.

### ASSIGNED TO COUNCILOR

**16-371   ORDER                      **Accepting Streets in Sunny Hollow Subdivision- Dana Drive, Doe Drive, Fawn Court**                      **NICHOLS****

**Executive Summary:** Sunny Hollow Subdivision was approved by the Bangor Planning Board on August 17, 1987 and recorded in the Penobscot Registry of Deeds on September 10, 1987, Plan #D97-87. This residential subdivision is located off Ohio Street and is served by Sunny Hollow Place. The City Engineer has determined that Dana Drive, Doe Drive, and Fawn Court have been satisfactorily completed. The Infrastructure Committee has reviewed and recommended approval on September 27, 2016 to accept. The attached Order is a routine action to formally accept these streets as a public way.

**16-372   ORDER                      **Accepting Streets in Sussex Pines Subdivision – Cardinal Way and Starling Drive**                      **PERRY****

**Executive Summary:** Sussex Pines Subdivision was approved by the Bangor Planning Board on August 16, 2005 and recorded in the Penobscot Registry of Deeds on September 22, 2005, Plan #2005-111. This residential subdivision is located off Finson Road and is served by Starling Drive. The City Engineer has determined that Cardinal Way and Starling Drive have been satisfactorily completed.

The Infrastructure Committee has reviewed and recommended approval on September 27, 2016 to accept. The attached Order is a routine action to formally accept these streets as a public way.

**16-373   ORDER                      **Authorizing the Parks and Recreation Department to work with the Bangor Kiwanis for the purchase and installation of new play equipment**                      **SPRAGUE****

**Executive Summary:** This order authorizes the Parks and Recreation Department to work with the Bangor Kiwanis club to purchase and install new play equipment at one of the City parks. As part of their mission, The Bangor Kiwanis frequently supports organizations and programs that promote youth development and activity. This year, the Bangor Kiwanis has indicated a desire to donate playground equipment to one of the parks. If approved, this order will authorize the Parks and Recreation Director to work with the Kiwanis and authorize the Finance Director to establish fundraising parameters consistent with other fundraising activities. This was reviewed and authorized at the October 3<sup>rd</sup> meeting of the Government Operations Committee.

**16-374   ORDER                      **Authorizing Staff to Negotiate with Pierce Manufacturing for the Purchase of a Ladder Truck in an Amount not to Exceed \$1,200,000**                      **BALDACCI****

**Executive Summary:** As part of the FY 2017 budget process, the Fire Department has been approved to purchase a new ladder truck. The department has requested the ability to negotiate directly with Pierce Manufacturing to purchase this vehicle. Every fire truck purchased since 1982 has been manufactured by Pierce Manufacturing. The department would like to maintain consistency within the fleet based on; common parts inventory, the mechanic being factory certified, the department having the necessary diagnostic equipment, the ability of the manufacturer to replace body components for the life of the vehicle and the availability of technical

**REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 12, 2016**

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support within the State.

**CONSENT AGENDA  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

This request was reviewed and approved by the Finance Committee at its October 3, 2016 meeting.

As this contract will be in excess of \$100,000 it must be reviewed and approved by the City Council.

**16-375    ORDER                    Authorizing Grant Application for up to \$2,500 from        GRAHAM  
Walmart Community Grant Program in Support of  
the Bangor Police Department K-9 Team**

**Executive Summary:** This Order will authorize the submission of a grant application for up to \$2,500 from the 2016 Walmart Community Grant Program. The application is to fund the acquisition of equipment to support the Bangor Police Department K-9 team. There is no local match. This item was reviewed and recommended for approval by the Government Operations Committee on October 3, 2016.

**16-376    ORDER                    Authorizing Bid Award to SE McMillan Company for        NEALLEY  
Middle and Cross Streets Sewer Rehabilitation in the  
Amount of \$367,778**

**Executive Summary:** On September 28, 2016, the City received three (3) bids for Middle and Cross Streets sewer rehabilitation. The bid prices ranged from \$367,778 to \$565,180 (see attached bid tabulation). Staff recommends awarding the contract to SE McMillan Company, the low bidder.

This bid was reviewed and recommended for approval at the Finance Committee meeting of October 3, 2016.

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

**16-377            RESOLVE    Accepting a \$3,000 Donation from Beal College to                PLOURDE  
Support ARTober: a Month of the Arts, in Bangor**

**Executive Summary:** This resolve will accept and appropriate a \$3,000 Donation from Beal College to the Cultural Commission in support of ARTober. Beal College has been very supportive of the effort both financially and through other means of in-kind support. This matter was reviewed and approved by the Business & Economic Development Committee at its October 4, 2016 meeting.

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

**ASSIGNED TO  
COUNCILOR**

**16-378    RESOLVE                    Authorizing the City Manager to Accept and                PLOURDE  
Appropriate \$55,000 in Grant Funds from Eastern  
Maine Healthcare Systems, for the Partnerships to  
Improve Community Health (PICH) Program**

## REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 12, 2016

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

### ASSIGNED TO COUNCILOR

**Executive Summary:** This resolve will authorize the City Manager to accept and appropriate \$55,000 in grant funds from Eastern Maine Healthcare Systems for the Partnership to Improve Community Health. This is the third year of a three-year grant from the US Centers for Disease Control and Prevention (US CDC) to improve health outcomes in the region. The objectives of the project are to improve community access to healthy foods, increase opportunities for populations to engage in regular physical activity, and to strengthen clinical-community linkages and chronic disease prevention. Bangor Public Health and Community services would continue, as a sub-recipient, to serve the communities of Bangor, Brewer, Clifton, Eddington, Glenburn, Hampden, Hermon, Holden, Newburgh, Levant, Orono, Orrington, and Veazie. The term is 9/30/16 to 9/29/17.

### UNFINISHED BUSINESS ITEM NO.

### ASSIGNED TO COUNCILOR

**16-342 ORDINANCE Amending Land Development Code – Contract Zone Change – 900 State Street (Tax Map R 71, Parcel 22) from a Low Density Residential District to a Contract Government & Institutional Service District**

**NEALLEY**

**Executive Summary:** The applicant, Julie Sites is requesting a contract zone change for a 6.2 acre parcel of land located at 900 State Street (Tax Map R71, 22), from Low Density Residential District to a Contract Government and Institutional Service District. The proposed contract conditions will allow the existing large single family home, known as the William Peters House to be used as a nonprofit wellness center. The William Peters House, built in 1911, was designed by architect Milton Stratton in the Neo Rationalist style. In addition, the property includes gardens designed by Olmsted Brothers, Landscape Architects. Both elements give it some historical significance in the City of Bangor.

If approved, the proposed conditions for the contract zone will require the structure to be designated under the Historic Preservation Ordinance. Any new structures will be limited to 35 feet in height, 10,000 square feet in floor area and not exceed an Impervious Surface Ratio of 40%. The Planning Board voted two in favor and four opposed to the proposal at its meeting on September 20, 2016.

**16-364 ORDINANCE Amending Chapter 165, Land Development Code, of the Code of the City of Bangor, By Allowing Information Processing Centers in Commercial Zones**

**BALDACCI**

**Executive Summary:** This ordinance will amend the Land Development Code of the City of Bangor to include information processing centers in the Shopping and Personal Service District. As large retail spaces are vacated, there is interest in other uses besides traditional retail that are compatible with the district. As the General Commercial and Service District also includes all allowed uses in the Shopping and Personal Service District, these facilities would now be allowed in these two additional zones. They are currently a permitted use in the Industry and Service and Technology and Service Districts. As this sort of use often requires a greater number of parking spaces than a typical office, the ordinance change would also add a parking requirement specific to this use. This item was reviewed and recommended for approval by the Business & Economic Development Committee at its September 20, 2016 meeting.

**REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 12, 2016**

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**UNFINISHED BUSINESS  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

**16-365   RESOLVE   **Appropriating \$225,000 from the School Capital Reserve to Fund Roof Repairs**      **DURGIN****

**Executive Summary:** This resolve would appropriate \$225,000 to fund roof repairs at the Abraham Lincoln School, Fruit Street School and the James F. Doughty School. During the FY 2016 budget deliberations, the Bangor School Committee and the Bangor City Council approved the establishment of a \$356,039 capital reserve fund for school repairs. Monies to fund this fund came from additional General Purpose Aid for Education that was passed after the Bangor School Budget was approved. The additional funds were first used to reduce the local tax burden to a zero increase and the remaining \$356,039 was deposited into a School Capital Reserve Fund. Any funds that remain unspent at the conclusion of the roof work will be returned to the School Capital Reserve Fund. This item was reviewed and recommended for approval at the Finance Committee meeting of September 19, 2016.

**16-366   RESOLVE   **Accepting and Appropriating Grant Funds from the U.S. Department of Housing and Urban Development - Shelter Plus Care Renewal for a one year period beginning September 1, 2016**      **NICHOLS****

**Executive Summary:** This Resolve will accept and appropriate \$422,158 in Shelter Plus Care funds to provide housing and support for eligible recipients for a period of one year. The City receives ongoing renewal funding to continue several homeless programs under the U.S. Department of Housing and Urban Development's Homeless Continuum of Care. The program is used to provide subsidized rents for up to 65 qualified homeless individuals in the Bangor Region with a primary diagnosis of mental illness, chronic substance abuse or HIV related illness who is receiving support services. Of the 65 clients currently served, 55 have housing in Bangor, 1 in Orono, and 9 in Brewer. The grant period is September 1, 2016 to August 31, 2017.

This was reviewed and recommended for approval at the September 19, 2016 Government Operations Committee meeting.

**16-367   RESOLVE   **Accepting and Appropriating a Grant in the amount of \$125,000 from the Substance Abuse and Mental Health Services Administration (SAMHSA) to Implement Drug Free Communities Program.**      **SPRAGUE****

**Executive Summary:** This resolve will accept and appropriate a grant in the amount of \$125,000 from SAMHSA to continue to implement the Drug Free Communities program in Brewer, Hermon and Hampden. This is the fifth year of a five-year grant to address substance abuse prevention in three municipalities in the Penquis Region Public Health District: (Brewer, Hampden, and Hermon). The term of the fifth year is September 30, 2016 to September 29, 2017. This was reviewed and recommended for approval at the September 19, 2016 Government Operations Committee meeting.

**REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 12, 2016**

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<b>NEW BUSINESS ITEM NO.</b>		<b>ASSIGNED TO COUNCILOR</b>
<b>PUBLIC HEARING:</b>	<b>Application for Special Amusement License Renewal of Arayos, LLC d/b/a Diamonds, 190B Harlow Street</b>	<b>GRAHAM</b>
	<b>Application for Special Amusement License Renewal of Amas, Inc d/b/a Thistles Restaurant, 175 Exchange Street</b>	<b>GRAHAM</b>
	<b>Application for Special Amusement License Renewal of Endwell, LLC d/b/a Paddy Murphy’s, 26 Main Street</b>	<b>GRAHAM</b>
<b><u>16-379</u> <u>ORDER</u></b>	<b>Authorizing the City Manager to Accept and Appropriate \$15,000 in Donations Collected by St. Joseph Healthcare for the Circle of Caring Fund</b>	<b>PERRY</b>

**Executive Summary:** This order will authorize the City Manager to accept and appropriate \$15,000 in donations collected by St. Joseph Healthcare for the Circle of Caring Fund. The Circle of Caring was created by the Community Health Leadership Board (CHLB), a partnership of hospitals, healthcare providers and the City of Bangor that seeks to reduce stigma and increase understanding of substance use prevention, treatment and recovery.

These Circle of Caring funds will provide immediate support for those returning to the community after a detox/rehabilitation program. The money will be used by the Public Health and Community Services Department to develop and distribute Survival/Comfort Kits to individuals suffering from addiction, including those returning home from detox/rehab. Specifically the goal of the CHLB and its partners is to decrease the likelihood of overdosing from opiate use.

This was reviewed and recommended for passage at the Government Operations Committee meeting of October 3, 2016.

<b><u>16-380</u> <u>ORDER</u></b>	<b>Confirming the Appointment of Michael Crooker as Assistant City Manager and Authorizing Execution of an Employment Contract</b>	<b>DURGIN</b>
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**Executive Summary:** This Order will confirm the City Manager’s appointment of Michael Crooker as Assistant Manager for the City of Bangor, and will authorize the execution of an employment contract.

Mr. Crooker has 15 years of local government experience and currently serves as Town Manager for the town of Glenburn, a position he has held since 2006. He previously served as Executive Director of the River Coalition, a nonprofit agency in Old Town for two years, Town Manager for the town of Bradley for six tears, and worked for the University of Maine as an Adjunct Professor in the Department of Public Administration for a period of nine years. Mr. Crooker holds an Associate Degree in Legal Technology from University College in Bangor, a

**REGULAR MEETING BANGOR CITY COUNCIL – OCTOBER 12, 2016**

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**NEW BUSINESS  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

Bachelor of Science degree in Political Science from the University of Maine, and a Master of Public Administration Degree from the University of Maine. He is currently serving as a member of the Executive Committee of the Maine Municipal Association, and has served on that Association's Legislative Policy Committee. In his role as Town Manager, he has also served as a member or in leadership roles in various other Task Forces, Committees and Boards at the local, regional and state levels including EMDC, Penquis CAP, Maine Resources Recovery Association, Bangor Region Partners for Health, Penobscot Health Communities, and State of Maine Animal Welfare Advisory Council, among others. This item has been discussed with councilors.

# BANGOR CITY COUNCIL



## RECOGNIZING GERALD "GERRY" LEDWITH FOR HIS SERVICE TO THE CITY OF BANGOR

**WHEREAS,** the Parks and Recreation Department manages the City's waterfront along the historic Penobscot River; and

**WHEREAS,** among the many services on the waterfront, amenities include docking and boating facilities primarily used for pleasure craft and coastal cruise vessels; and

**WHEREAS,** the City had designated the position of Harbormaster to oversee these valuable services and hired Gerry for the role in 1996; and

**WHEREAS,** Gerry's Navy and Coast Guard background and knowledge has been invaluable to the City and the boating community throughout his time with the City; and

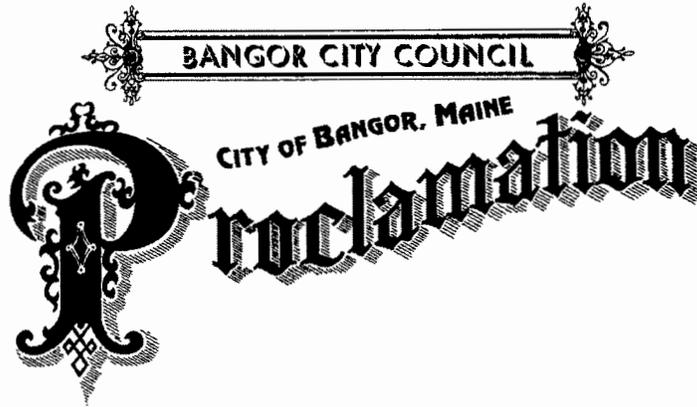
**WHEREAS,** Gerry will be retiring as Harbormaster after twenty years of service to the City of Bangor.

**NOW THEREFORE, I, SEAN FAIRCLOTH, MAYOR OF THE CITY OF BANGOR** on behalf of the Bangor City Council as well as the citizens of Bangor, do hereby recognize Gerald Ledwith for his years of dedicated service to the City of Bangor and its citizens, and congratulate him on his pending retirement.

**Given this the 12<sup>th</sup> day of October, 2016.**

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**Sean Faircloth, Mayor**



## PROCLAIMING NOVEMBER AS "RIDE THE BUS" MONTH IN BANGOR

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

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

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

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

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

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

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

Given this the 14th day of October, 2016.

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Sean Faircloth, Mayor



**CONSENT  
AGENDA**

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – SEPTEMBER 26, 2016**

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*Meeting Called to Order at 7:30 PM  
 Chaired by Council Chair Faircloth  
 Councilors Absent: Nealley, Nichols, Sprague  
 Meeting Adjourned at 7:41 PM*

**PUBLIC COMMENT**            *None*

CONSENT AGENDA ITEM NO.	ASSIGNED TO COUNCILOR
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**MINUTES OF:** *Bangor City Council Regular Meeting of September 12, 2016, Bangor School Committee Special Meetings of August 17, 2016 and August 29, 2016, Bangor School Committee Regular Meeting of August 27, 2016, Airport Committee Meeting of September 13, 2016, Government Operations Committee Meetings of September 7, 2016 and September 19, 2016, Finance Committee Meeting of September 19, 2016 and Business and Economic Development Committee Meeting of September 7, 2016*

*Action: Accepted and Approved*

<b>Liquor License Renewal:</b>	<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of Massimo's Cucina Italiana, Inc d/b/a Massimo's Pizza Bar, 130 Hammond Street</i>	<b>GRAHAM</b>
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*Action: Approved*

<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of WNC Bangor Company, LLC d/b/a Bangor Airport Four Points by Sheraton, 308 Godfrey Boulevard</i>	<b>GRAHAM</b>
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*Action: Approved*

<b><u>16-349</u>    <u>ORDER</u></b>	<i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 25 Randolph Drive (Map 069, Lot 031)</i>	<b>DURGIN</b>
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*Action: Passed*

<b><u>16-350</u>    <u>ORDER</u></b>	<i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 131 Holiday Park (Map R47, Lot 007-A).</i>	<b>SPRAGUE</b>
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*Action: Passed*

<b><u>16-351</u>    <u>ORDER</u></b>	<i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 147 Fern Street (Map 053, Lot 148).</i>	<b>NEALLEY</b>
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*Action: Passed*

<b><u>16-352</u>    <u>ORDER</u></b>	<i>Authorizing the City to Apply for 2016 Assistance to Firefighter Grant</i>	<b>PLOURDE</b>
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*Action: Passed*

<b><u>16-353</u>    <u>ORDER</u></b>	<i>Authorizing Settlement of Workers' Compensation Claim</i>	<b>PERRY</b>
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*Action: Passed*

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – SEPTEMBER 26, 2016**

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- 16-354    ORDER                    *Authorizing the City Manager to execute an Off-Airport Car Rental Agreement with Rent-A-Wreck of Bangor to Provide Car Rental Services*                    **BALDACCI****
- Action:    Passed*
- 16-355    ORDER                    *Authorizing the execution of a lease renewal between the City of Bangor and the Maine Highlands for office space within Building 121, of the General Aviation terminal at Bangor International Airport*                    **NEALLEY****
- Action:    Passed*
- 16-356    ORDER                    *Authorizing Execution of Modification Agreement for Maine Department of Transportation Local Project – WIN 018645.00, Independent Street and Water Street Traffic Signal Improvements*                    **SPRAGUE****
- Action:    Passed*
- 16-357    ORDER                    *Authorizing Execution of a Modification Agreement for Maine Department of Transportation Local Project – WIN 021767.00, Improvements to the River Walk along the Penobscot River.*                    **NICHOLS****
- Action:    Passed*
- 16-358    ORDER                    *Amending the City of Bangor Procurement Policy*                    **DURGIN****
- Action:    Passed*
- 16-359    ORDER                    *Authorizing a Development Agreement for the Rehabilitation of 130 13th Street (012/052)*                    **GRAHAM****
- Action:    Passed*
- 16-360    ORDER                    *Authorizing the Adoption of the 2016 Penobscot County Hazard Mitigation Plan*                    **PERRY****
- Action:    Passed*
- 16-361    ORDER                    *Authorizing the Execution of an Agreement with Eastern Sno Cross – for use of the Bass Park Infield, Track, and Grandstand*                    **GRAHAM****
- Action:    Passed*
- 16-362    ORDER                    *Authorizing the City Manager to Apply for a two year Grant in the amount of \$60,000 from the Maine Department of Health and Human Services (DHHS), Centers for Disease Control, Lead Poisoning Prevention Fund*                    **NICHOLS****
- Action:    Passed*

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – SEPTEMBER 26, 2016**

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**16-363      ORDINANCE      *Amending Land Development Code – Zone Change – At 647 Main Street (Tax Map 27-Lot 001) from an Industry and Service District to Government & Institutional Service District*      **PLOURDE****

*Action: First Reading and Referral to Planning Board Meeting of October 18, 2016*

**16-364      ORDINANCE      *Amending Chapter 165, Land Development Code, of the Code of the City of Bangor, By Allowing Information Processing Centers in Commercial Zones*      **BALDACCI****

*Action: First Reading and Referral to Planning Board Meeting of October 4, 2016*

**16-365      RESOLVE      *Appropriating \$225,000 from the School Capital Reserve to Fund Roof Repairs*      **DURGIN****

*Action: First Reading*

**16-366      RESOLVE      *Accepting and Appropriating Grant Funds from the U.S. Department of Housing and Urban Development - Shelter Plus Care Renewal for a one year period beginning September 1, 2016*      **NICHOLS****

*Action: First Reading*

**16-367      RESOLVE      *Accepting and Appropriating a Grant in the amount of \$125,000 from the Substance Abuse and Mental Health Services Administration (SAMHSA) to Implement Drug Free Communities Program.*      **SPRAGUE****

*Action: First Reading*

**UNFINISHED BUSINESS      ASSIGNED TO COUNCILOR**

**16-341      ORDINANCE      *Amending Chapter 260, Signs, of the Code of the City of Bangor, By Allowing for Banners on Municipal Buildings Advertising the Downtown and City Amenities*      **GRAHAM****

*Action: Motion made and seconded for Passage  
Vote: 6 – 0  
Councilors Voting Yes: Baldacci, Durgin, Graham, Perry, Plourde, Faircloth  
Passed*

**16-342      ORDINANCE      *Amending Land Development Code – Contract Zone Change – 900 State Street (Tax Map R 71, Parcel 22) from a Low Density Residential District to a Contract Government & Institutional Service District*      **NEALLEY****

*Action: Motion made and seconded to Postpone to October 12, 2016 City Council Meeting  
Passed to Postpone*

**16-343    RESOLVE            *Authorizing the City Manager to Accept and Appropriate Grant Funds    PLOURDE*  
*from the Maine Department of Health and Human Services – WIC*  
*Nutrition Program***

*Action:    Motion made and seconded for Passage*  
*Passed*

*None.*

*Attest: \_\_\_\_\_*  
*Lisa J. Goodwin, MMC, City Clerk*

MINUTES

BANGOR SCHOOL COMMITTEE  
Workshop  
6:30 p.m, Wednesday, September 14, 2016

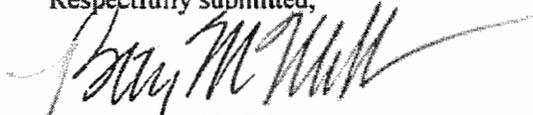
School Committee Members present: Chairman Warren Caruso, Jennifer DeGross (arrived a few minutes later), Sue Sorg, and Marlene Susi. Members Jay Ye, Brian Doore and Sue Hawes were unable to attend.

The meeting began at 6:30 p.m.

The Committee reviewed Policy sections A, B, C, and D.

The workshop adjourned at 6:53 p.m.

Respectfully submitted,

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

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

MINUTES

BANGOR SCHOOL COMMITTEE  
REGULAR MEETING  
7:00 p.m., Wednesday, September 14, 2016

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

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

B. Superintendent Webb requested to amend the agenda to include E.1.c.1. Nominations Teacher and D.2.d. Pilot Study Update.

VOTED 4-0 to amend the agenda as requested.

D. Superintendent Webb requested authorization to expend funds up to \$225,000 from the Bangor School Department Capital Reserve Fund to repair sections of the roof at Abraham Lincoln School, Fruit Street School, and the James F. Doughty School.

VOTED 4-0 to authorize the Bangor School Department to expend funds up to \$225,000 for the purpose stated.

D. 2. a. Superintendent Webb updated the Committee on the Bangor School Department's Opening of School.

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

Catherine Gordon	Mathematics Teacher	Bangor High School
Kelly Paul	Speech/Language Pathologist	BRTDP
Tina McMurry	Special Education Teacher	Bangor High School
Emilie Throckmorton	½ English Department Head	Bangor High School
Eric Hutchins	Ram Page (Newspaper) Advisor	Bangor High School

c. Superintendent Webb reported the following reassignments:

John Morgan from Special Education Teacher, Resource Room at Mary Snow School to Special Education Teacher, Self-Contained at Abraham Lincoln School.

Christopher Junkins from Special Education Teacher, Self-Contained at Abraham Lincoln School to Special Education Teacher, Resource Room at Mary Snow School.

E. 1. a. 1-3. VOTED 4-0 to approve the Minutes of the August 17, 2016 Special School Committee Meeting, the August 17, 2016 Regular School Committee Meeting and the August 29, 2016 Special School Committee Meeting.

- b. 1-2. Superintendent Webb recommended approval of the June 2016 (unaudited) and July 2016 Financial Reports.

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

- c. 1. a Superintendent Webb recommended the following Teacher nomination(s) for the 2016-2017 school year, with a one-year Probationary Contract:

Susanne Gallant, Speech/Language Pathologist at the Bangor Regional Program and 14th Street School.

Mike Poulin, Mathematics Teacher at Bangor High School.

VOTED to approve the nominations as presented.

- c. 2. Superintendent Webb recommended the following extra-duty assignments for the 2016-2017 school year:

Civil Rights Advisor	BHS	Stephanie Hendrix
IEP Coordinator (.5)	Fruit Street School	Leslie Stewart
IEP Coordinator (.75)	WSCS	Karen Bagley
IEP Coordinator (.75)	WSCS	Molly Stern
Yearbook Advisor	WSCS	Deborah Sykes
Enrichment Activities Coord (.5)	JFDS	Keenon Blindow
Girls A Basketball Coach	JFDS	Stephanie Comstock
Gr. 4-5 Musical	Fairmount School	Kelly Ellis
Math Team Advisor	BHS	Carl Robbins
Math Team Assistant Advisor (.5)	BHS	Eric Steadman
Math Team Assistant Advisor (.1)	BHS	Kevin Birkel
Math Team Assistant Advisor (.1)	BHS	Michael Corneil
Math Team Assistant Advisor (.1)	BHS	Jonathan Dearing
Math Team Assistant Advisor (.1)	BHS	Donald Erb
Math Team Assistant Advisor (.1)	BHS	Ed Kohtala
Cultural Exchange Advisor (.5)	BHS	Adam Leach
Cultural Exchange Advisor (.5)	BHS	Wendy Morrill
Mosaic Advisor	BHS	Susan Thibedeau
IEP Coordinator (.75)	BHS	Stuart Greener
IEP Coordinator (.50)	BHS	Kelly Hasselbrack
IEP Coordinator (.50)	Mary Snow	Christopher Junkins
IEP Coordinator (.50)	Mary Snow	Sandra Seavey
IEP Coordinator (.66)	Vine St.	Amy Alaimo
IEP Coordinator (.66)	Vine St.	Emily Robinson
IEP Coordinator (.66)	Vine St.	Rebekah Timms
IEP Coordinator (.38)	Abraham Lincoln	John Morgan
Cross Country, Asst. Coach 9/14/16 to end of season)	BHS	Jamie Anderson (from
Dramatics Coach	WSCS	Terence Tibbetts

- d. Superintendent Webb reported the following donation:

To Downeast School from Lane Construction, backpacks, lunch bags, markers, pencils, rulers, notebooks, crayons, scissors, pens, glue, etc., having a total dollar value of \$500.

To Fruit Street School from the Fruit Street School PTO, materials and supplies that support the mission of the Bangor School Department, having a total dollar value of \$2,025.

VOTED 4-0 to accept the donations with thanks.

- e. 1. Superintendent Webb recommended receipt of the First Reading of revised Policy JICK Bullying in Schools.

VOTED 4-0 to receive the first reading as presented.

- f. 1. Superintendent Webb recommended approval of Second Reading of revised Policy EEAE Student Transportation in Private Vehicles.

VOTED 4-0 to approve the policy as presented.

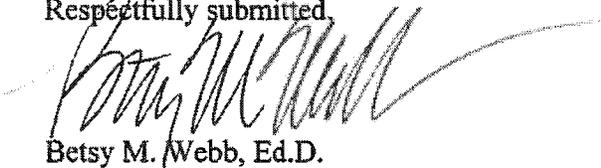
- F. 2. d. Committee member Sorg shared the UTC Board is meeting on Thursday evening.

- 2. f. Superintendent Webb and Principal Butler shared an update on the pilot study being conducted with the University of Maine on hazing prevention.

- H. Chairman Caruso shared the upcoming important dates.

Meeting adjourned at 7:23 p.m.

Respectfully submitted,



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

**Infrastructure Committee  
Minutes  
June 28, 2016**

**ATTENDEES**

**Councilors:**

Gibran Graham  
Sarah Nichols

Joshua Plourde  
Benjamin Sprague

Sean Faircloth  
Nelson Durgin

**Staff:**

John Theriault  
Andy Rudzinski

Dana Wardwell  
Amanda Soucier

Cathy Conlow

**Members of the Public:**

Richard Burger  
OHI  
Charles Rumsey

Jacob Mathieu  
Catherine Ellis  
Michael Cushman

Susan Maclaren  
Redington Robbins  
Shawn Mahaney

**AGENDA**

**1. Discussion: On Street Parking, Lincoln Street Between Main Street & Third Street**

John Theriault stated that the City of Bangor has received a request to consider limiting on-street parking on Lincoln Street to one side of the road between Third Street and Main Street. Currently on-street parking is allowed on both sides of Lincoln Street. During Waterfront Concert events, police post temporary signs to limit parking to one side of the street between Main Street and Third Street.

Lincoln Street is fairly narrow with an overall paved width of approximately 24 feet. According to MaineDOT traffic data, the average annual daily traffic (AADT) volume along this portion of Lincoln Street is slightly under 1,000 vehicles/day. When vehicles are parked on both sides of the street, the available roadway width can only accommodate one direction of travel at a time.

Members from 99, 103, 111, 113, 121, 122, 127, 157, and 176 Lincoln street spoke about the challenges associated with the narrow street and cars parking on both sides of the street. Most noted the daycare, multi-unit apartment building, the group home, and increased traffic due to the casino and insurance center, and eateries. The major concern being for responders and plowing impassability and zero visibility when exiting driveways.

Council suggestions to include increased patrol on Lincoln Street, address other locations around the City that have similar challenges, and to consider if there would be enough parking for everyone should Lincoln Street have limited parking.

***Vote: Motioned and seconded unanimous.***

**2. Presentation: Stormwater 101 (Presented by Phil Ruck)**

Phil Ruck, PE from Stillwater Environmental Engineering will be presenting information about the City's obligations under the Municipal Separate Storm Sewer System (MS4) Permit with the Department of Environmental Protection. He will discuss the pollution concerns associated with stormwater runoff and the successes the City has had in removing pollution. This presentation to City officials is required as part of the MS4 permit which includes a component of public outreach and education.

***Vote: No Action Necessary***

**3. Discussion: Diverging Diamond Interchange**

The Maine Department of Transportation (MaineDOT) has requested that the City of Bangor provide a letter of support for the Departments Plan's to install a Diverging Diamond Interchange at the Hogan Road/I-95 Interchange (Exit 187). MaineDOT believes this will help them in their pursuit of Federal funding for the project.

***Vote: Motioned and Seconded. Majority vote, Councilor Graham opposed***

**1. Used Vehicle Purchase: Forestry Bucket Truck**

In the proposed FY 17 budget there is \$100,000 to purchase a used bucket truck for the Forestry Division of Public Works. For several years we have relied on a private contractor for bucket work. The contractor has kept up with large tree removals but we are not doing enough pruning to adequately maintain our trees. My plan is to continue to use the private contractor for removals and utilize forestry personnel for pruning.

RGB is a company that specializes in bucket trucks. We have purchased trucks from them in the past and used them for our annual bucket truck inspections with excellent results. RGB has located a 2008 Sterling truck equipped with a 2004 boom. Both units are in excellent shape with no damage. The truck has 44,032 miles on it. RGB will sell us the truck for \$96,400 with a 90 day warrantee on the boom. RGB has a hold on this piece of equipment and need a commitment from us to purchase this unit by June 29<sup>th</sup>. Staff recommends purchasing this piece of equipment pending council approval of the funding at the June 27 council meeting.

***Vote: Motioned and Seconded, Unanimous***

***Meeting Adjourned.***

**Infrastructure Committee  
Minutes  
July 11, 2016**

**ATTENDEES**

**Councillors:**

Gibran Graham  
Sarah Nichols

Joshua Plourde  
Benjamin Sprague

Sean Faircloth  
Nelson Durgin

**Staff:**

John Theriault

Dana Wardwell

**Members of the Public:**

Jay Dresser

**AGENDA**

**1. Drainage Easement: 137 Fruit Street**

Dana Wardwell provided an overview. The Engineering Department requests permission to obtain a 20 foot wide permanent drainage easement on Patricia Keane's property located at 137 Fruit Street. This drainage easement is necessary in order to construct and maintain drainage improvements within the vicinity of Ms. Keane's property. The proposed drainage improvements include a catch basin that will be constructed on school property behind Ms. Keane's house and the 8" outlet pipe from the catch basin to the street system that will be through Ms. Keane's property.

The discussed drainage improvements are at the request of Ms. Keane to help alleviate wet conditions within the area due to storm water runoff from the Fruit Street School.

***Vote: Motioned and Seconded for Passage.***

**2. Discussion: Ban Sale & Distribution of Plastic Shopping Bags and Polystyrene Containers**

Mr. Jay Dresser of Materials Recovery Solutions had requested to meet with the Infrastructure Committee to ask that the Bangor City Council consider drafting an ordinance that would ban the sale and distribution of plastic shopping bags and polystyrene (Styrofoam) containers.

Mr. Dresser outlined his concerns and a desired course of action for the City Council to undertake and help reduce the use of plastic shopping bags and Styrofoam containers and packaging.

Councilor Baldacci and Councilor Graham suggested soliciting input from the communities in southern Maine that had already implemented the program. The issue to be revisited in 60-90 days.

***Vote: No Action Necessary***

***Meeting Adjourned.***

**Infrastructure Committee  
Minutes  
July 25, 2016**

**ATTENDEES**

**Councilors:**

Gibran Graham  
Sarah Nichols  
Joe Baldacci

Joshua Plourde  
Benjamin Sprague

Sean Faircloth  
Nelson Durgin

**Staff:**

John Theriault  
Andy Rudzinski

Dana Wardwell

Cathy Conlow

**Members of the Public:**

**AGENDA**

**1. Sewer Abatement Quarterly Report: 4<sup>th</sup> Quarter FY16**

Andy Rudzinski provided the quarterly report and informed the one denial on the report was due to a swimming pool that had previously requested an abatement. Swimming pools and rinks have a one-time abatement allotment.

Council Sprague recused himself as he was a chair member of the institution requesting the abatement. It was noted that the decision was made by the Superintendent of Wastewater Treatment plant, and not by Committee or Council for abatements, thus no conflict on this matter.

***Vote: No Action Necessary, Informational***

**2. Execute Agreement: Maine DOT Hogan Road New Sidewalks, WIN #022693.00 Modification 2**

John Theriault outlined that this order will authorize the City Manager to execute a Local Project Agreement Modification 2 with the Maine Department of Transportation for an increase of \$15,000.00 to the original contract amount.

On February 3, 2016 an agreement was executed in the amount of \$206,000.00 for new sidewalks along part of Hogan Road. The increase limit is not to exceed \$221,000.00, with the Federal Share is \$176,800.00 or 80% and the City Share is \$44,200.00 or 20%.

***Vote: Motioned and Seconded Unanimously***

### **3. Tree Board Recommendation**

Larry Dansinger of 21 Mt. desert Drive requested permission to remove a healthy 14 inch ash tree in the City Right-Of-Way at 21 Mt. Desert Drive. Mr. Dansinger explained his reasons for wanting to remove the tree. Although originally Mr. Dansinger thought the ash tree would interfere with his newly installed solar panels, the panels were producing more electricity than he uses, so that was no longer an issue.

He still would like to plant 4 fruit trees. After discussion the board and Mr. Dansinger agreed that the Forestry Department would raise the canopy of the ash tree, and if the fruit trees could not thrive, Mr. Dansinger would remove the tree at his expense. The board unanimously made this a recommendation which was be recommended by staff for approval at the Aug 1, 2016 Infrastructure Committee meeting.

Cathy Conlow informed the Committee that there was plans to provide a tree inventory on GIS for public use.

***Vote: Motioned and Seconded Unaimously***

***Meeting Adjourned.***

**Infrastructure Committee  
Minutes  
August 8, 2016**

**ATTENDEES**

**Councilors:**

Gibran Graham  
Sarah Nichols

Joe Perry  
Benjamin Sprague

Nelson Durgin

**Staff:**

John Theriault

Cathy Conlow

**Members of the Public:**

**AGENDA**

**1. Easement Request: Emera Maine, Buck Street**

John Theriault stated that Emera Maine was requesting that the City of Bangor provide them with a utility easement along Buck Street between the Lower Bass Park Entrance and the Upper Bass Park Entrance. In this area, Emera has nine utility poles that they wish to replace and/or provide maintenance to. These poles are located within the public right of way of Buck Street however the pole anchors will be placed on City property in order to properly support the poles.

The Engineering Department recommended providing an easement to Emera.

***Vote: Motioned and Seconded for Passage.***

***Meeting Adjourned.***

**Infrastructure Committee  
Minutes  
September 13, 2016**

**ATTENDEES**

**Councilors:**

Gibran Graham  
Sarah Nichols  
Joe Baldacci

Joshua Plourde  
Benjamin Sprague

Joe Perry  
Nelson Durgin

**Staff:**

John Theriault

Cathy Conlow

**Members of the Public:**

Nick Busey

**AGENDA**

**1. Discussion: Proposed Sidewalk Improvements, Intersection of Court Street and Ohio Street**

John stated that Mr. Nick Busey, a resident that lives within the vicinity of the Court Street and Ohio Street intersection had concerns with the pedestrian accommodations at this intersection and the conflicts between vehicle traffic and pedestrian traffic at the Wee Beez Market located at this intersection.

Mr. Busey had met with City Staff to discuss his concerns. The City Engineer, Public Works Director, and City Code Enforcement Officer met on site and agreed that pedestrian improvements should be provided to help define pedestrian routes of travel through the intersection and also to help delineate the parking area at the Wee Beez Market.

The Engineering Department prepared a plan of the recommended improvements which would help improve safety at the intersection, while also accommodating the parking needs for the market.

The Engineering Department shared this concept plan with Mr. Busey and Andrew Stevenson, the owner of Wee Beez.

Mr. Busey addressed the Committee and expressed his concerns about safety, increased commercial traffic, accessibility, and general layout of the proposed improvements. There was discussion of the proposed resolutions with Councilor Graham presenting the possibility of painting a crosswalk across Ohio Street to improve safety concerns.

John noted this improvement would be part of the Public Works program and would not need a vote, and that it was brought before Committee at Mr. Busey's request.

***Vote: No Action Necessary***

**2. MDOT Agreement Modification: 018645.00, Independent Street and Water Street Traffic Signal Improvements**

This order would authorize the City Manager to execute a Local Project Modification Agreement with the Maine Department of Transportation for preliminary engineering and construction work for traffic signal improvements at the intersection of Independent Street and Water Street.

The modification agreement would change the project name from Independence and Water Street Traffic Signal Improvements to read Independent Street and Water Street Traffic Signal Improvements.

No changes have been made to the funds originally agreed upon. The Maine Department of Transportation had approved federal and state funds in an amount not to exceed \$262,543.00 which includes a Federal share of \$210,034.40 or 80% of construction costs, State share of \$26,254.30 or 10% of construction costs, and a City share of funding of \$26,254.30 or 10% of construction costs.

The original agreement was reviewed and recommended for approval by the Infrastructure Committee at its March 24, 2015 meeting and approved by Council on April 13, 2015, Council Order #15-129.

***Vote: Motioned and Seconded Unanimously***

**3. MDOT Agreement Modification: 021767.00 Penobscot River Walk Improvements**

This order would authorize the City Manager to execute of a Local Project Modification Agreement in the amount of \$461,630 with the Maine Department of Transportation for design, right-of-way, construction, and construction engineering for reconstruction of 750 feet of waterfront sidewalk behind the Sea Dog Restaurant, and construction of new sidewalk for 180 feet along Front Street.

If approved the modification agreement would include an increased Federal share of \$369,304 or 80% of Preliminary Engineering and a revised Municipal Share of \$92,326 or 20%.

The original agreement was reviewed and recommended for approval by the Infrastructure Committee at its April 12, 2016 meeting and approved by the Council on April 25, 2016, Council Order #16-162.

***Vote: Motioned and Seconded Unanimously***

**4. Discussion: Results of Study for Kenduskeag Stream Pedestrian Bridge**

Becker Structural Engineers had completed their structural evaluation of the Kenduskeag Stream Pedestrian Bridge which spans the stream between the parking garage and Exchange Street. The pedestrian bridge was built circa 1980 and is 20 feet wide and has an overall length of 409 feet.

The results of the Study found that the concrete bridge deck was in poor condition, the precast ST beams were in fair condition, and the bridge substructure was in satisfactory condition.

Recommendations for improvement included, but not limited to the following:

- Removal and replacement of the bridge deck
- Repair bridge beams and bearings
- Apply corrosion inhibitor to all surfaces of the ST beams
- Construct concrete curbs along bridge
- Repair bridge rail and reduce bridge rail opening to comply with current standards

- Construct barrier membrane between bridge deck and ST beams to reduce impacts from future snow maintenance
- Provide spring and fall power wash of the wearing surface to remove deicing salts and debris

Becker’s opinion of probable construction costs for the proposed improvements was \$890,000.

The City Engineer asked Becker Structural Engineers to provide the costs associated with removal of the existing bridge, as well as the costs to construct a new bridge utilizing the existing bridge substructure.

***Vote: No Action Necessary***

**5. Discussion: Policy for Design Standards for Streets and Right-Of-Ways**

The Engineering Department, Planning Department, and Code Office worked together to develop standards for the development of public and private streets within the City of Bangor.

The City of Bangor Code currently states the following with regards to the design of streets within the city.

***Code of the City of Bangor §271-15. Construction Standards***

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

City Staff believes that having the recommended design standards available within a written policy would help formalize these standards and make it easier for Developers within the City to meet City requirements.

The Standards within the policy were developed using existing city standards as well as standards from the Maine Department of Transportation and Standards from the American Association of State Highway and transportation Officials (AASHTO).

***Vote: No Action Necessary***

**6. Discussion: Results of Lincoln Street On Street Parking Survey**

The Engineering Department mailed out a questionnaire to residents of Lincoln Street regarding their preferences with regards to on-street parking and the possibility of limiting on-street parking to only one side of the street. This topic was originally discussed at the June 28, 2016 Infrastructure Meeting and a significant number of residents attended the meeting to express their support for limiting the parking.

Forty-five questionnaires were mailed out to residents of Lincoln Street and 29 were returned to the Engineering Department. Not all of the questions on each survey were answered.

The results of the survey are as follows:

- 21 out of the 29 respondents said that they wished for parking to be limited to one side of the street.

- 18 of the respondents wished that the parking on the north side of the street would be prohibited and 11 respondents requested that parking on the south side (daycare side) be prohibited.
- The vast majority of the residents did not see a need to limit parking along Lincoln Street west of Third Street.
- Only 11 out of the 29 residents responded that they themselves utilize on-street parking on Lincoln Street.

Based on the survey results, the Engineering Department would like to move forward in the process to prohibit parking on the north side of Lincoln Street. There will be an informational meeting with the residents to discuss the results of the survey and inform them of the City's intention to move forward with the parking prohibition.

***Vote: No Action Necessary***

***Meeting Adjourned.***

## **FINANCE COMMITTEE MINUTES**

**October 3, 2016 @ 5:15 pm**

**Councilors in attendance: Baldacci, Nichols, Sprague, Durgin, Nealley, Perry**

**Staff in attendance: Cyr, Conlow, Higgins, Nadeau, Pelletier, Theriault, Rudzinski, Beaton, Little**

### **1. Consent Agenda**

- a.** Report of Bids Awarded by Staff – September 2016

Motion made and seconded to accept Consent Agenda. Motion passed unanimously,

### **2. Bids/Purchasing**

- a.** Middle & Cross Streets Sewer Rehabilitation – Engineering – SE MacMillan Company - \$367,778

Motion made and seconded to recommend the award of contract to the City Council. Motion passed unanimously.

- b.** Request to Waive Bid Process – Ladder Truck – Fire

Chief Higgins explained that the department believes it gets good value from negotiating directly with one manufacturer, Pierce. It provides consistency within the fleet from an operation and maintenance standpoint.

Motion made and seconded to recommend that the bid process be waived to the City Council. Motion passed unanimously.

**New Item** Had the timing not worked as such this would have been reported at a subsequent meeting as an emergency purchase. Preparing to turn boilers on for the season, one boiler has need of substantial repair (a Cleaver Brook tube boiler). The Airport staff obtained three quotes and are recommending that the work be performed by ATA. Their quote was far more detailed and inclusive which provides a level of comfort that additional charges will not be forthcoming. In addition, they have significant experience with this type of boiler.

Motion made and seconded to support staff recommendation. Motion passed unanimously.

Meeting adjourned at 5:22 pm

### **3. Request to Write off Real Estate Taxes**

### **4. Request to Write off Personal Property Taxes**

## Government Operations Committee

Monday, October 3, 2016

### Minutes

Members Present: Nichols, Sprague (chair), Perry, Graham, Baldacci (voting for Plourde)

Councilors Present: Faircloth, Durgin

1. Shelter Plus Care Grant Funding from US Department of Housing and Urban Development in the amount of \$127,903.
  - Patty Hamilton explained the Shelter Plus Care Program and that the current program serves 17 people living in housing in Bangor, Old Town and Orono. The purpose of the program is to provide for subsidized and supported housing that serves people who are homeless, suffering from mental illness, or have other types of issues that are helped with supported housing. Councilor Graham asked how long people stay in supported housing. Although staff did not have specifics, Director Hamilton indicated that many people stay in supported housing for significant amounts of time and often stay in the physical housing even after they move on from the program. She indicated that she would check to see if they had that information.
  - Moved: Joe Baldacci; Seconded: Sarah Nichols; Unanimously Approved
2. Authorization to Accept and Appropriate \$15,000 from St. Joseph's Healthcare for the Circle of Caring Campaign.
  - Councilor Nichols asked to consider whether she had a conflict of interest as she has handled the collections for St. Joseph's foundation. Moved: Graham, Seconded: Baldacci, it was unanimously approved that Councilor Nichols had a conflict of interest. Councilor Nichols left the Room.
  - Director Hamilton indicated that St. Joe's has collected money on behalf of the Community Health Leadership Board Circle of Caring Campaign to support individuals and families that are suffering from the disease of addiction. It was decided that the money should be used for harm reduction and to create survival kits which may be tailored to the individual needs. Community Health would develop the kits and distribute them to other agencies, families, and individuals. Some packs may contain Narcan which would be overseen by Dr. Nesin of Penobscot Community Health Center.
  - Moved: Graham; Seconded: Baldacci; Unanimously approved
3. Authorization to Apply for Grant Application for up to \$2,500 from Walmart Community Grant Program in Support of the Bangor Police Department K-9 Team.
  - The City Manager explained that the grant will be used to acquire supplies for the K-9 team.
  - Moved: Joe Baldacci; Seconded: Sarah Nichols; Unanimously approved

4. Authorization to Allow the Parks & Recreation Department to work with the Bangor Kiwanis Club to purchase and install new play equipment.
  - Director Willette introduced Members of the Bangor Kiwanis Club including Mike Fern, Mike Robinson and others. Mike Fern indicated that the Bangor Kiwanis is celebrating its 100<sup>th</sup> birthday and would like to make a legacy donation to the City of Bangor. Kiwanis has long focused on supporting children and families. Director Willette is seeking permission to work with the Kiwanis to develop a concept plan for the waterfront or another park.
  - Moved; Joe Baldacci; Seconded Sarah Nichols, Unanimously approved.

**COUNCIL ACTION**

**Item No. 16-368**

**Date:** October 12, 2016

**Item/Subject:** **ORDER**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate  
Located at 7 Pray's Mobile Home Park (Map R21 Lot 005).

**Responsible Department:** Legal

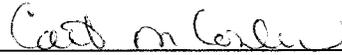
**Commentary:**

Real estate tax liens have matured on the property of Henry Lawler Sr. at 7 Pray's Mobile Home Park. The liens have been paid in full. There are no sewer charges or property issues. Because the liens have matured, a municipal quitclaim deed is required to release the City's interest in the property.

Staff recommends approval.

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

**Manager's Comments:**

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

**Associated Information:**

**Budget Approval:**

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

**Legal Approval:**

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

**Introduced for Consent Agenda**

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

Assigned to Councilor Durgin



## CITY OF BANGOR

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**(TITLE.) ORDER,** Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 7 Pray's Mobile Home Park (Map R21 Lot 005).

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

**ORDERED,** Deborah A. Cyr, Finance Director, is hereby authorized and directed, on behalf of the City of Bangor, to execute a Municipal Quitclaim Deed releasing any interest the City may have by virtue of undischarged real estate tax liens recorded in the Penobscot County Registry of Deeds in Book 13561, Page 339, Book 13907, Page 240 and Book 14187, Page 60. Said deed shall be directed to Henry S. Lawler Sr. Living Trust in final form approved by the City Solicitor or Assistant City Solicitor.





Assigned to Councilor Sprague

## CITY OF BANGOR

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(TITLE.) **Order**, Accepting Street in Fairways Subdivision - Fairways

WHEREAS, pursuant to 23 M.R.S.A. §3025, property may be dedicated for highway purposes only upon certain conditions, among which are the "property owner has filed in the Registry of Deeds an approved subdivision plot plan which describes property to be appropriated for public use" and that title to any such property accepted by a municipality shall be fee simple; and

WHEREAS, pursuant to 23 M.R.S.A. §3031 (1), "the public acquires rights of incipient dedication to public use of the ways laid out on the plan" from "the date of recording of a subdivision plan in the Registry of Deeds" and that such public rights expire if the municipality does not accept said way within 20 years from date of recording of the subdivision plan; and

WHEREAS, the subdivision plan entitled Fairways Subdivision, Final Subdivision Plat, prepared by Plisga and Day Land Surveyors and approved by the Planning Board on November 5, 2002 and recorded at the Penobscot Registry of Deeds on December 17, 2002, Plan #2002-280; and

WHEREAS, there exists on the above referenced plan a certain way identified as Fairways to be used by the public to access properties in this subdivision; and

WHEREAS, said public way on the above referenced plan has been inspected by the City Engineer and has been found to meet the City's standards and requirements for such public improvements;

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT, pursuant to 23 M.R.S.A. §3025 and §3031 (1), the way referenced and depicted on the subdivision plan listed as follows is hereby accepted as a Public Ways and Streets by the City of Bangor:

Fairways

BE IT FURTHER ORDERED, THAT the name of the accepted Public Way shall be as listed above and said way be added to the Official City Map, and the City is authorized to accept a deed to Fairways in a form acceptable to the City Solicitor or Assistant City Solicitor.







Assigned to Councilor Plourde

## CITY OF BANGOR

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(TITLE.) **Order**, Accepting Street in Stillwater Gardens Subdivision – Extension of Molly Lane

WHEREAS, pursuant to 23 M.R.S.A. §3025, property may be dedicated for highway purposes only upon certain conditions, among which are the "property owner has filed in the Registry of Deeds an approved subdivision plot plan which describes property to be appropriated for public use" and that title to any such property accepted by a municipality shall be fee simple; and

WHEREAS, pursuant to 23 M.R.S.A. §3031 (1), "the public acquires rights of incipient dedication to public use of the ways laid out on the plan" from "the date of recording of a subdivision plan in the Registry of Deeds" and that such public rights expire if the municipality does not accept said way within 20 years from date of recording of the subdivision plan; and

WHEREAS, the subdivision plan entitled Stillwater Gardens Molly Lane North Subdivision, Final Subdivision Plat, prepared by CES, Inc. and approved by the Planning Board on August 7, 2007 and recorded at the Penobscot Registry of Deeds on August 13, 2007, Plan #2007-131; and

WHEREAS, there exists a certain way extending northerly from the existing Molly Lane to be used by the public to access properties in this subdivision; and

WHEREAS, said public way on the above referenced plan has been inspected by the City Engineer and has been found to meet the City's standards and requirements for such public improvements;

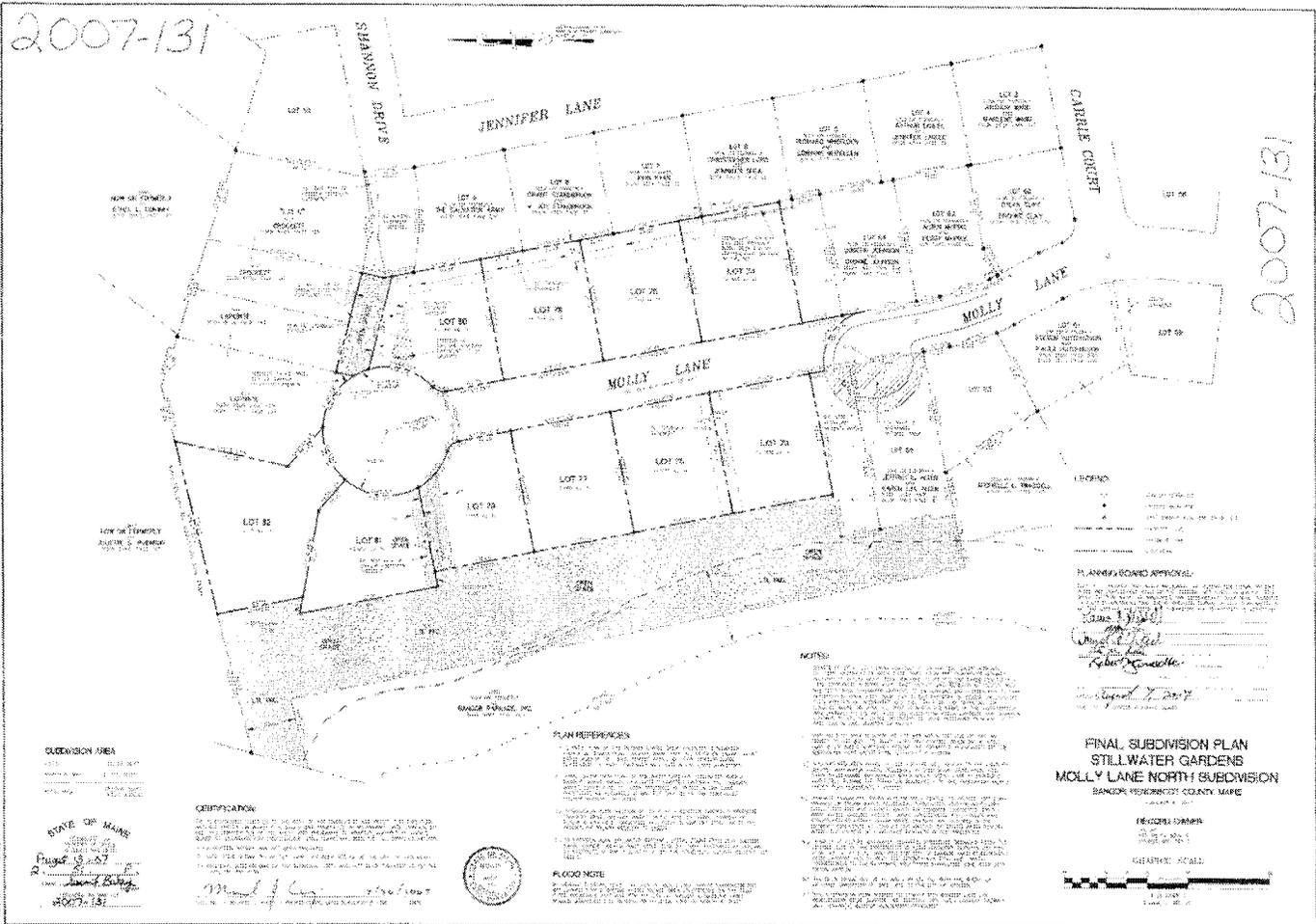
NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT, pursuant to 23 M.R.S.A. §3025 and §3031 (1), the way referenced and depicted on the subdivision plan listed as follows is hereby accepted as a Public Ways and Streets by the City of Bangor:

Molly Lane

BE IT FURTHER ORDERED, THAT the name of the accepted Public Way shall be as listed above and said way be added to the Official City Map, and the City is authorized to accept a deed to Molly Lane in a form acceptable to the City Solicitor or Assistant City Solicitor.

2007-131

2007-131



**FINAL SUBDIVISION PLAN**

2007-131

1 of 6

**COUNCIL ACTION**

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**Item No. 16-371**

**Date:** October 12, 2016

**Item/Subject:** **Order,** Accepting Streets in Sunny Hollow Subdivision- Dana Drive, Doe Drive,  
Fawn Court

**Responsible Department:** Engineering

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**Commentary:**

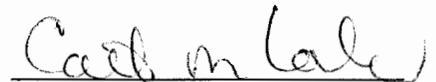
Sunny Hollow Subdivision was approved by the Bangor Planning Board on August 17, 1987 and recorded in the Penobscot Registry of Deeds on September 10, 1987, Plan #D97-87. This residential subdivision is located off Ohio Street and is served by Sunny Hollow Place. The City Engineer has determined that Dana Drive, Doe Drive, and Fawn Court have been satisfactorily completed.

The Infrastructure Committee has reviewed and recommended approval on September 27, 2016 to accept. The attached Order is a routine action to formally accept these streets as a public way.

John M. Theriault, PE, PTOE  
Department Head

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**Manager's Comments:**

  
City Manager

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**Associated Information:** Order, Associated Maps

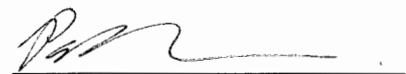
---

**Budget Approval:**

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

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**Legal Approval:**

  
City Solicitor

---

**Introduced for**

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

Page \_\_ of \_\_

Assigned to CouncilorNichols



## CITY OF BANGOR

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(TITLE.) **Order**, Accepting Streets in Sunny Hollow Subdivision – Dana Drive, Doe Drive, Fawn Court

WHEREAS, pursuant to 23 M.R.S.A. §3025, property may be dedicated for highway purposes only upon certain conditions, among which are the "property owner has filed in the Registry of Deeds an approved subdivision plot plan which describes property to be appropriated for public use" and that title to any such property accepted by a municipality shall be fee simple; and

WHEREAS, pursuant to 23 M.R.S.A. §3031 (1), "the public acquires rights of incipient dedication to public use of the ways laid out on the plan" from "the date of recording of a subdivision plan in the Registry of Deeds" and that such public rights expire if the municipality does not accept said way within 20 years from date of recording of the subdivision plan; and

WHEREAS, the subdivision plan entitled Sunny Hollow Subdivision, Final Subdivision Plat, prepared by Plisga and Day Land Surveyors and approved by the Planning Board on August 17, 1987 and recorded at the Penobscot Registry of Deeds on September 10, 1987, Plan #D97-87; and

WHEREAS, there exists on the above referenced plan certain ways identified as Dana Drive, Doe Drive, and Fawn Court to be used by the public to access properties in this subdivision; and

WHEREAS, the above referenced ways were retained as a paper streets under Council Order 97-404, dated September 22, 1997; and

WHEREAS, said public ways on the above referenced plan have been inspected by the City Engineer and have been found to meet the City's standards and requirements for such public improvements;

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT, pursuant to 23 M.R.S.A. §3025 and §3031, (1) the ways referenced and depicted on the subdivision plan listed as follows is hereby accepted as Public Ways and Streets by the City of Bangor:

Dana Drive  
Doe Drive  
Fawn Court

BE IT FURTHER ORDERED, THAT the name of the accepted Public Ways shall be as listed above and said ways be added to the Official City Map, and the City is authorized to accept a deed to Dana Drive, Doe Drive, and Fawn Court in a form acceptable to the City Solicitor or Assistant City Solicitor.

Land (N/Y) of TILLEY  
VOL. 3072, PAGE 88

PLANNING BOARD APPROVAL

THIS IS TO CERTIFY THAT AFTER REVIEWING THE SUBDIVISION SHOWN BY THIS PLAN AND CONSIDERING EACH OF THE CRITERIA SET FORTH IN 30 M.R.S.A. SECTION 4809 (AS AMENDED) THE UNDERIGNED HAVE MADE FINDINGS OF FACT ESTABLISHING THAT THE SUBDIVISION SHOWN BY THIS PLAN MEETS ALL THE CRITERIA SET FORTH AND THEREFORE THE SUBDIVISION IS APPROVED.

*Robert J. Williams*  
*Mark Williams*  
*Chris Brown*

DATED: August 17, 1987

THE PLANNING BOARD - CITY OF SAHOOB

ACCEPTED BY THE CITY CLERK OF THE CITY OF SAHOOB - *Walter* DATE

A TRUE COPY, ATTEST *Walter* CITY CLERK

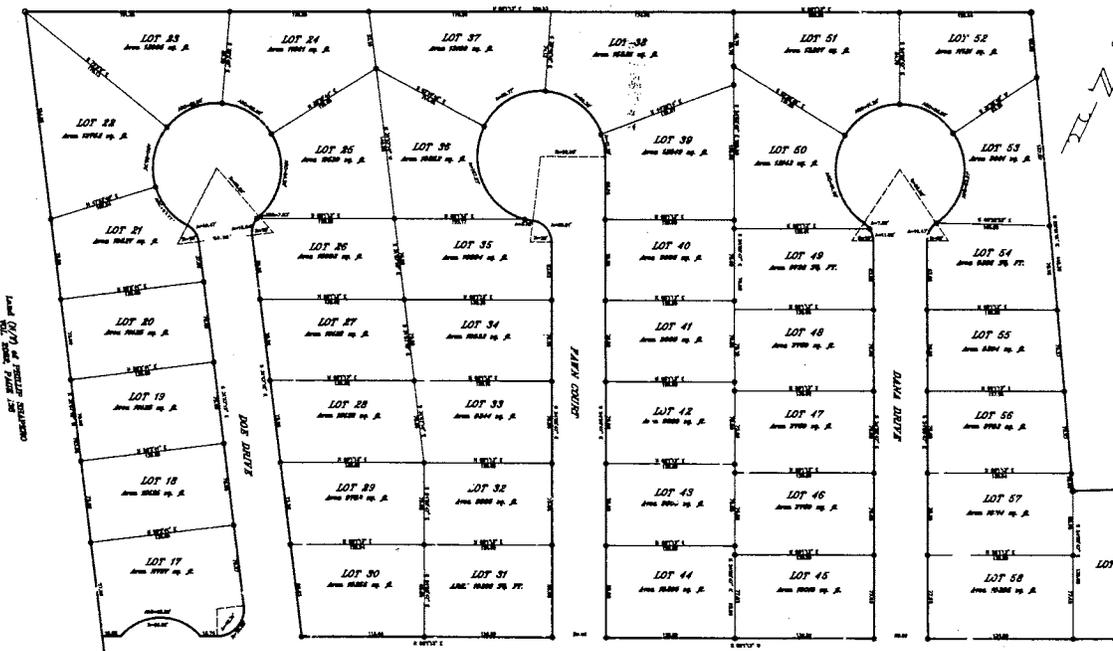
CERTIFICATION

THIS SURVEY CONFORMS TO STANDARDS SET FORTH BY THE STATE BOARD OF REGISTRATION FOR LAND SURVEYORS, CATEGORY I, CONDITION 1 WITH THE FOLLOWING EXCEPTIONS:  
1) NO WRITING INSTRUMENT WAS SUBMITTED WITH THIS SURVEY.  
2) LEGAL DESCRIPTIONS OF INDIVIDUAL LOTS WERE NOT PREPARED AT THE DATE OF THIS PLAN.  
3) IRON RODS SHOWN HEREON WILL BE SET PRIOR TO THE CONVEYANCE OF THE LOTS. IRON RODS WILL NOT BE MARKED WITH THE LAND SURVEYOR REGISTRATION NUMBER.

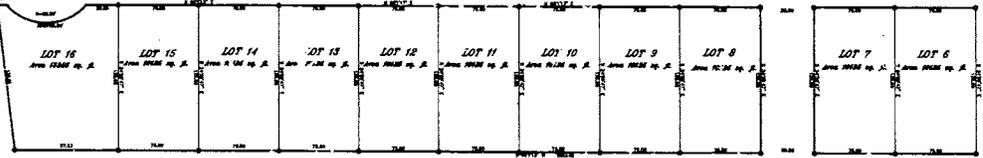
Land (N/Y) JAMES (DIANA) YOUNG  
VOL. 3442 - PG. 84

LEGEND

- IRON PEG SET
- UTILITY POLE
- OUTCROPPING
- STAKE
- WATER GATE/VALVE
- TEXT PLYWOOD
- GRANITE/CONCRETE MONUMENT
- WOOD POST
- IRON PIPE PILING
- IRON ROD/BOLT PILING
- CATCH BASIN
- MAN HOLE
- LAMP POST
- SURVEY CONTROL POINT



SUNNY HOLLOW PLACE



Land (N/Y) of BODGENS

SCALE: 1" = 40'



PLUSSA & DAY  
LAND SURVEYORS  
2 Main Street  
Sahooob, Maine  
DATE: JULY 28, 1987  
PRICE: \$5.00 PER COPY

FINAL SUBDIVISION PLAN  
SUNNY HOLLOW SUBDIVISION  
OHIO STREET  
SAHOOB, MAINE  
FOR  
FIVE STAR DEVELOPMENT GROUP

**COUNCIL ACTION**

**Item No. 16-372**

**Date:** October 12, 2016

**Item/Subject:** **Order,** Accepting Streets in Sussex Pines Subdivision – Cardinal Way and Starling Drive

**Responsible Department:** Engineering

**Commentary:** Sussex Pines Subdivision was approved by the Bangor Planning Board on August 16, 2005 and recorded in the Penobscot Registry of Deeds on September 22, 2005, Plan #2005-111. This residential subdivision is located off Finson Road and is served by Starling Drive. The City Engineer has determined that Cardinal Way and Starling Drive have been satisfactorily completed.

The Infrastructure Committee has reviewed and recommended approval on September 27, 2016 to accept. The attached Order is a routine action to formally accept these streets as a public way.

\_\_\_\_\_  
John M. Theriault, PE, PTOE  
Department Head

**Manager's Comments:**

\_\_\_\_\_  
Carol M. Lundy  
City Manager

**Associated Information:** Order, Associated Maps

**Budget Approval:**

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

**Legal Approval:**

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

**Introduced for**

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

Page \_\_ of \_\_



Assigned to CouncilorPerry

## CITY OF BANGOR

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**(TITLE.) Order, Accepting Streets in Sussex Pines Subdivision – Cardinal Way and Starling Drive**

WHEREAS, pursuant to 23 M.R.S.A. §3025, property may be dedicated for highway purposes only upon certain conditions, among which are the "property owner has filed in the Registry of Deeds an approved subdivision plot plan which describes property to be appropriated for public use" and that title to any such property accepted by a municipality shall be fee simple; and

WHEREAS, pursuant to 23 M.R.S.A. §3031 (1), "the public acquires rights of incipient dedication to public use of the ways laid out on the plan" from "the date of recording of a subdivision plan in the Registry of Deeds" and that such public rights expire if the municipality does not accept said way within 20 years from date of recording of the subdivision plan; and

WHEREAS, the subdivision plan entitled Sussex Pines Subdivision, Final Subdivision Plat, prepared by Plisga and Day Land Surveyors and approved by the Planning Board on August 16, 2005 and recorded at the Penobscot Registry of Deeds on September 22, 2005, Plan #2005-111; and

WHEREAS, there exists on the above referenced plan certain ways identified as Cardinal Way and Starling Drive to be used by the public to access properties in this subdivision; and

WHEREAS, said public ways on the above referenced plan have been inspected by the City Engineer and have been found to meet the City's standards and requirements for such public improvements;

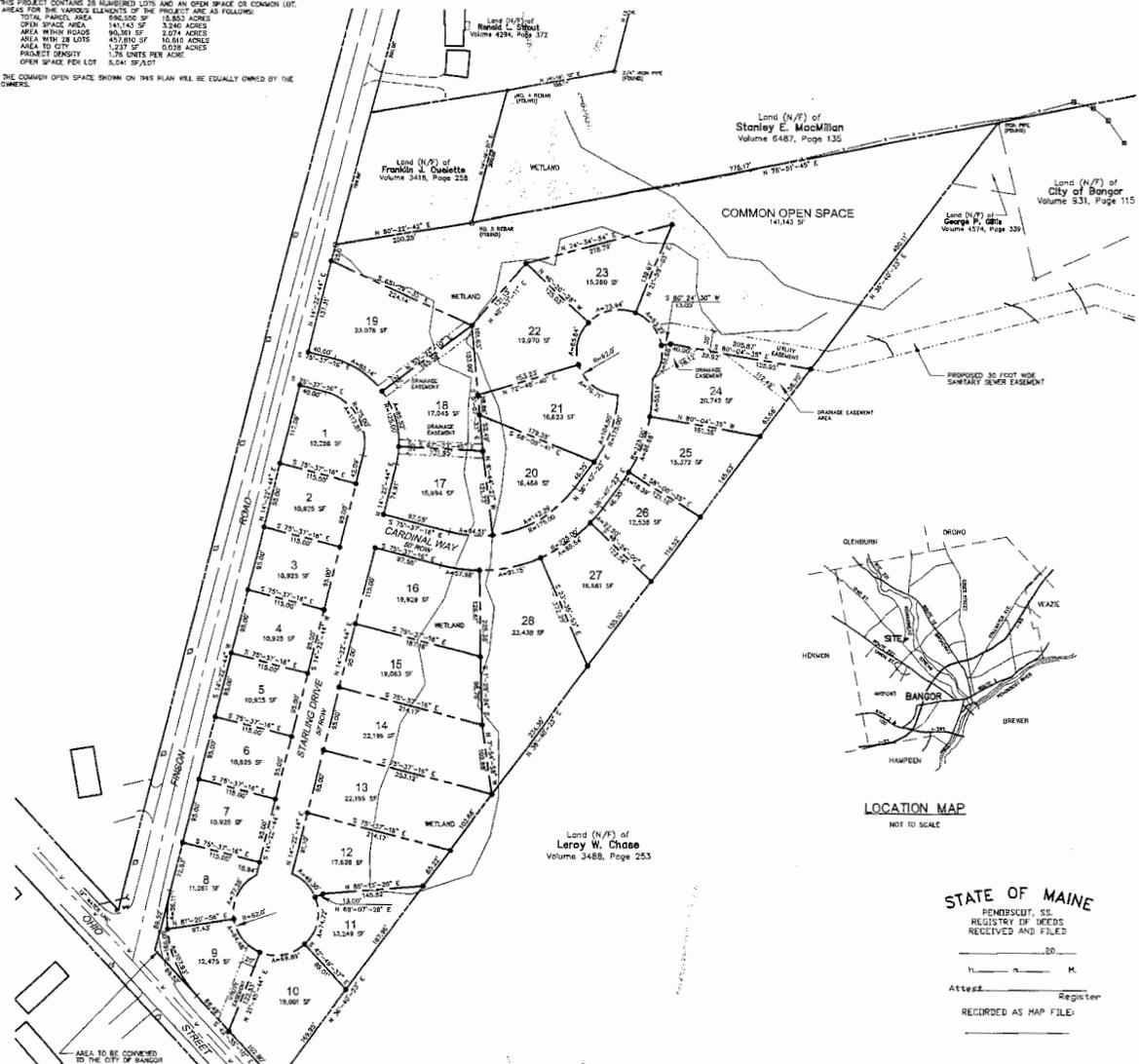
NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT, pursuant to 23 M.R.S.A. §3025 and §3031 (1), the ways referenced and depicted on the subdivision plan listed as follows is hereby accepted as Public Ways and Streets by the City of Bangor:

Cardinal Way  
Starling Drive

BE IT FURTHER ORDERED, THAT the name of the accepted Public Ways shall be as listed above and said ways be added to the Official City Map, and the City is authorized to accept a deed to Cardinal Way and Starling Drive in a form acceptable to the City Solicitor or Assistant City Solicitor.

**GENERAL NOTES:**

- (1) THE CONTIGUOUS AND SPOT ELEVATIONS SHOWN HEREON WERE DERIVED BY PHOTOGRAMMETRIC METHODS BY AERIAL SURVEY & PHOTO, INC. OF WINDSORLOCK, MAINE. THE MAPING IS BASED ON PHOTOGRAPHY THAT WAS TAKEN IN MAY OF 2001. THE VERTICAL DATUM USED FOR THIS PROJECT IS THE NATIONAL GEODETIC VERTICAL DATUM OF 1929.
- (2) CONTIGUOUS AREA DESIGNATED "GROUND GEORGIAN" ARE APPROXIMATE AND MAY VARY FROM ACTUAL AREAS. THESE AREAS ARE ASSUMED TO BE OPEN, UNOCCUPIED, UNDEVELOPED.
- (3) REFERENCE IS MADE TO A DEED FROM HERBERT C. JAMES, INC. TO THE BANGOR HOUSING DEVELOPMENT CORPORATION, DATED NOVEMBER 13, 2004 AND RECORDED AT THE RECORDS REGISTRY OF DEEDS IN VOLUME 4960, PAGE 1.
- (4) THE SUBJECT PREMISES IS FURTHER IDENTIFIED AS LOT 6 ON TAX MAP #32 OF THE CITY OF BANGOR ASSESSING MAPS.
- (5) THE BANGOR HOUSING DEVELOPMENT CORPORATION IS THE OWNER AND DEVELOPER OF THIS PROJECT.
- (6) LOTS THAT FRONT ON FINSON ROAD AND OHIO STREET WILL NOT BE PERMITTED ACCESS TO THOSE STREETS FROM THESE LOTS.
- (7) THE SUBJECT PREMISES LIES WITHIN LOW-DENSITY RESIDENTIAL DISTRICT (LD-1).
- (8) THE SUBDIVISION WAS APPROVED BY THE BANGOR PLANNING BOARD AS A CONDITIONAL USE CLUSTER SUBDIVISION (C-15-NR) ON JULY 1, 2005 (AS SHALL BE DEVELOPED CONSIDERANT WITH THAT APPROVAL, THE MANUAL STANDARDS FOR A CLUSTER SUBDIVISION IN THE (LD-1) ZONE ARE AS FOLLOWS:  
 MAXIMUM LOT AREA 5 ACRES  
 MINIMUM FRONT YARD 25 FEET  
 MINIMUM SIDE YARD 10 FEET  
 MINIMUM REAR YARD 25 FEET  
 DWELLING UNITS PER ACRE 3  
 MAXIMUM HEIGHT 35 FEET  
 MAXIMUM LOT COVERAGE 75%  
 MAXIMUM IMPERVIOUS RATIO 0.30  
 MINIMUM OPEN SPACE 5000 SF PER LOT
- (9) THIS PROJECT CONTAINS 28 NUMBERED LOTS AND AN OPEN SPACE OR COMMON LOT. THE AREAS FOR THE VARIOUS ELEMENTS OF THE PROJECT ARE AS FOLLOWS:  
 TOTAL LABEL AREA 966,056 SF 22.00 ACRES  
 OPEN SPACE AREA 141,143 SF 3.24 ACRES  
 COMMON OPEN SPACE 141,143 SF 3.24 ACRES  
 AREA WITH 28 LOTS 457,810 SF 10.40 ACRES  
 AREA TO CITY 12,237 SF 0.28 ACRES  
 PROJECT DENSITY 1.76 UNITS PER ACRE  
 OPEN SPACE PER LOT 5,041 SF/LOT
- (10) THE COMMON OPEN SPACE SHOWN ON THIS PLAN WILL BE EQUALLY OWNED BY THE LOT OWNERS.



**LOCATION MAP**  
NOT TO SCALE

**STATE OF MAINE**  
PENDESBUT, SS  
REGISTRY OF DEEDS  
RECEIVED AND FILED

\_\_\_\_\_ DO \_\_\_\_\_  
Attest: \_\_\_\_\_ Register

RECORDED AS MAP FILE:

**PLANNING BOARD APPROVAL**

THIS IS TO CERTIFY THAT AFTER REVIEWING THE SUBDIVISION SHOWN BY THIS PLAN AND CONSIDERING EACH OF THE CRITERIA SET FORTH IN 30-A M.R.S.A. SECTION 4404 (AS AMENDED) THE UNDERSIGNED HAVE MADE FINDINGS OF FACT ESTABLISHING THAT THE SUBDIVISION SHOWN BY THIS PLAN MEETS ALL THE CRITERIA SET FORTH AND THEREFORE THE SUBDIVISION IS APPROVED.

*Ann King*  
*Laura Mitchell*  
*Wesley Kelly*  
*David G. Clark*  
*Sharon M. White*

DATED: August 16, 2005  
THE CITY OF BANGOR PLANNING BOARD

- LEGEND:**
- IRON NOD SET
  - IRON PIPE FOUND
  - IRON ROD/BOLT FOUND
  - UTILITY POLE
  - UTILITY ANCHOR
  - HYDRANT
  - WATER GATE VALVE
  - CATCH BASIN
  - MANHOLE

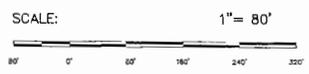
**PLISGA & DAY**  
LAND SURVEYORS  
72 MAIN STREET  
BANGOR, MAINE  
DATE: AUGUST 4, 2006  
7801 NO. 85287 FINSON

**SURVEY STANDARD:**

THIS PLAN AND ALL INSTRUMENTS HEREON OR HEREINAFTER DERIVED BY SURVEY OR OTHERWISE SUBMITTANTLY TO THE REQUIREMENTS OF TECHNICAL STANDARDS CONTAINED IN CHAPTER 10, PART 2 OF THE RULES OF THE BOARD OF LICENSES FOR PROFESSIONAL LAND SURVEYORS, EFFECTIVE APRIL 1, 2001.

*Stanley P. Plisga*  
STANLEY P. PLISGA, J.D., MAINE LICENSED PROFESSIONAL LAND SURVEYOR, NO. 100

(AUTHENTIC COPY WILL HAVE IMPRESSION SEAL)



**FINAL SUBDIVISION PLAN**  
of the  
**SUSSEX PINES SUBDIVISION**  
for the  
**BANGOR HOUSING DEVELOPMENT CORPORATION PROPERTY**  
OHIO STREET & FINSON ROAD  
BANGOR, MAINE

RECORD OWNER:  
BANGOR HOUSING DEVELOPMENT CORPORATION  
181 DAVIS ROAD  
BANGOR, MAINE

**COUNCIL ACTION**

**Item No. 16-373**

**Date: October 12, 2016**

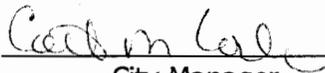
**Item/Subject:** **ORDER**, Authorizing the Parks and Recreation Department to work with the Bangor Kiwanis for the purchase and installation of new play equipment.

**Responsible Department: Parks and Recreation**

**Commentary:** This order authorizes the Parks and Recreation Department to work with the Bangor Kiwanis club to purchase and install new play equipment on one of the City parks. As part of their mission, The Bangor Kiwanis frequently supports organizations and programs that promote youth development and activity. This year, the Bangor Kiwanis has indicated a desire to donate playground equipment to one of the parks. If approved, this order will authorize the Parks and Recreation Director to work with the Kiwanis and authorize the Finance Director to establish fundraising parameters consistent with other fundraising activities. This was reviewed and authorized at the October 3<sup>rd</sup> meeting of the Government Operations Committee.

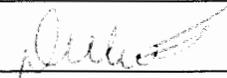
Willette  
Department Head

**Manager's Comments:**

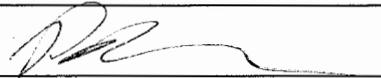
  
City Manager

**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 the Parks and Recreation Department to work with the Bangor Kiwanis Club to purchase and install new play equipment.

WHEREAS, the Parks and Recreation Department maintains play structures in a variety of City Parks and;

WHEREAS, the Bangor Kiwanis Club has assisted with a variety of youth organizations and activities throughout its history, and;

WHEREAS, the Bangor Kiwanis Club has offered to assist the City to purchase and install new play equipment to further enhance youth play opportunities in City parks, therefore;

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

City staff of the Parks and Recreation Department is hereby authorized to work with the Bangor Kiwanis Club for the purpose of purchasing and installing the youth play equipment. The Parks and Recreation Director or his designee is authorized to participate with those volunteers/individuals involved with this project to complete the project intended including incidental use of Department funds, materials, supplies, and City equipment.

**BE IT FURTHER ORDERED, THAT**

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

Date: October 12, 2016

**Item/Subject: ORDER, Authorizing Staff to Negotiate with Pierce Manufacturing for the Purchase of a Ladder Truck in an Amount not to Exceed \$1,200,000**

**Responsible Department: Finance**

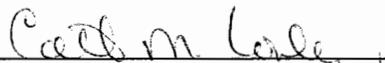
**Commentary:** As part of the FY 2017 budget process, the Fire Department has been approved to purchase a new ladder truck. The department has requested the ability to negotiate directly with Pierce Manufacturing to purchase this vehicle. Every fire truck purchased since 1982 has been manufactured by Pierce Manufacturing. The department would like to maintain consistency within the fleet based on; common parts inventory, the mechanic being factory certified, the department having the necessary diagnostic equipment, the ability of the manufacturer to replace body components for the life of the vehicle and the availability of technical support within the State.

This request was reviewed and approved by the Finance Committee at its October 3, 2016 meeting.

As this contract will be in excess of \$100,000 it must be reviewed approved by the City Council.

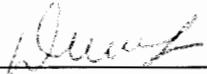
\_\_\_\_\_  
Department Head

**Manager's Comments:**

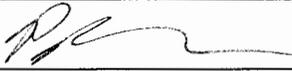
  
\_\_\_\_\_  
City Manager

**Associated Information:**

**Budget Approval:**

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

**Legal Approval:**

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

**Introduced for**  
 Passage  
 First Reading  
 Referral

Assigned to Councilor Baldacci



## CITY OF BANGOR

---

**(TITLE.) Order, Authorizing Staff to Negotiate with Pierce Manufacturing for the Purchase of a Ladder Truck in an Amount not to Exceed \$1,200,000**

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

*ORDERED,*

THAT, Deborah Cyr, Finance Director is hereby authorized to execute a contract with Pierce Manufacturing for the purchase of a ladder truck in an amount not to exceed \$1,200,000.

**COUNCIL ACTION**

Item No. 16-375

Date: October 12, 2016

**Item/Subject: ORDER, Authorizing Grant Application for up to \$2,500 from Walmart Community Grant Program in Support of the Bangor Police Department K-9 Team**

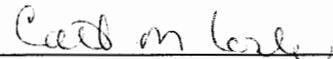
**Responsible Department:** Police

**Commentary:** This Order will authorize the submission of a grant application for up to \$2,500 from the 2016 Walmart Community Grant Program. The application is to fund the acquisition of equipment to support the Bangor Police Department K-9 team. There is no local match.

This item was reviewed and recommended for approval by the Government Operations Committee on October 3, 2016.

  
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 Graham

## CITY OF BANGOR

---

**(TITLE.) ORDER, Authorizing Grant Application for up to \$2,500 from Walmart Community Grant Program in Support of the Bangor Police Department K-9 Team**

BE IT ORDERED BY THE CITY COUNCIL OR THE CITY OF BANGOR:

That the City Manager or her designee is authorized on behalf of the City of Bangor to submit a grant application for up to \$2,500 to the 2016 Walmart Community Grant Program in support of the Bangor Police Department K-9 team.

**COUNCIL ACTION**

**Item No. 16-376**

**Date: October 12, 2016**

**Item/Subject: ORDER, Authorizing Bid Award to SE McMillan Company for Middle and Cross Streets Sewer Rehabilitation in the Amount of \$367,778**

**Responsible Department: Engineering**

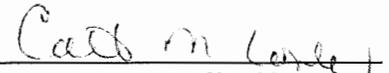
**Commentary:** On September 28, 2016, the City received three (3) bids for Middle and Cross Streets sewer rehabilitation. The bid prices ranged from \$367,778 to \$565,180 (see attached bid tabulation). Staff recommends awarding the contract to SE McMillan Company, the low bidder.

This bid was reviewed and recommended for approval at the Finance Committee meeting of October 3, 2016.

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

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

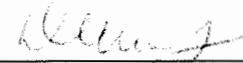
**Manager's Comments:**

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

**Associated Information:**

Bid Tabulation

**Budget Approval:**

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

**Legal Approval:**

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

**Introduced for**

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

**Page \_\_ of \_\_**



Assigned to Councilor Nealley

## CITY OF BANGOR

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**(TITLE.) Order, Authorizing Bid Award to SE McMillan Company for Middle and Cross Streets Sewer Rehabilitation in the Amount of \$367,778**

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

*ORDERED,*

THAT, Deborah Cyr, Finance Director is hereby authorized to execute a contract with SE McMillan Company in the amount of \$367,778 for sewer rehabilitation work.

**City of Bangor Bid Tabulation**  
**Proposal: Middle Street and Cross Street Sewer Rehabilitation Project**  
**Bid Opening: 9-28-16**

Item	Description	Qty.	Unit	Sargent Corporation Stillwater, Maine		S.E. MacMillan Company, Inc Bangor, ME		Lou Silver, Inc. Orono, ME	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Traffic Control	1	LS	\$8,500.00	\$8,500.00	\$10,000.00	\$10,000.00	\$10,800.00	\$10,800.00
2	Flagging Hour	900	FHR	\$22.00	\$19,800.00	\$0.01	\$9.00	\$15.00	\$13,500.00
3	Mobilization (not to exceed 3%)	1	LS	\$16,800.00	\$16,800.00	\$10,000.00	\$10,000.00	\$11,500.00	\$11,500.00
4	Rock Removal	100	CY	\$125.00	\$12,500.00	\$0.01	\$1.00	\$50.00	\$5,000.00
5	Test Pits	6	EA	\$2,250.00	\$13,500.00	\$1,000.00	\$6,000.00	\$1,000.00	\$6,000.00
6	Rodent Control	1	LS	\$3,500.00	\$3,500.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00
7	Maintenance of Sewer Flows	1	LS	\$31,500.00	\$31,500.00	\$50,794.77	\$50,794.77	\$15,000.00	\$15,000.00
8	12" Ø PVC Storm Drain or Sewer Main	260	LF	\$220.00	\$57,200.00	\$200.00	\$52,000.00	\$120.00	\$31,200.00
9	18" Ø PVC Sewer Main	620	LF	\$236.00	\$146,320.00	\$277.00	\$171,740.00	\$150.00	\$93,000.00
10	6" Ø Sewer Lateral	230	LF	\$200.00	\$46,000.00	\$120.00	\$27,600.00	\$100.00	\$23,000.00
11	3' Ø Standard Catch Basin with Trap	100	VF	\$550.00	\$55,000.00	\$0.01	\$1.00	\$300.00	\$30,000.00
12	4' Ø Standard Sanitary Sewer Manhole	50	VF	\$450.00	\$22,500.00	\$0.02	\$1.00	\$450.00	\$22,500.00
13	4' Ø Doghouse Sanitary Sewer Manhole	32	VF	\$1,000.00	\$32,000.00	\$1.00	\$32.00	\$450.00	\$14,400.00
14	6' Ø Doghouse Sanitary Sewer Manhole	13	VF	\$1,250.00	\$16,250.00	\$1,000.00	\$13,000.00	\$2,750.00	\$35,750.00
15	2" Rigid Insulation	1000	SF	\$2.00	\$2,000.00	\$2.00	\$2,000.00	\$3.00	\$3,000.00
16	Abandon Existing Mains in Travel Way with Flowable Fill	1	LS	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$6,000.00	\$6,000.00
17	Abandon Existing Catch Basin/Manhole in Place	2	EA	\$850.00	\$1,700.00	\$500.00	\$1,000.00	\$3,000.00	\$6,000.00
18	Abandon Existing Brick Cistern in Place	1	LS	\$1,650.00	\$1,650.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
19	Temporary Pavement	300	TON	\$150.00	\$45,000.00	\$0.01	\$3.00	\$100.00	\$30,000.00
20	Remove/Reset Exist. Granite Curb	270	LF	\$32.00	\$8,640.00	\$0.10	\$27.00	\$25.00	\$6,750.00
21	Common Excavation	160	CY	\$32.00	\$5,120.00	\$16.00	\$2,560.00	\$25.00	\$4,000.00
22	Pavement Removal	900	SY	\$8.00	\$7,200.00	\$0.01	\$9.00	\$7.00	\$6,300.00
23	Fine Grading	1	LS	\$7,500.00	\$7,500.00	\$10,000.00	\$10,000.00	\$7,000.00	\$7,000.00
<b>Total</b>					<b>\$565,180.00</b>		<b>\$367,777.77</b>		<b>\$386,700.00</b>



**CITY OF BANGOR**  
**AWARD RECOMMENDATION**

**BID ITEMS:** Middle & Cross Street Sewer Rehabilitation

**DEPARTMENT:** Sewer/Engineering

**BUDGET AMOUNT:** 382,900      **AMOUNT OF AWARD:** 367,778

**ACCOUNT NUMBER:** 8074-91008700

**VENDOR(S) RECOMMENDED:** SE McMillan

Past Experience with Vendor :  Excellent  Good  Fair  
 Poor  None

**OTHER COMMENTS:**

The recommendation is to award the contract to SE McMillan, the low bidder, in the amount of \$367,778.

**COUNCIL ACTION**

**Item No. 16-377**

**Date: October 12, 2016**

Item/Subject: **ORDER, Accepting a \$3,000 Donation from Beal College to Support  
ARTober: a Month of the Arts, in Bangor**

**Responsible Department: Community & Economic Development**

**Commentary:** This order will accept and appropriate a \$3,000 Donation from Beal College to the Cultural Commission in support of ARTober. Beal College has been very supportive of the effort both financially and through other means of in-kind support. This matter was reviewed and approved by the Business & Economic Development Committee at its October 4, 2016 meeting.

/s/ Tanya Emery  
Department Head

**Manager's Comments:**

Catherine Coley  
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 Plourde



## CITY OF BANGOR

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**(TITLE.) ORDER, Accepting a \$3,000 Donation from Beal College to Support ARTober: a Month of the Arts, in Bangor**

**WHEREAS,** a donation has been made by Beal College to support ARTober, a month dedicated to the arts in Bangor; and

**WHEREAS,** the City has directed the Commission on Cultural Development to promote the development of Bangor as a regional arts center that nurtures the artistic and cultural expression of its diverse peoples; and

**WHEREAS,** the City's Commission on Cultural Development will utilize the donated funds to promote Bangor as an arts destination, to strengthen ties between arts and business communities, and to expand arts access to new populations:

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

The City Manager is hereby authorized to accept a donation in the amount of \$3,000 from Beal College to support ARTober: a Month of the Arts in Bangor.



**REFERRALS TO COMMITTEES  
& FIRST READINGS**

**COUNCIL ACTION**

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**Item No. 16-378**

**Date: October 12 ,2016**

**Item/Subject:** RESOLVE, Authorizing the City Manager to Accept and Appropriate \$55,000 in Grant Funds from Eastern Maine Healthcare Systems, for the Partnerships to Improve Community Health (PICH) Program.

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

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**Commentary:** This resolve will authorize the City Manager to accept and appropriate \$55,000 in grant funds from Eastern Maine Healthcare Systems for the Partnership to Improve Community Health. This is the third year of a three-year grant from the US Centers for Disease Control and Prevention (US CDC) to improve health outcomes in the region. The objectives of the project are to improve community access to healthy foods, increase opportunities for populations to engage in regular physical activity, and to strengthen clinical-community linkages and chronic disease prevention. Bangor Public Health and Community services would continue, as a sub-recipient, to serve the communities of Bangor, Brewer, Clifton, Eddington, Glenburn, Hampden, Hermon, Holden, Newburgh, Levant, Orono, Orrington, and Veazie. The term is 9/30/16 to 9/29/17.

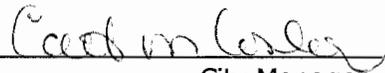
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Department Head

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**Manager's Comments:**

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City Manager

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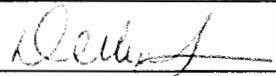
**Associated Information:**

Resolve

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**Budget Approval:**

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Finance Director

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**Legal Approval:**

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City Solicitor

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**Introduced for**

Passage

First Reading

**Page 1 of**

Referral to Gov't Ops 10/17/16



**Assigned to Councilor Plourde**

## CITY OF BANGOR

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RESOLVE: Authorizing the City Manager to Accept and Appropriate \$55,000 in Grant Funds from Eastern Maine Healthcare Systems, for the Partnerships to Improve Community Health (PICH) Program.

BE IT RESOLVED THAT: The City Manager is hereby authorized to Accept & Appropriate grant funds in the amount of \$55,000 in Grant Funds from Eastern Maine Healthcare Systems for the period September 30, 2016 to September 29, 2017 for the Partnerships to Improve Community Health (PICH) Program.



**UNFINISHED  
BUSINESS**



Assigned to Councilor Nealley



## CITY OF BANGOR

---

(TITLE.) Ordinance, Amending Land Development Code – Contract Zone Change – 900 State Street (Tax Map R71-022) from a Low Density Residential District to a Contract Government and Institutional Service District.

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

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

By changing a parcel of land located at 900 State Street (Tax Map No. R71, Parcel No. 022) from an Low Density Residential District to a Contract Government and Insitutional Service District. Said parcel of land containing approximately 6.22 acres and being more particularly indicated on the map attached hereto and made a part hereof.

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

1. Limited to the following Permitted Uses:
  - a. Facilities operated by a private nonprofit organization such as a holistic wellness center which shall be primarily located in the former Dr. William Peters House and designated as a Historic Landmark under the Bangor Historic Preservation Ordinance.
2. New structures or additions shall not exceed 35 feet in height.
3. Total gross floor area per structure shall not exceed 10,000 SF.
4. Maximum Impervious Surface Ratio (ISR) shall not exceed 40%
5. Prohibited Uses: Any use not specifically listed above.

2. Execution by those parties with an interest in the affected property of an agreement providing for the implementation and enforcement of all the terms and conditions set forth above and the recording of said executed agreement in the Penobscot County Registry of Deeds by the property owner, a copy of said agreement being on file in the office of the City Clerk and incorporated herein by

reference. In the event that said agreement is not so executed within ninety (90) days from the date of passage hereof, this Ordinance shall become null and void.

SEPTEMBER 12, 2016

RECEIVED

MAY 11 2016

01/2012nd Planning

APPLICATION FOR LAND DEVELOPMENT CODE AND MAP AMENDMENT

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

DATE: 5/10/16

- 1. I(WE) JULIA B. SITES
2. of 810 STATE ST., BANGOR, ME
Address City or Post Office Telephone

hereby petition to amend the Land Development Code of the City of Bangor, Maine by reclassifying from LDR district to the G1SD district for the property outlined in red on the maps attached hereto, which are part of this application, and described as follows:

- 3. ADDRESS OF PROPERTY (if any) 900 State STREET
Total Area (acres or square feet) 6.22 ACRES
4. PROPERTY LOCATION (General location): Example - South side of State Street 400 yards. East of Pine Street
5. LEGAL DESCRIPTION OF PROPERTY - Assessors Map No. 27 Parcel 22
6. EXISTING USE: RESIDENTIAL
7. PROPOSED USE: PRIVATE NON-PROFIT

- 8. NAME AND ADDRESS OF OWNER OF RECORD: Name JULIE B. SITES
Address 810 STATE STREET

- 9. NAME AND ADDRESS OF CONTRACT OWNER (if such): SAME AS ABOVE

- 10. SIGNATURE OF OWNER OR CONTRACT OWNER: [Signature]

- 11. REPRESENTATIVE OF APPLICANT: Name Julie SITES
(if applicable) Address

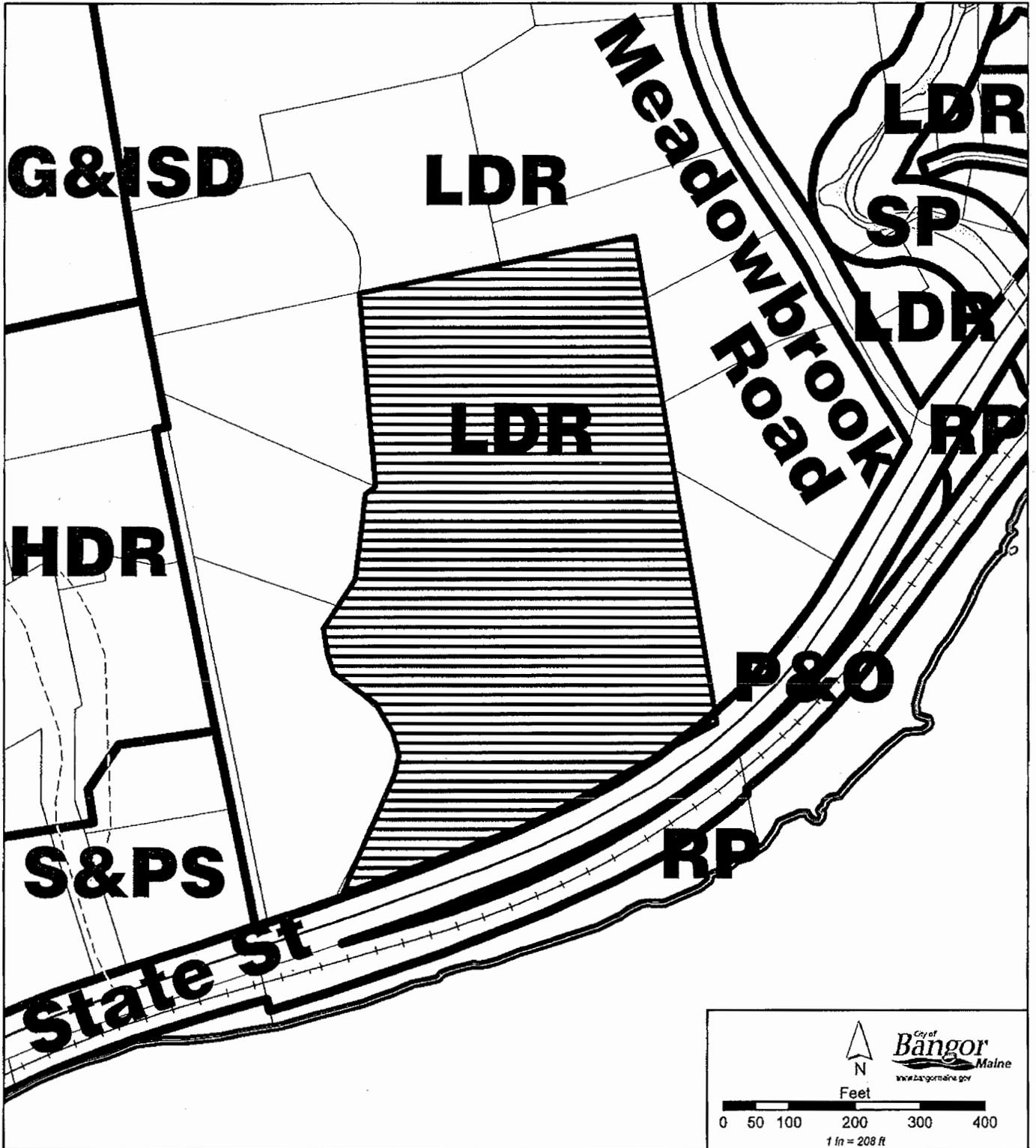
- 12. ATTACH ANY CONDITIONS PROPOSED FOR A CONTRACT ZONE REQUEST.

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

Table with 4 columns: Application fee, Processing, Advertising, Total. Rows include Zone Change (1/2 acre or less), Zone Change (in excess of 1/2 acre), Contract Zone Change - 5 conditions or less, and More than 5 conditions or 50 words.

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

PLEASE READ PROCESSING PROCEDURE ON REVERSE SIDE



 **LDR to G&ISD Contract**

900 Hammond Street  
Map R71, Lot 22

RECEIVED

AUG 26 2016

Existing Zoning: Low Density Residential  
Existing Use: Single Family Residential

C & ED and Planning

Proposed Zone Change: Government & Institutional Service District - Contract

Proposed Contract Zone Language:

1. Limited to the following Permitted uses:
  - a. Facilities operated by a private nonprofit organization such as a holistic wellness center which shall be primarily located in the former Dr. William C. Peters House and designated as a Historic Landmark under the Bangor Historic Preservation Ordinance.
2. New structures or additions shall not exceed 35 feet in height.
3. Total gross floor area per structure shall not exceed 10,000 SF.
4. Maximum Impervious Surface Ration (ISR) of 40%
5. Prohibited Uses: Any use not specifically noted above.

**MEMORANDUM**

**DATE:** September 21, 2016  
**TO:** The Honorable City Council  
**FROM:** David G. Gould, Planning Officer  
**SUBJECT:** Amending Zoning Ordinance  
900 State Street – Low Density Residential District (LDR)  
to Contract Government and Institutional Service District  
(G&ISD) – Council Ordinance 16-342

Please be advised that the Planning Board at its meeting on September 20, 2016, held a Public Hearing on the above contract zone change request.

Chairman Kenney opened the Public Hearing and asked the applicant or their representative to make a brief presentation of their application.

Ms. Julie Sites, owner of the property indicated the request was intended to reuse the big house and preserve the property.

Sandy Fortin, stated she represented Green Gem who operates a nonprofit center which seeks to preserve the historic property.

Claire Ackroyd, a landscape designer noted while some landscape work has been detrimental to the environment, they have embraced a concept where the landscape would be a part of the overall wellness plan. Ms. Ackroyd noted she had done previous work in the gardens originally designed by the Olmstead Bothers.

Sandy Cyrus a yoga instructor and schedule coordinator for Green Gem was in support of the concept.

Joe Harkins, 62 Meadowbrook Road, an abutting property owner indicated he thought the plan was a good one for the property. He noted he did not have a good deal of background in zoning but found the proposed plan was good.

Cindy Conner-Self, 50 Meadowbrook Road, was favorable to the plan and was happy to see the property stay open and provide linkages to nearby trails.

Sarah Barnard stated the property reflects Bangor's development over time.

Chairman Kenney asked if there were any present in opposition to the proposed rezoning request.

Mr. Al Holzwarth stated he lived at the corner of State Street and Meadowbrook Road for 48 years. He was concerned that the property may become multi-family buildings all uphill of his lot. As the Green Gem becomes more popular it will bring more traffic and noise to the building. He noted the contract conditions provided for other 10,000 square foot structures.

Mike D'Errico, 22 Meadowbrook Road, noted people had cited the stand of trees, he recalls when they were planted some years ago. The area is developed as single family homes and more development is not what he would favor.

Member Williams noted the contract language allowed for additional buildings.

Ms. Sites stated the current zoning, Low Density Residential, will allow many more structures be built.

Planning Officer Gould indicated that the contract rezoning allows the applicant to add additional limitations to the district than would otherwise not appear. The Board will need to make a recommendation to the City Council based on the contract before them. One key element not to be overlooked is the site does contain a valuable historic resource, which is not currently protected.

Chairman Kenney indicated that he understands what the petitioners are requesting but does not feel comfortable at this time with the contact conditions as proposed.

Member Williams made a motion to recommend the Council adopt C. O. # 16-342. Member Boothby seconded the Motion.

The Board voted two in favor and four opposed, a recommendation to not recommend the contract zoning change at 900 State Street from Low Density residential to contract Governmental and Service District – Council Ordinance #16-342.

**COUNCIL ACTION**

**Item No. 16-364**

**Date:** September 26, 2016

**Item/Subject:** **ORDINANCE, Amending Chapter 165, Land Development Code, of the Code of the City of Bangor, By Allowing Information Processing Centers in Commercial Zones**

**Responsible Department:** Planning

**Commentary:** This ordinance will amend the Land Development Code of the City of Bangor to include information processing centers in the Shopping and Personal Service District. As large retail spaces are vacated, there is interest in other uses besides traditional retail that are compatible with the district. As the General Commercial and Service District also includes all allowed uses in the Shopping and Personal Service District, these facilities would now be allowed in these two additional zones. They are currently a permitted use in the Industry and Service and Technology and Service Districts. As this sort of use often requires a greater number of parking spaces than a typical office, the ordinance change would also add a parking requirement specific to this use.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its September 20, 2016 meeting.

David Gould

Department Head

**Manager's Comments:**

[Handwritten Signature]

City Manager

**Associated Information:**

**Budget Approval:**

[Signature]  
Finance Director

**Legal Approval:**

[Signature]  
City Solicitor

**Introduced for**

- Passage**
- First Reading**
- Referral** to Planning Board on October 4, 2016

Assigned to Councilor Baldacci



# CITY OF BANGOR

## **ORDINANCE**, Amending Chapter 165, Land Development Code, of the Code of the City of Bangor, By Allowing Information Processing Centers in Commercial Zones

**WHEREAS**, the shifting retail landscape in America has made the reuse of big box stores increasingly challenging; and

**WHEREAS**, information processing and communication facilities are potential reuses of a box store that would not conflict with other uses in the Shopping and Personal Service and General Commercial and Service Districts;

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:

### **§ 165-13. Definitions.**

...

#### **INFORMATION PROCESSING AND COMMUNICATIONS FACILITIES**

A call center, telemarketing facility, data center, or similar use providing for processing of telephone calls, computer data, or other information.

...

### **§ 165-72. Required number of spaces.**

A minimum number of off-street parking spaces shall be provided and maintained by the owner of every building or property hereafter erected, altered or changed in use, in accordance with the following requirements:

...

L. Retail or service business:

SEPTEMBER 26, 2016

- (1) Retail stores limited to furniture and large appliance sales: one space for each 300 square feet of gross floor area for the first 2,000 square feet and one space for each 600 square feet in excess of 2,000 square feet.
- (2) Information processing and communications: one space per employee; if shifts are used, one space per employee working during the shift with the most employees.
- (3) All other retail and service businesses: one space for each 300 square feet of gross floor area.

...

**§ 165-101. Shopping and Personal Service District (S&PS).**

...

C. Permitted uses. The following uses are permitted in this district:

...

(14) Information processing and communications facilities.

(15) Accessory uses on the same lot and customarily incidental to and subordinate to the above uses and any use approved under Subsection D below.

...

**§ 165-103. Industry and Service District (I&S).**

...

C. Permitted uses. The following uses are permitted in this district:

...

(4) Information processing and communications facilities.

...

**§ 165-103.1. Technology and Service District (T&S).**

...

C. Permitted uses. The following uses are permitted in this district:

...

(5) Information processing and telemarketing communications facilities.

...

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

**MEMORANDUM**

**DATE:** October 5, 2016  
**TO:** The Honorable City Council  
**FROM:** David G. Gould, Planning Officer  
**SUBJECT:** Amending Zoning Ordinance Chapter 165-13, 165-72, 165-101, Information Processing and Communication Centers, Council Ordinance 16-364

Please be advised that the Planning Board at its meeting on October 4, 2016, held a Public Hearing on the above Zoning Amendment to add Information Processing and Communication Centers to the Shopping and Personal Service District.

Acting Chair, Dora McCarthy opened the Public Hearing and Planning Officer David Gould provided the Board with an overview of the proposed amendment. Mr. Gould noted that the use was added to the Technology and Service District when it was created in 2006. At this time we will add a definition as to what such a use includes and add it to the permitted uses in the developing area commercial districts. The nature of such facilities range and size, but most all are enclosed within a building and could easily fit into a large retail or industrial building. Bangor has had a few examples over the years, LL Bean which is now Wayfair, and the Verizon Wireless Center on Telcom Drive and Union Street.

There were no other proponents or opponents to the proposed text amendment.

Member McCarthy asked if the use would generate high levels of traffic. Mr. Gould indicated it could, but would be calculated on number of employees. He did note that most large retail stores by the Mall already have MDOT traffic movement permits as they are high trip generators as well.

The Board unanimously recommended the City Council adopt the proposed amendment to add Information Processing and Communications Facilities to the Shopping and Personal Service District as contained in C.O. 16-364

**COUNCIL ACTION**

**Item No. 16-365**

**Date: September 26, 2016**

**Item/Subject: Resolve, Appropriating \$225,000 from School Capital Reserve to Fund Roof Repairs**

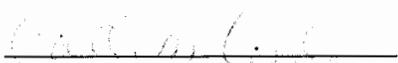
**Responsible Department: Finance**

**Commentary:** This resolve would appropriate \$225,000 to fund roof repairs at the Abraham Lincoln School, Fruit Street School and the James F. Doughty School. During the FY 2016 budget deliberations, the Bangor School Committee and the Bangor City Council approved the establishment of a \$356,039 capital reserve fund for school repairs. Monies to fund this fund came from additional General Purpose Aid for Education that was passed after the Bangor School Budget was approved. The additional funds were first used to reduce the local tax burden to a zero increase and the remaining \$356,039 was deposited into a School Capital Reserve Fund. Any funds that remain unspent at the conclusion of the roof work will be returned to the School Capital Reserve Fund.

This item was reviewed and recommended for approval the Finance Committee meeting of September 19, 2016.

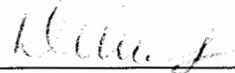
\_\_\_\_\_  
Department Head

**Manager's Comments:**

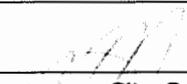
  
\_\_\_\_\_  
City Manager

**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

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**(TITLE.) Resolve, Appropriating \$225,000 from the School Capital Reserve to Fund Roof Repairs**

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

**BE IT RESOLVED,** that \$225,000 in School Capital Reserve Funds are hereby appropriated for the purpose of funding roof repairs to school facilities.

**COUNCIL ACTION**

**Item No. 16-366**

**Date: September 26, 2016**

**Item/Subject:** Resolve, Accepting and Appropriating Grant Funds from the U.S. Department of Housing and Urban Development - Shelter Plus Care Renewal for a one year period beginning September 1, 2016

**Responsible Department: Health & Community Services**

**Commentary:** This Resolve will accept and appropriate \$422,158 in Shelter Plus Care funds to provide housing and support for eligible recipients for a period of one year. The City receives ongoing renewal funding to continue several homeless programs under the U.S. Department of Housing and Urban Development's Homeless Continuum of Care. The program is used to provide subsidized rents for up to 65 qualified homeless individuals in the Bangor Region with a primary diagnosis of mental illness, chronic substance abuse or HIV related illness who is receiving support services. Of the 65 clients currently served, 55 have housing in Bangor, 1 in Orono, and 9 in Brewer. The grant period is September 1, 2016 to August 31, 2017.

This was reviewed and recommended for approval at the September 19, 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



Assigned to Councilor Nichols

## CITY OF BANGOR

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**(TITLE.) Resolve, Accepting and Appropriating** Grant Funds from the U.S. Department of Housing and Urban Development – Shelter Plus Care Renewal for the one year period beginning September 1, 2016

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

**BE IT RESOLVED,** that Shelter Plus Care program grant funds in the amount of \$422,158 from the U.S. Department of Housing and Urban Development are hereby accepted and appropriated for the purpose of supporting 51 housing units for the grant period September 1, 2016 to August 31, 2017

**COUNCIL ACTION**

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**Item No. 16-367**

**Date: September 26, 2016**

**Item/Subject: Resolve**, Accepting and Appropriating a Grant in the amount of \$125,000 from the Substance Abuse and Mental Health Services Administration (SAMHSA) to Implement Drug Free Communities Program.

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

**Commentary:** This resolve will accept and appropriate a grant in the amount of \$125,000 from SAMHSA to continue to implement the Drug Free Communities program in Brewer, Hermon and Hampden. This is the fifth year of a five-year grant to address substance abuse prevention in three municipalities in the Penquis Region Public Health District: (Brewer, Hampden, and Hermon). The term of the fifth year is September 30, 2016 to September 29, 2017.

This was reviewed and recommended for approval at the September 19, 2016 Government Operations Committee meeting

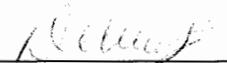
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Department Head

**Manager's Comments:**

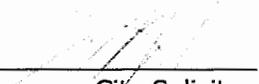
  
\_\_\_\_\_  
City Manager

**Associated Information:** Resolve

**Budget Approval:**

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

**Legal Approval:**

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

**Introduced for**  
 Passage  
 First Reading  
 Referral



Assigned to Councilor Sprague

## CITY OF BANGOR

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**(TITLE.) Resolve, Accepting and Appropriating a Grant in the amount of \$125,000 from the Substance Abuse and Mental Health Services Administration (SAMHSA) to Implement Drug Free Communities Program.**

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

**RESOLVED, THAT** the City Manager is hereby authorized to accept and appropriate \$125,000 from the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration to implement the Drug Free Communities program in the Penquis Region Public Health District municipalities of: Brewer, Hampden, and Hermon. The grant period is September 30, 2016 to September 29, 2017.



**NEW  
BUSINESS**

**COUNCIL ACTION**

Item No. **16-379**

Date: **October 12, 2016**

**Item/Subject** ORDER, Authorizing the City Manager to Accept and Appropriate \$15,000 in Donations Collected by St. Joseph Healthcare for the Circle of Caring Fund

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

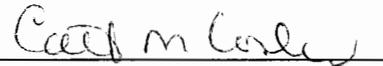
**Commentary:** This order will authorize the City Manager to accept and appropriate \$15,000 in donations collected by St. Joseph Healthcare for the Circle of Caring Fund. The Circle of Caring was created by the Community Health Leadership Board (CHLB), a partnership of hospitals, healthcare providers and the City of Bangor that seeks to reduce stigma and increase understanding of substance use prevention, treatment and recovery.

These Circle of Caring funds will provide immediate support for those returning to the community after a detox/rehabilitation program. The money will be used by the Public Health and Community Services Department to develop and distribute Survival/Comfort Kits to individuals suffering from addiction, including those returning home from detox/rehab. Specifically the goal of the CHLB and its partners is to decrease the likelihood of overdosing from opiate use.

This was reviewed and recommended for passage at the Government Operations Committee meeting of October 3, 2016.

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

**Manager's Comments:**

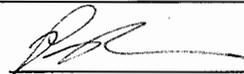
  
\_\_\_\_\_  
City Manager

**Associated Information:** Order

**Budget Approval:**

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

**Legal Approval:**

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

**Introduced for**  
 Passage-Consent  
 First Reading  
 Referral

Page \_\_ of \_\_



Assigned to Councilor Perry

## CITY OF BANGOR

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**(TITLE.) ORDER, Authorizing the City Manager to Accept and Appropriate \$15,000 in Donations Collected by St. Joseph Healthcare for the Circle of Caring Fund**

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

ORDERED, THAT the City Manager is hereby authorized to Accept and Appropriate \$15,000 in donations collected by St. Joseph Healthcare for the Circle of Caring Fund.

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**COUNCIL ACTION**

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**Item No. 16-380**

**Date:** January 26, 2015

**Item/Subject:** **ORDER**, Confirming the Appointment of Michael Crooker as Assistant City Manager and Authorizing Execution of an Employment Contract.

**Responsible Department:** City Manager's Office

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**Commentary:** This Order will confirm the City Manager's appointment of Michael Crooker as Assistant Manager for the City of Bangor, and will authorize the execution of an employment contract.

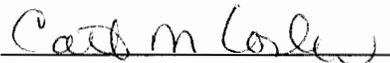
Mr. Crooker has 15 years of local government experience and currently serves as Town Manager for the town of Glenburn, a position he has held since 2006. He previously served as Executive Director of the River Coalition, a nonprofit agency in Old Town for two years, Town Manager for the town of Bradley for six tears, and worked for the University of Maine as an Adjunct Professor in the Department of Public Administration for a period of nine years. Mr. Crooker holds an Associate Degree in Legal Technology from University College in Bangor, a Bachelor of Science degree in Political Science from the University of Maine, and a Master of Public Administration Degree from the University of Maine. He is currently serving as a member of the Executive Committee of the Maine Municipal Association, and has served on that Association's Legislative Policy Committee. In his role as Town Manager, he has also served as a member or in leadership roles in various other Task Forces, Committees and Boards at the local, regional and state levels including EMDC, Penquis CAP, Maine Resources Recovery Association, Bangor Region Partners for Health, Penobscot Health Communities, and State of Maine Animal Welfare Advisory Council, among others. This item has been discussed with councilors.

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Department Head

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

  
City Manager

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**Associated Information:** Order, Employment Contract

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**Budget Approval:**

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Finance Director

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**Legal Approval:**

  
City Solicitor

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**Introduced for**

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



Assigned to Councilor Perry

## CITY OF BANGOR

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**(TITLE.) ORDER, Authorizing the City Manager to Accept and Appropriate \$15,000 in Donations Collected by St. Joseph Healthcare for the Circle of Caring Fund**

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

ORDERED, THAT the City Manager is hereby authorized to Accept and Appropriate \$15,000 in donations collected by St. Joseph Healthcare for the Circle of Caring Fund.