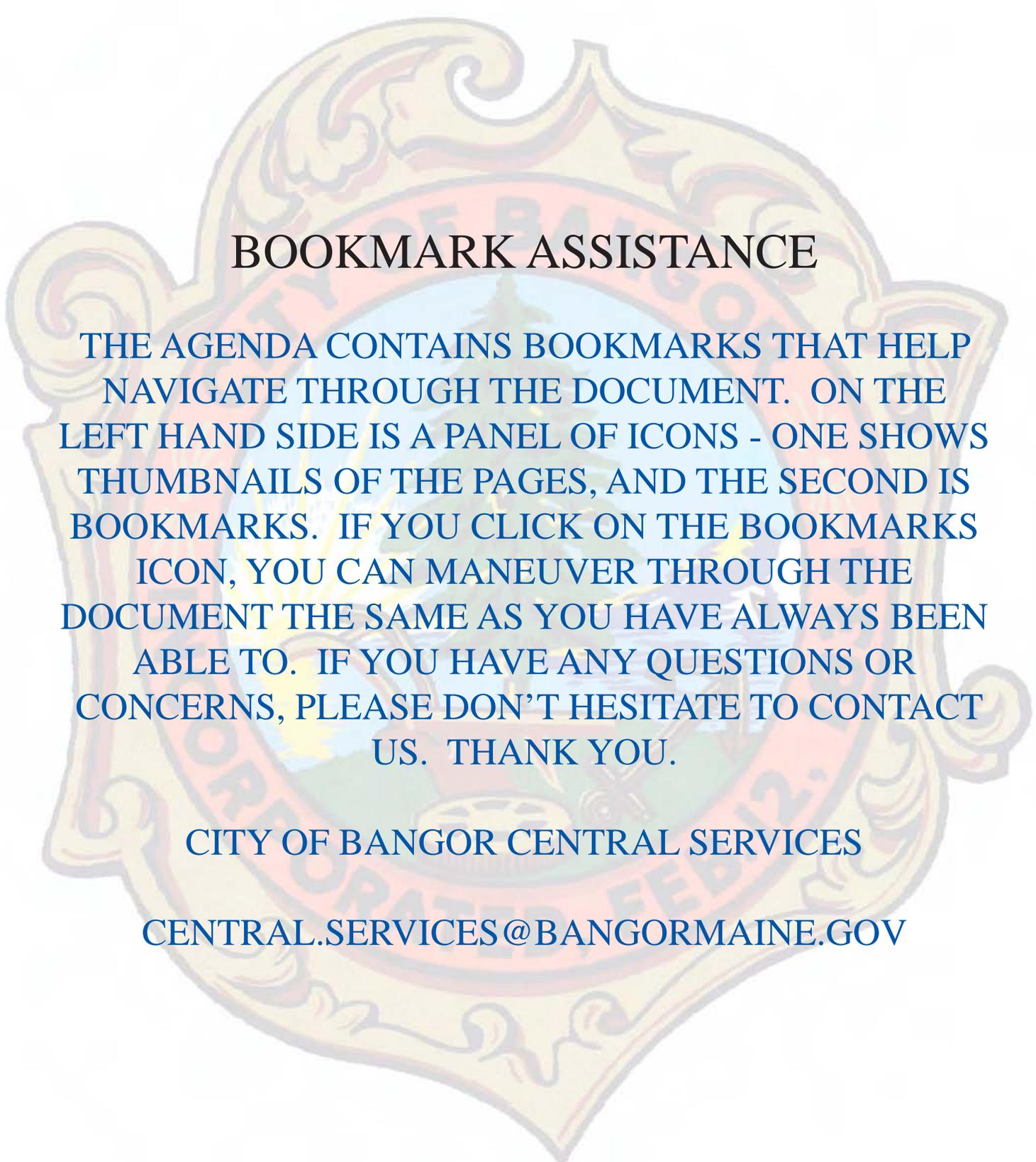




CITY COUNCIL AGENDA

April 11, 2016





BOOKMARK ASSISTANCE

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

CITY OF BANGOR CENTRAL SERVICES

CENTRAL.SERVICES@BANGORMAINE.GOV

REGULAR MEETING BANGOR CITY COUNCIL – APRIL 11, 2016

PLEDGE ALLEGIANCE TO THE FLAG

RECOGNITION: Proclaiming April 10-16, 2016 as National Volunteer Week

PUBLIC COMMENT

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

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

MINUTES OF: Bangor City Council Regular Meeting of March 28, 2016, Bangor School Committee Regular Meeting of March 9, 2016, Airport Committee Meeting of March 15, 2016, Finance Committee Meeting of April 4, 2016, Government Operations Committee Meeting of April 4, 2016 and Business and Economic Development Committee Meetings of March 22, 2016 and April 5, 2016

**LIQUOR LICENSE
RENEWALS:**

Application for Liquor License Renewal, Malt, Spirituous, Vinous of GMRI, Inc. d/b/a The Olive Garden Italian Restaurant #1430, 741 Hogan Road

GRAHAM

Application for Liquor License Renewal, Malt, Spirituous, Vinous of Penobscot Yacht Club d/b/a Holiday Inn – Bangor, 404 Odlin Road

GRAHAM

16-131 ORDER

Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 608 Odlin Road (Map R18 Lot 11)

DURGIN

Executive Summary: Real estate tax liens matured on the property of Wayne LeBreton of 608 Odlin Road. All outstanding charges due the City have been paid. There are no outstanding sewer charges or property issues. Because the liens matured, a quitclaim deed is required to release the City’s interest in the property. Staff recommends approval.

16-132 ORDER

Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 24 Prentiss Street (Map 39 Lot 150)

SPRAGUE

Executive Summary: In 2009 and 2010 sewer liens were filed on the property of Benjamin Holmes of 24 Prentiss Street. At some point the taxes were paid but discharges of the liens were never recorded. Therefore a municipal quitclaim is required to clear title to the property. There are no outstanding real estate taxes or code issues. Staff recommends approval.

REGULAR MEETING BANGOR CITY COUNCIL – APRIL 11, 2016

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

**16-137 ORDER **Authorizing Bid Award in the Amount of \$376,466 to
Lou Silver for Court Street Sewer Separation Project****

BALDACCI

Executive Summary: On March 30, 2016, the City received five (5) bids for the Court Street Sewer Separation project. The bid prices ranged from \$376,466 to \$584,974. The actual bid is below the engineer's estimated construction cost of \$500,000.

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

**16-138 ORDER **Authorizing an Amendment to the Lease Agreement
with Hannaford Bros. Co. at 39 Florida Ave., Bangor****

GRAHAM

Executive Summary: Hannaford Bros. Co. has leased office space at 39 Florida Ave. since 2008 for use as a regional office and training center. They have exercised their option to extend the lease for three (3) years. The lease rate will be \$2,651.00 per month. All other terms and conditions of the agreement will remain the same. The City of Bangor provides utilities and maintenance of the building. Each year, the rental rate is adjusted based on the cost of utilities furnished to Hannaford Bros. Co. The item was reviewed and recommended for approval by the Business & Economic Development Committee at its April 5, 2016 meeting.

**16-139 ORDER **Extending the Designation of Sheldon Hartstone as
Tentative Developer of a Parcel of City-Owned Land –
Map 001 Lot 134 and a Portion of Map 001 Lot 001****

NEALLEY

Executive Summary: This Order extends the designation of Sheldon Hartstone as the Tentative Developer of a City owned parcel of land of approximately 9.66 acres located on Odlin Road, Bangor until August 8, 2016. Mr. Hartstone and City staff have requested additional time to allow for the completion of the environmental assessment of the property and to negotiate with new development opportunities. This item was reviewed and recommended for approval by the Business & Economic Development Committee at its April 5, 2016 meeting.

**16-140 ORDER **Authorizing Execution of a Lease Agreement with
United States of America – Building 96, 138 Maine
Avenue (Tax Map 001-096)****

BALDACCI

Executive Summary: The City of Bangor has leased office space at 138 Maine Avenue to the, Federal Aviation Administration, since 1993. The lease expires on September 30, 2016, and the FAA desires to continue to lease the office space. The City of Bangor and the FAA have agreed to a five (5) year lease at a rate of \$7,510.23 per month.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its April 5, 2016 meeting.

REGULAR MEETING BANGOR CITY COUNCIL – APRIL 11, 2016

**CONSENT AGENDA
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

16-141 RESOLVE **Ratifying the Application for Competitive Bid Funding in the Amount of \$160,000 from DHHS/Maine CDC to enable the City to Serve as the Lead Fiscal Agent (LFA) on Behalf of the Penquis Public Health District **NICHOLS****

Executive Summary: This resolve would ratify the application for competitive bid funding in the amount of \$160,000 from the DHHS/Maine Center for Disease Control (CDC) for the following purposes: to continue the District Coordinating Committee which serves the Penquis Public Health District (all municipalities of Penobscot and Piscataquis counties); and to recruit, hire, and supervise a Penquis District Coordinator to staff the Committee and develop/implement the District work plan; and to serve as the conduit and fiscal agent for grants/contracts emanating from DHHS/Maine to serve the Penquis Public Health District. The term of the contract would be July 1, 2016 to June 30, 2017. This item was reviewed and recommended for approval by the Finance Committee on 4/4/2016.

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

**ASSIGNED TO
COUNCILOR**

16-142 ORDINANCE **Amending Chapter 260, Signs, of the Code of the City of Bangor, By Allowing Farmers' Market Signs on G&ISD Properties (First Reading) **GRAHAM****

Executive Summary: The Bangor Farmers' Market is presently located in the Abbott Square Parking Lot and the Farmers' Market has approached the City asking to place one or two signs at the Abbott Square parking lot.

The City Code does not presently allow for either sign, due to setback requirements in the zoning district in which the farmer's market is located. This ordinance would allow one or both of these signs to be placed, without impairing visibility for traffic.

This item was discussed at the Business and Economic Development Committee meeting on April 5, 2016.

16-143 ORDINANCE **Amending Chapter 9, of the Code of the City of Bangor - §9-10, Attendance at Meetings (First Reading) **PLOURDE****

Executive Summary: The Code of the City of Bangor requires that Councilors attend all City Council meetings "unless prevented by illness or absence from the City, or unless excused by a vote of the Council."

This amendment, if passed, will include that the Council Chair may also excuse a Councilor and make clear that if a Councilor decides to remain out of town for three consecutive meetings (an extended vacation, for example) the absences shall not be excused. It is the intent and purpose of this ordinance that any Councilor who is absent from the City by his or her choice to reside temporarily outside of the City, regardless of whether they maintain a residence within the City, shall not be considered to be excused from attending meetings.

REGULAR MEETING BANGOR CITY COUNCIL – APRIL 11, 2016

REFERRALS TO COMMITTEE AND FIRST READING ITEM NO.

ASSIGNED TO COUNCILOR

The amendment also provides that three consecutive unexcused absences shall be cause for censure by the full Council.

Finally, this amendment provides that in the event a Councilor decides to resign his or her position the Councilor shall immediately give notice to the Council Chair and shall submit a written letter of resignation. This was reviewed at a recent pre-Council meeting workshop.

16-144 ORDINANCE Amending Land Development Code – Zone Change – At **PERRY
or about 611 Ohio Street (Tax Map R35 - a portion of
Lot 054) from a Government & Institutional Service
District to a Low Density Residential District (First
Reading and Referral to Planning Board Meeting on
April 19, 2016)**

Executive Summary: The applicant, Roman Catholic Bishop of Portland, is requesting a zone change for a portion of Mount Pleasant Cemetery, located on Ohio Street, (Tax Map R35 - a portion of Lot 054) from a Government & Institutional Service District to a Low Density Residential District. If approved, the Low Density Residential District will permit the construction of a residential unit on the lot. Currently, Saint Paul the Apostle Parish plans to assist in the construction of a house for Habitat For Humanity. The property is served by public sewer and water.

16-145 ORDINANCE Amending Land Development Code – Zone Change – **BALDACCI
Polk Street (Tax Map 001-parcel 487) from a
Government & Institutional Service District to an
Airport Development District (First Reading and
Referral to Planning Board Meeting on April 19, 2016)**

Executive Summary: The applicant, General Electric, is requesting a zone change for a parcel of land located on Polk Street (Tax Map 001-487) from a Government & Institutional Service to an Airport Development District. If approved, the zone change will create consistency with surrounding GE properties already zoned Airport Development District.

16-146 ORDINANCE Amending the Code of the City of Bangor, Chapters 234, **NEALLEY
Public Property, and 260, Signs, By Allowing Downtown
Banners and Extending the Time Limit for
Nonconforming Signs (First Reading and Referral to
Business and Economic Development Committee
Meeting on April 19, 2016)**

REGULAR MEETING BANGOR CITY COUNCIL – APRIL 11, 2016

REFERRALS TO COMMITTEE AND FIRST READING ITEM NO.

ASSIGNED TO COUNCILOR

Executive Summary: This ordinance amendment seeks to clarify a number of provisions in the sign code including downtown seasonal and promotional banners and extend the time that nonconforming signs may be replaced.

Currently, the city code specifically allows banners to be put up downtown above streets and sidewalks provided that the banners either advertise activities of a nonprofit organization or be approved by the City Council. State law prohibits any signs or banners in the right of way which are not municipal. In practice, the City has followed state law and banners have only been used for city events such as the Cool Sounds concert series. This ordinance amendment proposes to clarify that banners can only be placed in the right of way to advertise city events in conformance with State law. Another proposal is to remove the 14 day restriction. Many of the events that occur in the city, such as Cool Sounds, extend through a season. If this ordinance amendment is approved, the 14 day restriction would be removed.

Often the City has sponsors for events such as Cool Sounds. If approved, the amendments would allow for acknowledgement of sponsors of these signs, add standards regarding advertising, logos, and public safety, and would move all sign standards into one place in the sign code.

Finally, this ordinance amendment would also extend the amount of time that a nonconforming sign can be replaced after the sign has been removed to 36 months, from the current 12 month limit. The sign still must be removed within 30 days of a business ceasing operation, but a new sign can now go up on the same sign structure within 36 months, instead of 12.

UNFINISHED BUSINESS ITEM NO

ASSIGNED TO COUNCILOR

16-123 ORDINANCE Amending Chapter 109, Fees, of the Code of the City of **DURGIN
Bangor, By Instituting a Fee Schedule**

Executive Summary: The City charges fees for a number of different services. Historically, these fees have been charged pursuant to various ordinances, orders, and policies, making them difficult to track, alter, or remove.

This ordinance amendment would provide for a single Schedule of Fees in which the fees charged by various City departments would be compiled in one document. This will help the City maintain a consistent approach to charging for services and add transparency to the City's fee structure.

If approved the compiled fee schedule is intended to mirror the fees presently being charged by the City, whether in accordance with ordinance, Council Order, policy, or other practice. Once the schedule is adopted by this ordinance amendment, a Council Order or Orders can be used for any necessary adjustments. This item was reviewed and recommended for approval at the Finance Committee of March 21, 2016.

REGULAR MEETING BANGOR CITY COUNCIL – APRIL 11, 2016

**UNFINISHED BUSINESS
ITEM NO**

**ASSIGNED TO
COUNCILOR**

16-124 ORDINANCE **Repealing and Replacing Chapter 278, Taxicabs, of the Code of the City of Bangor **PLOURDE****

Executive Summary: This ordinance amendment is a comprehensive revision of the City’s taxicab ordinance. Over the last several years, the City has fielded a number of concerns about taxicabs in the City from taxicab companies and drivers, citizens, the Police Department, and others. This new ordinance is the result of many meetings and discussions with taxicab owners, operators, the State, and other interested parties.

The new ordinance would carry forward many provisions of the existing ordinance, but would also make a number of changes. The new ordinance:

- Clearly defines taxicabs, livery vehicles, and other passenger transportation vehicles.
- Requires drivers of livery vehicles, who are currently effectively acting as unlicensed taxicabs, to undergo the same application process and background checks as taxicabs.
- Updates and clarifies taxicab inspection and taxicab driver’s license requirements.
- Adds conduct requirements for taxicab drivers.
- Clarifies rules regarding smoking, bringing them into line with state law.
- Amends and clarifies procedures regarding license suspension and revocation, as well as removal of unsafe taxicabs from service.

This item was reviewed and recommended for approval by the Government Operations Committee on March 21, 2016 and April 4, 2016.

16-125 ORDINANCE **Amending Land Development Code – Contract Zone Change – 96 State Street (Tax Map 049-25) from an Urban Service District to a Contract Downtown Development **GRAHAM****

Executive Summary: The applicant, R H Foster, is requesting a contract zone change for a parcel of land (.53 acres) located at 96 State Street (Tax Map 049-25) from an Urban Service District to a Contract Downtown Development District. The property is an existing convenience store with gasoline sales. The owner seeks to operate the facility as a retail store and align the proposed building closer to the corners of State Street and Broadway. The Downtown Development District provides reduced setbacks that will allow the building to be moved closer to the Right of Way.

The Downtown Development District (DDD) is a pedestrian based district which allows buildings to extend from property line to property line, up to four stories tall. The Downtown District has no off street parking requirement. The contract conditions for the proposed development, allows for a pedestrian based retail building, closer to the street than would be allowed in the Urban Service District (USD), while maintaining off street parking, site development standards, and building limitations similar to USD. In DDD the convenience store would no longer be able to sell gasoline. This was reviewed and recommended for approval by a vote of 6-0 by the Planning Board at its meeting on April 5 2016.

REGULAR MEETING BANGOR CITY COUNCIL – APRIL 11, 2016

**UNFINISHED BUSINESS
ITEM NO**

**ASSIGNED TO
COUNCILOR**

16-126 ORDINANCE **Amending Chapter 260, Signs, of the Code of the City of Bangor, By Allowing a Freestanding Sign in the Waterfront Development District **BALDACCI****

Executive Summary: This ordinance amendment would allow a single freestanding sign on lots over a certain size in WDD. The purpose of the size restriction is to allow a freestanding sign on a large lot such as the main waterfront parcel, but to avoid proliferation of such signs on the smaller lots in the zone, much as such signs are prohibited in the Downtown Development District. The amendment would also place height, setback and similar restrictions on freestanding signs, as is done in other districts where such signs are allowed.

This ordinance amendment would also remove certain language regarding multiple freestanding signs in WDD that has been in the ordinance. This language was inadvertently carried over from a previous version of the sign code.

This item was recommended for approval by the Business and Economic Development Committee on March 22, 2016.

16-127 RESOLVE **Accepting and Appropriating \$353,891 in Grant Funds from the U.S. Department of Housing and Urban Development - Shelter Plus Care Renewal **NICHOLS****

Executive Summary: This Resolve will accept and appropriate federal grant funds for the Shelter Plus Care Program. The City applies annually for renewal funding to continue several homeless programs under the U.S. Department of Housing and Urban Development’s Homeless Continuum of Care. The City’s Shelter Plus Care program won initial funding from the federal government in 1993. The program is used to provide subsidized rents for qualified homeless individuals with a primary diagnosis of mental illness, chronic substance abuse or HIV related illness who are receiving support services. The grant period is April 1, 2016 through March 31, 2017.

The amount of the grant is \$353,891 which will support 40 housing units including family housing. This was reviewed and recommended for approval at the Government Operations Committee meeting on April 4, 2016.

16-130 ORDER **Authorizing the Establishment of a Community Stakeholder Steering Committee in conjunction with the AARP Grant Application regarding Livable/Age Friendly Communities and the Innovative Neighborhoods Initiative **PERRY****

REGULAR MEETING BANGOR CITY COUNCIL – APRIL 11, 2016

**UNFINISHED BUSINESS
ITEM NO**

**ASSIGNED TO
COUNCILOR**

Executive Summary: If approved, this Order would establish the creation of a Steering Committee as part of the recently submitted AARP Age Friendly grant application. The grant involves both the Livable / Age Friendly Communities and Innovative Communities Initiative. As outlined in the grant application project proposal summary, the Steering Committee will create measurable action plans that incorporate the eight domains of livability identified by AARP. This will be accomplished through a series of neighborhood meetings, and by reviewing and sharing the results of a recent AARP community survey conducted in Bangor. Information gathered at these meetings will also serve to provide data to support the Innovative Neighborhood Initiative. This concept involves an intergenerational village to village model that engages people of all ages helping one another and strengthening neighborhoods and the city through citizen involvement.

This was reviewed and recommended for approval at the March 21, 2016 and April 4, 2016 Government Operations Committee meetings.

**NEW BUSINESS
ITEM NO.**

**ASSIGNED TO
COUNCILOR**

LIQUOR LICENSE: (CLASS XI) **Application for Liquor License Renewal, Malt, Spirituous, Vinous of Pepper Dining Inc. d/b/a Chili’s Grill & Bar, 638 Stillwater Avenue** **GRAHAM**

Application for Liquor License Renewal, Malt, Spirituous, Vinous of DMF International, Inc. d/b/a Refueler Bar & Grill, 299 Godfrey Boulevard **GRAHAM**

PUBLIC HEARING: **Application for Special Amusement License Renewal of Penobscot Yacht Club d/b/a Holiday Inn – Bangor, 404 Odlin Road** **GRAHAM**

16-147 ORDER **Directing the City Manager to Take Possession of Vacant Land Located on Mill Street – Map 031 Lot 090** **DURGIN**

Executive Summary: This Order directs the City Manager to take possession of vacant land located on Mill Street by virtue of the 2014 matured tax lien. The property is identified as Map 031 Lot 090. The City of Bangor has recorded tax liens on the property for unpaid real estate taxes; several of which have matured. All attempts to receive payment have been unsuccessful.

This has been reviewed and recommended for approval by the Finance Committee on April 4, 2016.

16-148 ORDER **Directing the City Manager to Take Possession of Vacant Land Located on Finson Road – Map R21 Lot 008** **SPRAGUE**

REGULAR MEETING BANGOR CITY COUNCIL – APRIL 11, 2016

NEW BUSINESS ITEM NO.

ASSIGNED TO COUNCILOR

Executive Summary: This Order directs the City Manager to take possession of vacant land located on Finson Road by virtue of the 2014 matured tax lien. The property is identified as Map R21 Lot 008. The City of Bangor has recorded tax liens on the property for unpaid real estate taxes; several of which have matured. All attempts to receive payment have been unsuccessful.

This has been reviewed and recommended for approval by the Finance Committee on April 4, 2016

16-149 RESOLVE **Supporting the Greater Bangor Solarize Project **PLOURDE****

Executive Summary: Initiated in Portland, Oregon in 2009, Solarize is a collective purchasing program to facilitate implementation of solar power for homes and businesses. The process has spread across the country and currently there are three other projects in Maine (Freeport, Mid Maine and Midcoast Maine). If approved, this order will support efforts of Greater Bangor Solarize Project to promote the installation of distributed solar power and reduce the installation costs by bundling solar projects in the region.

Currently, the group is working to obtain support from a number of local governments including Bangor, Brewer, Hampden, Veazie and Orono. In addition, Eastern Maine Development Corporation has pledged staff support for the effort.

If the Council supports the Greater Bangor Solarize Project, the City will be named as a partner in the project and will assist with outreach to potential purchases through our established networks and tools. This item was reviewed and recommended for adoption by the Finance Committee on April 4, 2016.

16-150 ORDER **Authorizing the Transfer of \$140,000 in FY 2016 Savings to Fund a Bangor Efficiency Pilot Program **PERRY****

Executive Summary: Over the past few months, the Finance Committee has been reviewing a potential program to provide incentives to homeowners to invest in energy efficient measures. To increase participation in homeowner energy efficiency, thus achieving three goals: 1) help Bangor residents lower their winter heating bills; 2) modernize Bangor's old housing stock thus making Bangor a more attractive place to live; 3) help decrease Bangor's carbon footprint in the face of global warming.

On March 21st, the Finance Committee reviewed the program to create an incentive to save homeowners money and modernize our housing stock, by piggyback onto existing programs offered through Efficiency Maine. This would lower administrative costs and allow for Bangor homeowners to receive even greater incentives for energy efficiency programs and provide access to unsecured loans.

The attached order would authorize the Finance Director to transfer FY 2016 funds in the amount of \$140,000 to a non-lapsing account to fund the Bangor Efficiency Pilot Program. This was reviewed and recommended for approval by the Finance Committee on April 4, 2016.

REGULAR MEETING BANGOR CITY COUNCIL – APRIL 11, 2016

NEW BUSINESS ITEM NO.

ASSIGNED TO COUNCILOR

16-151 ORDER

Authorizing the Establishment of a City Wide Wellness Program and the Solicitation of Funds for the Program

BALDACCI

Executive Summary: This Order will establish a City Wide Wellness Program for the purpose of encouraging healthy activity of the citizens of Bangor and accept a \$3000 donation from Bangor Savings Bank for implementation. The program works by allowing participants that exercise for 150 minutes a week to be entered to win incentive prizes such as Red Sox merchandise, fitness trackers, and even tickets to see the Red Sox at Fenway. Challenger participants will be asked to keep track of how long they exercise during the 8 weeks and enter to win a raffle drawing every two weeks.

Currently, the City uses Employee Health Solutions for help with an employee wellness program. If approved, this program will allocate a \$3000 donation from Bangor Savings Bank to have Employee Health Solutions assist in expanding this program to include city residents beginning May 1, 2016.

Additionally, the order will authorize fundraising efforts to assist with the costs of the program and authorize the Finance Director to accept donations and establish such procedures as she deems necessary to insure that any donated funds, goods, or services that are appropriately received and accounted for and are used specifically for the purpose intended by the donors. It will also ratify the actions taken to receive the donation from the Bangor Savings Bank.

This was reviewed and recommended for approval at the April 4, 2016 Government Operations Committee meeting.

16-152 ORDER

Authorizing Bid Award in the Amount of \$164,700 to Vaughn D. Thibodeau II, Inc for Maine Avenue Sewer Reconstruction

NEALLEY

Executive Summary: On April 6, 2016, the City received six (6) bids for the Maine Avenue Sewer Reconstruction project. The bid prices ranged from \$164,700 to \$423,550.

This project is part of the work associated with the Wayfair building to reroute the service from under the building as well as to rebuild a portion of the line. The actual bid is below the budgeted construction estimate of \$266,000.

This item was reviewed by the Finance Committee earlier this evening.

If recommended for passage, this item comes forward for Council action, as the contract award is over \$100,000.



PROCLAIMING APRIL 10-16, 2016 AS NATIONAL VOLUNTEER WEEK

WHEREAS, the entire community can inspire, equip and mobilize people to take action that changes the world; and

WHEREAS, volunteers can connect with local community service opportunities through hundreds of community service organizations like Penquis; and

WHEREAS, individuals and communities are at the center of social change, discovering their power to make a difference; and

WHEREAS, during this week all over the nation, service projects will be performed and volunteers recognized for their commitment to service; and

WHEREAS, the giving of oneself in service to another empowers the giver and the recipient; and

WHEREAS, experience teaches us that government by itself cannot solve all of our nation's social problems; and

WHEREAS, our country's volunteer force of more than 63 million is a great treasure; and

WHEREAS, volunteers are vital to our future as a caring and productive nation.

NOW, THEREFORE, I, Sean Faircloth, Mayor of the City of Bangor, on behalf of the City Council do hereby proclaim April 10-16, 2016 National Volunteer Week in the City of Bangor and urge my fellow citizens to volunteer. By volunteering and recognizing those who serve, we can come together to make a difference.

Given this the 11th day of April, 2016.

Sean Faircloth, Mayor



**CONSENT
AGENDA**

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – MARCH 28, 2016

*Meeting Called to Order at 7:30 PM
 Chaired by Council Chair Faircloth
 Councilors Absent: None
 Meeting Adjourned at 8:12 PM*

PUBLIC COMMENT

Ethan Tremblay, representing Greendrinks, thanked the City Council for accepting the \$2,500 grant for 6 recycling bins to be placed in the downtown area.

CONSENT AGENDA ITEM NO.	ASSIGNED TO COUNCILOR
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MINUTES OF: *Bangor City Council Regular Meeting of March 14, 2016, Bangor School Committee Meeting of February 24, 2016, Airport Committee Meeting of February 9, 2016, Business and Economic Development Committee Meeting of March 8, 2016, Government Operations Committee Meeting of March 21, 2016, Infrastructure Committee Meeting of March 15, 2016 and Finance Committee Meeting of March 21, 2016*

Action: *Accepted and Approved*

<u>16-115</u>	<u>ORDER</u>	<i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 2 F Street, Birch Hill Estates (Map B39 Lot 2)</i>	DURGIN
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Action: *Passed*

<u>16-116</u>	<u>ORDER</u>	<i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 22 Kennebec Place (Map R14 Lot 235)</i>	NEALLEY
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Action: *Passed*

<u>16-117</u>	<u>ORDER</u>	<i>Approving and Adopting Title VI Environmental Justice Non-Discrimination Plan for Community Connector Public Transit Service</i>	NICHOLS
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Action: *Passed*

<u>16-118</u>	<u>ORDER</u>	<i>Authorizing Signage for Continuity of Community Sculpture</i>	DURGIN
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Action: *Passed*

<u>16-119</u>	<u>ORDER</u>	<i>Accepting a \$2500 Donation from Bangor Greendrinks for Recycling Receptacles in Downtown Bangor</i>	GRAHAM
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Action: *Passed*

<u>16-120</u>	<u>ORDER</u>	<i>Authorizing the City Manager to Execute a Lease Amendment Between the City of Bangor and the Lander Group, LLC. for Shop Space Within Hangar #600 at Bangor International Airport (BGR)</i>	PERRY
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Action: *Passed*

<u>16-121</u>	<u>ORDER</u>	<i>Authorizing the City Manager to Execute a Lease Agreement between C&L Aerospace Holdings, LLC. and the City of Bangor, Bangor International Airport (BGR)</i>	BALDACCI
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Action: *Passed*

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – MARCH 28, 2016

UNFINISHED BUSINESS ITEM NO	ASSIGNED TO COUNCILOR
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*Action: Motion made and seconded to Open Public Hearing
Public Hearing Opened
Motion made and seconded to Close Public Hearing
Public Hearing Closed
Motion made and seconded for Passage
Passed*

PUBLIC HEARING:

<u>16-106</u>	<u>ORDER</u>	<i>Authorizing Refinancing of Certain of the City of Bangor’s Existing Bond Obligations (Series 2007) and the Issuance of the City’s General Obligation Refunding Bonds and a Tax Levy Therefor</i>	NEALLEY
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*Action: Motion made and seconded to Open Public Hearing
Public Hearing Opened
Motion made and seconded to Close Public Hearing
Public Hearing Closed
Motion made and seconded for Passage
Passed*

<u>16-107</u>	<u>RESOLVE</u>	<i>Appropriating \$131,064 from the VOOT Reserve to Fund a Mid-Life Bus Overhaul</i>	NICHOLS
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*Action: Motion made and seconded for Passage
Passed*

NEW BUSINESS ITEM NO.	ASSIGNED TO COUNCILOR
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<u>LIQUOR LICENSE: (CLASS XI)</u>	<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of Quality Beverages Inc. d/b/a Nocturnem Draft Haus, 56 Main Street</i>	PLOURDE
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*Action: Motion made and seconded for Approval
Approved*

<u>LIQUOR LICENSE: (CLASS XI)</u>	<i>Application for Liquor License Renewal, Malt, Spirituous, Vinous of Timka Inc., d/b/a Geaghan’s Pub & Craft Brewery, 570 Main Street</i>	PLOURDE
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*Action: Motion made and seconded for Approval
Approved*

<u>PUBLIC HEARING:</u>	<i>Application for New Liquor License, Malt, Spirituous, Vinous of Tuy Hien, LLC d/b/a Asian Bistro & Bar, 667 Hogan Road</i>	PLOURDE
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*Action: Motion made and seconded to Open Public Hearing
Public Hearing Opened
Motion made and seconded to Close Public Hearing
Public Hearing Closed
Motion made and seconded for Approval
Approved*

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – MARCH 28, 2016

NEW BUSINESS ITEM NO.		ASSIGNED TO COUNCILOR
<u>PUBLIC HEARING:</u>	<i>Application for Special Amusement License of Quality Beverages Inc. d/b/a Nocturnem Draft Haus, 56 Main Street</i>	PLOURDE
	<i>Action: Motion made and seconded to Open Public Hearing Public Hearing Opened Motion made and seconded to Close Public Hearing Public Hearing Closed Motion made and seconded for Approval Approved</i>	
<u>PUBLIC HEARING:</u>	<i>Application for Special Amusement License of Timka Inc., d/b/a Geaghan's Pub & Craft Brewery, 570 Main Street</i>	PLOURDE
	<i>Action: Motion made and seconded to Open Public Hearing Public Hearing Opened Motion made and seconded to Close Public Hearing Public Hearing Closed Motion made and seconded for Approval Approved</i>	
<u>16-128</u>	<u>ORDER</u>	
	<i>Amending the Contract with Spectra Venue Management to Operate the Cross Insurance Center</i>	NEALLEY
	<i>Action: Motion made and seconded for Passage Passed</i>	
<u>16-129</u>	<u>ORDER</u>	
	<i>Accepting and Adopting an Arts and Cultural Policy</i>	BALDACCI
	<i>Andrew Bennett, 34 Blackstone Street, did not feel that this was a priority for the City.</i>	
	<i>Action: Motion made and seconded for Passage Passed</i>	
<u>16-130</u>	<u>ORDER</u>	
	<i>Authorizing the Establishment of a Community Stakeholder Steering Committee in conjunction with the AARP Grant Application regarding Livable/Age Friendly Communities and the Innovative Neighborhoods Initiative</i>	PERRY
	<i>Action: Motion made and seconded for Passage Motion made and seconded to Postpone and Refer to the Government Operations Committee Meeting Postponed</i>	

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

MINUTES

BANGOR SCHOOL COMMITTEE
REGULAR MEETING
7 P.M., Wednesday, March 9, 2016

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

- A. 1.&2. The meeting was called to order by Chairman Caruso at 7 p.m. and the Pledge of Allegiance followed.
3. a. The Bangor School Department and the Bangor School Committee recognized the Bangor High School Debate Team on their State Championship.
- b. The Bangor School Department and the Bangor School Committee recognized Bangor High School Senior, Nick Danby, as Congressional Debate/Senate Chamber State Champion.
- c. The Bangor School Department and the Bangor School Committee recognized Bangor High School Freshman, Sofia Wittman, as the Novice Poetry State Champion.
- D. 1. a. Superintendent Webb recommended approval of the Pilot Community Eligibility Provision from April 1st till the end of the school year offered by the Department of Agriculture for School Breakfast and Lunch at Downeast, Vine & Fairmount. This program does not have a local cost and potentially may reduce the local contribution to the entire School Lunch Program.

VOTED 6-0 to approve the Pilot Community Eligibility Provision

2. a. Superintendent Webb reported the following retirement:

Nancy Coulter	Grade 2	Fruit Street
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And the following resignation:

Olivia Holyoke	Social Worker/Guidance	BRTDP
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- b. Superintendent Webb reported the following reassignment:

Kathryn Hill from (.9) Teacher of the Deaf at Bangor High School Bangor Regional Program and (.1) Speech Language Therapist at Bangor Regional Hearing Impaired Program to (.2) Teacher of the Deaf and (.8) Speech Language Therapist district-wide.

- c. Each year the Superintendent of Schools recognizes the highest achieving scholars in the senior and sophomore classes. These students elect to take the most challenging academic courses and maintain a grade point average that is outstanding. For seniors, who were announced at this meeting, a minimum of eight Honors or Advanced Placement courses must be taken with an overall average GPA of 4.0 or higher. This award is added to college/university applications and is recognized at graduation. Thirty-four students will receive the Superintendent's Academic Excellence Award for 2015-2016. Assistant Superintendent Robert MacDonald read the names into the record and committee members recognized the students.

- d. Superintendent Webb reviewed where the School Department is with planning expenditures. The First Reading of the FY17 School Budget is scheduled for March 23rd.
- E. 1. a. 1. VOTED 6-0 to approve the Minutes of the Regular School Committee meeting of February 24, 2016.
- b. 1. Superintendent Webb recommended the following extra-duty assignment for the 2015-2016 school year:

Dramatics Technical Advisor	Bangor High School	Angela Domina
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VOTED 6-0 to approve the nomination as presented.
- c. Superintendent Webb reporting the following donation:

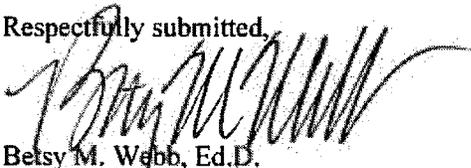
To Downeast School from DaVita Boyd Dialysis, 12 pair of boots, having a total dollar value of \$120.

VOTED 6-0 to approve the donation with thanks.
- d. 1. Superintendent Webb recommended approval of Second Reading of Revised Policy IKE Promotion, Retention, and Acceleration of Students.

VOTED 6-0 to approve the revised policy as presented.
- e. 1. Superintendent Webb recommended removal of Policy IGBB Gifted and Talented Program, which is now covered under revised Policy IKE.

VOTED 6-0 to approve the revised policy as presented.
- I. 1. Chairman Caruso reported on the Finance Meeting and review of the audit of the FY15 School Budget.
- 2. Chairman Caruso reported on the Scholarship Meeting.
- 3. Member Doore reported the UTC Board Meeting was rescheduled due to required further review of the budget proposal.
- 4. Chairman Caruso covered the important dates.
- 5. Member Susi thanked the retired teacher for years of service.
- J. Meeting adjourned at 8:20 p.m.

Respectfully submitted,


Betsy M. Webb, Ed.D.

Meeting Agenda
City of Bangor Airport Committee
City Council Chambers 3rd Floor
March 15, 2016

The following City Councilors were in attendance: Airport Committee Chair Joseph Baldacci, Councilors Gibran Graham, Nelson Durgin, and Sarah Nichols. Also in attendance was Airport Director Tony Caruso and Marketing Manager Risteen Bahr.

Agenda:

1. Lander Group, LLC-lease termination for hangar bay.

Airport Director Caruso indicated that the Lander Group, LLC, was leasing a hangar bay #3 Building 123 at Bangor International Airport for the purpose of storing aircraft and conducting aeronautical business. Lander Group is in the process of downsizing its business and relocating to another State. They wish to terminate their lease with the City of Bangor at the end of the month.

Motion approved by Councilor Durgin and seconded by Councilor Nichols

2. Lander Group, LLC-lease amendment for hangar shop space.

Airport Director Caruso indicated that the Lander Group, LLC is leasing over 1,700 sq. ft. of shop space for aviation business segment of their operation in Hangar #600. They are in the process of downsizing its business in Maine and relocating to another State and wish to rent only 700 sq. ft. of shop space. This leased space will be used exclusively for the purposes of the Lander Group, LLC to support their aviation business segment. Their monthly rent will be reduced from \$500/mth to \$300/mth.

Motion approved by Councilor Durgin and seconded by Councilor Nichols

3. C & L Aerospace-lease agreement.

Airport Director Caruso indicated that C & L Aerospace Holdings, LLC is expanding and wishes to lease hangar #10 at Bangor International Airport. This lease will be the same rates and terms as the existing leases. C & L now employs about 140 people, compared to when they first started with 22 employees.

Motion approved by Councilor Durgin and seconded by Councilor Nichols

4. Business Development:

- a. Airport statistics- Marketing Manager Bahr indicated that the total monthly passengers for the month of February was 27, 575 which is down 3.31% from last year. Total YTD is down by 12.1%. This is due to the Canadian dollar, not as many Canadian travelers coming thru Bangor. Airline load factors: Allegiant 81%, Delta 81% and American 74%. Total Operations are in going in a positive direction which is driven by our General Aviation Operations and military traffic. We are up by 19% for total operations, General Aviation up by 48% and Military Operations up by 6%. Military is up do to Bangor handling the Air Guard traffic on weeknights and weekends for the fuel sales.
- b. Routes America 2016 briefing- Marketing Manager Bahr and Airport Director Caruso attended the 2016 Routes America conference. This is a tradeshow and air carrier appointment meeting. This forum is a meeting of the aviation industry which includes airlines, airports, tourism authorities, tour operators, charter operators and cargo operators. This is the only meeting where all of these aviation market segments come together. The driving force for the meetings are the one-on-one meetings that are held between potential partners and existing partners. Meetings consist of a twenty minute opportunity for BGR to present cargo and passenger airline executives the reasons they should use or bring passenger service to BGR. Dedicated meetings included the following: Miami Air, Omni Air Int'l, American Airlines, Allegiant, National Airlines, Lufthansa, Cape Air, Silver Airways, and Visit Florida.
- c. NBAA- Schedulers & Dispatchers conference briefing-We sent three of our employees to this conference. Schedulers & Dispatchers focuses on GA Int'l traffic. They met with several customers and clients and their providers. The purpose of this trip was to promote the services of BGR and Bangor Aviation Services. We get the most direct opportunity to get face-to face with the company decision makers. This event continues to grow with this year's exceeding all previous records, in both attendance, at over 2,800 and exhibitors at 517, on overall growth of nearly 14%.

5. Airport construction updates:

- a. Domestic terminal-Airport Director Caruso indicated that phase 3 on this project is well underway and proceeding on schedule. He indicated that we anticipate opening the new Car Rental area within 2 weeks.
- b. FY 2017 projects-Airport Director Caruso indicated that each year Airport staff works with the FAA Northeast Region Representative and the Maine State Department of Transportation to develop, review and update our 5-year capital improvement plan (CIP) program. The two projects for this year are: Taxiway Alpha (A) rehabilitation-(portion of taxiway) and a New Jetbridge and Expanded Hold Room.

Meeting Adjourned

FINANCE COMMITTEE MINUTES

April 4, 2016 @ 5:15 pm

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

Staff in Attendance: Cyr, Conlow, Theriault, Dawes, Hathaway, Higgins, Nadeau, Little, Hamilton, Comstock

Others in Attendance: Marysdaughter, Staples, Cassidy, Kelly

1. Bids/Purchasing

- a. Court Street Sewer Separation Project – Engineering – Lou Silver Inc - \$376,466
Motion made and seconded to recommend award of contract to the City Council. Motion passed unanimously.
- b. Roof Replacement 690 Maine Avenue – Airport –
Motion made and seconded to recommend award of contract to Roof Systems of Maine, the low bidder to the City Council. Motion passed unanimously.
- c. Sidewalk Blowers – Fleet Maintenance – Nortrax - \$12,000
Motion made and seconded to accept the offer from Nortrax to purchase replacement blowers (hydraulic versus chain drive) for two sidewalk machines. The price reflects the cost difference between the two systems. Motion made and seconded to authorize the purchase. Motion passed unanimously.
- d. Total Station Electronic Measuring System – Police – Collision Forensic Solutions - \$19,495
Motion made and seconded to purchase the unit. Motion passed unanimously.
- e. Authorization of Service Contract – Fire - Physio Control - \$31,374
Motion made and seconded to authorize the executive of the service contract. Motion passed unanimously.

2. Taxpayer Request – 38 Jowett Street

This taxpayer requested the Committee's consideration to waive approximately \$5,000 of interest and fees on the amount of outstanding real estate taxes. The taxpayer has 18 years of outstanding taxes. This began when his mortgage was paid in full and the taxes were no longer escrowed. He indicated he approached Treasury once over 10 years ago to make a

partial payment but was told he had to pay in full. The taxpayer has received all the tax bills, demand notices and matured lien notices over the years. Staff did not find any issues where the City played a role in the non-payment. A motion was made and seconded to not waive any of the interest. Motion passed unanimously.

3. Workout Agreement – 104 Mt. Hope Avenue

This taxpayer proposed a workout agreement to cover 14 years of outstanding taxes. The proposed repayment term would take 13 years. In addition, the taxpayer was requesting some relief from the interest and fees that have accrued. Under the terms of the workout agreement all current amounts must be paid and if two payments are missed the agreement is void. A motion was made and seconded to move forward with the proposed workout agreement and to not waive any of the interest and fees. Motion passed unanimously.

4. Greater Bangor Solarize

Motion was made and seconded to recommend to the full Council an Order to support Greater Bangor Solarize efforts. Motion passed unanimously.

5. Bangor Efficiency Program

Councilors reviewed and discussed the outstanding questions from the prior meeting. Councilor Graham wanted to split the funding over two years and Councilor Nealley wanted to include the discussion regarding the creation and funding of a new program until the budget process. The majority indicated their support to follow the Efficiency Maine guidelines with the one exception being that the rebates were for owner occupied homes only. The Committee moved to accept the program and recommend the funding to the full Council. The motion passed 4-1, with Councilor Nealley voting against the motion.

6. Update on Properties with Matured Tax Liens

Staff provided an update and comparison of real estate liens. Of the 383 individuals with current liens, 145 of these have at least one matured tax lien. Of the 145, staff has identified a total of 81 properties with at least five years of past due taxes and is working their way through these in a phased approach.

Of the 14 that are currently in process, staff recommendation is take possession of two that are comprised of vacant land immediately and a third will require some additional research as it is a building on land owned by another party.

The Committee recommended the taking of the properties identified by staff to the full Council unanimously.

7. Lead Fiscal Agent Application

The mechanism that distributes Healthy Maine Partnership funding is changing. Part of the change requires the need to identify a lead fiscal agent within each of the nine statewide districts. The City is the current lead within the Penquis District, accordingly, the request is to authorize the City to apply to serve as Lead Fiscal Agent. The Committee unanimously recommended the application. As the application is due prior to the next Council meeting, an Order will be placed on the agenda ratifying the application.

Meeting adjourned at 6:55 pm

Government Operations Committee

Minutes

April 4, 2016

Councilors Attending: Plourde, Graham, Nichols, Baldacci, Durgin, Faircloth
Staff Attending: Conlow, Farrar, Nicklas, Willette, Heitmann, Goodwin, Potter
Other Attending: BDN, 1 taxicab driver, Andrea Beaulieu

Committee Chair Plourde called the meeting to order at 6:55pm.

1. Referral, Council Resolve 16-127, Accepting and Appropriating \$353,891 in Grant Funds from the US Department of Housing and Urban Development – Shelter Plus Care Renewal

It was moved by Baldacci, seconded by Nichols and voted to recommend approval of Resolve 16-127 to the Council.

2. Referral, Council Ordinance 16-124, Repealing and Replacing Chapter 378, Taxicabs, of the Code of the City of Bangor

Assistant City Solicitor Nicklas presented a summary of the significant changes to the proposed Ordinance. He also explained the differences between taxicabs and new ride services such as Uber and Lyft, which are regulated by the state, not municipalities. He also presented an overview of the reasons for the changes. Following Council questions, it was moved by Baldacci, seconded by Durgin, and voted to recommend approval of Ordinance 16-124 to the Council.

3. Proposed Taxicab Fee Changes

Assistant City Solicitor Nicklas reviewed the proposed changes to the taxicab fee structure. Essentially, the increase is \$25 to cover the cost of an annual criminal background check. Currently, those are only performed when the first license is issued. The new annual fee would total \$57. Following questions concerning the need for more regular background checks and whether those checks should also apply to holders of other city licenses or employees, it was moved by Graham, seconded by Baldacci, and voted to recommend approval of the proposed fee structure to the Council. Nicklas noted that the Order for the new fees would appear on the April 25th Council agenda, to allow for the new taxicab ordinance to be passed first on April 11th.

4. Bags for Bangor Program

Parks and Recreation Director Willette briefed the Committee on the proposal by Andrea Beaulieu, known as Bags for Bangor. Ms. Beaulieu collects, assembles and distributes large zip lock bags containing a variety basic food items and personal care products for those in need. Dangerous items such as razors or products containing alcohol are not included. She plans to distribute the bags through two donated newspaper boxes located at downtown locations. Ms. Beaulieu answered several questions from the Committee, and members were very appreciative and supportive of her proposal. It

was moved by Baldacci, seconded by Graham and voted to permit Willette and Beaulieu to work out a Use Agreement for the location of the distribution boxes, acceptable to the City and Ms. Beaulieu.

5. Request to Increase the number of Seasonal Food Vendors on the Waterfront from three to five.

Parks and Recreation Director Willette presented his recommendation to increase the number of seasonal food vendors on the Waterfront from 3 to 4. (The original request was to move to five vendors, but this is not allowed under the current land development code.) Willette explained that there is interest and space available for both the vendors and necessary parking, without infringing on other needed parking spaces. Willette also explained the existing fee structure and reviewed past vendors who have had space on the Waterfront. The Committee was supportive of moving to four vendors now, and then considering a fifth space once the land development code is amended to permit it. It was moved by Baldacci, seconded by Durgin and voted to authorize up to four seasonal vendors on the Waterfront.

6. Referral, Council Order 16-130, Authorizing the Establishment of a Community Stakeholder Steering Committee in conjunction with the AARP Grant Application regarding Livable / Age Friendly Communities and the Innovative Neighborhoods Initiative.

City Manager Conlow indicated that this item returned as a result of some further questions that had been raised by Councilor Graham regarding the Committee make-up and role /tasks of the Committee. The City Manager had prepared additional language that could be used to amend the original Council Order, that addressed some of the issues. Councilor Graham asked a series of questions which were responded to by Councilor Faircloth and City Solicitor Heitmann. Councilor Durgin also added information regarding the program and the Council Order. Following questions and answers, it was moved by Baldacci, seconded by Nichols and voted to recommend this Order, with the proposed additional language included in an amended Council Order, to the full Council.

7. Citywide Wellness Challenge Program

City Manager Conlow reviewed the background memo she prepared on this issue with the Committee, outlining the process to date, the city-wide Wellness Challenge, and how it developed, the donation by Bangor Savings Bank of \$3,000 to support the program, and related details. Public Health and Community Services Director Hamilton added that this citywide challenge would dovetail with the city employee wellness challenge, and that helpful activity related information would be collected. The City Manager noted that a draft Council Order had been prepared to establish the challenge activity, accept the donation and permit further contributions / donations to support the program, should they be forthcoming. Following questions and answers, it was moved by Baldacci, seconded by Graham and voted to move forward with the draft Council Order as outlined.

With no further business to come before the Committee, the meeting was adjourned at 7:40 pm.

BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

Tuesday, March 22, 2016 5:15 PM
City Council Chambers

MINUTES

Committee Members Present: Committee Chair Councilor Graham, Councilors Durgin, Baldacci, Faircloth, and Nealley.

City Staff Present: Tanya Emery, Cathy Conlow, Paul Nicklas, Tyler Collins, Zeth Lundy, Brenda Bilotta.

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

1. Downtown Trash Receptacles and Greendrinks Funding

Councilor Graham questioned the schedule of trash pickup and events, during weekend especially. Thanks to Greendrinks and DBP for donations. Locations; nothing on Exchange St. Keep looking at other areas, Central St near the crosswalk instead?

Councilor Baldacci moved staff recommendation on donation only, Councilor Durgin seconded. Vote unless doubted, no doubt.

2. Commission on Cultural Development – Amendment to Cultural Policy

Exploratory phase, spin off or new entity? No commitments, just looking at possibility. Councilors Nealley and Baldacci support, Councilor Graham questioning intent to look at becoming a separate organization.

Councilor Durgin moved staff recommendation, Councilor Baldacci seconded. Vote unless doubted, no doubt.

3. Commission on Cultural Development – Proposed Sign Language for *Continuity of Community Sculpture*

Councilor Durgin moved Version A, Councilor Baldacci seconded. Vote unless doubted, no doubt.

4. Ordinance – Freestanding Signs – Waterfront Development

Councilor Baldacci moved staff recommendation, Councilor Nealley seconded.
Vote unless doubted, no doubt.

5. Patriot Place - Conservation Easement

Asst. City Solicitor Nicklas and Jim Kiser were present, Kiser representing
Hampden Home Builders.

Councilor Nealley moved staff recommendation, Councilor Baldacci seconded.
Vote unless doubted, no doubt.

6. Waterfront Park Master Plan Update and Endorsement

Want to be able to see the roadway. Fence should be replaced prior to the first
concert. Questioning trash.

Councilor Durgin moved staff recommendation, Councilor Baldacci seconded.
Vote unless doubted, no doubt.

**7. Executive Session – Economic Development – Parcel Acquisition
– BIA Commercial/Industrial Park – 1 M.R.S.A. § 405(6)(C)**

Councilor Baldacci moved to enter executive session at 6:04 pm, Councilor
Durgin seconded.

8. Committee Action on Above Item

No action was taken.

Meeting was adjourned at 6:20 pm.

Respectfully submitted,

Melissa L. Bickford
Administrative Assistant
Community & Economic Development

BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

Tuesday, April 5, 2016 5:15 PM
City Council Chambers

Minutes

Committee Members Present: Baldacci, Durgin, Graham, Nealley, Plourde

City Staff Present: Steve Bolduc, Tyler Collins, Tanya Emery, Bob Farrar, Zeth Lundy, John Theriault, Jeff Wallace

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

1. Amendment to the Indenture of Lease between the City of Bangor and the United States of America, Federal Aviation Administration (see attached Memo)

Amendment to the Lease Agreement with Hannaford Bros. Co. (see attached Memo)

Both items moved together as consent agenda.

Councilor Durgin moved staff recommendation, Councilor Baldacci seconded. Vote unless doubted, no doubt.

2. Proposed Community Development Block Grant Budget for Upcoming Federal Fiscal Year 2016 (see attached Memo) – Tyler Collins presented.

Councilor Nealley moved staff recommendation, Councilor Baldacci seconded. Vote unless doubted, no doubt.

3. West Side Village Update (see attached Memo) – Update Only

4. Pickering Square Renovations update (see attached Memo & concept redesign) – No action at this time.

5. Sign Ordinance – Farmer's Market Sign (see attached Memo & Ordinance)

Councilor Plourde moved staff recommendation, Councilor Nealley seconded. Vote unless doubted, no doubt. For two signs, both okay.

6. **Executive Session** – Economic Development – Update on Negotiations for Main/Lincoln Parcel – 1 M.R.S.A. § 405(6) (C)

Councilor Plourde moved to enter Executive Session @ 6:11pm, Councilor Baldacci seconded. Vote unless doubted, no doubt.

Out of Executive Session @ 6:25pm. No action at this time.

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

Councilor Plourde moved to enter Executive Session @ 6:25pm, Councilor Baldacci seconded. Vote unless doubted, no doubt.

Out of Executive Session @ 6:29pm.

8. Committee Action on Above Item

Councilor Baldacci moved staff recommendation, Councilor Plourde seconded. Vote unless doubted, no doubt.

Meeting was adjourned at 6:30 pm.

Respectfully submitted,

Melissa L. Bickford
Administrative Assistant
Community & Economic Development

COUNCIL ACTION

Item No. 16-131

Date: April 11, 2016

Item/Subject: **Order**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 608 Odlin Road (Map R18 Lot 11)

Responsible Department: Legal

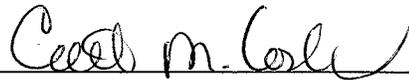
Commentary:

Real estate tax liens matured on the property of Wayne LeBreton of 608 Odlin Road. All outstanding charges due the City have been paid. There are no outstanding sewer charges or property issues. Because the liens matured, a quitclaim deed is required to release the City's interest in the property.

Staff recommends approval.

Department Head

Manager's Comments:



City Manager

Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for Consent Agenda

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



Assigned to Councilor Durgin

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 608 Odlin Road (Map R18, Lot 11)

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 346 and Book 13907, Page 249. Said deed shall be directed to Wayne A. LeBreton in final form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 16-132

Date: April 11, 2016

Item/Subject: ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 24 Prentiss Street (Map 39 Lot 150)

Responsible Department: Legal

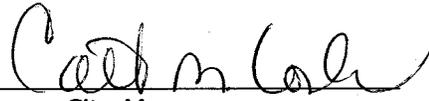
Commentary:

In 2009 and 2010 sewer liens were filed on the property of Benjamin Holmes of 24 Prentiss Street. At some point the taxes were paid but discharges of the liens were never recorded. Therefore a municipal quitclaim is required to clear title to the property. There are no outstanding real estate taxes or code issues.

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 Sprague

CITY OF BANGOR

(TITLE.) ORDER, Authorizing Execution of Municipal Quitclaim Deed – Real Estate
Located at 24 Prentiss Street (Map 39 Lot 150)

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 sewer liens recorded in the Penobscot County Registry of Deeds in Book 11654, Page 268, Book 11890, Page 186, Book 12060, Page 212 and Book 12211, Page 99. Said deed shall be directed to Benjamin P. Holmes in final form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 16-133

Date: April 11, 2016

Item/Subject: Order, Appointing Members of the Registration Appeals Board

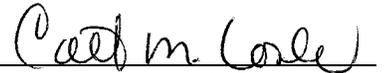
Responsible Department: City Clerk

Commentary: The City Charter and state law, Title 21-A §103, require a Registration Appeals Board. The purpose of this board is to hear appeals of persons aggrieved by a decision of the Registrar of Voters to either remove a name from the voting list or refusal to place a name on the voting list.

The Board consists of three members and two alternates. Two members are nominated by the major political parties and serve 3 year terms. The chair is nominated by the City Clerk and serves a 4 year term.

Department Head

Manager's Comments:

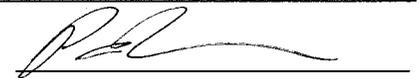

City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:


City Solicitor

Introduced for

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

Page __ of __



Assigned to Councilor Perry

CITY OF BANGOR

(TITLE.) Order, Appointing Members of the Registration Appeals Board

By the City Council of the City of Bangor:

ORDERED, THAT the Municipal Officers shall proceed to the Appointment of members to the Registration Appeals Board in Accordance with M.R.S.A. Title 21-A, §103

Democrat

Michael Robinson
Robert Talbot, Alternate

Republican

TBD
TBD, Alternate

Bruce Young, Chairman

COUNCIL ACTION

Item No. 16-134

Date: April 11, 2016

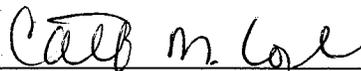
Item/Subject: ORDER, Appointing Election Clerks

Responsible Department: City Clerk

Commentary: This order will appoint Election Clerks to work at elections for the next two years. Under State election law, the Municipal Officers shall appoint at least one Election Clerk from each major political party to serve at each voting place during the time the polls are open. The Municipal Officers shall consider persons nominated by the major parties but are not required to appoint them. If a municipal committee of a major party does not submit nominations, the municipal officers may appoint registered voters enrolled in that party. The law does not prohibit nominations from sources other than the municipal party committees. If a minor party committee nominates election clerks, at least one appointment must be made from the minor party nominations. The balance between the major parties can be no more than 1 additional clerk from either party. Additional un-enrolled or qualified minor election clerks may be appointed if there are insufficient major party clerks available. If there are not sufficient election clerks to fill vacancies for a specific election, the Clerk or Warden may appoint election clerks for that specific election. The list of Election Clerks is a combination of names submitted by the major political parties and individuals who have served in that capacity in previous elections.

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 Plourde

CITY OF BANGOR

(TITLE.) Order, Appointing Election Clerks

By the City Council of the City of Bangor:

ORDERED, THAT the Municipal Officers shall proceed to the Appointment of Election Clerks for a two-year term, in Accordance with M.R.S.A. Title 21-A, §503

Democrats

Charlotte Adams
Emily Baker
Pamela Baker
Ernest Barnes
Grace Bartlett
Douglas Beck
Mary Anne Bennett
Tracy Bigney
Carla Billitteri
Dave Blackwell
Frank Booker
Barbara Borja
Thomas Borja
Anne Borreggine
Sharon Boucher
Dylan Brennan
Joan Brissette
Ida Brown
Laura Brush
Lorna Bryant
George Burgoyne
Karin Carlson
Bonnie Case
Kara Casey
Chandler Clarke
Kourtney Collum
Heather Conklin
Kathleen Crawford
Mary Cross
Gayle Crowley

M Anne Day
Gail Downs
John Eaton
George Elliott
Georgianna Ellis
Pat England
Carol Farthing
Ellen Fisher
Benjamin Friedlander
Constance Gay
Della Gleason
Barbara Goldscheider
Richard Goodwin
Faith Griffith
Cameron Grover
Heather Hallsey-Bernstein
Sharon Hamilton
Mary Hamrick
Frank Harnett
Thomas Hickey
Patricia Hickey
Sharon Humphrey-Mason
Pamela Johnson
Margaret Kelly
Leah Knightly
Jane Levie
Nancy Long
Cedric Long Jr.
Frances Loring
Patrick Lyons

Sonia Mallar
Deborah Marcotte
Joan Martin
Louise Masters
Weeza Matthias
Dora McCarthy
Elizabeth Metropoulos
Linda Murch
John Nelligan
Gloria Owens
Deanna Partridge
John Picone
Ruth Pierson
Isak Porter
Sheila Randall
Mary Richard
Edward Rudnicki Jr.
Richard Russell
Eugene Savoy
Denise Savoy
Anne Schmidt
Candice Schoth
Kara Anne Schreiber
Theresa Sequino
Ruth Shook
Doris Simpson
William Sims
Susan Slick
Mary Smith
Tammy Smith

Democrats

Kimberly Stewart
Suzanne Svendsen
Robert Talbot
Angela Tardy
Charles Thayer
Dixie-Lea Thayer
Richard Tillson
Theresa Tracy
Catherine Turallo
Barbara Wais
Diana Weddell
John Wedgwood
Melissa White
Katherine Whitney
Robert Woods
Terri Young

Republicans

Dorothy Andrews
Anne Baker
Austin Brower
Janice Budden
Patricia Cole
Lucille Colford
David Des Isles
Roberta Downey
Jeffrey Ellis
Beth Florey
Melanie Frost
Michael Gleason
Janice Gordon
Malcolm Griffin
Anne Griffin
Lucinda Gross
Jaseman Hiatt
John Hiatt
Joann Higgins
Melody Keller
Rebecca Krupke
Gilbert Larrabee
Paul LeClair
Donna Leland
Cathy Lemin
Marianne Lynch
Rebecca Macilroy
Louise Morin-Smith
Kathryn Myers
Lois Nealley
Lori Newcomb
Lisa Prescott
Lawrence Puls
Bonnie Puls
Doris Roach
Lovern Stockwell
Mary Ellen Sullivan
Paul Svendsen
Candace Ward
Lesley Waterman
Dale-Jean Wilson

Unenrolled

Edward Baker
Alicia Belisle
Charles Cameron
Tyson Cartwright
Alexis Dunham
Lois George
Jared Hunnefeld
Eleonora Kazdoy
Patricia Kenny
Shane Leonard
James Love
Helen Marasco
Raymond Margerum
Shirley McGuinness-Davis
David Murph
Christine O'Connell
Ryan Pritham
Samuel Richie
Linda Stearns
Yovanne Stevenson
Jean Vermette
William Whitham
Mary Whitney

COUNCIL ACTION

Item No. 16-135

Date: April 11, 2016

Item/Subject: ORDER, Appointing Nominees to Various Boards, Commissions, and Committees

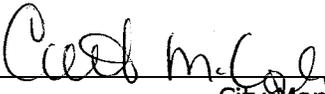
Responsible Department: City Clerk

Commentary:

This Order will authorize appointments to fill vacancies on the Board of Ethics, Housing Authority, Historic Preservation Commission and Planning Board. As in the past, vacancies were advertised in a variety of ways and all applicants were interviewed by the Council's Personnel Committee. The Committee has completed the 3rd round of interviewing applicants for these positions and has developed the attached recommendations for full Council consideration.

Department Head

Manager's Comments:



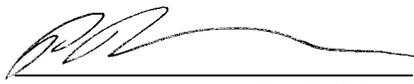
City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral



Assigned to Councilor Durgin

CITY OF BANGOR

(TITLE.) ORDER, Appointing Nominees to Various Boards, Commissions, and Committees.

WHEREAS, the City of Bangor has taken applications from citizens for a variety of vacant positions on various Boards, Committees, and Commissions; and

WHEREAS, the Personnel Committee of the Council has interviewed these applicants and made recommendations as to various appointments.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT the recommendations of the Personnel Committee of the City Council are hereby accepted and the individuals listed on the report of the Personnel Committee are hereby appointed to the positions and for the terms designated.

**PERSONNEL COMMITTEE REPORT
 SUBCOMMITTEE APPOINTMENT RECOMMENDATIONS**

Committee	Year of Term Expiration	Recommended Appointment	Type
Board of Ethics	2017	Paul LeClair	Associate
	2019	Donald McCann	Associate
	2019	Michael Alpert	Regular
Historic Preservation Commission	2017	Eugene Manzo	Associate
Housing Authority Commission	2017	Francis Leen	Regular
Planning Board	2017	Chuck LeBlanc	Associate

COUNCIL ACTION

Item No. 16-136

Date: April 11, 2016

Item/Subject: ORDER, Authorizing Bid Award in the Amount of \$139,985 to Roof Systems of Maine for Roof Renovations at 690 Maine Avenue

Responsible Department: Airport

Commentary:

On April 1, 2016, the City received five (5) bids for the Roof Renovations at 690 Maine Avenue. The bid prices ranged from \$139,985 to \$237,000 (see attached bid tabulation). The actual bid is below the engineer's estimated construction cost of \$160,000.

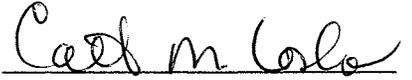
This item was reviewed and recommended for approval by the Finance Committee on April 4, 2016.

As the contract award is over \$100,000, it requires Council approval.



Department Head

Manager's Comments:



City Manager

Associated Information:

Bid Tabulation

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage - Consent
- First Reading
- Referral

Page __ of __



Assigned to Councilor Nealley

CITY OF BANGOR

(TITLE.) Order, Authorizing Bid Award in the Amount of \$139,985 to Roof Systems of Maine for Roof Renovations at 690 Maine Avenue

By the City Council of the City of Bangor:

ORDERED,

THAT, Deborah Cyr, Finance Director is hereby authorized to execute a contract with Roof Systems of Maine in the amount of \$139,985 for Roof Renovations at 690 Maine Avenue.

City of Bangor Bid Tabulation
 Proposal: Roof Renovations- 690 Maine Ave.
 Bid Opening: 04/01/2016

		LGR1, Inc Lowell, MA	Roof Systems of ME Bangor, ME	G.R. Roofing Co., Inc. Brewer, ME	Hagnol Bros. Co. Bangor, ME	Kevin W. Smith & Son, Inc. Standish, ME
Item	Description	Total Price	Total Price	Total Price	Total Price	Total Price
1	All Roofing Work	\$235,000	\$139,985	\$145,250	\$152,395	\$237,000

16-136
 APRIL 11, 2016

Date: April 11, 2016

Item/Subject: ORDER, Authorizing Bid Award in the Amount of \$376,466 to Lou Silver for Court Street Sewer Separation Project

Responsible Department: Engineering

Commentary:

On March 30, 2016, the City received five (5) bids for the Court Street Sewer Separation project. The bid prices ranged from \$376,466 to \$584,974 (see attached bid tabulation). The actual bid is below the engineer's estimated construction cost of \$500,000.

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

As the contract award is over \$100,000, it requires Council approval.

Department Head

Manager's Comments:

Carl M. Condo
City Manager

Associated Information:

Bid Tabulation

Budget Approval:

Finance Director

Legal Approval:

City Solicitor

Introduced for

- Passage - Consent
- First Reading
- Referral



Assigned to Councilor Baldacci

CITY OF BANGOR

(TITLE.) Order, Authorizing Bid Award in the Amount of \$376,466 to Lou Silver for Court Street Sewer Separation Project

By the City Council of the City of Bangor:

ORDERED,

THAT, Deborah Cyr, Finance Director is hereby authorized to execute a contract with Lou Silver in the amount of \$376,466 Court Street Sewer Separation Project.

City of Bangor Bid Tabulation
Proposal: Court Street Sewer Separation Project
Bid Opening: 3-30-16

Item	Description	Qty.	Unit	R. F. Jordan & Sons Construction, Inc. Ellsworth, ME		Lou Silver, Inc.** Orono, ME		S.E. MacMillan Co., Inc. Bangor, ME		Ranger Contracting, Inc.** Winslow, ME		Sargent Corporation Stillwater, ME	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Mobilization/Demobilization	1	LS	\$15,000.00	\$15,000.00	\$ 6,000.00	\$ 6,000.00	\$ 5,000.00	\$ 5,000.00	\$ 11,329.00	\$ 11,329.00	\$ 16,500.00	\$ 16,500.00
2	Sedimentation and Erosion Control	1	LS	\$3,000.00	\$3,000.00	\$ 1,500.00	\$ 1,500.00	\$ 1,000.00	\$ 1,000.00	\$ 1,452.00	\$ 1,452.00	\$ 7,500.00	\$ 7,500.00
3	Traffic Management Plan & Maintenance & Protection of Traffic	1	LS	\$7,000.00	\$7,000.00	\$ 1,500.00	\$ 1,500.00	\$ 1,000.00	\$ 1,000.00	\$ 7,601.00	\$ 7,601.00	\$ 17,500.00	\$ 17,500.00
4	Flaggin Hour	48	FHR	\$30.00	\$1,440.00	\$ 38.00	\$ 1,824.00	\$ 60.00	\$ 2,880.00	\$ 32.00	\$ 1,536.00	\$ 38.00	\$ 1,824.00
5	Calcium Chloride for Dust Control	500	lb	\$1.00	\$500.00	\$ 1.00	\$ 500.00	\$ 4.00	\$ 2,000.00	\$ 4.00	\$ 2,000.00	\$ 3.00	\$ 1,500.00
6	Temporary Sewer Bypass Connection & Removal	1	LS	\$33,000.00	\$33,000.00	\$ 6,000.00	\$ 6,000.00	\$ 1,000.00	\$ 1,000.00	\$ 12,934.00	\$ 12,934.00	\$ 35,000.00	\$ 35,000.00
7	<i>Constructing Storm Drains & Sanitary Sewers</i>												
7.1	6" Ø Sanitary Sewer Laterals	480	LF	\$80.00	\$38,400.00	\$ 100.00	\$ 48,000.00	\$ 100.00	\$ 48,000.00	\$ 96.00	\$ 46,080.00	\$ 120.00	\$ 57,600.00
7.2	24" Ø PVC Sewer Main	730	LF	\$135.00	\$98,550.00	\$ 130.00	\$ 94,900.00	\$ 90.00	\$ 65,700.00	\$ 142.00	\$ 103,660.00	\$ 190.00	\$138,700.00
7.3	12" Ø HDPE Storm Drain	175	LF	\$85.00	\$14,875.00	\$ 70.00	\$ 12,250.00	\$ 50.00	\$ 8,750.00	\$ 92.00	\$ 16,100.00	\$ 90.00	\$ 15,750.00
7.4	24" Ø HDPE Storm Drain	835	LF	\$120.00	\$100,200.00	\$ 110.00	\$ 91,850.00	\$ 70.00	\$ 58,450.00	\$ 122.00	\$ 101,870.00	\$ 120.00	\$100,200.00
7.5	Remove & Relay Existing 12" Ø HDPE Storm Drain	25	LF	\$85.00	\$2,125.00	\$ 70.00	\$ 1,750.00	\$ 60.00	\$ 1,500.00	\$ 182.00	\$ 4,550.00	\$ 98.00	\$ 2,450.00
8	<i>Constructing Precast Concrete Structures</i>												
8.1	4' Ø Standard Sanitary Sewer or Storm Drain Manhole	45	VF	\$650.00	\$29,250.00	\$ 500.00	\$ 22,500.00	\$ 600.00	\$ 27,000.00	\$ 1,016.00	\$ 45,720.00	\$ 600.00	\$ 27,000.00
8.2	5' Ø Standard Sanitary Sewer or Storm Drain Manhole	10	VF	\$550.00	\$5,500.00	\$ 750.00	\$ 7,500.00	\$ 800.00	\$ 8,000.00	\$ 895.00	\$ 8,950.00	\$ 1,600.00	\$ 16,000.00
8.3	Precast Concrete Catch Basin	75	VF	\$375.00	\$28,125.00	\$ 400.00	\$ 30,000.00	\$ 1.00	\$ 75.00	\$ 555.00	\$ 41,625.00	\$ 500.00	\$ 37,500.00
8.4	Abandon existing Manholes or Catch Basins	2	EA	\$1,500.00	\$3,000.00	\$ 500.00	\$ 1,000.00	\$ 500.00	\$ 1,000.00	\$ 1,223.00	\$ 2,446.00	\$ 900.00	\$ 1,800.00
8.5	Modify Existing Catch Basins	1	EA	\$2,300.00	\$2,300.00	\$ 1,000.00	\$ 1,000.00	\$ 2,000.00	\$ 2,000.00	\$ 282.00	\$ 282.00	\$ 400.00	\$ 400.00
9	Miscellaneous Earth Excavation *-below normal depth	10	CY	\$37.00	\$370.00	\$ 25.00	\$ 250.00	\$ 1.00	\$ 10.00	\$ 36.00	\$ 360.00	\$ 24.00	\$ 240.00
10	Change in Quantity of Earth Excavation & Backfill Due to Pipe Depth Changes*	10	CY	\$23.00	\$230.00	\$ 50.00	\$ 500.00	\$ 20.00	\$ 200.00	\$ 36.00	\$ 360.00	\$ 58.00	\$ 580.00
11	<i>Test Pits</i>												
11.1	Test Pits (0-5' Depth) *	5	EA	\$500.00	\$2,500.00	\$ 1.00	\$ 5.00	\$ 1.00	\$ 5.00	\$ 502.00	\$ 2,510.00	\$ 700.00	\$ 3,500.00
11.2	Test Pits (0-5' Depth) *	5	EA	\$1,100.00	\$5,500.00	\$ 1.00	\$ 5.00	\$ 1.00	\$ 5.00	\$ 1,013.00	\$ 5,065.00	\$ 1,200.00	\$ 6,000.00
11.3	Test Pits (>10' Depth) *	2	EA	\$1,900.00	\$3,800.00	\$ 1.00	\$ 2.00	\$ 500.00	\$ 1,000.00	\$ 2,478.00	\$ 4,956.00	\$ 1,800.00	\$ 3,600.00
12	Rock Excavation & Disposal *	10	SY	\$300.00	\$3,000.00	\$ 150.00	\$ 1,500.00	\$ 100.00	\$ 1,000.00	\$ 212.00	\$ 2,120.00	\$ 200.00	\$ 2,000.00
13	Removal of Bituminous Concrete Pavement	1,200	SY	\$7.50	\$9,000.00	\$ 5.00	\$ 6,000.00	\$ 20.00	\$ 24,000.00	\$ 5.00	\$ 6,000.00	\$ 6.00	\$ 7,200.00
14	Bank Run Gravel *	10	CY	\$32.50	\$325.00	\$ 28.00	\$ 280.00	\$ 20.00	\$ 200.00	\$ 39.00	\$ 390.00	\$ 32.00	\$ 320.00
15	Crushed Stone or Screened Gravel *	10	CY	\$43.50	\$435.00	\$ 30.00	\$ 300.00	\$ 50.00	\$ 500.00	\$ 41.00	\$ 410.00	\$ 52.00	\$ 520.00
16	Select Borrow*	10	CY	\$32.50	\$325.00	\$ 15.00	\$ 150.00	\$ 20.00	\$ 200.00	\$ 47.00	\$ 470.00	\$ 24.00	\$ 240.00
17	Fine Grading of Roadway Subbase	1,200	SY	\$65.00	\$78,000.00	\$ 5.00	\$ 6,000.00	\$ 100.00	\$ 120,000.00	\$ 47.00	\$ 56,400.00	\$ 42.00	\$ 50,400.00
18	Loam and Seed	10	SY	\$7.00	\$70.00	\$ 200.00	\$ 2,000.00	\$ 100.00	\$ 1,000.00	\$ 31.00	\$ 310.00	\$ 65.00	\$ 650.00
19	<i>Controlled Low Strength Material CLSM</i>												
19.1	CLSM for Pipe Abandonment *	10	CY	\$115.00	\$1,150.00	\$ 150.00	\$ 1,500.00	\$ 80.00	\$ 800.00	\$ 471.00	\$ 4,710.00	\$ 150.00	\$ 1,500.00
19.2	CLSM for Backfill and All Other Purposes *	10	CY	\$115.00	\$1,150.00	\$ 150.00	\$ 1,500.00	\$ 80.00	\$ 800.00	\$ 233.00	\$ 2,330.00	\$ 150.00	\$ 1,500.00
20	Misc. 4,000 psi Concrete *	10	CY	\$145.00	\$1,450.00	\$ 150.00	\$ 1,500.00	\$ 150.00	\$ 1,500.00	\$ 329.00	\$ 3,290.00	\$ 450.00	\$ 4,500.00
21	<i>Constructing Special Storm Drain and Sanitary Sewer Structures</i>												
21.1	Boynton St. Sanitary Sewer Connection	1	LS	\$21,000.00	\$21,000.00	\$ 9,450.00	\$ 9,450.00	\$ 5,000.00	\$ 5,000.00	\$ 11,511.00	\$ 11,511.00	\$ 7,500.00	\$ 7,500.00
21.2	Sanitary Sewer Connection to Existing (SMH-6)	1	LS	\$18,000.00	\$18,000.00	\$ 5,950.00	\$ 5,950.00	\$ 5,000.00	\$ 5,000.00	\$ 17,954.00	\$ 17,954.00	\$ 14,500.00	\$ 14,500.00
21.3	Storm Drain Connection (DMH-1)	1	LS	\$15,000.00	\$15,000.00	\$ 11,500.00	\$ 11,500.00	\$ 5,000.00	\$ 5,000.00	\$ 9,769.00	\$ 9,769.00	\$ 3,000.00	\$ 3,000.00
	Total				\$543,570		\$376,466		\$399,575		\$537,050		\$584,974

*Indicates indeterminate quantity for bidding purposes
** Math Error Found on Proposal & Corrected



Assigned to Councilor Graham

CITY OF BANGOR

(TITLE.) ORDER, Authorizing an Amendment to the Lease Agreement with Hannaford Bros. Co. at 39 Florida Ave., Bangor

WHEREAS, the Hannaford Bros. Co. has leased office space at 39 Florida Ave. from the City of Bangor since 2008; and

WHEREAS, the Hannaford Bros. Co. has exercised an option to extend the Lease Agreement for three (3) years; and

WHEREAS, the Hannaford Bros. Co. and the City of Bangor have agreed as to the rent for said office space:

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

The City Manager is hereby authorized, on behalf of the City of Bangor, to execute an Amendment to the Lease Agreement between the City of Bangor and Hannaford Bros. Co. for office space at 39 Florida Ave. to extend the term of the Agreement for three (3) years, to July 31, 2019, and establish a lease rate of \$2,651.00 per month during the first year. Said lease amendment will be in a form approved by the City Solicitor or Assistant City Solicitor.



Assigned to Councilor Nealley

CITY OF BANGOR

(TITLE.) ORDER, Extending the Designation of Sheldon Hartstone as Tentative Developer of a Parcel of City-Owned Land – Map 001 Lot 134 and a Portion of Map 001 Lot 001

WHEREAS, the City of Bangor is the owner of a parcel of land of approximately 9.66 acres located on Odlin Road, Bangor, described as Map 001 Lot 134 and a Portion of Map 001 Lot 001; and

WHEREAS, the Bangor City Council has approved designating Sheldon Hartstone as Tentative Developer of said parcel; and

WHEREAS, an environmental assessment is being conducted which is necessary to determine the development opportunities for the parcel; and

WHEREAS, Mr. Sheldon Hartstone has actively pursued commercial development opportunities for the parcel; and

WHEREAS, it is in the best interest of the City to extend the designation of Sheldon Hartstone as "Tentative Developer" of the parcel of land on Odlin Road:

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

The designation of Sheldon Hartstone as Tentative Developer of the City owned parcel of land of approximately 9.66 acres located on Odlin Road, Bangor is extended until August 8, 2016. During the period of designation, the City agrees to deal exclusively with Mr. Hartstone and his partners for the purpose of development of the City owned parcel of land, and City staff is authorized to negotiate a Development Agreement with Mr. Hartstone for the City Council's consideration setting forth the proposed terms and conditions under which the property would be leased and developed.

COUNCIL ACTION

Item No. 16-140

Date: April 11, 2016

Item/Subject: **ORDER,** Authorizing Execution of a Lease Agreement with United States of America – Building 96, 138 Maine Avenue (Tax Map 001-096)

Responsible Department: Community & Economic Development

The City of Bangor has leased office space at 138 Maine Avenue to the, Federal Aviation Administration, since 1993. The lease expires on September 30, 2016, and the FAA desires to continue to lease the office space. The City of Bangor and the FAA have agreed to a five (5) year lease at a rate of \$7,510.23 per month.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its April 5, 2016 meeting.

Tanya Emery
Department Head

Manager's Comments:

Carol M. Cole
City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:

City Solicitor

Introduced for

Passage
 First Reading
 Referral

Page __ of __

Assigned to Councilor Baldacci



CITY OF BANGOR

(TITLE.) Order, Authorizing Execution of a Lease Agreement with United States of America – Building 96, 138 Maine Avenue (Tax Map 001-096)

WHEREAS, the City of Bangor leases to the United States of America office space in Building 96 located at 138 Maine Avenue; and

WHEREAS, the lease expires on September 30, 2016; and

WHEREAS, the United States of America desires to continue to lease the office space:

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

The City Manager is hereby authorized to execute a Lease Agreement between the City of Bangor and the United States of America to lease office space in Building 96 at 138 Maine Avenue for five (5) years at a monthly rate of \$7,510.23. Said lease will be in a form approved by the City Solicitor or Assistant City Solicitor.

COUNCIL ACTION

Item No. 16-141

Date: April 11, 2016

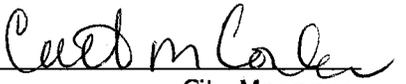
Item/Subject: RESOLVE, Ratifying the Application for Competitive Bid Funding in the Amount of \$160,000 from DHHS/Maine CDC to enable the City to Serve as the Lead Fiscal Agent (LFA) on Behalf of the Penquis Public Health District

Responsible Department: Public Health and Community Services

Commentary: This resolve would ratify the application for competitive bid funding in the amount of \$160,000 from the DHHS/Maine Center for Disease Control (CDC) for the following purposes: To continue the District Coordinating Committee which serves the Penquis Public Health District (all municipalities of Penobscot and Piscataquis counties); and To recruit, hire, and supervise a Penquis District Coordinator to staff the Committee and develop/implement the District work plan; and To serve as the conduit and fiscal agent for grants/contracts emanating from DHHS/Maine to serve the Penquis Public Health District. The term of the contract would be July 1, 2016 to June 30, 2017. This item was reviewed and recommended for approval by the Finance Committee on 4/4/2016.

Department Head

Manager's Comments:



City Manager

Associated Information: Order

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for
 Passage
 First Reading
 Referral

16-141
APRIL 11, 2016

Assigned to Councilor Nichols



CITY OF BANGOR

(TITLE.) RESOLVE, Ratifying the Application for Competitive Bid Funding in the Amount of \$160,000 from DHHS/Maine CDC to enable the City to Serve as the Lead Fiscal Agent (LFA) on Behalf of the Penquis Public Health District.

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT RESOLVED, that application submitted to apply for competitive bid funding in the amount of \$160,000 from DHHS/Maine CDC to enable the City to serve as the Lead Fiscal Agent (LFA) on behalf of the Penquis Public Health District is hereby ratified. The contract term would be July 1, 2016 to June 30, 2017.



**REFERRALS TO COMMITTEES
& FIRST READINGS**

COUNCIL ACTION

Item No. 16-142

Date: April 11, 2016

Item/Subject: **ORDINANCE**, Amending Chapter 260, Signs, of the Code of the City of Bangor, By Allowing Farmers' Market Signs on G&ISD Properties

Responsible Department: Community and Economic Development

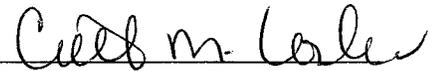
Commentary: The Bangor Farmers' Market is presently located in the Abbott Square Parking Lot and has Farmers' Market has approached the City, asking to place one or two signs at the Abbott Square parking lot.

The City Code does not presently allow for either sign, due to setback requirements in the zoning district in which the farmer's market is located. This ordinance would allow one or both of these signs to be placed, without impairing visibility for traffic.

This item was discussed at the Business and Economic Development Committee meeting on April 5, 2016.

Department Head

Manager's Comments:


City Manager

Associated Information: Ordinance

Budget Approval:

Finance Director

Legal Approval:


City Solicitor

Introduced for

- Passage
- First Reading
- Referral

Assigned to Councilor Graham



CITY OF BANGOR

ORDINANCE, Amending Chapter 260, Signs, of the Code of the City of Bangor, By Allowing Farmers' Market Signs on G&ISD Properties

WHEREAS, the Bangor Farmers' Market is presently located in the Abbott Square Parking Lot;

WHEREAS, the physical arrangement of said parking lot does not allow for signage that complies with the City of Bangor Code of Ordinances; and

WHEREAS, a narrow exception to the setback requirements of the Code would allow for signage without impairing visibility for traffic;

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

Chapter 260 of the Code of the City of Bangor be amended as follows:

§ 260-7. District-specific standards and limitations.

On-premises signs must meet the standards and limitations of the zoning district in which they are located as laid out herein.

...

I. G & ISD.

...

(5) Farmers' market signs. Signs in the G&ISD District for farmers' markets meeting the definition of farmers' market in 7 M.R.S. § 415(1) are not required to meet the setback requirements of this chapter or the Land Development Code, as long as such signs are no more than 15 square feet in sign area per side. One such farmers' market sign may be allowed on a G&ISD parcel in addition to the freestanding sign allowed under § 260-7(I)(2) above.

Additions are underlined.

COUNCIL ACTION

Item No. 16-143

Date: April 11, 2016

Item/Subject: Ordinance, Amending Chapter 9, of the Code of the City of Bangor - §9-10, Attendance at Meetings

Responsible Department: Legal

Commentary:

The Code of the City of Bangor requires that Councilors attend all City Council meetings "unless prevented by illness or absence from the City, or unless excused by a vote of the Council."

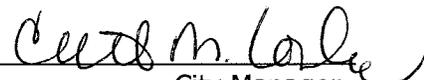
This amendment, if passed, will include that the Council Chair may also excuse the Councilor and make clear that if a Councilor decides to remain out of town for three consecutive meetings (an extended vacation, for example) the absences shall not be excused. It is the intent and purpose of this ordinance that any Councilor who is absent from the City by his or her choice to reside temporarily outside of the City, regardless of whether they maintain a residence within the City, shall not be considered to be excused from attending meetings.

The amendment also provides that three consecutive unexcused absences shall be cause for censure by the full Council.

Finally, this amendment provides that in the event a Councilor decides to resign his or her position the Councilor shall immediately give notice to the Council Chair and shall submit a written letter of resignation.

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 Plourde

CITY OF BANGOR

(TITLE.) Ordinance, Amending Chapter 9, of the Code of the City of Bangor - §9-10, Attendance at Meetings

WHEREAS, attendance at City Council meetings is an important obligation of City Councilors; and

WHEREAS, there may be times that a Councilor may not be able to attend a Council meeting, including when a Councilor is absent from the City; and

WHEREAS, it is appropriate to clarify the circumstances under which a Councilor may be excused from attending a City Council meeting.

NOW THEREOFRE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BANGOR THAT,

Chapter 9, §9-10 Attendance at Meetings, of the Code of the City of Bangor, is amended as follows:

§9-10 Attendance at Meetings

Every member shall attend all meetings of the Council unless prevented by illness or absence from the City, or unless excused by the Council Chair, or unless excused by a vote of the Council. Excused absence from the City shall not include residing at an abode or abodes other than the Councilor's residence for three consecutive meetings.

The faithful discharge of their duties, as required by Article II, Sec. 4, of the Charter of the City of Bangor requires that each member attend meetings of the Council whenever possible, subject to the excuses set forth above. It is the intent and purpose of this ordinance that any Councilor who is absent from the City by his or her choice to reside temporarily outside of the City, regardless of whether they maintain a residence within the City, shall not be considered to be excused from attending meetings.

Three consecutive unexcused absences shall be cause for censure by the full Council.

In the event a Councilor decides to resign his or her position the Councilor shall immediately give notice to the Council Chair and shall submit a written letter of resignation.

Additions underlined

COUNCIL ACTION

Item No. 16-144

Date: April 11, 2016

Item/Subject **ORDINANCE**, Amending Land Development Code – Zone Change – At or about 611 Ohio Street (Tax Map R35 - a portion of Lot 054) from a Government & Institutional Service District to a Low Density Residential District.

Responsible Department: Planning Division

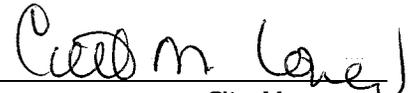
Commentary:

The applicant, Roman Catholic Bishop of Portland, is requesting a zone change for a portion of Mount Pleasant Cemetery, located on Ohio Street, (Tax Map R35 - a portion of Lot 054) from a Government & Institutional Service District to a Low Density Residential District. If approved, The Low Density Residential District will permit the construction of a residential unit on the Lot. Currently, Saint Paul the Apostle Parish plans to assist in the construction of a house for Habitat For Humanity. The property is served by public sewer and water.

Dept. Head

Manager's Comments:

For Referral to Planning Board Meeting of April 19, 2016 at 7:00 p.m.



City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:



City Solicitor

Introduced for

Passage

First Reading

Referral to Planning Board Meeting of April 19, 2016, 7:00 p.m.

Page 1 of 1

Assigned to Councilor Perry



CITY OF BANGOR

(TITLE.) *Ordinance*, Amending Land Development Code – Zone Change – At or about 611 Ohio Street (Tax Map R35, a portion of Lot 054) from a Government & Institutional Service District to a Low Density Residential 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 or about 611 Ohio Street (Tax Map No. R35, a portion of parcel 054) from a Government & Institutional Service District to a Low Density Residential District. Said parcel of land containing approximately 22,109 sq. ft. and being more particularly indicated on the map attached hereto and made a part hereof.

RECEIVED

MAR 29 2016

7/1/2012
C & ED and Planning

APPLICATION FOR LAND DEVELOPMENT CODE AND MAP AMENDMENT

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

DATE: March 23, 2016

1. I(WE) Rev. Timothy Nadeau of The Parish of St. Paul The Apostle

2. of 217 York Street, Bangor, Maine 04401
Address City or Post Office Telephone

hereby petition to amend the Land Development Code of the City of Bangor, Maine by reclassifying from ~~Government & Institutional Service Residential~~ district to the Low Density 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) North side of Ohio Street, adjacent to and
Total Area (acres or square feet) 22,109.5 sq. ft. northeasterly of 617 Ohio Street

4. PROPERTY LOCATION (General location): Example - South side of
State Street 400 yards. East of Pine Street North side of Ohio Street
268' to southwesterly bound of Dionne Parcel (Bk 10601, Pg 127)

5. LEGAL DESCRIPTION OF PROPERTY - Assessors Map No R3 Parcel 54

6. EXISTING USE: a portion of cemetery lot (presently undeveloped)

7. PROPOSED USE: single family residence. Property to be donated to
Habitat for Humanity.

8. NAME AND ADDRESS OF OWNER OF RECORD: Name Roman Catholic Bishop of Portland

Address 510 Ocean Avenue
Portland, ME 04103

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

10. SIGNATURE OF OWNER OR CONTRACT OWNER: N/A Rev. Timothy Nadeau

11. REPRESENTATIVE OF APPLICANT: Name Rev. Timothy Nadeau
(if applicable)

Address 217 York Street, Bangor, ME 04401

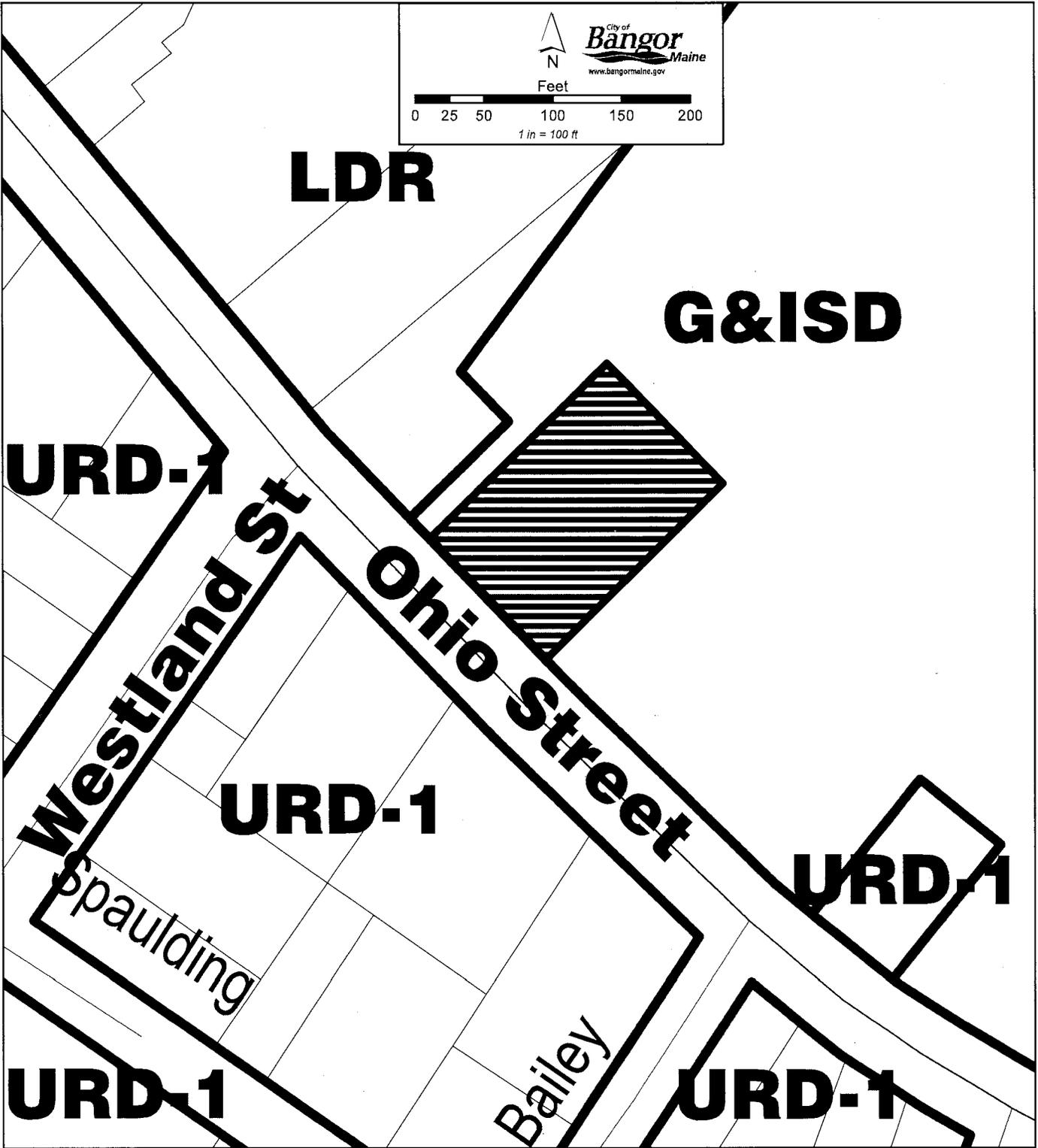
12. ATTACH ANY CONDITIONS PROPOSED FOR A CONTRACT ZONE REQUEST.

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

<u>Application fee</u>	<u>Processing</u>	<u>Advertising</u>	<u>Total</u>
Zone Change (1/2 acre or less)	\$575.00	\$410.00*	\$ 985.00
Zone Change (in excess of 1/2 acre)	\$920.00	\$410.00*	\$1,330.00
Contract Zone Change - 5 conditions or less	\$1,377.00	\$509.00*	\$1,886.00
More than 5 conditions or 50 words	\$1,900.00	\$509.00**	\$To be determined

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

PLEASE READ PROCESSING PROCEDURE ON REVERSE SIDE



LDR

G&ISD

URD-1

Westland St

Ohio Street

URD-1

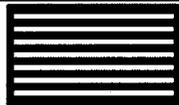
Spaulding

URD-1

URD-1

Bailey

URD-1

 **G&ISD to LDR**

COUNCIL ACTION

Item No. 16-145

Date: April 11, 2016

Item/Subject **ORDINANCE**, Amending Land Development Code – Zone Change – Polk Street (Tax Map 001-parcel 487) from a Government & Institutional Service District to an Airport Development District.

Responsible Department: Planning Division

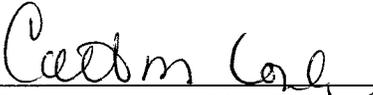
Commentary:

The applicant, General Electric, is requesting a zone change for a parcel of land located on Polk Street (Tax Map 001-487) from a Government & Institutional Service to an Airport Development District. The surrounding GE properties are zoned Airport Development District.

Dept. Head

Manager's Comments:

For Referral to Planning Board Meeting of April 19, 2016 at 7:00 p.m.



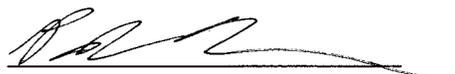
City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:



City Solicitor

Introduced for

Passage

First Reading

Referral to Planning Board Meeting of April 19, 2016, 7:00 p.m.

Page 1 of 1

Assigned to Councilor Baldacci



CITY OF BANGOR

(TITLE.) Ordinance, Amending Land Development Code – Zone Change – Polk Street (Tax Map 001-487) from a Government & Institutional Service District to an Airport Development 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 on Polk Steet (Tax Map No. 001 Parcel No. 487) from a Government & Institutional Service District to an Airport Development District. Said parcel of land containing approximately 2.58 acres and being more particularly indicated on the map attached hereto and made a part hereof.

7/1/2012

APPLICATION FOR LAND DEVELOPMENT CODE AND MAP AMENDMENT

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

DATE: MARCH 30, 2016

- 1. I(WE) GENERAL ELECTRIC
- 2. of 534 GRIFFIN ROAD, BANGOR, ME 941-2545
Address City or Post Office Telephone

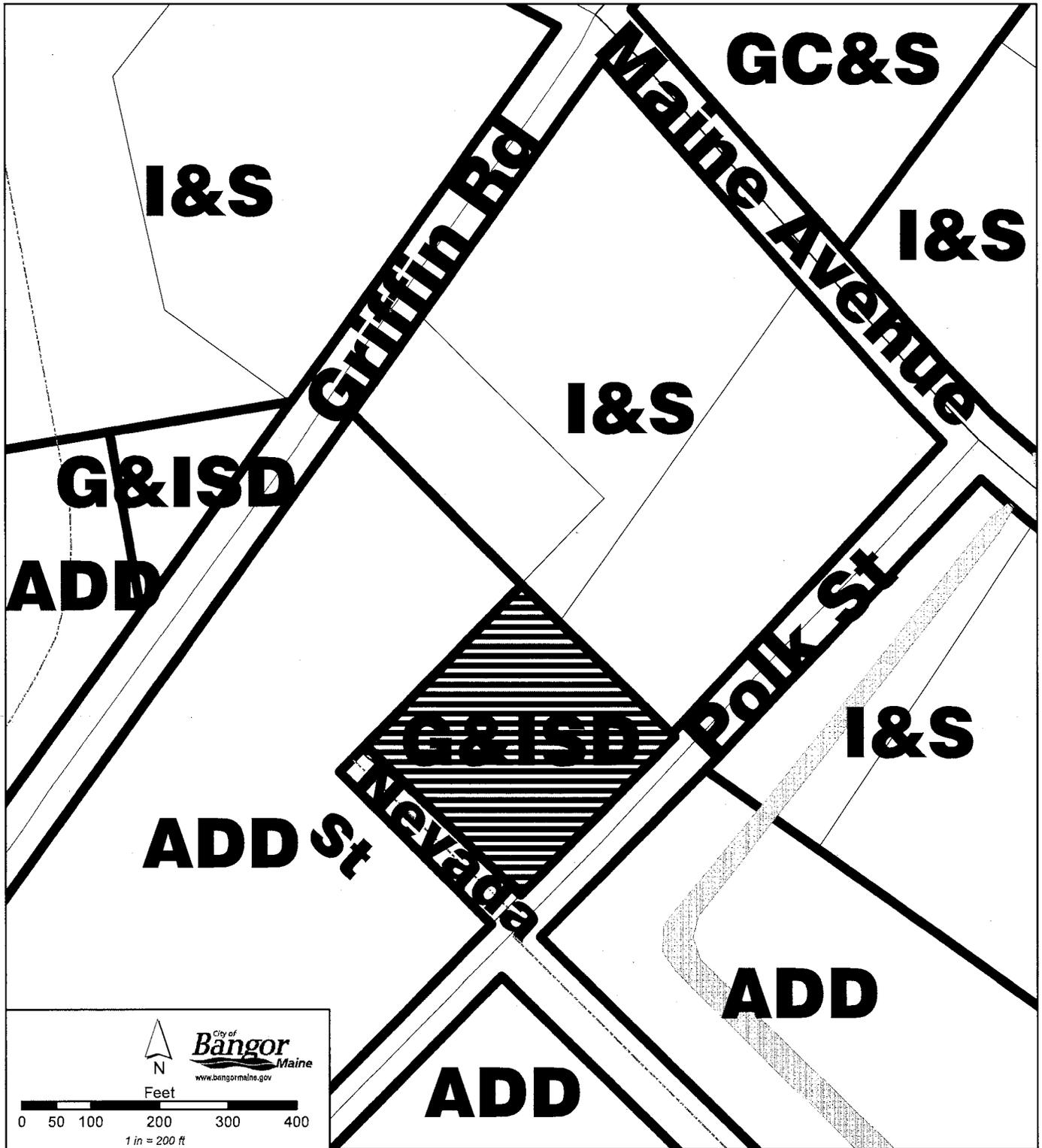
hereby petition to amend the Land Development Code of the City of Bangor, Maine by reclassifying from G1-SD district to the A00 district for the property outlined in red on the maps attached hereto, which are part of this application, and described as follows:

- 3. ADDRESS OF PROPERTY (if any) POLK + NEVADA STREETS
Total Area (acres or square feet) 2.58 ACRES
- 4. PROPERTY LOCATION (General location): Example - South side of
State Street 400 yards. East of Pine Street POLK STREET + NEVADA STREET FORMER
BUILDING 487 SITE.
- 5. LEGAL DESCRIPTION OF PROPERTY - Assessors Map No 001 Parcel 487
- 6. EXISTING USE: PARKING LOT AND FORMER BUILDING 487 (DEMOLISHED)
- 7. PROPOSED USE: OUTSIDE STORAGE AND PARKING
- 8. NAME AND ADDRESS OF OWNER OF RECORD: Name CITY OF BANGOR
Address 73 HARLOW STREET
- 9. NAME AND ADDRESS OF CONTRACT OWNER (if such): GE, 534 GRIFFIN ROAD
- 10. SIGNATURE OF OWNER OR CONTRACT OWNER: *Carl M. Corle*
- 11. REPRESENTATIVE OF APPLICANT: Name PLYMOUTH ENGINEERING
(if applicable)
Address PO BOX 46, PLYMOUTH, ME 04969
- 12. ATTACH ANY CONDITIONS PROPOSED FOR A CONTRACT ZONE REQUEST.

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

<u>Application fee</u>	<u>Processing</u>	<u>Advertising</u>	<u>Total</u>
Zone Change (1/2 acre or less)	\$575.00	\$410.00*	\$ 985.00
Zone Change (in excess of 1/2 acre)	\$920.00	\$410.00*	\$1,330.00
Contract Zone Change - 5 conditions or less	\$1,377.00	\$509.00*	\$1,886.00
More than 5 conditions or 50 words	\$1,900.00	\$509.00**	\$To be determined

*Two Ads Required ** Advertising costs above this amount to be paid for by applicant.
PLEASE READ PROCESSING PROCEDURE ON REVERSE SIDE



 **G&ISD to ADD**

COUNCIL ACTION

Item No. 16-146

Date: April 11, 2016

Item/Subject: **ORDINANCE**, Amending the Code of the City of Bangor, Chapters 234, Public Property, and 260, Signs, By Allowing Downtown Banners and Extending the Time Limit for Nonconforming Signs

Responsible Department: Community and Economic Development

Commentary: This ordinance amendment seeks to clarify a number of provisions in the sign code including downtown seasonal and promotional banners and extend the time that nonconforming signs may be replaced.

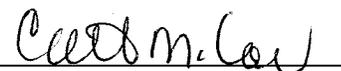
Currently, the city code specifically allows banners to be put up downtown above streets and sidewalks provided that the banners either advertise activities of a nonprofit organization or be approved by the City Council. State law, prohibits any signs or banners in the right of way which are not municipal. In practice the City has followed state law and banners have only been used for city events such as the Cool Sounds concert series. This ordinance amendment proposes to clarify that banners can only be placed in the right of way to advertise city events in conformance with State law. Another proposal is remove the 14 day restriction. Many of the events that occur in the city, such as Cool Sounds, extend through a season. If this ordinance amendment is approved, the 14 day restriction would be removed.

Often the City has sponsors for events such as Cool Sounds. If approved, the amendments would allow for acknowledgement of sponsors of these signs, add standards regarding advertising, logos, and public safety, and would move all sign standards into one place in the sign code.

Finally, this ordinance amendment would also extend the amount of time that a nonconforming sign can be replaced after the sign has been removed to 36 months, from the current 12 month limit. The sign still must be removed within 30 days of a business ceasing operation, but a new sign can now go up on the same sign structure within 36 months, instead of 12.

Department Head

Manager's Comments:

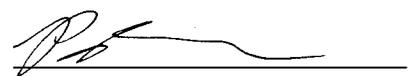

City Manager

Associated Information: Ordinance

Budget Approval:

Finance Director

Legal Approval:


City Solicitor

Introduced for

Passage

First Reading

Referral to the Business and Economic Development Committee on April 19, 2016

Assigned to Councilor Nealley



CITY OF BANGOR

ORDINANCE, Amending the Code of the City of Bangor, Chapters 234, Public Property, and 260, Signs, By Allowing Downtown Banners and Extending the Time Limit for Nonconforming Signs

WHEREAS, the only banners traditionally put up over City rights-of-way are seasonal and promotional banners put up by the City;

WHEREAS, the City wishes to prevent the proliferation of signs and banners in City rights-of-way in order to avoid distraction and obstruction of vehicular travelers and pedestrians;

WHEREAS, the right to use a nonconforming sign is currently discontinued after twelve months; and

WHEREAS, it can take landlords considerably longer than twelve months to find new tenants for vacant buildings;

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

Chapter 234 of the Code of the City of Bangor be amended as follows:

§ 234-3 Displays over sidewalks; ~~flags and banners.~~

No person, firm or corporation shall hang or cause to be hung any goods or other things over any sidewalk or suffer any spout to leak water on the same over the head of any person or hang, fasten or suffer to be hung or fastened from any building or lot owned by or in possession of said person, firm or corporation, or hang, fasten or affix to any building owned or in possession of others, any flag or banner of any description which shall project over any street or sidewalk, unless permitted to do so by the Code Enforcement Officer of the City of Bangor. ~~No such flag or banner shall be permitted without first having obtained a permit therefor as herein provided. Only flags or banners approved by the Code Enforcement Officer and containing a public service announcement or advertisement for activities of nonprofit, charitable or benevolent organizations or banners authorized by the City Council shall be permitted. Such permits shall be issued by the Code Enforcement Officer upon receipt of an application therefor designating the name and address of the applicant, the name and address of its authorized representative, a description of the proposed location of the flag or banner and the message to be displayed thereon.~~

- A. ~~Installation and removal. Any flag or banner in the condition permitted hereunder shall only be installed or removed by employees of the Public Services Department. The exact location, height and method of installation shall be completely within the discretion of the Director of Public Services, who shall, as much as is reasonably possible, meet the desires of the applicant. No flag or banner shall be installed in such a manner as to constitute a hazard to the traveling public or cause an obstruction to any traffic sign or signal. All costs incurred by the City by reason of said~~

APRIL 11, 2016

~~installation or removal shall be borne by the applicant. In the event that any flag or banner authorized hereunder shall become deteriorated, insecurely fastened or dislodged after installation so as to cause a potential hazard to the traveling public, an obstruction to any traffic sign or signal or a threat to adjacent property, the Director of Public Services, without notice to the applicant, shall cause said flag or banner to be removed.~~

- ~~B. Duration of permit. No flag or banner authorized hereunder shall be permitted to remain in any one location for more than 14 days.~~
- ~~C. Permit fees. The fee to be charged for the permit authorized hereunder shall be the estimated cost of such installation and removal. Any difference between the estimated costs and the actual costs shall be billed or refunded to the applicant, as the case may be.~~
- ~~D. Appeals. Appeals from a denial of such a permit by the Code Enforcement Officer may be made to the City Council.~~

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

Chapter 260 of the Code of the City of Bangor be amended as follows:

§ 260-12 Signs allowed without a permit.

The following off-premises signs may be erected and maintained without a permit from the Code Enforcement Officer:

...

E. Downtown seasonal and promotional banners, provided that:

- (1) The banners may only be erected within a public right-of-way in the designated Downtown Tax Increment Financing District area, as approved by the City Council and accepted by the State of Maine. The banners are not subject to the requirements of § 260-6(I).
- (2) The banners must be owned and erected by the City of Bangor, and shall be reviewed and authorized by the City Council.
- (3) Banners advertising specific commercial establishments are prohibited.
- (4) Each banner may have the logo and/or name of a sponsoring organization. The logo and/or name may not take up more than 20% of the sign area.
- (5) No banner shall be installed, maintained, or allowed to remain in a manner as to constitute a hazard to the traveling public or cause an obstruction to any traffic sign or signal. The Director of Public Works may cause such a banner to be removed at his or her discretion.

...

§ 260-14 Signs over public street or sidewalk.

APRIL 11, 2016

No off-premises sign shall be suspended over any public street or sidewalk, with the exception of a flag or banner as provided in ~~Chapter 234, Public Property, § 234-3~~ § 260-12(E) of this Code.

§ 260-17 Nonconforming signs.

Any sign which was lawfully erected and which fails to comply with the requirements of this chapter or any sign which legally exists but fails to meet the requirements of this chapter as the result of a future amendment to this chapter is a nonconforming sign. It is the intent of this section to strongly disfavor nonconformities and to encourage their elimination; however, it is also the intent of this section to treat nonconformities fairly and realistically by allowing certain ameliorative changes. Therefore, nonconformities may continue subject to the following conditions:

- A. Increases prohibited. Nonconforming signs shall not be expanded, enlarged in any dimension, relocated, or otherwise moved, except as permitted by § 260-6J of this chapter. Upon issuance of a sign permit from the Code Enforcement Office, the face of a nonconforming sign may be changed, provided that the nonconforming aspects of the sign are not increased.
- B. Restoration of nonconforming sign prohibited. If any nonconforming sign is destroyed or if any sign is discontinued for ~~12~~ 36 consecutive months, the right to continue it shall terminate, regardless of the owners intent to retain the nonconforming sign.
- C. Repairs. Ordinary repairs and maintenance of nonconforming signs are permitted.

Additions are underlined.



**UNFINISHED
BUSINESS**

COUNCIL ACTION

Item No. 16-123

Date: March 28, 2016

Item/Subject: **ORDINANCE**, Amending Chapter 109, Fees, of the Code of the City of Bangor, By Instituting a Fee Schedule

Responsible Department: Legal

Commentary:

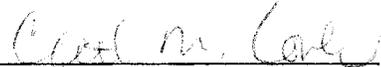
The City charges fees for a number of different services. Historically, these fees have been charged pursuant to various ordinances, orders, and policies, making them difficult to track, alter, or remove.

This ordinance amendment would provide for a single Schedule of Fees in which the fees charged by various City departments would be compiled in one document. This will help the City maintain a consistent approach to charging for services and add transparency to the City's fee structure.

If approved the compiled fee schedule is intended to mirror the fees presently being charged by the City, whether in accordance with ordinance, Council order, policy, or other practice. Once the schedule is adopted by this ordinance amendment, a Council Order or Orders can be used for any necessary adjustments. This item was reviewed and recommended for approval at the Finance Committee of March 21, 2016.

Department Head

Manager's Comments:



City Manager

Associated Information: Schedule of Fees

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral

Assigned to Councilor Durgin



CITY OF BANGOR

ORDINANCE, Amending Chapter 109, Fees, of the Code of the City of Bangor, By Instituting a Fee Schedule

WHEREAS, the City of Bangor charges fees for a number of different services it performs;

WHEREAS, these fees are scattered throughout the City Code, Council Orders, and policies, making them difficult to track and, where necessary, to amend or remove; and

WHEREAS, putting City fees in one place will make the City's fee structure more transparent;

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

Chapter 109 of the Code of the City of Bangor be repealed and replaced with the following:

§ 109-1. Schedule of Fees established.

Effective April 21, 2016, the attached Schedule of Fees shall be in effect. The Schedule of Fees may be amended by Council Order.

§ 109-2. Effect on existing ordinances.

The fees prescribed by the Schedule of Fees shall supersede any fees charged by the City, whether pursuant to City ordinance or otherwise, that are inconsistent with the Schedule of Fees described in § 109-1 above.

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

**CITY OF BANGOR
SCHEDULE OF FEES**

16-123
MARCH 28, 2016

A. Airport

Airport fees shall be as set by the Airport Director, including but not limited to those referred to by §54-24, except for the following:

Off-Airport Vehicle Rental Business. The fee for operating an off-airport vehicle rental business eliciting airport customers shall be 7.5 percent of all gross revenues derived from automobile rentals to customers transported from the airport. Ref. §54-19(B).

B. Animal Control.

(1) Dog Licensing*

Intact (not spayed or neutered)**	\$ 11
Spayed or Neutered**	\$ 6

*Dog Licensing fees shall be adjusted to comply with State law.

** If processed online there is an additional fee of \$1.

(2) Kennel License

Per license (up to 10 dogs)	\$ 42	§65-15
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(3) Late Fee

Per dog after January 31st	\$ 25
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(4) Impound fees shall be assessed by the Bangor Humane Society, and shall increase for each offense after the first within a 12 month period. Ref. §65-3.

C. Bass Park

Fees for the Bass Park Complex shall be as set by the Manager of Bass Park.

D. City Clerk.

(1) Business Licensing

Fees shall be increased to match the Consumer Price Index (CPI-U) on July 1 of each year.

Amusement Device License	\$ 43	8 M.R.S.A. § 441 et. seq.; §85-4
Automobile Recycling	\$ 62	30-A M.R.S.A. § 3756; § 85-4
Beano License	\$ -	§ 85-4
Bowling	\$ 325	§ 85-4

**CITY OF BANGOR
SCHEDULE OF FEES**

16-123
MARCH 28, 2016

BYOB:		
Bottle Club	\$ 200	§ 61-3
BYOB (1X)	\$ 25	§ 61-27
Carnival License:		
Lg. (6 or more rides)	\$ 620	§ 85-4
Sm. (1 to 5 rides)	\$ 186	§ 85-4
Catering	\$ 25	§§ 124-2; 85-4
Circus License:		
Indoor	\$ 429	§ 85-4
Outdoor	\$ 682	§ 85-4
Closing Out Sale License	\$ 58	§ 85-4
Dance Hall License	\$ 325	§ 85-4
Dealer in Explosives License	\$ 92	§ 85-4
Dealer in Old Gold	\$ 112	§ 85-4
Flammable Liquid License	\$ 197	§ 85-4
Games of Chance	\$ -	§ 85-4
Industrial Metals/Junkyard License	\$ 62	§ 85-4
Innkeeper:		
Lg. 11 or more rooms	\$ 429	
Sm. 1 to 10 rooms	\$ 217	
Liquor License:		§ 85-4
Off-premise	\$ 25	
On-premise	\$ 124	
Lunch Wagon:		§ 85-4
Up to 3 days	\$ 62	
Up to 3 months	\$ 149	
Over 3 months up to 1 year	\$ 216	
Mobile Home Park		§§ 186-1; 85-4
Sm. (fewer than 100 lots)	\$ 217	
Med. (100 to 199 lots)	\$ 248	
Lg. (200 to 299 lots)	\$ 372	
XLg. (300 or more lots)	\$ 496	
Pawnbroker's License	\$ 112	§§ 206-3; 85-4
Precious Metals License	\$ 112	§§ 219-1; 85-4
Roller-skating Rink License	\$ 325	§ 85-4
Secondhand Dealer License	\$ 112	§§ 247-2; 85-4
Secondhand (per Table)	\$ 6	§§ 247-2; 85-4
Special Amusement Permit	\$ 325	§ 85-4
Tank Farm License	\$ 197	§ 85-4
Tavern	\$ 216	§ 85-4
Taxi Cab	\$ 86	§§ 278-3; 85-4
Taxi Cab Operator	\$ 32	§§ 278-4; 85-4
Theater	\$ 325	§ 85-4
Transient Seller of Consumer Merchandise	\$ 372	§§ 265-31; 85-4
Victualer		
No Tables	\$ 180	
Sm. (up to 2,000 sq. ft.)	\$ 310	

**CITY OF BANGOR
SCHEDULE OF FEES**

16-123
MARCH 28, 2016

\$0-\$2500	\$ 23
\$2,501-\$7,500	\$ 88
\$7,501-\$175,000	\$ 132
\$175,001-\$300,000	\$ 175
\$300,001-\$1,000,000	\$ 350
\$1,000,001 and up	\$ 520

(4) Construction (New)

a. The fee for new construction shall be as follows:

(gross square footage) x (type of construction factor) x .0075 = fee

b. The type of construction factor shall be determined in accordance with the following table:

City of Bangor										
Group (2006 International Building Code)		Type of Construction								
		1A	1B	2A	2B	3A	3B	4	5A	5B
	Assembly, theaters, with stage	212	204.9	199.7	191.2	179.6	174.6	184.9	164.2	157.7
A-1	Assembly, theaters, without stage	194.08	186.9	181.7	173.3	161.7	156.6	166.9	146.3	139.8
A-2	Assembly, nightclubs	166.35	161.6	157.1	150.8	141.6	137.8	145.3	128.5	123.7
A-2	Assembly, restaurants, bars, banquet halls	165.35	160.6	155.1	149.8	139.6	136.8	144.3	126.5	122.7
A-3	Assembly, churches	195.96	188.8	183.6	175.2	163.7	158.7	168.8	148.3	141.8
A-3	Assembly, general, community halls, libraries,	163.95	156.8	150.6	143.2	130.7	126.6	136.8	115.3	109.8
A-4	Assembly, arenas	193.08	185.9	179.7	172.3	159.7	155.6	165.9	144.3	138.8
B	Business	169.14	163	157.4	149.7	135.8	130.8	143.5	119.3	113.7
E	Educational	178.16	# #	166.9	159.3	148.4	140.4	153.7	129.1	124.7
F-1	Factory and industrial, moderate hazard	100.75	96.02	90.26	86.94	77.68	74.37	83.16	64.01	60.19
F-2	Factory and industrial, low hazard	99.75	95.02	90.26	85.94	77.68	73.37	82.16	64.01	59.19
H-1	High hazard, explosives	94.4	89.68	84.92	80.59	72.52	68.22	76.82	58.86	N.P.
H-2, -3, -4	High hazard	94.4	89.68	84.92	80.59	72.52	68.22	76.82	58.86	54.03

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Existing Non-Residential includes but is not limited to remodeling, additions, alterations, fences, concrete slabs, canopies, and accessory structures

(6) Demolition

Dwelling, structure, or interior	\$65 + \$10/story over 3 stories
Small Structure with no sewer connection	\$ 20

(7) Electrical Permits

Temporary Service	\$ 45
Additional Residential Wiring	\$ 45
New Wiring/Rewiring of 1 & 2 Family Structure	\$ 70
New Wiring/Rewiring of 3 Family or More Structure	\$72 + 1/2 of 1% of the cost of the job
Commercial	\$72 + 1/2 of 1% of the cost of the job

(8) Excavation/Grading and Filling \$ 115

(9) Fire and Intrusion Alarms \$ 55

(10) Flood Hazard Development Permit \$ 55 §120-4

(11) Fuel Gas Burner -Propane and Natural Gas §127-3
(Replacement, conversion, or new installation)

Residential - up to 200,000 BTUS	\$ 50
Light Commercial - 200,000 - 1 million BTUS	\$ 65
Heavy Commercial - 1-2 million BTUS	\$ 100
Industrial - over 2 million BTUS	\$ 130

(12) Land Development Permit Extension Request

6 Months \$ 115

(13) Minimum Energy Standards \$ 5

(14) Minor Yard Variations Request \$ 55

(15) Observation and Amusement Stands

Temporary	\$ 60
Permanent	\$ 55 for first \$2,500 + \$7/\$1,000 over \$2,500

(16) Oil Burner Permits: (1 gal. = 134,000 BTUs) Replacements and New Installations

**CITY OF BANGOR
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Residential - Firing rate up to 2.5 gal/hr or up to 200,000 BTUs	\$ 45
Light Commercial - Firing rate 2.5 to 7.5 gal/hr or 200,000 BTUs to 1 mill BTUs	\$ 55
Heavy commercial - Firing rate 7.5 to 15 gal/hr or 1 mill to 2 mill. BTUS	\$ 85
Industrial - Firing rate over 15 gal/hr and over 2 mill. BTUs	\$ 120

(17) Parking Lots

1-24 spaces	\$ 55
25-100 spaces	\$ 110
101-300 spaces	\$ 165
301 or more spaces	\$ 270

(18) Plumbing

a. Internal Plumbing Permits

30-A M.R.S.A. §4211

General	\$ 40	for up to 4 fixtures; + \$ 10 per additional fixture
Hook up to Public Sewer	\$ 10	
Hook up to exiting subsurface system	\$ 10	
Piping relocation with no new fixtures	\$ 10	
Permit transfer	\$ 10	

b. Department Review

Engineered System Review	\$ 100
Multi-user Review	\$ 100

(19) Permit to Move a Building \$ 55 +100% of all costs for services provided by the City

(20) Shoreland Zone Permit \$ 55

(21) Sign Permit \$ 45 § 260-3

(22) Sprinkler System

Under 10 heads	\$ 25	+ \$10/story over 1st
11 to 50 heads	\$ 35	+ \$10/story over 1st
51-100 heads	\$ 70	+ \$10/story over 1st + \$45 plan review
Over 100 heads	\$ 115	+ \$45 plan review + \$10/story over 1st

(23) Subsurface Wastewater 30-A M.R.S.A. § 4211

a. State Water Quality Surcharge \$ 15

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b. Complete Disposal System

Engineered	\$ 200
Non-Engineered	\$ 250
Primitive	\$ 100
Separate Grey Waste Disposal Field	\$ 35
Seasonal Conversion Permit	\$ 50
1st Time System Variance	\$ 20

c. Separate Parts

Alternative Toilet	\$ 50
Disposal Field Only: Engineered	\$ 150
Disposal Field Only: Non-engineered	\$ 150
Treatment Tank Only: Engineered	\$ 80
Treatment Tank Only: Non-engineered	\$ 150
Holding Tank	\$ 100
Other Components	\$ 30

(24) Swimming Pool

Above Ground	\$ 40
In Ground	\$ 60

(25) Tanks § 128

331 Gallon or Larger Gas, Fuel or Oil	\$ 70
125 Gallon or Larger Liquified Gases	\$ 70

(26) Vacant Building Registration §§ 223-8, 223-9

\$ 250 /6 months

(27) Wood Stove/Pellet Stove Permit \$ 30

(28) Yard Sale Permit

1st Permit	\$ 5
2nd Permit (60 days after 1st)	\$ 11

(29) Zoning Verification Letter

Commercial	\$ 150
Up to 4 Residential Units	\$ 50

F. Community Connector

(1) Single Fares

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Regular	\$ 1.50
Half Rate	\$ 0.75
 (2) Strips (5 rides)	 \$ 6
 (3) Monthly Bus Passes	
Regular	\$ 45
w/ \$20 Voucher	\$ 25
Student	\$ 20
 (4) Senior/Disabled Half Rate Card	 Free
 (5) ADA Paratransit fare (one-way ride)	 \$ 3

G. Engineering.

(1) Blasting Permit		§ 76-7
1 week or less	\$ 25	
30 day sor less	\$ 50	
1 year or less	\$ 100	
 (2) Driveway Permit	 \$ -	 § 271-37 et seq.
 (3) Pole Permit	 \$ -	
 (4) Street Opening Permit (Right of Way)	 \$ 50	 § 271-32
 (5) Waste Hauler Initial Application	 \$ 100 +\$20/truck	 § 265-1(H)

H. Fire and Emergency Medical Services.

(1) Emergency Medical Services Rates		
ALS 1 Base Rate	\$ 685	§ 28-39
ALS 2 Base Rate	\$ 885	§ 28-39
ALS Base Rate No Services	\$ 685	§ 28-39
ALS Non-Em. Base Rate ALS Service	\$ 475	§ 28-39
ALS Non-Em. Base Rate No Service	\$ 475	§ 28-39
BLS Base Rate	\$ 550	§ 28-39
BLS Base Rate Non-EM. (also BLNE)	\$ 450	§ 28-39
SCT Transports (Dr., Nurse, Resp. Therapist giving care on board)	\$1,050	§ 28-39
ALS and BLS per Loaded Mileage Charge	\$ 17	§ 28-39
ALS Back Up	\$ 100	§ 28-39

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(2) False Fire Alarms

1-3 Responses per year	\$ - /response	§58-10
4-8 Responses per year	\$ 250 /response	§58-10
9 or More Responses per year	\$1,000 /response	§58-10

I. Health and Community Services

Immunization clinic and infectious disease testing fees shall be as set by the Director of Health and Community Services

J. Historic Preservation.

(1) Certificate of Appropriateness

Minor Review	\$ 55
New Construction/Comprehensive Rehabilitation	\$ 275

(2) Downtown Revitalization

Minor Review	\$ 30
New Construction/Comprehensive Rehabilitation	\$ 275

(3) Sign Review Only

Certificate of Appropriateness OR Downtown Revitalization	\$ 30
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K. Parking

Fees are monthly unless otherwise noted.

(1) Abbot Square

Upper	
Monthly	\$ 66
0-15 minutes	Free
15-60 minutes	\$ 0.50
Each add'l hour (or fraction thereof)	\$ 0.50
24-hour maximum	\$ 4.50
5pm to 7am	Free
Lower / Haynes Court	\$ 54

(2) Bangor House

	\$ 61
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(3) Court Street	\$ 33
(4) Court System	\$ 61
(5) French Street	\$ 54
(6) Hammond Square	
Lower	\$ 79
Upper	\$ 67
(7) Hancock Street	\$ 57
(8) High Street	\$ 54
(9) Kenduskeag Plaza	
East	\$ 57
West	\$ 50
(10) Merrill Bank Street	\$ 61
(11) Pickering Square Garage	
Main	\$ 61
Rooftop	\$ 33
Lower	\$ 60
Resident	\$ 43
Hourly	
0-2 hours	Free
2-3 hours	\$ 1.50
Each add'l hour (or fraction thereof)	\$ 0.50
24-hour maximum	\$ 4.50
(12) Pay-by-Space Machines	
0-4 hours, per hour (or fraction thereof)	\$ 0.50
4-9 hours, per hour (or fraction thereof)	\$ 1
5pm to 8am	Free

L. Parks and Recreation

- (1) Bangor Municipal Golf Course

All green fees and membership fees shall be as set by the Director of Parks and Recreation.

§28-48(E)

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(2)	Event Permit	\$ 25	
(3)	Harbor Fees		
a. Short Term Docking - Daily Rates			
	10'-16' Vessel	\$ 20	
	16'-26' Vessel	\$ 28	
	26'-40' Vessel	\$ 40	
	40'-65' Vessel	\$ 70	
	65'+ Vessel	based on individualized quote	
b. Long Term Docking, 25' or Less - Monthly Rates			
	All Months Except July & August	\$ 225 /month	
	July & August	\$ 435 /month	
	Full Season	\$ 775	
c. Long Term Docking, 25' to 40' - Monthly Rates			
	All months except July & August	\$ 375 /month	
	July & August	\$ 595 /month	
	Full Season	\$1,145	
d. Long Term Docking over 40'—Monthly Rates			
	All months except July & August	based on individualized quotes	
	July & August	based on individualized quotes	
	Full Season	based on individualized quotes	

M. Planning

(1)	Advertising		
	Zoning Map Amendment (Public Hearing - 2 notices)	\$ 410	§165-6(A)
	Contract Zoning Amendment (Public Hearing - 2 notices)	\$ 509	§165-6(A)
	Preliminary Subdivision Approval (Public Hearing—2 notices)	\$ 147	§165-128(B)
	Conditional Use Approval (Public Hearing)	\$ 74	§165-9(B)
	Mobile Home Park Construction Permit (Public Hearing)	\$ 74	§165-119
	Change to Official City Map of Streets - Non-City Initiated (Public Hearing)	\$ 74	§271-9
(2)	Conditional Use	\$ 463	§271-9

**CITY OF BANGOR
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(3)	Impact Fee	\$0.4078/sq. ft. of new building construction	§165-115
(4)	Mobile Home Park Construction Permit	\$293 + \$63/ mobile home	§165-119(F)
(5)	Site Development Plan		
	Nonresidential building less than 1,000 sq. ft. of gross floor area (GFA) on any site development activity which requires use of land of 10,000 sq. ft. or less including grading and filling or housing projects with less than 8 D.U.s	\$ 462	§ 165-110(A)
	Nonresidential building in excess of 1,000 sq. ft. but less than 50,000 sq. ft. of GFA or any site development activity which requires use of land in excess of 10,000 sq. ft. (regardless of size of building) or housing projects with 8 or more D.U.s.	\$ 691	§165-110(A)
	Nonresidential building in excess of 50,000 sq. ft. but less than 100,000 sq. ft. of GFA	\$1,380	§165-110(A)
	Nonresidential building in excess of 100,000 sq. ft. but less than 150,000 sq. ft. of GFA	\$2,068	§165-110(A)
	Nonresidential building in excess of 150,000 sq. ft. of GFA	\$2,756	§ 165-110(A)
	Site with 50 or more dwelling units	\$935 + \$29/DU over 50	§ 165-110(A)
	Flag Lot	\$ 220	§§ 165-110(A); 165-68(B)
(6)	Site Development Plan Revision, Minor		
	Nonresidential building less than 1,000 sq. ft. of GFA or any site development activity which requires use of land of 10,000 sq. ft. or less including grading and filling or housing projects with less than 8 D.U.s	\$ 231	§ 165-110(A)
	Nonresidential building in excess of 1,000 sq. ft. but less than 50,000 sq. ft. of GFA or any site development activity which requires use of land in excess of 10,000 sq. ft. (regardless of size of building) or housing projects with 8 or more D.U.s.	\$ 346	§ 165-110(A)
	Nonresidential building in excess of 50,000 sq. ft. but less than 100,000 sq. ft. of GFA	\$ 690	§ 165-110(A)
	Nonresidential building in excess of 100,000	\$1,380	§ 165-110(A)

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sq. ft. but not less than 150,000 sq. ft. of GFA (with 10 or more plan revisions)		
In excess of 150,000 sq. ft. of GFA (with 10 or more plan revisions)	\$2,756	§ 165-110(A)
Completion Date Extension Request	\$ 67	§ 165-110(A)
 (7) Site Location of Development		 § 165-114(J)
Site Developments requiring approval under the provisions of 38 M.R.S.A. §§ 481-490 eligible for review under Article XVI of this ordinance	\$4,306 + \$46/1,000 sq. ft. of GFA in excess of 60,000 sq. ft. or \$867/acre over 3 acres which is to remain non-revegetated, whichever is greater	
Subdivision Plan requiring approval under 38 M.R.S.A. §§481-490 with no public improvements (up to 5 lots)	\$4,306	
Subdivision Plan requiring approval under 38 M.R.S.A. §§481-490 with public improvements over 5 lots	\$4,306 + \$63/lot	
Plan Modification: For projects less than 1,000 sq. ft. of GFA and subdivision plans of 5 lots or less	\$ 463	
Plan Modification: For projects in excess of 1,000 sq. ft. of GFA and subdivision plans of 5 lots or more	\$ 692	
 (8) Stormwater for projects requiring Chapter 500 stormwater permit (for non-Site Location of Development projects)		
For projects not in Urban Impaired Watershed	\$ 524	
For projects in Urban Impaired Watershed	\$1,047	
 (9) Subdivisions		
Final, Minor (1 to 5 lots without improvements)	\$ 463	§ 165-127
Preliminary, Major (6 or more lots OR less than 6 lots with public improvements necessary)	\$ 463 + \$63/lot over 5	§ 165-110(A)
Final, Major (6 or more lots OR less than 6 lots with public improvements necessary)	\$ 463 + \$63/lot over 5	§ 165-128
Developmental	\$ 463	§ 165-110(A)
 (10) Traffic for projects requiring Maine DOT Traffic Movement Permit		
Projects generating in excess of 100 peak	\$ 524	

**CITY OF BANGOR
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hour trips
Projects generating in excess of 200 peak hour trips \$1,047

(11) Zone Amendments

a. Zoning Map Amendments

½ acre or less	\$ 575	§ 165-6(A)
In excess of ½ acre	\$ 920	§ 165-6(A)

b. 5 or fewer conditions; 50 words or fewer	\$1,377	§ 165-6(A)
More than 5 conditions; more than 50 words	\$1,900	§ 165-6(A)

N. Police

(1) Alarm Response Fee § 58-6

0-3 Responses	\$ 0 /response
4-8 Responses	\$ 25 /response
9+ Responses	\$ 100 /response

(2) Concealed Weapons Permit Fee

New Permit (\$10.00 retained by municipality)	\$ 35
Permit Renewal (\$10.00 retained by municipality)	\$ 20
Address Change	\$ 2

(3) Copy Fee - Records Division

Incident Reports -first 5 pages	\$ 5
Incident Reports- each additional page	\$ 2
Accident Report	\$ 10
Non-Reportable Accident Report	\$ 5
Online Crash Reporting for accidents that are estimated to have over \$1000 damage	\$ 16

(4) Evidence - Copy on CD/DVD \$ 20 Per Disk

(5) Towing and Impound fees shall be as set by the company performing the service.

O. Public Works

**CITY OF BANGOR
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- | | | |
|--|-------------------------|------------|
| (1) Cemetery and Burial Services | | |
| Lot Sale | \$ 600 each | |
| Perpetual Care | \$ 35 per year | |
| Weekday Cremations | \$ 125 each | |
| Weekend Cremations | \$ 175 each | |
| Weekday Earth Burials | \$ 300 each | |
| Weekend Earth Burials | \$ 450 each | |
| (2) Fire Alarm Box Maintenance | \$ 325/year | |
| (3) Use of Organic Waste Disposal Site | | § 265-1(F) |
| Residents | \$0 | |
| Non-Residents | \$ 100/year | |
| (4) Waste Haulers | \$100/year + \$20/truck | § 265-1(H) |

P. Stormwater Utility

The fee for stormwater shall be a \$22 per year minimum for the first 3,000 square feet plus \$11 per 1,000 square feet of impervious cover over 3,000 square feet. §268-18(A).

Q. Wastewater

- | | | |
|------------------------------------|----------------------|----------------|
| (1) Wastewater fees | | |
| Sewer Connection Fee | \$1.06 /gallon | §252-7 |
| Septage | \$120 /1,000 gallons | §252-9 |
| Grey Water | \$30 /1,000 gallons | §252-18(E) |
| Sewer User Fee | \$6.10 /HCF | §252-24(A)&(B) |
| (2) Industrial Pretreatment Permit | \$ 250 | §252-11(C) |

COUNCIL ACTION

Item No. 16-124

Date: March 28, 2016

Item/Subject: **ORDINANCE**, Repealing and Replacing Chapter 278, Taxicabs, of the Code of the City of Bangor

Responsible Department: Legal

Commentary:

This ordinance amendment is a comprehensive revision of the City's taxicab ordinance.

Over the last several years, the City has fielded concerns a number of concerns about taxicabs in the City from taxicab companies and drivers, citizens, the Police Department, and others. This new ordinance is the result of many meetings and discussions with taxicab owners, operators, the State, and other interested parties.

The new ordinance would carry forward many provisions of the existing ordinance, but would also make a number of changes. The new ordinance:

- Clearly defines taxicabs, livery vehicles, and other passenger transportation vehicles.
- Requires drivers of livery vehicles, who are currently effectively acting as unlicensed taxicabs, to undergo the same application process and background checks as taxicabs.
- Updates and clarifies taxicab inspection and taxicab driver's license requirements.
- Adds conduct requirements for taxicab drivers.
- Clarifies rules regarding smoking, bringing them into line with state law.
- Amends and clarifies procedures regarding license suspension and revocation, as well as removal of unsafe taxicabs from service.

This item was reviewed and recommended for approval from the Government Operations Committee on March 21, 2016.

Department Head

Manager's Comments:



City Manager

Associated Information: Ordinance

Budget Approval:

Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral



Assigned to Councilor Plourde

CITY OF BANGOR

ORDER, Repealing and Replacing Chapter 278, Taxicabs, of the Code of the City of Bangor

WHEREAS, over the last several years, the City of Bangor has fielded concerns from various parties about taxicabs in the City;

WHEREAS, City staff has spoken with taxicab owners, operators, the State, and other interested parties on numerous occasions about these concerns; and

WHEREAS, the City wishes to provide for the health, safety, and welfare of taxicab drivers, passengers, and the citizens of Bangor and other communities;

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

Chapter 278 of the Code of the City of Bangor be repealed in its entirety and replaced with the following:

Chapter 278: Taxicabs and Livery Vehicles

§ 278-1. Definitions.

For the purposes of this chapter, the following terms are to be deemed and construed to have the meanings indicated in this section:

BUS

An unmetered commercial passenger vehicle which carries more than 15 persons, including the driver, and operates on a fixed route for a fare.

BUSINESS LICENSE YEAR

The period of time commencing on the sixteenth day of May of one year and expiring on the fifteenth day of May of the following year.

CITY

The City of Bangor.

CITY COUNCIL

The City Council of the City of Bangor as established by Article II of the Charter of the City of Bangor.

COURTESY VEHICLE

A commercial vehicle service that carries passengers over a short distance to or from a fixed destination (e.g. the airport) at no charge to the customer.

DISPATCH CENTER

Any person, firm, association, partnership or corporation that provides dispatching services, including any form of electronic dispatch, to owners of taxicabs or liveries, in the City of Bangor.

DRIVER

Any person who is engaged in the driving of a taxicab or livery for hire.

EMPLOYED BY OR EMPLOYEE

Includes, but is not limited to, any employee, independent contractor, lessee or person permitted to drive a taxicab or livery of the business licensee.

FOR HIRE

The transportation of passengers for compensation.

LIVERY

A motor vehicle used for the transportation of passengers for hire, having the following characteristics:

- A. A seating capacity of at least three and no more than fifteen passengers behind the driver's seat;
- B. Hired by means of a request or contract arranged in advance of the time transportation is needed;
- C. Charge is by flat fee or by the minute;
- D. A price estimate is provided to the customer in advance of pickup; and
- E. Does not operate on a fixed route.

LIMOUSINE

Any unmetered luxury vehicle designed to carry no less than five and not more than fourteen passengers behind the driver's seat which is of a type built or modified for use as a luxury "stretch limousine" and is used for the transportation of passengers for-hire, solely by pre-arrangement, on a reserved hourly or flat rate basis.

OPERATE

The act of driving, attempting to drive, or exercising control over a vehicle.

OWNER

The person, firm, association, partnership or corporation to whom or to which a taxicab or livery business license has been issued.

TAXICAB

A motor vehicle used for the transportation of passengers for hire, having the following characteristics:

- A. A seating capacity of nine passengers or fewer, including the driver;
- B. Operated on call and demand;
- C. Operated without fixed routes or termini;
- D. The destination and route of which are under the control of the passenger or passengers being carried therein; and
- E. The fares for which are at rates per mile, or fraction thereof, or wait time, or both.

TAXIMETER

A mechanical instrument or device by which the fare for hire of the taxicab is automatically calculated, either for distance traveled or waiting time or both, and plainly and accurately indicated in figures that are illuminated and clearly visible to the passenger.

§ 278-2. Applicability.

- A. The provisions of this article shall apply to taxicabs and liveries which operate within Bangor City limits.
- B. The following vehicles are exempt from the provisions of this Chapter except as otherwise indicated herein.
 - 1. Limousines.
 - 2. Buses.
 - 3. Courtesy vehicles.
 - 4. Livery operators which hold a current interstate operating authority from the Federal Motor Carrier Safety Administration and the liveries covered by such interstate operating authority.
 - 5. Vehicles used solely in connection with transportation for funerals.

6. Vehicles being used to conduct prearranged rides on behalf of a transportation network company by a transportation network company driver, as defined in 24-A M.R.S § 7302.
- C. No livery or limousine shall operate as a taxicab nor accept passengers on a "hail" or walk-up basis.

§ 278-3. Permitted For-Hire vehicles.

No person shall operate or cause to be operated any vehicle transporting passengers for hire unless they are operating a licensed taxicab or livery, or a vehicle qualifying as exempt under § 278-2(B).

§ 278-4. Licenses Required.

- A. It shall be unlawful for any person to operate or cause to be operated in the City of Bangor any taxicab or livery unless such taxicab or livery is covered by a business license provided for by § 278-5 of this chapter; provided, nevertheless, that it shall not be deemed to be the operation of a taxicab or livery or the causing of a taxicab or livery to be operated within the meaning of this chapter if an owner licensed to operate a taxicab or livery in any municipality which grants the same rights as are granted herein to taxicabs and liveries licensed in the City of Bangor shall, upon previous call therefore, take a passenger or passengers from Bangor to the City in which such taxicab or livery is licensed or to Bangor from the City in which such taxicab or livery is licensed.
- B. Business license. Each taxicab or livery business, whether an individual, corporation, d/b/a, limited liability corporation, partnership, or other legal entity, shall obtain a taxicab or livery license from the City Clerk's office prior to permitting the operation of any taxicab or livery vehicles in the city. A taxicab or livery business license shall be obtained which covers all vehicles which will be used under the license. There shall be a fee for each vehicle listed on the business license in accordance with Chapter 109 of this Code. Only those vehicles listed on the business license may be used by the licensee as a taxicab or livery in the city. Vehicles can only be used for one purpose, i.e. either a taxicab or livery, and can only be listed on one license, either a taxicab business license or a livery business license.
- C. Driver's license. No person shall operate a taxicab or livery, whether or not carrying passengers, within the city unless such taxicab or livery is covered by a taxicab or livery business license and the driver thereof is currently licensed by the city to operate a taxicab or livery; except when a taxicab or livery is clearly marked on at least one door per side of the vehicle with a magnetic "out of service" sign with letters no less than 2.5 inches in height, an unlicensed driver may operate the taxicab or livery for the following purposes:
 - (1) A mechanic operating the vehicle for the purpose of diagnosing a problem or testing to assure that a mechanical issue is resolved.

- (2) Any individual operating the vehicle for the purpose of moving it between locations while not in operation as a taxicab or livery.

D. Licenses non-transferable. Licenses issued hereunder are not transferable.

§ 278-5. Taxicab or Livery Business License.

A. A taxicab or livery business license shall be issued upon compliance with the following:

- (1) Applicants shall obtain and complete application forms from the City Clerk's Office.
- (2) Every application shall be signed and verified by each of the principal officers of the applicant if the applicant is a corporation, and in all other cases by all persons having an actual ownership interest in the applicant. All applications shall state the name, address, and phone number of every person having management authority in the business of the applicant.
- (3) Applicant shall provide a comprehensive list including the make, model, passenger capacity, year, vehicle identification number (VIN), taxicab or livery identification number and license plate number of each vehicle which is to be covered by the taxicab or livery business license.
- (4) Applicants for a taxicab business license shall obtain from the Sealer of Weights and Measures, at their own cost, a written statement that the taximeter installed in each taxicab for which the taxicab business license is sought complies with the requirements of Subsection B, below.
- (5) Applicants shall obtain from the Chief of Police, or his or her designee, a written statement that an inspection has been made of each taxicab or livery for which the taxicab or livery business license is sought and each taxicab or livery has been found to be safe and suitable for taxicab or livery service in accordance with Subsection D, below.
- (6) Applicant shall submit to the City Clerk the applicable items listed in Subsection A(1) through (5) above, the nonrefundable annual fee for a taxicab or livery business license as provided for in § 278-4(B), a valid State of Maine motor vehicle registration certificate for each vehicle listed in Subsection (3), and certificate(s) of insurance from a reputable insurance agency stating that the vehicles for which the taxicab or livery business license is sought ~~is~~ are insured in accordance with Subsection E, below and listing the City of Bangor as an additional insured.
- (7) A person or business may obtain both a livery and taxicab business license, but there must be a separate application form and fee for each such license. A vehicle may not be licensed nor used as both a taxicab and a livery.

B. Taximeters. Every taxicab shall be equipped with a taximeter tested, approved and sealed by the Sealer of Weights and Measures which accurately calculates no more than

the maximum rates of fare hereinafter set forth and mileage by means of clear and distinct figures which are electronically illuminated during the period between sunset and sunrise, and which clearly indicates the type of fare being charged, mileage and/or time. The taximeter shall be placed so that the figures are in plain view of all passengers. The taximeter shall be permanently affixed to the taxicab and sealed by the Sealer of Weights and Measures. It shall be the responsibility of the owner to submit his or her taxicab or taxicabs for inspection to the Sealer of Weights and Measures. If, upon inspection of the taximeter, the Sealer of Weights and Measures determines that the taximeter meets the requirements of this section, he or she shall issue a statement stating that the taximeter complies with the requirements of this section.

- C. Updates. It is the responsibility of the applicant to update, in the City Clerk's office, the list of vehicles covered by the taxicab or livery business license throughout the year if any vehicles are removed from or added to the taxicab or livery business fleet. A fee will be charged for each vehicle added in accordance with Chapter 109 of this Code. The City Clerk must be notified of a vehicle being added to the fleet within 15 days of completing the taxicab or livery inspection, and before the vehicle is put in service. It is also the responsibility of the applicant to update, in the City Clerk's office, the list of licensed drivers operating their taxicabs or liveries throughout the year if drivers are hired or no longer employed by the taxicab or livery business licensee; notification must be provided within 15 days of the driver being hired or employment terminating and before the driver begins operating a taxicab or livery, and must include the driver's current address and telephone number. Failure to update the list shall result in the automatic suspension of the taxicab or livery business license until the list is updated and a reinstatement fee of as set out in Chapter 109 of this Code is paid.
- D. Inspection of Taxicabs and Livery.
- (1) Frequency. The Chief of Police, or his or her authorized agent, shall have the authority to inspect, or cause to be inspected, any and all taxicabs and liveries so as to ensure that any taxicab or livery is safe and suitable for taxicab or livery service as follows:
- (a) Prior to issuance of any new taxicab or livery business license;
 - (b) Once each calendar year prior to the renewal of any existing taxicab or livery business license;
 - (c) Prior to adding a taxicab or livery to a taxicab or livery business license; and
 - (d) At any other time, at the discretion of the Chief of Police or his or her authorized agent.
- (2) Scope. During any taxicab or livery inspection, the Chief of Police or his or her authorized agent shall inspect each taxicab or livery and find that such vehicle:

- (a) Has a valid State of Maine motor vehicle registration certificate;
- (b) Has a valid State of Maine inspection sticker placed on the windshield in accordance with state law issued the same month or the month immediately preceding the inspection by the Chief of Police, or his or her designee;
- (c) In the case of a taxicab, is equipped with a sealed taximeter placed in accordance with Subsection B of this section;
- (d) Meets the identifying lights and identifying markings requirements of § 278-58 of this chapter;
- (e) In the case of a taxicab, meets the fare markings requirements of § 278-9 of this chapter;
- (f) Has a "No Smoking" sign clearly visible on all passenger windows inside the taxicab or livery.
- (g) Is in a clean and sanitary condition, inside and out, with no unsightly soil spots;
- (h) In all other respects is safe and suitable for taxicab or livery service;
- (i) Complies with the following standards:
 - [1] No dents larger than six inches in diameter.
 - [2] No missing or hanging mirrors, trim or body work.
 - [3] No cracks in the windshield or windows.
 - [4] No missing hubcaps.
 - [5] No visible primer paint.
 - [6] All original and replacement parts and components of the vehicle are similar in appearance and are of the same color or design.
 - [7] No rust greater than one inch in diameter.
 - [8] No loose trash or large amounts of dirt or sand in the interior passenger area, whether or not the area is currently occupied by a passenger.
 - [9] No visible tears in carpeting or seat upholstery.
 - [10] No unpleasant odors or strong fragrances inside.
 - [11] Seat belts for all passenger seats visible and in working order.
 - [12] Two operating doors affording direct entrance and exit to and from the passenger compartment.

- (j) A taxicab or livery shall at all times be maintained in compliance with the laws of the State of Maine relating to passenger vehicles and the rules and regulations of the State Commissioner of Transportation enacted pursuant thereto.
- (3) The City Clerk shall issue a nontransferable Bangor Taxicab or Bangor Livery inspection sticker to each taxicab or livery inspected under this section, valid for one year from the date of issue, unless the vehicle is added to a taxicab or livery business license after the initial date of issuance of said license, in which case the vehicle inspection sticker will expire upon expiration of the taxicab or livery business license. All taxicabs and liveries operating in the City of Bangor shall display said stickers in accordance with § 278-8.
- E. Insurance. Each taxicab or livery shall be insured for the period over which the taxicab or livery business license is to remain in force, insuring persons and property from liability for injuries and damages resulting from the use and operation of such taxicab or livery. Such insurance policy or coverage shall be issued in an amount or amounts sufficient to meet state law requirements.
 - F. Termination and Expiration of taxicab or livery business license. Unless revoked or suspended under §§ 278-15 or 278-16 of this chapter, each taxicab and livery business license shall expire on the 15th day of May next after the date of issuance; provided, however, that any new application filed between May 1 and May 15 and approved shall be valid until May 15 of the following year.
 - G. It shall be a violation of this article for any taxicab or livery business, or the owner thereof, to allow any person not holding a valid City of Bangor taxicab or livery driver's license to operate a taxicab or livery licensed as part of their fleet, unless under the conditions specified in § 278-4(C).

§ 278-6. Driver and vehicle lists.

- A. Every dispatch center shall, on the first day of January and July of each year, file with the City Clerk a current list of all taxicab and livery companies and owners for whom the dispatch center provides dispatching services.
- B. Every taxicab or livery company or owner shall, on the first day of January and July of each year, file with the City Clerk a current list of its taxicab and livery drivers.
- C. Every taxicab or livery company or owner shall, on the first day of January and July of each year, file with the City Clerk a current list of its taxicabs or liveries, including the make, model, passenger capacity, year, vehicle identification number (VIN), taxicab or livery identification number as required by § 278-8(D) and license plate number of each vehicle which is covered by the taxicab or livery business license.

§ 278-7. Taxicab or livery driver's license.

It shall be unlawful for any person to operate any taxicab or livery for hire without first obtaining a taxicab or livery driver's license.

- A. Fees. If a person has not previously held a City of Bangor taxicab or livery driver's license or if a person is renewing an existing license after the 15th of the month in which such license shall expire the nonrefundable new/late licensing fee shall be as set forth in Chapter 109 of this Code. Any person renewing an existing taxicab or livery driver's license between the 1st and 15th of the month in which such license shall expire be charged a nonrefundable renewal fee as set forth in Chapter 109 of this Code. All taxicab or livery driver's licenses shall expire annually on the last day of the month in which the license was issued except that any license renewed within 3 months following the expiration of the license will expire the following year on the last day of the month in which the expired license was issued. Any license renewed more than 3 months after its expiration will be treated as a first time license.
- B. Application and issuance.
- (1) An application for a taxicab or livery driver's license shall be made upon forms furnished by the City Clerk and shall be signed in front of the City Clerk by the applicant. The application shall require the applicant to set out the following information:
- (a) That the applicant is 18 years of age or older.
 - (b) That the applicant has held a valid driver's license for more than two years.
 - (c) Current contact information, including home and work address, and home, work and cell telephone numbers, and e-mail address if available.
 - (d) Maine Driver's License number.
 - (e) List of all states in which the applicant has resided over the past 7 years.
 - (f) List of all criminal convictions from any and all jurisdictions, not including convictions for crimes committed as a juvenile.
 - (g) Whether any driver's license held by the applicant is presently revoked or has been revoked during the three (3) years preceding the application and the reasons for such revocation(s).
 - (h) Applicant's signature certifying that all information provided is complete and accurate and that they understand the taxicab and livery driver rules.
 - (i) Any other information requested by the City Clerk, Chief of Police, or City Council.
- (2) Before such license shall be issued by the City Clerk, the application must be approved by the Chief of Police, or his or her designee, and the applicant must:

- (a) Present a valid State of Maine driver's license.
- (b) Demonstrate to the City Clerk that he or she can read, write and speak the English language.
- (c) Present the taxicab or livery driver's license to be renewed, if renewal is sought.
- (d) Pay the nonrefundable annual fee for a taxicab driver's license as required under § 278-7(A) above.
- (e) In the case of a new application, have his or her photograph taken at a place, time and date designated by the Chief of Police, or his or her designee, for City photo identification to be displayed as provided in Subsection D, below. In the case of a renewal application, the applicant must present their City photo identification.
- (f) Demonstrate to the Chief of Police, or his or her designee, that the applicant is competent to operate a motor vehicle safely and in accordance with all applicable traffic laws and ordinances. In determining whether the applicant is competent to operate a motor vehicle safely and in accordance with law, the Chief of Police, or his or her designee, shall consider factors including but not limited to whether the applicant has any of the following:
 - [1] Three or more convictions for motor vehicle violations within the past 3 years.
 - [2] One or more major moving violations within the past 3 years, including but not limited to attempting to evade the police, reckless driving or driving on a suspended or revoked license.
- (g) Satisfy the Chief of Police, or his or her designee, that the applicant is at present of such good moral character that the applicant can be trusted with the safe care and custody of taxicab passengers. In determining whether the applicant is of "good moral character," the Chief of Police, or his or her designee, shall consider factors including, but not limited to, the following:
 - [1] Whether the applicant has been convicted at any time of murder, manslaughter, or a Class A, B, or C crime against a person;
 - [2] Whether the applicant has been convicted within the past 7 years of operating under the influence of drugs or alcohol, fraud, a sexual offense, use of a motor vehicle to commit a felony, a crime involving property damage or theft, an act of violence or an act of terror, a drug-related crime, criminal threatening, or harassment; and
 - [3] Whether the applicant made any false statement or omission on the application or in the course of the application process.

- (h) No license will be issued until the results of the State Bureau of Investigation (SBI) criminal background check are received and found to be acceptable by the Chief of Police, or his or her designee.
 - (i) Have no outstanding warrants of arrest in Maine or any other jurisdiction; and
 - (j) Not be a convicted sex offender who is required to register as a sex offender within the State of Maine or is on the national sex offender registry.
 - (k) Failure to meet any of the requirements in Subsection (a)-(j) shall be grounds for denial of a taxicab or livery driver's license.
- C. Identification tag. Upon the issuance of the taxicab or livery driver's license, the Chief of Police, or his or her designee, shall also deliver to the licensee an identification tag containing the applicant's photograph. The identification tag shall be worn in a conspicuous place on the licensee's uniform at all times while operating a taxicab within the City of Bangor. Failure to display the identification tag in a conspicuous place at all times constitutes ground for license revocation.
- D. Expiration of taxicab or livery driver's license. Unless suspended or revoked under this chapter, all taxicab and livery driver's licenses shall expire annually on the last day of the month in which the license was issued. Any license renewed within 3 months following the expiration of the license will expire the following year on the last day of the month in which the license was originally issued. Any license renewed more than 3 months after its expiration will be treated as a first time license.
- E. Record of denial. The City Clerk shall make and keep a written record of every decision to deny an application for a taxicab driver's license. Records of denial shall be kept for three years from the date of denial.

§ 278-8. Identification of taxicabs and liveries.

- A. Name and logo. Every taxicab and livery shall have the name of the owner or the owner's dispatch center or trade name and, in the case of a taxicab, the word "taxicab" or "taxi" or "cab," or in the case of a livery, the word "livery" permanently placed on the exterior of one door on each side of the vehicle, or in the case of livery said doors or each rear fender of the vehicle, in letters at least 2 inches high. In lieu thereof, a logo or monogram, approved by the Chief of Police, or his or her designee, containing the same information and being not less than eight inches in diameter, shall be permanently placed on one door on each side of the taxicab or livery.
- B. Lights. In addition to the outside lights required by law, all taxicabs shall be equipped with an identifying light attached to the top of each taxicab. Such identifying light shall be constructed in one unit consisting of an illuminated plate or cylinder upon which is printed the word "taxicab" or "taxi" or "cab" or the name of the taxicab business. The overall dimensions of such identity light shall not exceed eight inches in height and 23

inches in length. Other than the outside lights required by law, a livery vehicle is prohibited from having an exterior light.

- C. Identification sticker. Every taxicab or livery inspected to operate in the City of Bangor shall display a valid Bangor taxicab or livery sticker on the front windshield adjacent to the state inspection sticker.
- D. Identification number. Every taxicab or livery licensed to operate in the City of Bangor shall display their taxicab or livery identification number, on the rear of the vehicle and on the exterior by the door handles in letters and numbers at least 2 inches high. Identification numbers must be in numerical order starting with 1 and must be filed and updated with the City Clerk.
- E. Taxicab contact number. Every taxicab licensed to operate in the City of Bangor shall display a telephone number for the taxicab business or dispatch center on the rear and each side of the vehicle in numbers at least 2 inches high.
- F. Notice to the Public. Every taxicab and livery shall display a card, provided by the City Clerk's office, in clear view of all passengers, in the passenger compartment, illuminated between the hours of sunset and sunrise, displaying the following rules and information:
 - (1) For taxicabs only, maximum fare schedule;
 - (2) Smoking is prohibited in any taxicab or livery vehicle and failure to comply will result in a fine;
 - (3) Taxicab or livery identification number; and
 - (4) Contact information passengers can use for reporting any violations or misconduct observed during taxicab or livery transportation.

§ 278-9. Taxicab Rates of fare.

- A. Fares to be collected from any taxicab passenger or passengers shall be no greater than that shown on the taximeter, and no owner or driver shall charge rates to such passenger or passengers for taxicab services within the limits of the City of Bangor greater than the following:
 - (1) For the first 1/6 of a mile or fraction thereof: \$2.50
 - (2) For each 1/6 of a mile or fraction thereafter: \$0.35
- B. Provided, however, that in addition to the rates of fare permitted under Subsection A(1) and (2) above, a fare of not more than \$0.30 per minute may be charged in the event that any taxicab is forced, by reason of traffic conditions or other circumstances beyond the driver's control, to travel at a speed of less than 10 miles per hour for a continuous period of more than two minutes.

- C. All taxicabs operated under a license granted by the City of Bangor must display the notice to the public card provided by the City of Bangor, which sets forth the maximum rates permitted under this chapter, as outlined in § 278-8. Maximum rates, including for the initial 1/6 mile, for each additional 1/6 mile, and for wait time, shall also be permanently placed on the exterior of one door or fender on each side of the taxicab in letters at least 1 inch high.
- D. Additional passengers. If there is more than one passenger having the same origin and destination, each passenger may be charged not more than an equal proportionate part of the charges shown on the taximeter. At the option of the owner of such taxicab, an additional charge of not more than \$0.25 may be made for each additional passenger having the same origin and destination as the first passenger. If there is more than one passenger and the destinations are different, each passenger may be charged not more than his or her equal proportionate part of the difference between the amount then shown on the taximeter and the amount shown by the taximeter at the next preceding stop.
- E. Waiting time. If the taxicab waits for the passenger after the taxicab has arrived at the place of origin, at the expiration of five minutes after such taxicab has arrived or after being requested to wait by the passenger, whichever comes sooner, the passenger may be charged not more than a maximum rate of \$20 per hour, or any such fraction thereof, as the actual waiting time bears to one hour. No charge shall be made for waiting time in advance of the time at which the taxicab is required in the request for the taxicab service, nor for the delay due to the inefficiency of the taxicab or its operation, nor for mileage or time other than proceeding in the most direct way to the destination.
- F. Hand luggage. Hand luggage shall be carried free of charge.
- G. Surcharge. The Bangor City Council may, by order, authorize the levy of a surcharge per trip in addition to the fare authorized by this section where it determines that such surcharge is warranted by conditions beyond the control of taxicab drivers and companies and where such conditions affect the cost of providing taxicab services.
- H. No taxicab or livery driver shall engage in barter with a passenger in lieu of the arranged compensation.

§ 278-10. Record of daily trips.

The owner or licensed operator of a taxicab or livery shall keep daily records of all trips made by such vehicle, the beginning and end time and place of each trip, and the amount of payment received, not including any tip or gratuity given voluntarily by the customer. Such records, upon demand, shall be open to inspection by the City Clerk or any police officer. Said records shall be kept for a period of not less than three years.

§ 278-11. Taxi stands; soliciting passengers.

- A. Taxi stands. The Chief of Police, or his or her designee, by and with the consent of the City Manager, is hereby empowered to assign, to each and every licensed taxicab owner, suitable taxi stand space on public streets and ways.
- B. Passenger soliciting. No driver of a taxicab shall solicit any passenger or passengers within 50 feet of an established taxicab stand except while parked in said stand.

§ 278-12. Conduct of Taxicab and Livery Drivers.

To facilitate the safe, orderly and professional provision of taxicab and livery services, taxicab and livery drivers are required to follow these guidelines:

- A. Cell Phones. Taxicab and livery drivers shall not use their cell phone while transporting a passenger unless it is an emergency or to receive calls from dispatch or customers.
- B. Appearance. Every taxicab or livery driver operating a taxicab or livery that is in service shall be suitably and professionally dressed, and neat and clean in appearance. No clothing which is ripped or torn or has a large or unsightly stain is permitted. Gym or workout shorts or pajama pants are not permitted. Footwear must be closed-toe and clean.
- C. Personal Hygiene: Taxicab and livery drivers will maintain good personal hygiene.

§ 278-13. No Smoking.

- A. No person, including but not limited to taxicab and livery operators and passengers, may smoke in a taxicab or livery at any time, including times when there are no passengers in the vehicle or when the vehicle is not in operation as a taxicab or livery.
- B. Notwithstanding § 278-13(A) above, if allowed under state law, an owner of a taxicab or livery who is also the sole operator of the taxicab may smoke in the taxicab or livery as long as he or she does not do so while the vehicle is in operation as a taxicab or livery or less than an hour before or after the vehicle is in operation as a taxicab or livery.

§ 278-14. Display of licenses.

A copy of the taxicab or livery business license issued for a taxicab or livery must be kept inside the vehicle. The taxicab or livery driver's license issued to the driver of that taxicab or livery shall be conspicuously displayed on their person.

§ 278-15. License suspension and revocation.

- A. Automatic revocation.
 - (1) Conviction of a crime. No taxicab or livery driver's license shall be valid for purposes of this article upon the licensee's conviction of a crime listed in § 278-7(B)(2)(f). It is the responsibility of the driver and business owner employing said driver to notify the City Clerk of any such conviction.

- (2) Conviction of motor vehicle violations. No taxicab or livery driver's license shall be valid for the purposes of this article upon conviction of three or more motor vehicle violations during a license year, or one major moving violation as defined in § 278-7(B)(2)(e)[2]. It is the responsibility of the driver and business owner to notify the City Clerk of any such convictions.
- B. Automatic suspension. No taxicab or livery driver's license shall be valid for the purposes of this article during any period in which the state driver's license of the licensee is suspended or revoked. It is a violation of this ordinance for a licensee to continue to operate a taxicab or livery vehicle after suspension or revocation of his or her state driver's license. It is the responsibility of the driver and business owner employing said driver to notify the City Clerk of any such suspension or revocation.
- C. Grounds for suspension or revocation of driver's license.

In addition to the grounds for denial of a taxicab driver's license set forth in § 278-7(B), which are also grounds for suspension or revocation of a license, a taxicab or livery driver's license shall be subject to suspension or revocation upon a determination that the licensee:

- (1) Knowingly took a longer route to his or her destination than was necessary unless so requested by the passenger, provided that longer routes may be necessary due to traffic, construction, detours, accidents, weather, road conditions, and other reasonable factors;
- (2) Knowingly conveyed any passenger to a place other than that which the passenger or paying party specified;
- (3) Solicited taxicab or livery passenger business in the manner prohibited by § 278-11;
- (4) In the case of a livery driver, picked up or attempted to pick up a passenger on the street or in a public place, without an agreement arranged in advance for such pick up; the burden shall be on the livery business or driver licensee to show the existence of such a pre-arranged agreement;
- (5) Transported any person in addition to or other than the passenger first engaging the taxicab or livery without the express consent of the original passenger;
- (6) Drove a taxicab or livery when the licensee was not clean and neat in appearance;
- (7) Drove a taxicab or livery that was out of compliance with any of the provisions of this article when the licensee knew or should have known it was out of compliance;
- (8) Refused to transport any orderly person upon request, unless the taxicab or livery was already engaged, or unless, three or more times in the previous six months, a person has failed to appear to be transported from the requested address or when the call for transport was made from the same phone number. Examples of a person

who is not orderly may include someone who is aggressive, or excessively dirty or unhygienic. Drivers are not required to assist passengers in entering or exiting their vehicle;

- (9) In the case of a taxicab driver, charged more than the maximum fare specified in this chapter;
- (10) Failed to carry change sufficient to make change for a \$20 bill;
- (11) Violated the no smoking section of this chapter more than two times within a twelve-month period.
- (12) Removed or obscured any notice or decal required to be posted in the taxicab or livery by this chapter;
- (13) Was convicted of a crime in any jurisdiction; or
- (14) Acted in an aggressive, threatening, verbally abusive or disorderly manner while engaged in taxicab or livery services.

D. Grounds for suspension or revocation of business license.

In addition to the grounds for denial set forth in §278-5, which shall also be grounds for suspension or revocation of a license, a taxicab or livery business license shall be subject to suspension or revocation upon a determination that the owner or manager of the taxicab or livery business:

- (1) Caused another person to transport any person in addition to or other than the passenger first engaging the taxicab or livery without the express consent of the original passenger;
- (2) Caused another person to refuse to transport any orderly person upon request unless, in the case of business operating a single taxicab or livery, the taxicab or livery is engaged, or, in the case of a business operating more than one taxicab or livery, all vehicles were then engaged; or unless, three or more times in the previous six months, a person has failed to appear to be transported from the requested address or when the call for transport was made from the same phone number. Examples of a person who is not orderly may include someone who is aggressive, or excessively dirty or unhygienic. Drivers are not required to assist passengers in entering or exiting their vehicle;
- (3) In the case of a taxicab business, caused or allowed a passenger to be charged more than the maximum fare specified in this chapter;
- (4) Removed, or obscured, or caused to be removed or obscured from a taxicab or livery the notice or decal required to be posted in the vehicle by this chapter;

- (5) Knew of a driver's conviction, repeated motor vehicle offenses, or the suspension or revocation of his or her State of Maine driver's license and failed to notify the City Clerk of the same as required under § 278-15(A) or (B).
- (6) Operated, or any person employed by such licensee operated, a taxicab or livery without a current and valid taxicab or livery driver's license;
- (7) Operated, or any person employed by such licensee operated, a taxicab or livery which is not covered by a current and valid taxicab or livery business license;
- (8) Operated, or any person employed by such licensee operated, a taxicab for which the telephone number required under § 278-8(E) at any time did not ring through to a person capable of dispatching a taxicab; provided that the if the number may ring through to an answering machine or voicemail if the caller is then directed to call a number that does ring through to a person capable of dispatching a taxicab. This Section 278-15(D)(8) shall not be grounds for suspension or revocation of a taxicab or livery business license if the failure to ring through to a person capable of dispatching a taxicab is due to severe weather conditions or unexpected illness or injury.
- (9) Operated a taxicab or livery business after there had been repeated violations by the driver(s) employed by the licensee which resulted in three or more suspensions of the same driver, or five or more suspensions of employees of the licensee, within any three year period; or
- (10) Operated a taxicab or livery business after the taxicabs or liveries covered by the taxicab or livery business license have collectively been the subject of two or more violation notices for failure to comply with the standards set forth in § 278-5.

§ 278-16. Suspension and revocation process.

The Board of Appeals may suspend or revoke a taxicab or livery driver's license or taxicab or livery business license for the grounds listed in § 278-15(C) or (D) according to the following procedure:

- A. The Chief of Police, or his or her designee, shall give notice in writing of the grounds for suspension or revocation of the license. Said notice shall be directed to the licensee and the City Clerk.
- B. Upon receipt of the notice, the City Clerk shall notify the Chair of the Board of Appeals, who shall take action to have the matter heard at a regular or special meeting of the Board of Appeals within 40 days of the City Clerk's receipt of the notice. Before the hearing, the City Clerk shall notify the licensee, the Board of Appeals members, the Chief of Police or his or her designee, and any appropriate members of City staff of the time and place of the hearing.
- C. The hearing shall be conducted in accordance with the following:

- (1) The Chief of Police, or his or her designee, shall be heard first to present the grounds for suspension or revocation of the license. The licensee shall then present his or her position in response.
 - (2) All parties shall be given the opportunity to be represented by an attorney or other spokesperson.
 - (3) Evidentiary and presentation standards shall be as set in 30-A M.R.S. § 2691, Subdivision 3D.
 - (4) A hearing shall not be continued to another time except for good cause.
- D. After the hearing, the Board of Appeals may suspend a taxicab or livery driver's license or taxicab or livery business license for a period of up to one year or revoke said license if it finds that the grounds for suspension or revocation presented by the Chief of Police, or his or her designee, were sufficient to warrant suspension or revocation and were consistent with this chapter, including but not limited to § 278-15. Notice of suspension or revocation of a taxicab or livery driver's license shall be sent to the driver and to the business for which the driver works. Notice of suspension or revocation of a taxicab or livery business license shall be sent to the business.

§ 278-17. Removal of taxicab or livery from service.

- A. If a law enforcement officer determines that there is a violation of this Chapter which poses a threat to the health or safety of passengers, they may order the taxicab or livery to be removed from service immediately and may remove or order removed from the vehicle the taxicab or livery inspection sticker. The Chief of Police or his or her authorized agent shall make him- or herself available for a re-inspection of the vehicle no more than three business days thereafter. If, upon appeal of the law enforcement officer's determination that there was a threat to the health or safety of passengers, it is found that there was no such threat, the inspection sticker shall be replaced at no cost.
- B. If a law enforcement officer determines that there is a violation of this Chapter that is not directly linked to the health or safety of passengers, then the officer may issue a written order to correct the violation within thirty days; if, after thirty days, the taxicab or livery does not pass re-inspection, an officer may order the vehicle to be removed from service. There shall be a fee as set in Chapter 109 of this Code for each re-inspection of any taxicab or livery ordered removed from service hereunder.
- C. A law enforcement officer may immediately order any taxicab or livery that fails to display the decal required by § 278-8C be removed from service until said decal is displayed.
- D. The Chief of Police or his or her authorized agent, at his or her discretion, may require a licensee to present a taxicab or livery for inspection.

§ 278-18. Receipt upon demand.

The driver of any taxicab or livery shall, upon demand by the passenger, render to such passenger a receipt for the amount paid. Such receipt shall bear the name of the owner, the name of the driver, the date of transaction and the amount paid.

§ 278-19. Refusal to pay legal fare.

The refusal of any passenger to pay the legal fare as shown on the taximeter of a taxicab shall be unlawful, and, upon conviction therefor, shall be subject to such penalties provided for in § 278-20 of this chapter.

§ 278-20. Violations and penalties.

Violations of this chapter shall be subject to the penalties of 30-A M.R.S. § 4452. Any such fine may be in addition to the provisions of this chapter providing for the suspension or revocation of the taxicab or livery business license and the taxicab or livery driver's license. In the case of a suspension or revocation, both the license and the right of the licensee to apply for or renew a license are suspended or revoked. A licensee whose license is revoked cannot apply for a new/renewal license for one year. If a license is denied, the applicant may not reapply for 6 months thereafter. Suspensions and revocations issued by the Board of Appeals may last up to one year from the date of suspension or revocation.

§ 278-21. Appeals.

- A. Any person aggrieved by a denial by the City Clerk of an application for a taxicab or livery business license or a taxicab or livery driver's license filed under § 278-5 or 278-7 of this chapter, or removal of a vehicle from service or a violation notice under § 278-17, may appeal said denial, removal or violation notice to the Board of Appeals, subject to the following:
- (1) Notice of said appeal shall be in writing, shall state briefly the grounds therefor, shall be directed to the Board of Appeals, and shall be filed with the City Clerk not more than 15 days after notice of said denial has been received by the applicant. No fee shall be required for the appeal.
 - (2) Upon receipt of a notice of appeal, the City Clerk shall immediately notify the Chair of the Board of Appeals, who shall take action to have it heard at a regular or special meeting of the Board of Appeals within 40 days of receipt of the notice. Before the hearing, the City Clerk shall notify the applicant, the Board of Appeals members, and any appropriate members of City staff of the time and place of the hearing.
 - (3) The hearing shall be conducted in accordance with the following:
 - (a) The appellant's case shall be heard first. The City Clerk or other City representative shall then present the position of the City.
 - (b) All parties shall be given the opportunity to be represented by an attorney or other spokesperson.

- (c) Evidentiary and presentation standards shall be as set in 30-A M.R.S. § 2691, Subdivision 3D.
 - (d) A hearing shall not be continued to another time except for good cause.
- (4) Decisions and notices of decisions shall be rendered in public in accordance with 30-A M.R.S. § 2691, Subdivision 3E. This decision must be based solely on evidence presented at the hearing.
- B. Further appeals. Any decision of the Board of Appeals pursuant to Subsection A of this section may be appealed to the Superior Court pursuant to Rule 80B of the Maine Rules of Civil Procedure.
- C. For purposes of this chapter, the procedures outlined in this §278-21 are intended to entirely supplant the administrative appeals procedure outlined in § 23-3A through E of this Code; § 23-3F through H shall still apply.

COUNCIL ACTION

Item No. 16-125

Date: March 28, 2016

Item/Subject Ordinance, Amending Land Development Code – Contract Zone Change – 96 State Street (Tax Map 049-25) from an Urban Service District to a Contract Downtown Development.

Responsible Department: Planning Division

Commentary: The applicant, R H Foster, is requesting a contract zone change for a parcel of land (.53 acres) located at 96 State Street (Tax Map 049-25) from an Urban Service District to a Contract Downtown Development District. The property is an existing convenience store with gasoline sales. The owner seeks to operate the facility as a retail store and align the proposed building closer to the corners of State Street and Broadway. The Downtown Development District provides reduced setbacks that will allow the building to be moved closer to the Right of Way.

The Downtown Development District (DDD) is a pedestrian based district which allows buildings to extend from property line to property line, up to four stories tall. The Downtown District has no off street parking requirement. The contract conditions for the proposed development, allows for a pedestrian based retail building, closer to the street than would be allowed in the Urban Service District (USD), while maintaining off street parking, site development standards, and building limitations similar to USD. In DDD the convenience store would no longer be able to sell gasoline.

/s/ Tanya L. Emery
Dept. Head

Manager's Comments:

For Referral to Planning Board Meeting of April 5, 2016 at 7:00 p.m.

Carol M. Love
City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:

[Signature]
City Solicitor

Introduced for

Passage

First Reading

Referral to Planning Board Meeting of April 5, 2016, 7:00 p.m.

Assigned to Councilor Graham



CITY OF BANGOR

(TITLE.) Ordinance, Amending Land Development Code – Contract Zone Change – 96 State street (Tax Map 049-25) from an Urban Service District to a Contract Downtown Development 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 96 State street (Tax Map No. 049, Parcel No. 25) from an Urban Service District to a Contract Downtown Development District. Said parcel of land containing approximately .53 acres and being more particularly indicated on the map attached hereto and made a part hereof.

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

1. The use and/or operation of the subject premises shall be subject to the following limitations and/or restrictions:
 - A. The lot area shall be a minimum of 15,000 sf.
 - B. The lot coverage shall be limited to 30%.
 - C. The Maximum height of any building on the lot will be limited to 45 feet.
 - D. The minimum lot width shall be 80 feet.
 - E. Except for the first thirty (30) feet (either side) from the intersection of Broadway and State Street, the building facade along State Street and Broadway shall be set back no further than twenty feet (20) feet.
 - F. The maximum floor area ratio shall be no more than 0.7.
 - G. Notwithstanding 165-72 R, all uses on the parcel shall comply with 165-72 ("Required number of spaces.") Specifically, parking shall be provided at a minimum ratio of 1 parking space for every 300 sf of gross floor area for retail or service business or office building uses and at a minimum ratio of 1.5 spaces for residential dwelling units.

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.

7/1/2012

APPLICATION FOR LAND DEVELOPMENT CODE AND MAP AMENDMENT

TO: THE CITY COUNCIL AND

DATE: 03-15-2016

THE PLANNING BOARD OF BANGOR, MAINE:

1. I(WE) RH Foster Energy, LLC
2. of PO Box 161 Hampden ME 04444 207-262-3402
 Address City or Post Office Telephone

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

3. ADDRESS OF PROPERTY (if any) 96 State Street, Bangor, Me.
 Total Area (acres or square feet) 23,235 Sq. Ft.
4. PROPERTY LOCATION (General location): Example - Corner of State Street and Broadway
5. LEGAL DESCRIPTION OF PROPERTY - Assessors Map No. 49 Parcel 25
6. EXISTING USE: Retail/Gas Station
7. PROPOSED USE: Retail
8. NAME AND ADDRESS OF OWNER OF RECORD: Name RH Foster Energy, LLC

Address PO Box 161 Hampden Me 04444

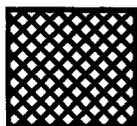
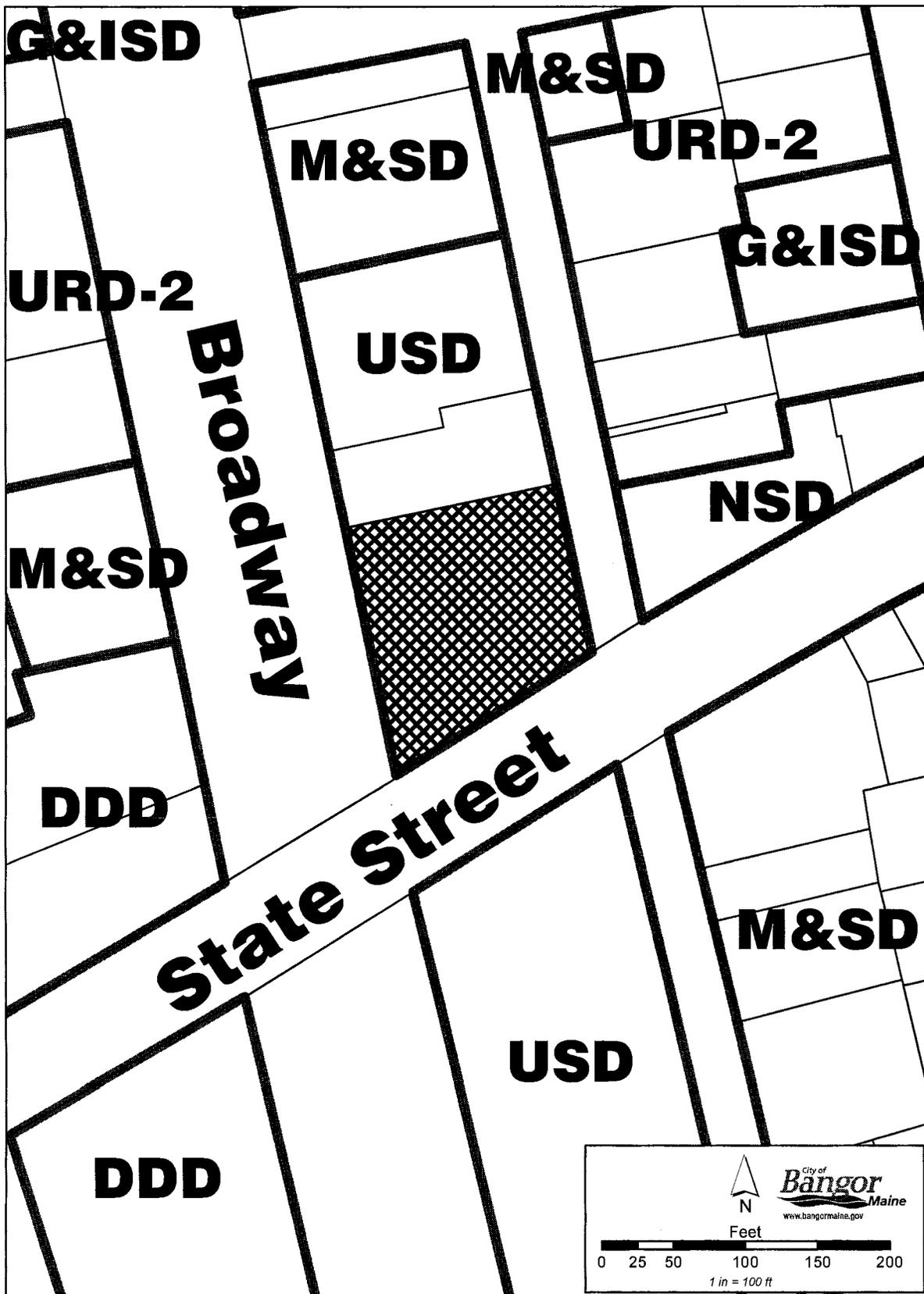
9. NAME AND ADDRESS OF CONTRACT OWNER (if such): Same
10. SIGNATURE OF OWNER OR CONTRACT OWNER: P. Andrew Hamilton, Agent
11. REPRESENTATIVE OF APPLICANT: Name P. Andrew Hamilton
 Address Eaton Peabody PO Box 1210 Bangor Me

12. ATTACH ANY CONDITIONS PROPOSED FOR A CONTRACT ZONE REQUEST. RETURN FORM & DUPLICATE TO PLANNING DIVISION, CITY HALL, BANGOR, ME. Application fee

<u>Processing Advertising</u>	<u>\$2,409.00</u>	<u>Total</u>
Zone Change (1/2 acre or less)	\$575.00 \$410.00*	\$ 985.00
Zone Change (in excess of 1/2 acre)	\$920.00 \$410.00*	\$1,330.00
Contract Zone Change - 5 conditions or less	\$1,377.00 \$509.00*	\$1,886.00
More than 5 conditions or 50 words	\$1,900.00 \$509.00**	\$To be determined

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

PLEASE READ PROCESSING PROCEDURE ON REVERSE SIDE



USD to DDD Contract

MEMORANDUM

DATE: April 6, 20156
TO: The Honorable City Council
FROM: David G. Gould, Planning Officer
SUBJECT: Amending Zoning Ordinance
96 State Street- Urban Service District (USD) to Contract
Downtown Development District (DDD) - Council
Ordinance 16-125

Please be advised that the Planning Board at its meeting on April 5, 2016, held a Public Hearing on the above zone change request.

Chairman John Kenney asked the applicant or their representative to make a brief presentation of the request.

Attorney Andrew Hamilton represented the Applicant R.H. Foster Energy LLC. Mr. Hamilton went on to explain various references as to consistency with the Comprehensive Plan. He noted the contract Downtown Development District allows the building to better utilize the space on the site which tends to be used up by front setbacks from three streets. Mr. Hamilton noted the site is close to the Broadway Historic District and other Downtown Development Districts.

Jeff Jeter noted that they believe they can provide a unique store at this location to serve the neighborhood and clean up some of the traffic issues involved with gasoline service.

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

Member Mallar asked why would the building height need to be so tall, indicating he would rather see a 32 foot maximum height.

Architect Miller indicated it's an issue of the average grade and the sloped roof.

Attorney Hamilton thought it is possible to amend the contract conditions to stipulate two stories.

Planning Officer Gould indicated the contract conditions add additional limitations to the Downtown Development District. The Downtown Development District opens the door to more flexible setbacks while eliminating the gasoline service use. Moving the building closer to the sidewalk can provide a more pedestrian friendly environment by

eliminating automobile conflicts and developing a welcoming building façade which is easily accessible from the sidewalk. Mr. Gould briefly discussed the history of the Comprehensive plan to find appropriate uses for the small older commercial lots on State Street. Mr. Gould noted that he did not believe the Board should alter contract conditions in the midst of review, but indicated the Board members should weigh the concern against the value of revising the condition in a new application.

Member Hicks asked if another property asked for similar zoning would the Planning Officer be in support of it. Mr. Gould indicated if the conditions were similar he would find it a sound model for the new development on State Street.

Chair Kenney indicated he agreed that a second story is unlikely given it adds additional parking demand to the site.

Member Boothby made a motion to recommend the proposed rezoning to the City Council. Member McCarthy seconded the motion. The Board voted unanimously in favor to recommend the City Council approve the rezoning from USD to contract DDD as contained in C.O. # 16-125 be approved.

COUNCIL ACTION

Item No. 16-126

Date: March 28, 2016

Item/Subject: **ORDINANCE**, Amending Chapter 260, Signs, of the Code of the City of Bangor, By Allowing a Freestanding Sign in the Waterfront Development District

Responsible Department: Community and Economic Development

Commentary:

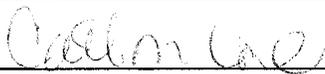
This ordinance amendment would allow a single freestanding sign on lots over a certain size in WDD. The purpose of the size restriction is to allow a freestanding sign on a large lot such as the main waterfront parcel, but to avoid proliferation of such signs on the smaller lots in the zone, much as such signs are prohibited in the Downtown Development District. The amendment would also place height, setback and similar restrictions on freestanding signs, as is done in other districts where such signs are allowed.

This ordinance amendment would also remove certain language regarding multiple freestanding signs in WDD that has been in the ordinance. This language was inadvertently carried over from a previous version of the sign code.

This item was recommended for approval by the Business and Economic Development Committee on March 22, 2016.

Department Head

Manager's Comments:



City Manager

Associated Information: Ordinance

Budget Approval:

Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral

Assigned to Councilor Baldacci



CITY OF BANGOR

ORDINANCE, Amending Chapter 260, Signs, of the Code of the City of Bangor, By Allowing a Freestanding Sign in the Waterfront Development District

WHEREAS, the waterfront increasingly has become a destination for concerts and other major events; and

WHEREAS, such destinations typically have signs to identify the location of the event venue;

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

Chapter 260 of the Code of the City of Bangor be amended as follows:

§ 260-7 District-specific standards and limitations.

On-premises signs must meet the standards and limitations of the zoning district in which they are located as laid out herein.

...

E. WDD.

...

(10) Freestanding signs.

(a) Maximum number of freestanding signs: one.

(b) Maximum height of freestanding sign: 25 feet.

(c) Maximum sign area per side of freestanding sign: 200 feet.

(d) Freestanding sign setback:

[1] Front: 0 feet.

[2] Side: 5 feet.

[3] Rear: 10 feet.

(e) Freestanding signs shall only be allowed on parcels 10 acres in size or larger.

- (a) ~~Integrated shopping centers (regardless of the number of buildings that meet the definition of "integrated shopping center" on a single lot or within a planned group development) may have one freestanding sign at each access from a public way. Multiple structures on a lot or within a planned group development that meet the definition of an "integrated shopping center" shall be considered a single integrated shopping center. The maximum area of any one freestanding sign shall be 150 square feet. For those centers which have more than four establishments, an additional 16 square feet of area may be added to the freestanding sign for each additional establishment, up to a maximum of 200 square feet.~~
- (b) ~~Properties that are developed as planned group developments pursuant to § 165-69 shall be permitted one freestanding sign per primary use building, provided that the sign is used to advertise a bona fide business conducted, product sold or activity permanently conducted in that primary use building, the sign does not advertise an accessory or support activity, the sign is located within 100 feet of the primary use building, and the sign is located a minimum of 100 feet from any existing freestanding sign.~~
- (c) ~~A property shall be permitted to have two freestanding signs if the signs are on different street frontages and are 500 feet or more from each other.~~

...

§ 260-8 Electronic signs.

- A. Districts. Electronic signs are permitted in the GC & S, S & PS, USD, WDD, BPD, I & S and G & ISD Districts, and on a freestanding sign in a City right-of-way permitted under § 260-11B of this Code, provided they meet all applicable standards, including those standards applicable to all signs. Electronic signs located in a Government and Institutional Service District may only be located on major arterial streets as defined in § 165-13 of the Code of the City of Bangor. In all other districts, electronic signs are prohibited.

...

Additions are underlined, deletions struck through.

COUNCIL ACTION

Item No. 16-127

Date: March 28, 2016

Item/Subject: Resolve, Accepting and Appropriating \$353,891 in Grant Funds from the U.S. Department of Housing and Urban Development - Shelter Plus Care Renewal.

Responsible Department: Health & Community Services

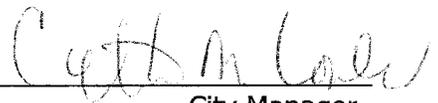
Commentary:

Resolve will accept and appropriate federal grant funds for the Shelter Plus Care Program. The City applies annually for renewal funding to continue several homeless programs under the U.S. Department of Housing and Urban Development's Homeless Continuum of Care. The City's Shelter Plus Care program won initial funding from the federal government in 1993. The program is used to provide subsidized rents for qualified homeless individuals with a primary diagnosis of mental illness, chronic substance abuse or HIV related illness who are receiving support services. The grant period is April 1, 2016 through March 31, 2017.

The amount of the grant is \$353,891 which will support 40 housing units including family housing.

Department Head

Manager's Comments:



City Manager

Associated Information: Resolve

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral to Gov't Ops 4-4 16

Assigned to Councilor Nichols



CITY OF BANGOR

(TITLE.) Resolve, Accepting and Appropriating \$353,891 in Grant Funds from the U.S. Department of Housing and Urban Development – Shelter Plus Care Renewal.

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

BE IT RESOLVED, that Shelter Plus Care program grant funds in the amount of \$353,891 from the U.S. Department of Housing and Urban Development are hereby accepted and appropriated for the purpose of supporting 40 housing units including those for qualified homeless individuals and families for the grant period April 1, 2016 to March 31, 2017

COUNCIL ACTION

AS AMENDED
Item No. 16-130

Date: March 28, 2016

Item/Subject: **ORDER**, Authorizing the Establishment of a Community Stakeholder Steering Committee in conjunction with the AARP Grant Application regarding Livable/Age Friendly Communities and the Innovative Communities Initiative

Responsible Department: City Council

Commentary: If approved, this Order would establish the creation of a Steering Committee as part of the recently submitted AARP Age Friendly grant application. The grant involves both the Livable / Age Friendly Communities and Innovative Communities Initiative. As outlined in the grant application project proposal summary, the Steering Committee will create measurable action plans that incorporate the eight domains of livability identified by AARP. This will be accomplished through a series of neighborhood meetings, and by reviewing and sharing the results of a recent AARP community survey conducted in Bangor. Information gathered at these meetings will also serve to provide data to support the Innovative Neighborhood Initiative. This concept involves an intergenerational village to village model that engages people of all ages helping one another and strengthening neighborhoods and the city through citizen involvement.

This was reviewed and recommended for approval at the March 21, 2016 Government Operations Committee meeting.

Department Head

Manager's Comments:

City Manager

Associated Information: AARP Grant Application, (including project proposal summary), Bangor Innovative Neighborhoods Initiative

Budget Approval:

Finance Director

Legal Approval:

City Solicitor

Introduced for

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



Assigned to Councilor Perry

CITY OF BANGOR

(TITLE.) Order, Authorizing the Establishment of a Community Stakeholder Steering Committee in conjunction with the AARP Grant Application regarding Livable/Age Friendly Communities and the Innovative Neighborhoods

WHEREAS, The City has submitted a grant application to AARP to engage in the livable Community project; and

WHEREAS, The application includes the creation of a Steering Committee to help create measurable action plans that incorporate the eight domains of livability identified by AARP as well as develop action plans identified under the Innovative Communities concept; and

WHEREAS, the grant proposes to accomplish this through facilitated meetings as well as a series of neighborhood meetings which will be focused on the results of a recent AARP community survey conducted in Bangor.

WHEREAS, In addition, the steering committee will seek to engage the neighborhood connections through dynamic interactions; and

WHEREAS, This concept involves an intergenerational village to village model that engages people of all ages helping one another and strengthening neighborhoods and the city through citizen involvement.

WHEREAS, the program would include a project steering committee made up of nine individuals as identified below; and

WHEREAS, the steering committee shall report back to the Government Operations Committee on a periodic basis to inform them of on-going progress.

Initiative

Be it Ordered by the Bangor City Council that:

As contained in and part of the recent AARP Age Friendly Community Grant application submitted by the city, a steering committee is hereby established for the purposes outlined in the project proposal summary (attached). The Committee shall be comprised of the following:

City of Bangor (two members to be appointed by the City Council Chair)
One Representative from AARP
One Representative from the Bangor Daily News
One Representative from Eastern Area Agency on Aging
One Representative Penquis
One Representative Bangor Fusion
Two individuals shall occupy at large seats as determined by the Council Chair

And be it Further Ordered that:

Organizations listed above shall be responsible for appointing a member to the Steering Committee. The City Council Chair shall be responsible for identifying the two individuals to represent at large positions.

The Committee shall report back to the Government Operations Committee on a periodic basis.

COUNCIL ACTION

Item No. 16-130

Date: March 28, 2016

Item/Subject: **ORDER**, Authorizing the Establishment of a Community Stakeholder Steering Committee in conjunction with the AARP Grant Application regarding Livable/Age Friendly Communities and the Innovative Communities Initiative

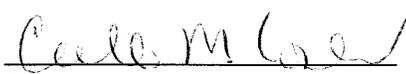
Responsible Department: City Council

Commentary: If approved, this Order would establish the creation of a Steering Committee as part of the recently submitted AARP Age Friendly grant application. The grant involves both the Livable / Age Friendly Communities and Innovative Communities Initiative. As outlined in the grant application project proposal summary, the Steering Committee will create measurable action plans that incorporate the eight domains of livability identified by AARP. This will be accomplished through a series of neighborhood meetings, and by reviewing and sharing the results of a recent AARP community survey conducted in Bangor. Information gathered at these meetings will also serve to provide data to support the Innovative Neighborhood Initiative. This concept involves an intergenerational village to village model that engages people of all ages helping one another and strengthening neighborhoods and the city through citizen involvement.

This was reviewed and recommended for approval at the March 21, 2016 Government Operations Committee meeting.

Department Head

Manager's Comments:


City Manager

Associated Information: AARP Grant Application, (including project proposal summary), Bangor Innovative Neighborhoods Initiative

Budget Approval:

Finance Director

Legal Approval:


City Solicitor

Introduced for

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



Assigned to Councilor Perry

CITY OF BANGOR

(TITLE.) Order, Authorizing the Establishment of a Community Stakeholder Steering Committee in conjunction with the AARP Grant Application regarding Livable/Age Friendly Communities and the Innovative Neighborhoods Initiative

Be it Ordered by the Bangor City Council that:

As contained in and part of the recent AARP Age Friendly Community Grant application submitted by the city, a steering committee is hereby established for the purposes outlined in the project proposal summary (attached). The Committee shall be comprised of the following:

- City of Bangor (two members to be appointed by the Council Chair)
- One Representative from AARP
- One Representative from the Bangor Daily News
- One Representative from Eastern Area Agency on Aging
- One Representative Penquis
- One Representative Bangor Fusion
- Two individuals shall occupy at large seats as determined by the Council Chair

And be it Further Ordered that:

Organizations listed above shall be responsible for appointing a member to the Steering Committee. Council Chair shall be responsible for identifying the two individuals to represent at large positions.

AGE FRIENDLY COMMUNITY INITIATIVE PROJECT DEVELOPMENT GRANTS APPLICATION

BACKGROUND

Introduction to the AARP Network of Age-Friendly Communities

AARP Maine is helping Maine towns, cities, neighborhoods, and community groups to prepare for Maine's rapidly aging population by promoting aging in place and aging in community. The AARP Network of Age-Friendly Communities program helps participating communities become great places for all ages by adopting such features as safe, walkable streets, better housing and transportation options, access to key services, and opportunities for residents to participate in community activities. Well-designed, livable communities promote health and sustain economic growth – for all ages. AARP encourages older residents to take an active role in these community planning projects.

AARP Maine is providing support to communities working on these issues, with staff assistance, model survey questions, and other informative resources (many at AARP.org/livable). AARP Maine not only supports communities planning for aging issues following the AARP's Network of Age-Friendly Communities approach, but also supports other valuable approaches and perspectives, such as those of the Village to Village Network, the Milken Institute, or those outlined in the Maine guide *Building a Collaborative Community Response to Aging In Place, – A Guide to Creating an Aging Friendly Maine, One Community at a Time* (available at http://maine4a.org/image_upload/FINALREPORT.pdf).

Project Development Support Program

In addition to the technical and information resources, AARP Maine is now able to offer financial support to communities preparing for aging in community by offering grants of \$1000 to \$8000. The grants are available to Maine towns and cities and community groups which serve significant low and moderate income populations of older adults and which lack the resources for some element of the planning process. Applications will be considered from Maine municipalities and 501 (C) (3) non-profit groups. Applications will be accepted for grants in the range of \$1000 to \$8000, though special consideration could be given to a larger grant. It is anticipated that 15 to 20 grants will be made over a period of 16 months.

The grant proposals must include a narrative explaining what component of the planning process the grant would help to facilitate. Qualified uses include:

- survey of community members
- focus groups
- contract with planner or facilitator to help with the planning process
- contract with planner or facilitator to write or edit draft of plan
- contract with intern for data gathering or similar work

Other uses of funds will be considered if they are for one or more concrete individual pieces related to a planning initiative, not for general support of non-itemized expenses. Preference will be given to planning projects that seek to identify specific needs and demonstrate how the project proposes to address the need over time.

ELIGIBILITY

The program is open to Maine municipalities, other Maine units of government, and community groups with non-profit 501 (c) (3) status which have begun an age friendly community planning project or are working on a model of aging in place to support Maine's aging demographics.

It will not fund the following types of proposals or organizations:

- Partisan political activities
- Direct services for seniors
- Capital expenditures or the acquisition of land and/or buildings and/or equipment
- Individuals
- For-profits

PROPOSAL REQUIREMENTS

- Applicants must meet the eligibility requirements.
- Applicants must submit the proposal online at me@aarp.org with all pertinent information. Incomplete applications will not be reviewed.

DEADLINE

Applications will be accepted on the first and 15th day each month through March 1, 2016.

GRANT SELECTION

Successful grants will be determined by an AARP panel within 30 days of submission..



Age Friendly Community Grant Application

DATE: February 1, 2016 **CONTACT PERSON/TITLE:** Patty Hamilton, Public Health Director City of Bangor, Maine

NAME OF APPLICANT ORGANIZATION: City Of Bangor (Municipality/council-manager)

ADDRESS: 73 Harlow St. Bangor, Me 04401

PHONE: 207-992-4550

EMAIL: Patty.hamilton@bangormaine.gov

TOWN OR OTHER GEOGRAPHY OF PROJECT: The geography of the project will be the city of Bangor.

TOTAL POPULATION AND POPULATION AGE 65 AND OVER:
According to the most recent United States Census American Community Survey the City currently has an estimated population of 32,800 which includes 4,907 individuals sixty five years and older

AMOUNT OF THIS GRANT REQUEST: \$8,000

TOTAL CURRENT ORGANIZATIONAL BUDGET: 127,270,000 (including school department)

NUMBER OF EMPLOYEES, FULL AND/OR PART TIME: 460 full time, 275 part-time, temporary, seasonal and/or on-call

PROJECT PROPOSAL SUMMARY: The City will establish a steering committee with the goal of creating measurable action plans that incorporate the 8 domains of Livability laid out by AARP to the fullest extent possible, ultimately leading the city to become an AARP Network Age Friendly Community. Realizing that specific areas of the City will undoubtedly have

different concerns, the steering committee will identify particular neighborhoods throughout the city in which to hold meetings that engage citizens and truly get to the crux of the issues (or assets). While the focus will be persons sixty-five and older, we will welcome individuals of all ages because we realize planning that is good for older individuals is good for the entire community regardless of age. The Steering committee will review the results from a recent AARP community survey and share the results at the neighborhood meetings to start discussion. A consultant will be engaged to ensure the effectiveness and efficiency of this project. The information gathered during these neighborhood meetings will also serve to provide data to support our Innovative Neighborhood project concept. The concept includes an intergenerational village to village hybrid model that engages people of all ages in helping each other. Furthermore, the strengthened neighborhoods would be further empowered to brainstorm innovative ideas that could improve individual neighborhoods and eventually the entire city.

IS YOUR ORGANIZATION (CHECK THE ONE THAT BEST APPLIES):

- x-- A MUNICIPALITY
- ANOTHER UNIT OF GOVERNMENT
- 501(C)(3) NON PROFIT
- OTHER (PLEASE DESCRIBE)

PROJECT NARRATIVE AND BUDGET (no more than 4 2-3 pages excluding Sections 8 and 9):

1. The community's age-friendly activities to date. Please provide a brief summary of the community policies, programs and services that are targeted toward older people and how the community plans to become more age-friendly.

The City offers all-encompassing service to its citizens. These services include but are not limited to: education, public transportation, emergency services, hospitals, health and medical services, pharmacies, etc. The City offers a Homebuyer Assistance and Residential Rehabilitation Program that is available to older persons who are income eligible. There are also a number of volunteer opportunities for people of all ages

Eastern Area on Aging, EAAA, is a private nonprofit 501©3 organization managed by a professional staff and governed by a volunteer Board of Directors comprised of representatives from a four county service area. With a specially trained and dedicated staff, they have for 40 years provide seniors, adults with disabilities, and caregivers a variety of options, opportunities, resources, and referrals. EAAA also offers resources on elder abuse and scams that target older persons.

The Senior Center is a place for seniors in the Greater Bangor Region "The Center" is the place to meet. It is the only all-inclusive place where women and men age 55 and older can go to have fun, learn something new, exercise with friends, apply their talents, share their expertise and enjoy a beautiful space that is shaped by and caters to their specific interests. Rather than living in the past, our members are creating more wonderful memories for themselves and actively planning for their future. The Center strives to contribute to the physical, intellectual and emotional well-being of senior citizens while allowing participants to maximize their independence.

Penquis was created as a result of the Economic Opportunity Act of 1964 to bring locally developed solutions to the multifaceted problems faced by the poor. Its mission is to assist individuals and families in preventing, reducing, or eliminating poverty in their lives and, through partnerships, engage the community in addressing economic and social needs. Penquis primarily serves low and moderate income individuals in Penobscot, Piscataquis and Knox counties. It provides services to more than 24,000 individuals annually with more than 350 employees and an FY

16 budget (Penquis and subsidiaries) of more than 42 million. Services are delivered through six departments; Child Development, Family Enrichment Services, Housing and Energy Services, Housing Development Services, Lynx Mobility Services, and Transportation Brokerage. While the Child Development and Family Enrichment tend to serve younger Bangor residents, the remaining services are heavily used by the city's older adults.

Assisted Living: Numerous assisted living facilities provide a place to live for individuals in need. Help with bathing, laundry, meals, hair dressing and other hygiene can be provided. Assisted

living communities can be helpful for people who are not bed ridden and still maintain some independence but are unable to safely be on their own.

Nursing Homes: The city's five nursing homes provide complete twenty-four hour care. They are for patients who are unable to care for basic needs.

Home Health Care Agencies: Typically provides assistance with activities of daily living and/or medical support. A health care provider is generally needed for referrals. The city is home to three home health care agencies.

The City is looking to become more 'age-friendly' and would like to consider how it can encourage aging in place and possibly join the AARP Network of Age-Friendly Communities and Innovative Neighborhoods. The City would use the money to fund a planning year to review current survey results (from a survey conducted by AARP), identify neighborhoods for help narrow the focus groups into manageable and relevant subsets, and conduct additional outreach/surveys to harder to reach households and populations as needed. We also plan to identify ways the City can work with regional stakeholders to lead age-friendly policies and to stimulate innovative ideas and collaborations among the various neighborhoods in Bangor.

2. The grant funded project. What aspect of your age-friendly project will this grant support? Why is this item or these items important to the project? What is the cost and how was it determined? What is the timeline for the grant funded project (not to exceed six months)

Funding provide from this grant will jump start our age friendly initiative and goals. We plan to hire a trained facilitator to conduct focus groups and engage city staff in our efforts to make Bangor "Age-Friendly". We propose the facilitator will conduct six (6) two hour meetings in the neighborhoods identified by the steering committee, three (3) additional two hour meetings as needed (for example: City Hall, Library, YMCA, another neighborhood, etc.) Eventually we will have a large amount of information and data that we will use to develop a plan to move forward in a way that will benefit both the target audience and all of the citizens of Bangor. This proposal is an important part of our project. Without grant resources to hire a facilitator to assist neighborhoods in delving deeper into what older residents really need, our goal of becoming an age-friendly community will not be realized. We see this as step on of a multi-year plan that could result in an Innovative Neighborhoods hybrid "village to Village" model of intergenerational participation and interaction in our neighborhoods. The model would seek to provide the potential for volunteer aging in place services provided across the age spectrum and not currently available or otherwise provided.

This approach realizes the strengths of senior and younger citizens alike. Our first step will be to determine our current community assets (stakeholders would be on the steering committee team) and then identify gaps, need and innovative ideas. The costs would include meeting

space usage, paying a trained facilitator, data collection and analysis, food and advertising for community forums.

After funding is received, the City plans to engage a steering committee to guide the planning process and to compile results and report on those results. We have initial early enthusiasm from social service and business sector groups. An early view of the total timeline is as follows:

Month 1	Establish and Convene steering committee
Month 2-4	Develop a process to guide engagement of target audience
Month 4-10	Engage target audience/hold neighborhood meetings (9 total)
Month 10-12	Compile/analyze data and finalize plan/findings
Month 13-14	Report Survey/data/plan to community

3. Who is served? How will the grant project and the larger age-friendly project serve low income older people in the community?

The process will involve reaching out to individuals who can provide feedback about the needs and concerns of older persons of all income levels, while taking into account all aspects and suggestions. While the older population will be the focus of this project, we realize that most concerns and policies that benefit seniors also benefit families and citizens in general. It is critical in the early stage of our process to hear from as many individuals as possible; this will result in the best planning for all ages, now and into the future.

4. Community engagement. How will the community engage and involve older people in the process of becoming a more age-friendly? Has a steering committee been created? Describe the involvement of community non-profits and other local stakeholders.

The project revolves around planning activities carried out by trained facilitator and the steering committee. Once the steering committee has been established, it will develop a plan to engage older persons. Input from this target audience is the crux of this project. The steering committee will consist of individuals from various city departments, including Parks and Recreation, Public Health and Community Services, Community and Economic Development, along with various stakeholders city wide including Eastern Area Agency on Aging, Penquis, private entities and citizens with specific skills relevant to the project.

5. Geographic Community. Is the project for one municipality or neighborhood? If a neighborhood, please describe thoroughly why the neighborhood is a logical well-defined area for the project. Is the project for multiple towns or for neighborhoods in addition to the main town?

This project is intended to focus on particular neighborhoods that encompass the entire City of Bangor. It is realized that particular challenges may vary dramatically depending on one's location within the City. Therefore we will convene the steering committee and work to identify particular neighborhoods and engage them to help to better understand challenges they face. We want to allow each neighborhood to meet and discuss what would work best for that particular neighborhood, "What challenges exist here?" "What assets do we have?"

6. Capacity. Describe the municipality or non-profit's capacity to carry out the work.

The City has an eager and capable staff and has relationships with a number of area-wide agencies that will help guide this process and ensure it to be effective and efficient. We will hire a motivated facilitator to work on this project

7. Matching Funds. What community contributions of staff time, volunteer time, or funds will support the project?

Eastern Area Agency on Aging staff will offer staff time in kind with a value of \$1,050.00. Penquis will donate space and staff time of at least \$1000.00. The Bangor Daily News will donate up to \$600.00 in advertising for the neighborhood meetings. The City will donate in kind staff time valued at a minimum of \$1000.00

8. Project budget. Please specify what expenses will be covered by the grant. Itemize anticipated expenses and income (if any) for this proposal. Include in-kind services such as donated materials and/or labor. Use attached template. Add explanations if necessary.

	Expense	Additional information
Contracted services costs	\$2,700.00	Focus group facilitation (\$300.00/meeting)
Data analysis, final community report, and presentation to the community	\$3,000.00	Compile and analyze data from original AARP survey and 9 community forums
Office materials & supplies if any	\$1,500.00	Print/mail surveys
Food for meetings	\$800.00	Food/drinks
Total Requested	\$8,000.00	
Are there matching funds or services planned and their value?	\$1,050.00 \$1,000.00 \$600.00 \$1,000.00	EAAA Penquis Bangor Daily News City of Bangor

9. Non-Profit Applicant Profile (for non-governmental groups only):

- 1. Name and brief history of the organization and its involvement in aging issues.**

2. Has this group been involved in other issues? If yes, briefly describe.
3. How many people are currently involved in the group?
4. Please describe your decision-making structure. If you have a steering committee or other similar leadership structure, please provide the names and contact information.
5. Is this a membership organization? If yes, how much are paying member dues?
6. Are any members of your group elected officials?
7. Evidence of non-profit 501 (C) (3) status

Non-applicable for this application

NOTIFICATION

The grant recipients will be notified by telephone or email. Grantees must execute and return a Letter Agreement to the Maine state office of AARP within thirty (30) days of notification. Noncompliance with this time period may result in disqualification.

ADDITIONAL TERMS AND CONDITIONS

All decisions of AARP regarding the eligibility of participants and the validity of entries shall be final and binding. All submissions will be judged by AARP whose decisions and determinations as to the administration of the grant and selection of grant recipients are final. AARP reserves the right, in its sole discretion, to cancel, or suspend the Grant. Except where prohibited by law, participation in the Grant constitutes the Applicant's consent to AARP's and use of his/her name, street address, city, state, zip code, county, likeness, photograph, video and image, statements made by the Applicants regarding the Grant for promotional purposes in any media without further permission, consent, payment or other consideration.

AARP and its respective affiliates, parents, subsidiaries, agents and employees are not responsible for late, lost, illegible, incomplete, stolen, misdirected, illegitimate, or impermissible submissions or mail; postage due mail; or any other error whether human, mechanical or electronic.

**Age Friendly Community Grant
Project Budget**

Date:

Planned completion date:

Name of town and/or group:

Name and signature of town manager or highest elected official, or director of non-profit:

	Expense	Additional information
Contracted services costs		
Staff costs, if any		
Office materials & supplies, if any		
Travel expenses, if any		
Total Requested		
Are there matching funds or services planned and their value?		

Bangor Innovative Neighborhoods Initiative

Innovative Neighborhoods will:

1. Enhance the livability of Bangor's neighborhoods through innovation
2. Expand volunteer service in Bangor's neighborhoods
3. Energize a "laboratory of democracy" in which citizens craft exciting, feasible ideas to move Bangor forward.

The Goal

Create an **earned** reputation for Bangor as the most creative, caring, and entrepreneurial small city in America using the most bold and scientific methods.

Making a Strong Community Stronger

In Bangor there is a vigorous if largely tongue-in-cheek pride in our neighborhoods, such as Fairmount, The Tree Streets, Little City, Bangor Gardens, and more. Some neighborhoods have instituted Facebook pages on which neighborhood topics are discussed. Bangor neighborhoods take understandable pride in their little league teams.

The Innovative Neighborhoods Initiative seeks to harness that energy and growing community activism in Bangor and focus citizens on data-driven, grassroots innovation leading to a more creative, caring, entrepreneurial city.

Utilizing an Excellent Tool To Start

The City of Bangor is participating in an AARP Livable Communities Initiative. This survey, while focused on Bangor residents 50 and over, analyzes issues that appeal to all ages. In addition, this initiative will utilize the results of the recently produced Bangor Forward survey (which included many young people) to frame actions plans. These are excellent starting points for action based on community needs leading to service (expanding on a Village-to-Village model described in more detail in Section A) and innovation with the goal of a more creative, caring and entrepreneurial city.

Innovative Neighborhoods will:

1. Utilize surveys such as Livable Cities and Bangor Forward to spark creative thinking about improving Bangor.
2. Create a Steering Committee that structures Innovative Neighborhood teams and competitions in Bangor.
3. Expand the Village-to-Village model so that, under the Innovative Neighborhood's model, volunteers of any age can serve others of any age in Bangor.
4. Foster cohesive goal-oriented neighborhoods, possibly based on elementary school catchment areas.
5. Coordinate volunteer efforts in each Innovative Neighborhood.
6. Spark innovative ideas bubbling up from each laboratory of democracy via the Innovative Neighborhoods model.
7. Establish criteria for recognizing winners each year of the Innovative Neighborhood Award.

8. Coordinate a gala to celebrate Innovative Neighborhood winners.
9. Earn the reputation and reality of a city of vision, pragmatism and innovation.

A. A Strong Platform on Which to Build

The Innovative Neighborhoods program begins with a solid, proven base, the Village-to-Village modeled on direct service. (On this base we will build cohesive Innovative Neighborhood teams that, in addition to direct service, spark innovation new initiatives for our city. This is further described in Sections C through G.) The Village-to-Village Program exists around the United States. Maine has the second highest percentage of seniors in America. Under Village-to-Village seniors are offered a greatly-enhanced opportunity to age in place. Specifically, in a program already proven successful, seniors pay fees on a sliding scale to get help (often from other seniors) with activities such as a ride to the grocery store or doctor, snow shoveling, companionship, and more.

For example, under the At Home Downeast Village-to-Village Program an individual pays between \$130 and \$1,000 per year on an income-based sliding scale. A couple pays \$150 to \$1,300 per year. (At Home Downeast focuses on people 60+. Innovative Neighborhoods expands the program to all ages). Under the current program seniors get four rides per month to medical appointments, a check-in from a nurse twice a month, weekly grocery and prescription delivery, a safety assessment of their home, and social gatherings. Many older people need just a small amount of assistance to remain safe at home. This successful program increases self-reported health improvements, social engagement, increased knowledge of local resources, and decreased hospitalization rates.

Our base, the Village to Village model, has been credited with saving and lengthening the lives of older people. The Innovative Neighborhood model will coordinate and improve this methodology while organizing and sparking citizens to lead Bangor into an innovative future -- grassroots up.

Bangor, being more compact, offers some economy of scale and may be able to operate at a lower cost per person. Our initiative also offers the opportunity for an expanded brand of program: Innovative Neighborhoods.

B. Broadened Demographic, Increased Innovation

Bangor lends itself to a new approach, large enough and compact enough to provide a model for other cities, small enough so Bangor's neighborhood feel and community spirit offer a strong cohesion in which gatherings to discuss a neighborhood challenge are a walk from one's door. This program envisions neighborhood teams based on four sectors of the city that include demographic and socioeconomic diversity. (Fairmont might be paired with Capehart, for example.) The team structure might correspond with Bangor elementary school catchment areas.

The same concepts that benefit older citizens can benefit a variety of younger people. This program can help a person who uses a wheelchair better live in place in the same way it can help an older resident live in place. There are parents of children

with disabilities and other challenges who could benefit from this effort. Community Partnerships for Protecting Children is interested in working as a partner on this project. Thus Innovative Neighborhoods would expand the village-to-village model to a broader demographic.

The delivery of services to the disabled and the elderly and the ability to foster the dignity of living at home is essential. All of us benefit from walk-able neighborhoods, good parks, and smart municipal decisions. This coincides with AARP's livable communities model. The Innovative Neighborhood concept taps and organizes the growing energy in our city.

C. Cohesive Neighborhoods, Innovative City

There has sometimes been talk that, with all the focus on downtown (a commendable focus), there has not been enough focus on Bangor's neighborhoods. This effort will formalize a city government interest in neighborhoods while fostering neighborhood cohesion and pride.

Some neighborhood-based Facebook pages have popped up in Bangor. Such pages can be the basis for something even more exciting – an organized effort that focuses citizens on results that improve the livability of the neighborhoods and inspire new ideas for our entire city.

A neighborhood watch might focus on the most recent burglary or a community group might mobilize around fixing potholes. Innovative Neighborhoods, while considering those issues, will go further, focusing residents' efforts not just on the latest complaint, but rather the newest idea -- and the associated design, activities and planning — that can make Bangor's neighborhoods, and the city as a whole, more livable and more attractive places to do business. The Innovative Neighborhoods concept challenges Bangor to find feasible, evidence-based creative ideas that will set Bangor apart as a great and innovative city.

D. Data Analytics Advisors

Chris Dalton is a software developer from California who lives in Bangor. His firm is paid to engage in decision analysis for the pharmaceutical industry, and oil and gas firms. Lance Blackstone also lives in Bangor. He manages software development projects focused on large-scale assessment of students and professionals to support learning and career progress.

These two developers -- with decades of experience between them -- have offered to serve as advisors to the Innovative Neighborhoods initiative. Their advice would indeed help analyze and coordinate the (broadened) service delivery described in the village-to-village model above.

In addition, these software engineers will advise the four or five Innovative Neighborhood Teams in crafting goals drawn from brainstorming, the AARP livable communities survey, the Bangor Forward report, and a data-driven approach to analysis.

This initiative would benefit greatly from the creative involvement of city staff, particularly with regard to data and mapping information. The project will incorporate data analysis to consider any neighborhood challenges as discussed by neighbors.

Each Innovative Neighborhood team would be charged with cultivating the key people they think they will need in various areas they decide (data, planning, the environment, transportation, etc.) to work with their volunteer neighbors in general on crafting exciting and feasible ideas.

E. Institutionalizing a Big Vision

The Innovative Neighborhood Teams can make recommendations informed by the Livable Communities survey or Bangor Forward, but also by whatever inspires the team that improves either their specific neighborhood or the city as a whole. This Innovative Neighborhood initiative is a pragmatic tool to implement exactly that type of big positive vision. The Innovative Neighborhood Teams might imagine things like; can we establish a permanent non-profit theater that shows independent films? Can we address the problems in a local watershed? How can we pragmatically welcome and entice foreigners to our community? How can we weatherize more homes? How can we establish a downtown, mid sized music venue? How can we increase the rate of high school graduates going to college locally? How do we establish a maker's space in Bangor? How can we better connect businesses with the local higher education community so they can connect with the workers they need or get help with their latest innovation?

Innovative Neighborhoods teams could choose to tackle any number of other challenges. What the teams have in common is that, after selecting their challenges, they craft the most innovative, feasible plan to achieve the goal -- addressing logistics and financing while using an evidence-based, data-driven approach. The plans are not intended to be mere concept drafts, but a specific strategic plan that foresees a pragmatic business plan with specific realistic steps specified through to reaching the ultimate goal. Their plans will be judged by an objective, outside set of judges selected by the Steering Committee.

Most important is the problem-solving ethic that Innovative Neighborhoods aims to foster: using evidence to offer inspiring innovations that set Bangor apart as a dynamic city.

F. Light-hearted Competition, Innovative Results

It is wonderful to root for the neighborhood little league team, but imagine Bangor with four Innovative Neighborhood Teams -- each focused on the problems their neighbors raise -- ranging from ways to improve the local watershed, ways to improve walk-ability, coordination of neighborhood forums, volunteer service delivery, neighborhood revitalization, increased physical activity.

G. The Image Our City Projects Matters

Some have, perhaps accurately, described Bangor as facing a tsunami of old people. Fair enough, but the best solution (and the smarter marketing method) is a community-wide approach that celebrates bringing people of all ages into a team that makes it fun to generate and carry out ideas that allow Bangor to compete more effectively for business, for young workers, for our creative and caring economy -- and through building a reputation as a city moving with confidence into the future.

H. A Most Useful Awards Show

As advisors, experienced data and software thinkers Blackstone and Dalton, would work with AARP, Penquis Cap and neighborhood leaders on structuring the Innovative Neighborhood program and offering, once per year, the Innovative Neighborhood Award -- with a festive annual gala presenting an Innovation Oscar to the Innovative Neighborhood Team that crafts the most exciting, pragmatic step forward for our City of Bangor. When seeking grants to support the entire program, the Innovative Neighborhoods Steering Committee could potentially allocate money as part of the award to the winning Innovative Neighborhood, but this could possibly be a more nominal amount to cover start-up logistics of an idea.

Generally, Innovative Neighborhood teams would be required to draft a plan that is feasible either because: a) it is inexpensive; or b) if significant costs are involved, the proposal specifies a realistic method of garnering sufficient funds, whatever the source. Prospects of a given plan would be further boosted were it the recipient of an Innovative Neighborhood prize.

The Village to Village Model organizes retail service, person to person; The Innovative Neighborhood competition inspires wholesale change -- large-scale positive impact.

I. Our City and Community Organizations Lead Together

Innovative Neighborhoods will set apart Bangor as a leading innovative city -- tapping, organizing, and recognizing the talents and plans of our citizens.

The Fairmount School Innovative Neighborhood Team might be in the same sector as the Capehart area. Each of the Innovative Neighborhood areas will be economically diverse; each challenged to address a range of socioeconomic challenges. Consider the sheer fun and the challenge of community volunteers, from engineers to professors to software developers to teachers to mechanics being let loose to innovate. They might start their brainstorming with tools such as placemeter, <https://www.placemeter.com/about>, or Timebanks, <http://timebanks.org>.

Just as neighbors cheer on their school sports team, a new set of teams made up of innovators will engage in good-natured competition to improve our city while administering the community care that the Village-to-Village program offers and taking the concept to new heights: toward full community involvement and greater innovation, awarded and recognized. James Fallows, in a lengthy series in the Atlantic, notes that a key characteristic of successful citizens is the respect and recognition given community leaders by the general citizenry.

J. Earning an Innovative Reputation for Bangor

The opportunity for media partnership and national recognition is strong if we work together. The Bangor Daily News COO Todd Benoit has met twice about this project along with Producer Dan MacLeod and Editorial Writer Matt Stone. Matt Stone has been designated to the Steering Committee for this project.

City politics and city government can sometimes get bogged down in inside-baseball disputes, petty rivalries, and retrograde thinking. The state and federal governments are widely perceived as gridlocked. Thus Bangor must lead.

Bangor has done a good job compared to other cities in taking a forward-thinking stance. Innovative Neighborhoods, if well-crafted, can garner attention in the media and around Maine, and possibly nationally, in a way that sets Bangor in a positive light. That is an economic development tool in itself.

K. Leadership Roles

Steering Committee

The City of Bangor (two members)

AARP

Bangor Daily News, Matt Stone has been designated.

Bangor Savings Bank

Lance Blackstone, Software Engineer has volunteered

Chris Dalton, Software Engineer has volunteered

Eastern Area Agency on Aging

George Kinghorn, UMaine Art Museum, a leader of Bangor Forward

Penquis CAP

Bangor Fusion

The City has submitted a grant application to AARP that references and incorporates this concept. With the formation of this partnership (and additional partners as we strategize), we hope to boldly seek improvement of our city through stakeholder participation and citizen engagement and by garnering support from grant funders.

Next Steps

This project will require collaboration. As Bangor City Council Chair, I seek to collaborate thoughtfully with my fellow councilors, with city staff, and other stakeholders on a Steering Committee crafting this initiative and establishing Innovative Neighborhood teams.

Innovative Neighborhood Teams will be guided in part by using the surveys already completed by AARP for Bangor related to the Livable Communities initiative, by the information offered by Bangor Forward₁, and by new ideas offered by citizens.

Penquis CAP can build on the proven record of Washington Hancock Community Agency with a similar initiative. Penquis CAP has reviewed this proposal and expressly supports this project. Penquis CAP has created a team of top leaders to

participate in planning, including President and CEO Kara Hay, Housing Development Director Jason Bird, Child Development Director Heidi LeBlanc, and Housing and Energy Services Director Jennifer Giosa.

The partnership our city can have with the Bangor Daily News through Innovative Neighborhoods also presents a powerful and positive opportunity for a potentially transformational initiative.

We can build a dramatic success that will reflect well on all the participating partners and engage in truly creative change through the Innovative Neighborhoods Initiative. A well crafted, well executed program can deepen and broaden the livability of Bangor's neighborhoods and polish the reputation of our city in a way that is attractive to new citizens seeking an exciting, forward-thinking community in which to live. This initiative has the potential, if we pull together, the citizens of this city will make Bangor the most creative, caring and entrepreneurial city in America.

The city of Bangor must play a lead role. I hope this council will choose to become an official partner in this project and play a leadership role.

Sean Faircloth is Mayor of Bangor.



**NEW
BUSINESS**

COUNCIL ACTION

Item No. 16-147

Date: April 11, 2016

Item/Subject: Order, Directing the City Manager to Take Possession of Vacant Land Located on Mill Street – Map 031 Lot 090

Responsible Department: Treasury

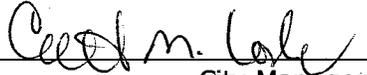
Commentary:

This Order directs the City Manager to take possession of vacant land located on Mill Street by virtue of the 2014 matured tax lien. The property is identified as Map 031 Lot 090. The City of Bangor has recorded tax liens on the property for unpaid real estate taxes; several of which have matured. All attempts to receive payment have been unsuccessful.

This has been reviewed and recommended for approval by the Finance Committee on April 4, 2016

Department Head

Manager's Comments:



City Manager

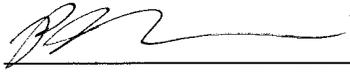
Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral

Page __ of __



Assigned to Councilor Durgin

CITY OF BANGOR

(TITLE.) Order, Directing the City Manager to Take Possession of the Vacant Land Located on Mill Street – Map 031 Lot 090

WHEREAS, the City of Bangor has recorded tax liens on the vacant land on Mill Street, identified as Map 031 Lot 090 for unpaid real estate taxes; and

WHEREAS, several of those lien have matured; and

WHEREAS, all attempts to receive payment have been unsuccessful;

By the City Council of the City of Bangor:

Be it Ordered,

that Catherine M. Conlow, City Manager, is hereby directed on behalf of the City of Bangor to take possession of vacant land located on Mill Street.

COUNCIL ACTION

Item No. 16-148

Date: April 11, 2016

Item/Subject: Order, Directing the City Manager to Take Possession of Vacant Land Located on Finson Road – Map R21 Lot 008

Responsible Department: Treasury

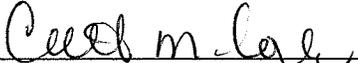
Commentary:

This Order directs the City Manager to take possession of vacant land located on Finson Road by virtue of the 2014 matured tax lien. The property is identified as Map R21 Lot 008. The City of Bangor has recorded tax liens on the property for unpaid real estate taxes; several of which have matured. All attempts to receive payment have been unsuccessful.

This has been reviewed and recommended for approval by the Finance Committee on April 4, 2016

Department Head

Manager's Comments:



City Manager

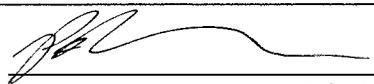
Associated Information:

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral

Page __ of __



Assigned to Councilor Sprague

CITY OF BANGOR

(TITLE.) Order, Directing the City Manager to Take Possession of the Vacant Land Located on Finson Road – Map R21 Lot 008

WHEREAS, the City of Bangor has recorded tax liens on the vacant land on Finson Road, identified as Map R21 Lot 008 for unpaid real estate taxes; and

WHEREAS, several of those lien have matured; and

WHEREAS, all attempts to receive payment have been unsuccessful;

By the City Council of the City of Bangor:

Be it Ordered,

that Catherine M. Conlow, City Manager, is hereby directed on behalf of the City of Bangor to take possession of vacant land located on Finson Road.

COUNCIL ACTION

Item No. 16-149

Date: April 11, 2016

Item/Subject: Resolve, Supporting the Greater Bangor Solarize Project

Responsible Department: Finance

Commentary: Initiated in Portland, Oregon in 2009, Solarize is a collective purchasing program to facilitate implementation of solar power for homes and businesses. The process has spread across the country and currently there are three other projects in Maine (Freeport, Mid Maine and Midcoast Maine). If approved, this order will support efforts of Greater Bangor Solarize Project to promote the installation of distributed solar power and reduce the installation costs by bundling solar projects in the region.

Currently, the group is working to obtain support from a number of local governments including Bangor, Brewer, Hampden, Veazie and Orono. In addition, Eastern Maine Development Corporation has pledged staff support for the effort.

If the Council supports the Greater Bangor Solarize Project, the City will be named as a partner in the project and will assist with outreach to potential purchases through our established networks and tools.

This item was reviewed and recommended for adoption by the Finance Committee on April 4, 2016.



Department Head

Manager's Comments:



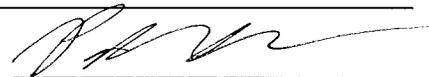
City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral

Page __ of __



Assigned to Councilor Plourde

CITY OF BANGOR

(TITLE.) Resolve, Supporting the Greater Bangor Solarize Project

BY THE CITY COUNCIL OF THE CITY OF BANGOR:

Whereas; the idea for a Solarize project for the Bangor area grew out of a "Solar Powering your Community" workshop sponsored by the cities of Bangor and Brewer and the Bangor Region Chamber of Commerce, held at the Cross Center in May 2015; and

Whereas; the goal of Solarize is to promote the installation of distributed solar power by bringing together interested home and business owners to contract for solar installation at a reduced rate; and

Whereas; purchasers have been shown to save up to 10% of their installation costs through similar efforts; and

Whereas; solar can become a more affordable option due to federal tax credits;

NOW BE IT RESOLVED, that the City of Bangor hereby supports the efforts of Greater Bangor Solarize and will work collaboratively with the group in their efforts.

COUNCIL ACTION

Item No. 16-150

Date: April 11, 2016

Item/Subject: Order, Authorizing the Transfer of \$140,000 in FY 2016 Savings to Fund a Bangor Efficiency Pilot Program

Responsible Department: Finance

Commentary: Over the past few months, the Finance Committee has been reviewing a potential program to provide incentives to homeowners to invest in energy efficient measures. To increase participation in homeowner energy efficiency, thus achieving three goals: 1) help Bangor residents lower their winter heating bills; 2) modernize Bangor's old housing stock thus making Bangor a more attractive place to live; 3) help decrease Bangor's carbon footprint in the face of global warming.

On March 21st, the Finance Committee reviewed the program to create an incentive to save homeowners money and modernize our housing stock, by piggyback onto existing programs offered through Efficiency Maine. This would lower administrative costs and allow for Bangor homeowners to receive even greater incentives for energy efficiency programs and provide access to unsecured loans.

The attached order would authorize the Finance Director to transfer FY 2016 in the amount of \$140,000 to a non lapsing account to fund the Bangor Efficiency Pilot Program.

This was reviewed and recommended for approval by the Finance Committee on April 4, 2016.


Department Head

Manager's Comments:


City Manager

Associated Information:

Budget Approval:

Finance Director

Legal Approval:


City Solicitor

Introduced for
 Passage
 First Reading
 Referral



Assigned to Councilor Perry

CITY OF BANGOR

(TITLE.) Order, Authoring the Transfer of \$140,000 in FY 2016 Savings to Fund a Bangor Efficiency Pilot Program

By the City Council of the City of Bangor:

ORDERED, THAT the Finance Director is hereby authorized to transfer \$140,000 in General Fund savings realized during FY 2016 due to lower costs associated with the mild winter, which may include some savings from lower than anticipated fuel costs.

COUNCIL ACTION

Item No. 16-151

Date: April 11, 2016

Item/Subject: ORDER, Authorizing the Establishment of a City Wide Wellness Program and the Solicitation of Funds for the Program

Responsible Department: Health and Community Services

Commentary:

This Order will establish a City Wide Wellness Program for the purpose of encouraging healthy activity of the citizens of Bangor and accept a \$3000 donation from Bangor Savings Bank for implementation. The program works by allowing participants that exercise for 150 minutes a week to be entered to win incentive prizes such as Red Sox merchandise, fitness trackers, and even tickets to see the red sox at Fenway. Challenger participants will be asked to keep track of how long they exercise during the 8 weeks and enter to win a raffle drawing every two weeks.

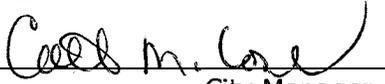
Currently, the City uses Employee Health Solutions for help with an employee wellness program. If approved, this program will allocate a \$3000 donation from Bangor Savings Bank to have Employee Health Solutions assist in expanding this program to include city residents beginning May 1, 2016.

Additionally, the order will authorize fundraising efforts to assist with the costs of the program and authorize the Finance Director to accept donations and establish such procedures as she deems necessary to insure that any donated funds, goods, or services that are appropriately received and accounted for and are used specifically for the purpose intended by the donors. It will also ratify the actions taken to receive the donation from the Bangor Savings Bank.

This was reviewed and recommended for approval at the April 4, 2016 Government Operations Committee meeting.

Department Head

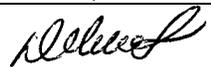
Manager's Comments:



City Manager

Associated Information: Order

Budget Approval:



Finance Director

Legal Approval:



City Solicitor

Introduced for

- Passage
- First Reading
- Referral

Assigned to Councilor Baldacci



CITY OF BANGOR

(TITLE.) ORDER, Authorizing the Establishment of a City Wide Wellness Program and the Solicitation of Funds for the Program

WHEREAS, the City operates a City employee wellness program; and

WHEREAS, it is in the interest of the City to establish a city wide wellness program to encourage healthy activity by the citizens of the City of Bangor, and

WHEREAS, the City uses Employee Health Solutions to assist it for its City employee wellness program and Employee Health Solutions is able to assist the City for a city wide wellness program.

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

City staff hereby authorized to establish a City Wide Wellness Program utilizing the services of Employee Health Solutions for the purpose of encouraging healthy activity by the citizens of the City of Bangor.

BE IT FURTHER ORDERED, THAT

Pursuant to Section 33-9.1 of the Code of the City of Bangor City staff and Councilors are hereby authorized to participate in fundraising efforts to assist with the costs of the program, 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.

BE IT RESOLVED, THAT

Any actions by City staff of Councilors to date to obtain funds for the program are hereby ratified by the Council.

Date: April 11, 2016

Item/Subject: **ORDER, Authorizing Bid Award in the Amount of \$164,700 to Vaughn D. Thibodeau II, Inc for Maine Avenue Sewer Reconstruction**

Responsible Department: **Engineering**

Commentary:

On April 6, 2016, the City received six (6) bids for the Maine Avenue Sewer Reconstruction project. The bid prices ranged from \$164,700 to \$423,550 (see attached bid tabulation).

This project is part of the work associated with the Wayfair building to reroute the service from under the building as well as to rebuilt a portion of the line. The actual bid is below the budgeted construction estimate of \$266,000.

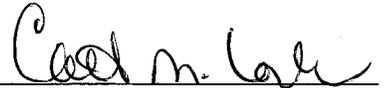
This item is schedule to be reviewed by the Finance Committee earlier this evening.

If recommended for passage, this item comes forward for Council action, as the contract award 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

Assigned to Councilor Nealley



CITY OF BANGOR

(TITLE.) Order, Authorizing Bid Award in the Amount of \$164,700 to Vaughn D. Thibodeau II, Inc for Maine Avenue Sewer Reconstruction

By the City Council of the City of Bangor:

ORDERED,

THAT, Deborah Cyr, Finance Director is hereby authorized to execute a contract with Vaughn D. Thibodeau II, Inc in the amount of \$164,700 for Maine Avenue Sewer Reconstruction Project.

City of Bangor Bid Tabulation
Proposal: Maine Avenue Property Sewer Reconstruction
Bid Opening: 4-6-16

Item	Description	Qty.	Unit	General Contractor Vaughn D. Thibodeau II, Inc.		R.F. Jordan & Sons Construction, Inc		Sargent Corporation		Lou Silver, Inc.	
				Bangor, ME		Ellsworth, ME		Stillwater, ME		Orono, ME	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Mobilization (not to exceed 3%)	1	LS	\$4,300.00	\$4,300.00	\$8,500.00	\$8,500.00	\$7,500.00	\$7,500.00	\$12,000.00	\$12,000.00
2	Rock Removal	10	CY	\$200.00	\$2,000.00	\$750.00	\$7,500.00	\$75.00	\$750.00	\$200.00	\$2,000.00
3	Test Pit	2	EA	\$250.00	\$500.00	\$1,000.00	\$2,000.00	\$750.00	\$1,500.00	\$1,000.00	\$2,000.00
4	10-inch Diameter Sewer Main	900	LF	\$100.00	\$90,000.00	\$165.00	\$148,500.00	\$125.00	\$112,500.00	\$257.00	\$231,300.00
5	4' Standard Sewer Manhole	100	VF	\$150.00	\$15,000.00	\$500.00	\$50,000.00	\$450.00	\$45,000.00	\$700.00	\$70,000.00
6	6-inch Diameter Sewer Lateral	220	LF	\$50.00	\$11,000.00	\$45.00	\$9,900.00	\$80.00	\$17,600.00	\$100.00	\$22,000.00
7	External Cleanouts	2	EA	\$400.00	\$800.00	\$2,000.00	\$4,000.00	\$500.00	\$1,000.00	\$1,500.00	\$3,000.00
8	Abandon exist. main under building with flowable fill	1	LS	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$6,200.00	\$6,200.00	\$5,000.00	\$5,000.00
9	Remove and Reset Conc. Curb Sections	260	LF	\$12.00	\$3,120.00	\$30.00	\$7,800.00	\$24.00	\$6,240.00	\$45.00	\$11,700.00
10	Remove and Reset Brick Sidewalk	300	SF	\$5.00	\$1,500.00	\$20.00	\$6,000.00	\$15.00	\$4,500.00	\$20.00	\$6,000.00
11	Replace Plantings	8	EA	\$100.00	\$800.00	\$250.00	\$2,000.00	\$600.00	\$4,800.00	\$250.00	\$2,000.00
12	Abandon exist. SMH in place	1	EA	\$500.00	\$500.00	\$2,000.00	\$2,000.00	\$1,000.00	\$1,000.00	\$2,500.00	\$2,500.00
13	3" Loam, Seed, and Mulch	1	LS	\$3,180.00	\$3,180.00	\$3,500.00	\$3,500.00	\$2,000.00	\$2,000.00	\$5,050.00	\$5,050.00
14	H.M.A. Pavement	200	TON	\$125.00	\$25,000.00	\$185.00	\$37,000.00	\$125.00	\$25,000.00	\$125.00	\$25,000.00
15	Internal Plumbing Modifications for Southeast Restroom #1	1	LS	\$3,000.00	\$3,000.00	\$9,000.00	\$9,000.00	\$9,750.00	\$9,750.00	\$9,600.00	\$9,600.00
16	Internal Plumbing Modifications for Northwest Restroom #2	1	LS	\$3,000.00	\$3,000.00	\$28,000.00	\$28,000.00	\$10,300.00	\$10,300.00	\$14,400.00	\$14,400.00
Total					\$164,700.00		\$326,700.00		\$255,640.00		\$423,550.00

Item	Description	Qty.	Unit	Ranger Contracting, Inc.		S.E. MacMillan Company, Inc.	
				Winslow, ME		Bangor, ME	
				Unit Price	Total Price	Unit Price	Total Price
1	Mobilization (not to exceed 3%)	1	LS	\$4,551.50	\$4,551.50	\$6,000.00	\$6,000.00
2	Rock Removal	10	CY	\$216.00	\$2,160.00	\$100.00	\$1,000.00
3	Test Pit	2	EA	\$691.50	\$1,383.00	\$3,000.00	\$6,000.00
4	10-inch Diameter Sewer Main	900	LF	\$88.00	\$79,200.00	\$295.00	\$265,500.00
5	4' Standard Sewer Manhole	100	VF	\$437.50	\$43,750.00	\$1.00	\$100.00
6	6-inch Diameter Sewer Lateral	220	LF	\$42.50	\$9,350.00	\$50.00	\$11,000.00
7	External Cleanouts	2	EA	\$650.50	\$1,301.00	\$700.00	\$1,400.00
8	Abandon exist. main under building with flowable fill	1	LS	\$2,400.00	\$2,400.00	\$1,727.00	\$1,727.00
9	Remove and Reset Conc. Curb Sections	260	LF	\$20.50	\$5,330.00	\$1.00	\$260.00
10	Remove and Reset Brick Sidewalk	300	SF	\$5.50	\$1,650.00	\$0.01	\$3.00
11	Replace Plantings	8	EA	\$223.00	\$1,784.00	\$1.00	\$8.00
12	Abandon exist. SMH in place	1	EA	\$695.50	\$695.50	\$1,000.00	\$1,000.00
13	3" Loam, Seed, and Mulch	1	LS	\$3,187.50	\$3,187.50	\$5,000.00	\$5,000.00
14	H.M.A. Pavement	200	TON	\$118.75	\$23,750.00	\$0.01	\$2.00
15	Internal Plumbing Modifications for Southeast Restroom #1	1	LS	\$3,393.50	\$3,393.50	\$7,000.00	\$7,000.00
16	Internal Plumbing Modifications for Northwest Restroom #2	1	LS	\$4,796.50	\$4,796.50	\$21,000.00	\$21,000.00
Total					\$188,682.50		\$327,000.00