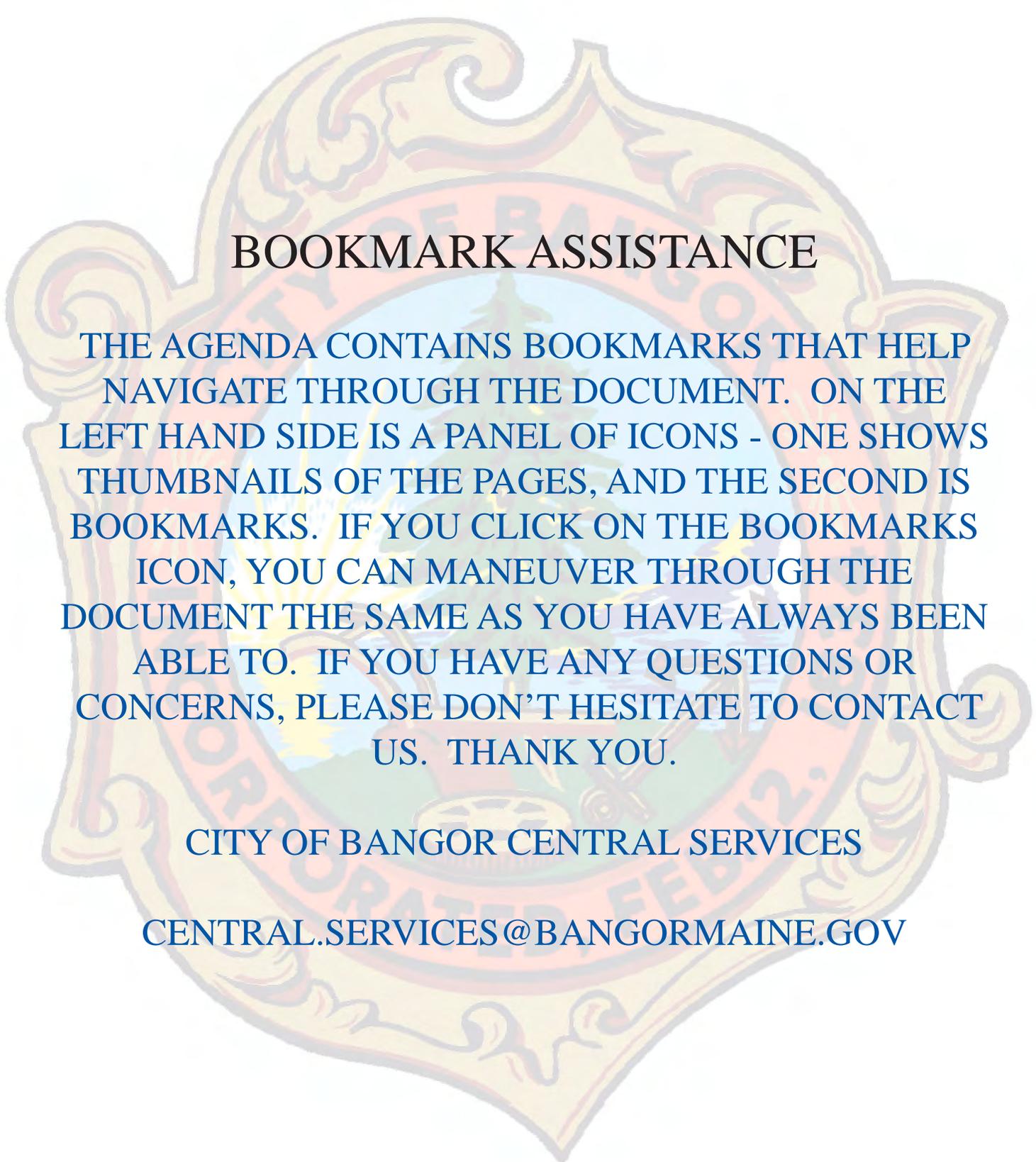




# **CITY COUNCIL AGENDA**

**JANUARY 25, 2016**





## BOOKMARK ASSISTANCE

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

CITY OF BANGOR CENTRAL SERVICES

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

**REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 25, 2016**

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**PLEDGE ALLEGIANCE TO THE FLAG**

**PUBLIC COMMENT**

**CONSENT AGENDA  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

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

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

**LIQUOR LICENSE RENEWAL:**      **Application for Liquor License Renewal, Malt,  
Spirituos, Vinous of Siam House Inc. d/b/a Umami  
Noodle Bar, 1 Main Street**      **BALDACCI**

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

**16-065    ORDER**      **Authorizing Execution of Municipal Quitclaim Deed –  
Real Estate Located at 97 Holiday Park (Map R47 Lot  
7A)**      **NICHOLS**

**Executive Summary:** Real estate tax liens matured on the property located at 97 Holiday Park. All outstanding charges due the City have been paid. There are no outstanding sewer charges or property issues. Because the liens matured, a municipal quitclaim is required to release the City's interest in the property. Staff recommends approval.

**16-066    ORDER**      **Extending the Designation of Sheldon Hartstone as  
Tentative Developer of a Parcel of City-Owned Land –  
Map 001 Lot 134 and a Portion of Map 001 Lot 001**      **GRAHAM**

**Executive Summary:** This order will extend 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 April 11, 2016. Mr. Hartstone and City staff have requested additional time to negotiate a development agreement for the City Council's consideration setting forth the proposed terms and conditions under which the property would be leased and developed.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its January 19, 2016 meeting.

## REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 25, 2016

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### CONSENT AGENDA ITEM NO.

### ASSIGNED TO COUNCILOR

**16-067   ORDER**      **Authorizing the City to Apply for and Accept a Grant from the American Association of Retired Persons for a Planning Study**      **DURGIN**

**Executive Summary:** This Order will authorize the City Manager to apply for and accept a grant, in an amount of \$7,500, from the American Association of Retired Persons. If successful, the funds will be used to assist in planning to better meet the needs of older individuals and promote ‘aging in place’ in Bangor and the surrounding community.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its meeting on January 19, 2016.

**16-068   ORDER**      **Authorizing a Grant Application in the Amount of \$1,243,004 to the United States Economic Development Administration (EDA) for C&L Aerospace Renovation and Expansion**      **GRAHAM**

**Executive Summary:** This Order will authorize the City Manager to submit a grant application to the United States Economic Development Administration in the amount of \$1.2 million. If successful, the funds will be used to assist in a renovation and expansion of C&L Aerospace located at the Bangor International Airport. The total project cost is \$2.4 million and the grant requires a 50% match to be funded wholly by C&L Aerospace.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its meeting on January 19, 2016.

**16-069   ORDER**      **Authorizing Execution of an Amendment of the Purchase Option and Development Agreement with John Karnes for Development of Former Pine Tree Inn – 22 Cleveland Street (Tax Map 001-017)**      **DURGIN**

**Executive Summary:** On June 8, 2015, Council Order 15-210 authorized the execution of a Purchase Option and Development Agreement with John Karnes for the redevelopment of property located at 22 Cleveland Street. The approved Purchase Option and Development Agreement included requirements that certain timelines be met. John Karnes has carefully pursued completion of all requirements of the Purchase Option and Development Agreement. Nonetheless, he has requested an amendment to extend the time line as he completes his due diligence. This type of request is not uncommon for projects of this size and scope.

If approved, this order will amend the Purchase Option and Development Agreement with John Karnes, to extend the closing on the sale of the property to April 30, 2016; site work and building improvements to commence no later than May 16, 2016; and site work and building construction to be completed no later than October 31, 2016. This item was reviewed and recommended for approval by the Business & Economic Development Committee at its January 19, 2016 meeting.

**REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 25, 2016**

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**CONSENT AGENDA  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

**16-070   ORDER**

**Authorizing the Fire Department to submit a Grant Application to FM Global Company for \$3,000 for the Purchase of two Computer Tablets**

**PERRY**

**Executive Summary:** This Order will authorize the Fire Department to submit a grant application for \$3,000 to FM Global for two Computer Tablets. FM Global is an Industrial Insurance Company that provides Fire Prevention Grants to Fire Departments with no required matching funds from the department. The funds will be used to purchase two computer tablets for the Fire Inspectors to use while on inspections. The tablets will increase the efficiency, tracking and reporting of violations, as well as improve quality assurance of inspections. These tablets will also enhance the effectiveness of both residential and commercial inspections programs. This was reviewed and recommended for approval at the January 20, 2016 Government Operations Committee meeting.

**16-071   ORDER**

**Authorizing the execution of a contract extension between Irving Oil, Inc. and the City of Bangor for the fuel supply agreement at Bangor International Airport**

**BALDACCI**

**Executive Summary:** This Order will authorize a contract extension with Irving Oil, Inc. for the supply of jet fuel and avgas to the Bangor International Airport. The supply agreement allows for the automatic renewal for up to three (3) successive three (3) year terms. Throughout the initial 3 year term and the first 3 year extension, Irving Oil has been a responsive partner for fuel supply to the Airport, and have been very reliable with supplying quality product. The proximity of the Irving refinery allows them to be price competitive in our market and they have been active in pursuing and assisting with establishing new business to our Airport. All other terms and conditions outlined in current agreement will remain and the agreement will be in a final form as approved by City Legal. This item was reviewed and approved by the Airport Committee at its meeting on January 12, 2016.

**16-072   RESOLVE**

**Ratifying the City Manager’s Approval of a Grant Application for the Fund for the Efficient Delivery of Services, Submitted by Penobscot County**

**DURGIN**

**Executive Summary:** This resolve will ratify the City Manager’s approval of a joint grant application between Penobscot County and the City of Bangor. The purpose of the grant is to secure \$492,000 from the State to expand and remodel the County Dispatch Facilities to accommodate the merger of County Dispatch and Bangor Dispatch.

At the goal setting session in January, council discussed that the State has made available grant funds through the Efficient Delivery of Services program. Chad LaBree, Director of Penobscot County Communications has asked the City of Bangor to sign on to the grant as a co-applicant. At this time the Council has not made a final determination as to whether it would like to sign on to County Dispatch. However should the council decide to consolidate dispatch and if the County is successful in obtaining the grant, the City will save approximately \$120,000 in capital costs, which represent its share of the estimated dispatch remodel cost, which is \$492,000.

## REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 25, 2016

### CONSENT AGENDA ITEM NO.

### ASSIGNED TO COUNCILOR

The Grant was due Friday the 15<sup>th</sup> of January. If the Council is not agreeable, we will ask the County to withdraw our application.

Should the council agree to go forward; staff will bring forward the entire scope of transitioning to regional dispatch in the next few weeks. This item was reviewed and recommended for approval at the Finance Committee meeting on January 20, 2016.

**16-073   ORDER                      Authorizing Execution of Documents to Purchase                      SPRAGUE**  
**Property of the Small Family Trust – Stillwater Gardens**  
**Subdivision (Map 55, Lot 012-F)**

**Executive Summary:** The Small Family Trust is the owner of a parcel of land abutting open space owned by the City of Bangor that includes trails for public use. The Small Family Trust is willing to convey the property to the City of Bangor for the sum of \$1,500. This acquisition will add to the City’s land and improve public access to the City trails.

The Stillwater Gardens Subdivision plan included an ambiguous reference that the property owners at the time of the plan approval “intend” to offer this parcel and an abutting parcel to the City, but the abutting parcel (Tax Map R55 Lot 12-E) is of no value to the City due to its location in relation to the trail. This ambiguous Note in the plan creates a title issue that is best to resolve at this time.

This Order, if approved, will authorize the City Manager to execute documents necessary for the purchase and will provide that to the extent the ambiguous Note in the subdivision plan created any interest in or rights to the remaining property the City releases that interest or right. This was reviewed with the Government Operations Committee in Executive Session on January 20, 2016.

**16-074   ORDER                      Authorizing Execution of Documents to Accept Property                      NICHOLS**  
**from LTI, Inc. – Stillwater Gardens Subdivision (Map**  
**55, Lot 012-C)**

**Executive Summary:** LTI, Inc. is the owner of a parcel of land abutting open space owned by the City of Bangor that includes trails for public use. LTI, Inc. is willing to donate the property to the City of Bangor. This acquisition will add to the City’s land and improve public access to the City trails.

This Order, if approved, will authorize the City Manager to execute documents necessary to accept the property. This was reviewed with the Government Operations Committee in Executive Session on January 20, 2016.

**REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 25, 2016**

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

**ASSIGNED TO  
COUNCILOR**

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

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

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

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

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

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

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

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

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

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

**REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 25, 2016**

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**UNFINISHED BUSINESS  
ITEM NO**

**ASSIGNED TO  
COUNCILOR**

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

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

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

**NEW BUSINESS  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

**LIQUOR LICENSE      Application for Liquor License Renewal, Malt,      **BALDACCI**  
**(CLASS XI)      Spirituous, Vinous of Blaze Bangor LLC d/b/a Blaze**  
**Restaurant, 18 Broad Street****

**PUBLIC HEARING:      Application for Special Amusement License Renewal of      **BALDACCI**  
**Blaze Bangor LLC d/b/a Blaze Restaurant, 18 Broad**  
**Street****

**16-078   ORDER      Authorizing the City Manager to apply for funding in      **DURGIN**  
**the amount of \$10,000 from the Maine Community**  
**Foundation to support the Community Health**  
**Leadership Board****

**Executive Summary:** This order will authorize the City Manager to apply for funds from the Maine Community Foundation/ Penobscot Valley Health Association Fund/Penobscot Fund in the amount of \$10,000 to support the work of the Community Health Leadership Board. (CHLB). The CHLB is a group of hospital, city, and health and human service leaders who convened to address pressing health concerns in the community. The goal of the CHLB is to utilize its members’ unique leadership roles and the strength of their organizations to achieve positive outcomes through collaboration and cooperation. The CHLB is initially focused on measurably reducing the impact of addiction and substance abuse in our community. Maine Community Foundation funds would be used for strategic planning, group facilitation and coordination. The term of the grant would be June 1, 2016 to June 1, 2017.

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

**REGULAR MEETING BANGOR CITY COUNCIL – JANUARY 25, 2016**

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**NEW BUSINESS  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

**16-079   ORDER**

**Authorizing the Parks and Recreation Department to Apply for Grant Funding through the State of Maine Recreational Trails Program in the amount of \$8,416.32 to Repair the Kenduskeag Stream Trail**

**PLOURDE**

**Executive Summary:** The Parks and Recreation Department has been working with a group of individuals who are interested in making repairs and improvements to the section of the Kenduskeag Stream Trail that runs from Franklin Street to the footbridge leading to Harlow Street. The State of Maine through the Bureau of Parks and Lands administers the Recreational Trails Program which awards grants to successful applicants for such projects. Staff would like to proceed with a grant application in the amount \$8416.32 to make repairs to the trail and fencing in this section of the Kenduskeag Stream Trail. This was reviewed and recommended for approval at the January 20, 2016 Government Operations Committee meeting

**16-080   ORDER**

**Amending Schedule of Fees, Schedules X and XVI, to Increase the Off-Street and On-Street Parking Permit Rates – Chapter 291 §§291-42 and 291-42.1**

**GRAHAM**

**Executive Summary:** This order will adjust monthly permit rates for Pickering Square, Lower Kenduskeag, Court Street, Bangor House, and Merrill Bank Street parking. Parking rates for several City-owned lots have not been adjusted since 2009. Funds from the increase will cover the increase in operating costs over the last seven years. Additional parking revenues could be used to fund a feasibility study that would examine current parking conditions, identify and evaluate potential sites for parking expansion or development in the Downtown Parking Management District, and prepare cost estimates at a very general level to accompany the findings and conclusions. If approved, Republic Parking is prepared to implement the changes with an effective date of April 1, 2016. This item was reviewed and approved at the Business and Economic Development Committee meeting on January 19, 2016.



**CONSENT  
AGENDA**

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

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*Meeting Called to Order at 7:30 PM  
 Chaired by Council Chair Faircloth  
 Councilors Absent: None  
 Meeting Adjourned at 7:46 PM*

*City Clerk, Lisa Goodwin, administered the oath of office to the newly appointed Sub-Committee Members*

**PUBLIC COMMENT**                      *None*

<b>CONSENT AGENDA ITEM NO.</b>	<b>ASSIGNED TO COUNCILOR</b>
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*\*Explanatory Note: All items listed in the Consent Agenda are considered routine and are proposed for adoption by the City Council by one motion without discussion or deliberation. If discussion on any item is desired any member of the Council or public may merely request removal of the item to its normal sequence in the regular agenda prior to a motion for passage of the Consent Agenda.*

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

**Action:**    *Accepted and Approved*

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

<i>Application for Liquor License Renewal, Malt of Capital Pizza Huts d/b/a Pizza Hut, 611 Broadway</i>	<b>NICHOLS</b>
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**Action:**    *Approved*

<i>Application for Liquor License Renewal, Malt, Vinous of Giacomo's d/b/a Giacomo's, 1 Central Street</i>	<b>NICHOLS</b>
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**Action:**    *Approved*

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

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

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

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

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<b>CONSENT AGENDA</b>			<b>ASSIGNED TO</b>
<b>ITEM NO.</b>			<b>COUNCILOR</b>

<u>16-061</u>	<u>ORDER</u>	<i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 199 Bomarc Road Unit 5 (Map R45, Lot 1L)</i>	<b>GRAHAM</b>
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*Action: Passed*

<u>16-062</u>	<u>ORDER</u>	<i>Authorizing Execution of Municipal Quitclaim Deed – Real Estate Located at 523 Essex Street (Map 45, Lot 36)</i>	<b>PERRY</b>
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*Action: Passed*

<u>16-063</u>	<u>ORDER</u>	<i>Authorizing Settlement of Worker’s Compensation Claim</i>	<b>DURGIN</b>
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*Action: Passed*

<b>REFERRALS TO COMMITTEE AND FIRST READING</b>			<b>ASSIGNED TO</b>
<b>ITEM NO.</b>			<b>COUNCILOR</b>

<u>16-064</u>	<u>RESOLVE</u>	<i>Authorizing the City Manager to Accept and Appropriate \$22,000 from the Bangor Land Trust for Trail V Design</i>	<b>SPRAGUE</b>
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*Action: First Reading*

<b>UNFINISHED BUSINESS</b>			<b>ASSIGNED TO</b>
<b>ITEM NO.</b>			<b>COUNCILOR</b>

**PUBLIC HEARING:**

<u>15-360</u>	<u>ORDER</u>	<i>Declaring 472 Essex Street a Dangerous Building and Directing its Demolition (Map-Lot 045-009-D)</i>	<b>BALDACCI</b>
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*Action: Motion made and seconded to Postpone Indefinitely.  
Passed*

<u>16-058</u>	<u>ORDINANCE</u>	<i>Amending Chapter 95, Cultural Development, of the Code of the City of Bangor, By Allowing the Commission to Define their Grant Approval Cycle</i>	<b>PLOURDE</b>
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*Action: Motion made and seconded for Passage.  
Vote: 9 – 0  
Councilors Voting Yes: Baldacci, Durgin, Graham, Nealley, Nichols, Perry, Plourde, Sprague, Faircloth  
Councilors Voting No: None  
Passed*

<u>16-059</u>	<u>RESOLVE</u>	<i>Appropriating \$102,850 from the General Fund Improvement Reserve to Purchase and Equip Two Police Cruisers</i>	<b>SPRAGUE</b>
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*Action: Motion made and seconded for Passage.  
Passed*

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

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<b>NEW BUSINESS ITEM NO.</b>	<b>ASSIGNED TO COUNCILOR</b>
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*None.*

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

## **FINANCE COMMITTEE MINUTES**

**January 20, 2016 @ 5:15pm**

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

**Staff in Attendance: Cyr, Dawes, Wardwell, Theriault, Conlow**

### **1. Consent Agenda**

- a. Emergency Purchase – Bus Engine

Motion made and seconded to accept report. Motion passed unanimously.

### **2. Purchasing**

- a. Mt. Hope Cemetery Maintenance – Public Works – JNR Property Maintenance - \$23,300

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

- b. Request to Waive the Bid Process - Structural Engineer Services for KD Pedestrian Bridge – Engineering – Becker Structural Engineers

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

### **3. Maine DOT Construction Funding for Hogan Road Sidewalk**

Staff reviewed a proposed agreement with MDOT to provide 80% of the funding for the construction of a sidewalk along Hogan Road from Springer Drive to Stillwater Avenue. The project requires a 20% local match in the amount of \$35,200. Funding of the local share is recommending from the Mall Area Traffic TIF.

Motion made and seconded to recommend to the full Council to authorize agreement with MDOT and to appropriate the local share.

### **4. Ratifying a Grant Application for the Fund for the Efficient Delivery of Services with Penobscot County**

Staff reviewed the Grant Applications for the Fund for the Efficient Delivery of Services with Penobscot County. Motion made and seconded to recommend ratifying the application with the understanding that the Council has indicated a desire to explore combining dispatch but has taken no formal action.

**Meeting adjourned at 5:25 pm**

# **BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE**

Tuesday, January 19, 2016 5:15 PM  
City Council Chambers

## **MINUTES**

Committee Members Present: Chair Graham, Councilor Faircloth, Councilor Durgin

City Staff Present: Cathy Conlow, Tanya Emery, Jeff Wallace, Steve Bolduc, Tyler Collins, Tony Caruso, Parke Clemons (Republic Parking)

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

### **CONSENT AGENDA**

#### **1. Community Development Residential Rehabilitation Loan – 666 Finson Rd., Lot #172**

Councilor Durgin moved passage of the consent agenda. Councilor Faircloth seconded the motion, which passed as it was not doubted.

### **REGULAR AGENDA**

#### **2. Pine Tree Inn Redevelopment**

Economic Development Officer Steve Bolduc and John Karnes, Developer, reviewed the Memo, Pine Tree Inn Elevation & Pine Tree Inn Floor Plans provided for the committee members. Mr. Karnes discussed that the property will have 42 units for extended stay hotel guests when finished, and he will be keeping the Pine Tree Inn name.

Councilor Durgin moved passage of staff recommendation to approve the development plans and extend the dates. Councilor Faircloth seconded the motion, which passed as it was not doubted.

#### **3. Parking Rate Increase Proposal**

Director Emery reviewed the parking rate proposal derived from the 2015 Annual Report by Republic Parking. These parking rates have not been adjusted since 2009, and staff recommends adoption on April 1, 2016 of the newly proposed rates. Funds raised by the increase will go toward a feasibility study for parking infrastructure.

Councilor Faircloth moved passage of staff recommendation to approve the rate increase and funding for a feasibility study. Councilor Durgin seconded the motion, which passed as it was not doubted.

#### **4. Apply for AARP Grant**

Community and Economic Development Officer Tyler Collins reviewed the AARP grant opportunity and proposed application.

Councilor Durgin moved passage of staff recommendation to proceed with the application. Councilor Graham seconded the motion, which passed as it was not doubted.

#### **5. C&L Aerospace Expansion**

Community and Economic Development Officer Tyler Collins reviewed the request from C&L Aerospace for assistance with applying for another grant from the US Economic Development Administration. Airport Director Tony Caruso spoke to the expansion of C&L Aerospace on the Airport property.

Councilor Durgin moved passage of staff recommendation to proceed with the proposal preparation and submission. Councilor Faircloth seconded the motion, which passed as it was not doubted.

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

Councilor Durgin moved at 5:35 pm to enter Executive Session to discuss Economic Development (Property Disposition) under 1 M.R.S.A. § 405(6)(C). Councilor Faircloth seconded the motion.

#### **7. Committee Action on Above Item**

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

There being no further business, the meeting was adjourned at 5:45 pm.

**COUNCIL ACTION**

**Item No. 16-065**

**Date:** January 25, 2016

**Item/Subject:** **ORDER**, Authorizing Execution of Municipal Quitclaim Deed – Real Estate  
Located at 97 Holiday Park (Map R47 Lot 7A).

**Responsible Department:** Legal

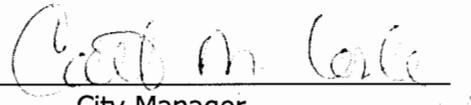
**Commentary:**

Real estate tax liens matured on the property located at 97 Holiday Park. All outstanding charges due the City have been paid. There are no outstanding sewer charges or property issues. Because the liens matured, a municipal quitclaim is required to release the City's interest in the property.

Staff recommends approval.

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

**Manager's Comments:**

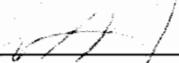
  
\_\_\_\_\_  
City Manager

**Associated Information:**

**Budget Approval:**

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

**Legal Approval:**

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

**Introduced for Consent Agenda**

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



Assigned to Councilor Nichols

## CITY OF BANGOR

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

*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 305 and Book 13907, Page 209. Said deed shall be directed to Michael Larrabee, Jr. in final form approved by the City Solicitor or Assistant City Solicitor.

**COUNCIL ACTION**

**Item No. 16-066**

**Date: January 25, 2016**

**Item/Subject:** **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

**Responsible Department:** Community & Economic Development

**Commentary:**

This Order, will extend 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 April 11, 2016. Mr. Hartstone and City staff have requested additional time to negotiate a development agreement for the City Council's consideration setting forth the proposed terms and conditions under which the property would be leased and developed.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its January 19, 2016 meeting.

/s/ Tanya L. Emery  
Department Head

**Manager's Comments:**

Greg M. Cole  
City Manager

**Associated Information:**

**Budget Approval:**

[Signature]  
Finance Director

**Legal Approval:**

[Signature]  
City Solicitor

**Introduced for**

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

Assigned to Councilor Graham



## 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 on August 24, 2015 approved Council Order 15-293 designating Sheldon Hartstone as Tentative Developer of said parcel; and

**WHEREAS,** the Bangor City Council on November 23, 2015 approved Council Order 16-018 extending the designation of Sheldon Hartstone as Tentative Developer of said parcel until January 29, 2016; and

**WHEREAS,** Mr. Sheldon Hartstone has actively pursued commercial development opportunities for the parcel and has identified several interested parties; 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 in order to allow additional time for the City and Mr. Hartstone and his partners to negotiate a Development Agreement for consideration by the City Council:

**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 designated land of approximately 9.66 acres located on Odlin Road, Bangor is extended until April 11, 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. 16-067

Date: January 25, 2016

**Item/Subject** ORDER, Authorizing the City to Apply for and Accept a Grant from the American Association of Retired Persons for a Planning Study

**Responsible Department:** Community & Economic Development

**Commentary:** This Order will authorize the City Manager to apply for and accept a grant, in an amount of \$7,500, from the American Association of Retired Persons. If successful, the funds will be used to assist in planning to better meet the needs of older individuals and promote 'aging in place' in Bangor and the surrounding community.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its meeting on January 19, 2016.

Tanya Emery  
Department Head

**Manager's Comments:**

[Signature]  
City Manager

**Associated Information:** Order

**Budget Approval:**

[Signature]  
Finance Director

**Legal Approval:**

[Signature]  
City Solicitor

**Introduced for**  
 Passage  
 First Reading  
 Referral

Page \_\_ of \_\_



Assigned to Councilor Durgin

## CITY OF BANGOR

---

**(TITLE.) ORDER, Authorizing the City to Apply for and Accept a Grant from the American Association of Retired Persons for a Planning Study**

**WHEREAS,** Maine's chapter of the American Association of Retired Persons, AARP Maine, has in place a grant program intended to assist communities in helping older adults to age in place and in community;

**WHEREAS,** a grant from this program would give the City funds for planning purposes to better understand and meet the needs of older individuals and promote 'aging in place' in Bangor and the surrounding region; and

**WHEREAS,** the proposed project meets the eligibility requirements of the program and would help the City become more age-friendly:

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

The City Manager is authorized to apply for and accept a grant from the American Association of Retired Persons for \$7,500 to assist in planning to meet the needs of older adults in the Bangor region.

**COUNCIL ACTION**

**Item No. 16-068**

**Date: January 25, 2016**

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

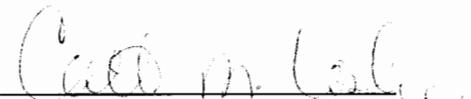
**Responsible Department: Community & Economic Development**

**Commentary:** This Order will authorize the City Manager to submit a grant application to the United States Economic Development Administration in the amount of \$1,243,004 to assist in a renovation and expansion of C&L Aerospace located at the Bangor International Airport. The total project cost is \$2,486,008 million and the grant requires a 50% match to be funded wholly by C&L Aerospace.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its meeting on January 19, 2016.

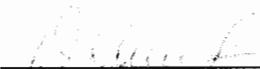
Tanya Emery  
Department Head

**Manager's Comments:**

  
City Manager

**Associated Information:** Order

**Budget Approval:**

  
Finance Director

**Legal Approval:**

  
City Solicitor

**Introduced for**  
 Passage  
 First Reading  
 Referral

Page \_\_ of \_\_



Assigned to Councilor Graham

## CITY OF BANGOR

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

**WHEREAS,** the United States EDA has its FY2016 Public Works and Economic Adjustment Assistance Programs Federal Funding Opportunity in place to help communities fulfill regional economic development strategies designed to accelerate innovation and entrepreneurship, advance regional competitiveness, create higher-skill, living-wage jobs, generate private investment, and fortify and grow industry clusters;

**WHEREAS,** a grant from this program would give the City funds for a renovation and expansion at C&L Aerospace located at the Bangor International Airport; and

**WHEREAS,** the proposed project meets the eligibility requirements of the program and would provide up to fifty jobs within the first year of completion:

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

The City Manager is authorized to submit an application to the United States Economic Development Administration to assist in the renovation and expansion at C&L Aerospace.

**COUNCIL ACTION**

**Item No. 16-069**

**Date:** January 25, 2016

**Item/Subject:** ORDER, Authorizing Execution of an Amendment of the Purchase Option and Development Agreement with John Karnes for Development of Former Pine Tree Inn – 22 Cleveland Street (Tax Map 001-017)

**Responsible Department:** **Community & Economic Development**

**Commentary:** On June 8, 2015, Council Order 15-210 authorized the execution of a Purchase Option and Development Agreement with John Karnes for the redevelopment of property located at 22 Cleveland Street. The approved Purchase Option and Development Agreement included requirements that certain timelines be met. John Karnes has carefully pursued completion of all requirements of the Purchase Option and Development Agreement. Nonetheless, he has requested an amendment to extend the time line as he completes his due diligence. This type of request is not uncommon for projects of this size and scope.

If approved, this order will amend the Purchase Option and Development Agreement with John Karnes, to extend the closing on the sale of the property to April 30, 2016; site work and building improvements to commence no later than May 16, 2016; and site work and building construction to be completed no later than October 31, 2016.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its January 19, 2016 meeting.

s/ Tanya Emery  
Department Head

**Manager's Comments:**

Carl M. Love  
City Manager

**Associated Information:**

**Budget Approval:**

[Signature]  
Finance Director

**Legal Approval:**

[Signature]  
City Solicitor

**Introduced for**

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



Assigned to Councilor Durgin

## CITY OF BANGOR

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**(TITLE.) ORDER,** Authorizing Execution of an Amendment of the Purchase Option and Development Agreement with John Karnes for Development of Former Pine Tree Inn – 22 Cleveland Street (Tax Map 001-017)

**WHEREAS,** the Bangor City Council on June 8, 2015, by Council Order 15-210, authorized the execution of a Purchase Option and Development Agreement with John Karnes for the development of 22 Cleveland Street, the former Pine Tree Inn; and

**WHEREAS,** the Purchase Option and Development Agreement includes requirements that certain timelines be met; and

**WHEREAS,** John Karnes has diligently pursued completion of all requirements of the Purchase Option and Development Agreement; and

**WHEREAS,** John Karnes has requested an amendment to the Purchase Option and Development Agreement to receive additional time to meet some of the requirements of the agreement.

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

Catherine M. Conlow, City Manager of the City of Bangor, is hereby authorized to execute, on behalf of the City of Bangor, documents necessary for an amendment of the Purchase Option and Development Agreement with John Karnes for land and buildings located at 22 Cleveland Street, Bangor, Maine. Said Purchase Option and Development Agreement shall be amended such that the closing on the sale of the property is to be completed by April 30, 2016; site work and building improvements are to commence no later than May 16, 2016; and site work and building construction to be completed no later than October 31, 2016. Said documents shall be in a final form as approved by the City Solicitor or the Assistant City Solicitor

COUNCIL ACTION

Item No. 16-070

Date: January 25, 2016

**Item/Subject: Authorizing the Fire Department to submit a Grant Application to FM Global Company for \$3,000 for the Purchase of two Computer Tablets.**

**Responsible Department: Fire**

**Commentary:** This Order will authorize the Fire Department to submit a grant application for \$3,000 to FM Global for two Computer Tablets. FM Global is an Industrial Insurance Company that provides Fire Prevention Grants to Fire Departments with no required matching funds from the department. The funds will be used to purchase two computer tablets for the Fire Inspectors to use while on inspections. The tablets will increase the efficiency, tracking and reporting of violations, as well as improve quality assurance of inspections. These tablets will also enhance the effectiveness of both residential and commercial inspections programs. This was reviewed and recommended for approval at the January 20, 2016 Government Operations Committee meeting.

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

**Manager's Comments:**

\_\_\_\_\_  
*Carlton Lake*  
City Manager

**Associated Information: Order**

**Budget Approval:**

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

**Legal Approval:**

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

**Introduced for**

Passage  
 First Reading  
 Referral

Page \_\_ of \_\_



Assigned to Councilor Perry

## CITY OF BANGOR

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**(TITLE.) Order, Authorizing the Fire Department to submit a Grant Application to FM Global Company for \$3,000 for the Purchase of two Computer Tablets.**

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

ORDERED, THAT the Bangor Fire Department is hereby authorized to submit a grant application in the amount of \$3,000 to FM Global Company for the purpose of purchasing two computer tablets that will be used to assist Inspectors in the Fire Inspection Division.

**COUNCIL ACTION**

Item No. 16 -071

**Date: January 25, 2016**

**Item/Subject: ORDER,** Authorizing the execution of a contract extension between Irving Oil, Inc. and the City of Bangor for the fuel supply agreement at Bangor International Airport.

**Responsible Department:** Airport

**Commentary:**

This Order will authorize a contract extension with Irving Oil, Inc. for the supply of jet fuel and avgas to the Bangor International Airport. The supply agreement allows for the automatic renewal for up to three (3) successive three (3) year terms. Throughout the initial 3 year term and the first 3 year extension, Irving Oil has been a responsive partner for fuel supply to the Airport, and have been very reliable with supplying quality product. The proximity of the Irving refinery allows them to be price competitive in our market and they have been active in pursuing and assisting with establishing new business to our Airport.

All other terms and conditions outlined in current agreement will remain and the agreement will be in a final form as approved by City Legal. This item was reviewed and approved by the Airport Committee at its meeting on January 12, 2016.

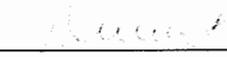
Tony Caruso  
Department Head

**Manager's Comments:**

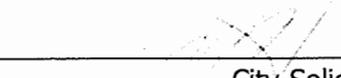
  
City Manager

**Associated Information:**

**Budget Approval:**

  
Finance Director

**Legal Approval:**

  
City Solicitor

Introduced for  
 **Passage**  
 **First Reading**  
 **Referral**

Assigned to Councilor Baldacci



## CITY OF BANGOR

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**(TITLE.) ORDER,** Authorizing the execution of a contract extension between Irving Oil, Inc. and the City of Bangor for the fuel supply agreement at Bangor International Airport.

**WHEREAS,** The City of Bangor owns and operates the Bangor International Airport; and

**WHEREAS,** Bangor International Airport and Irving Oil, Inc. are interested in renewing the current fuel supply agreement; and

**WHEREAS,** The supply agreement allows for the automatic renewal for up to three (3) successive three (3) year terms.; and

**WHEREAS,** Throughout the initial 3 year term and the first 3 year extension, Irving Oil has been a responsive partner for fuel supply to the Airport, and have been very reliable with supplying quality product; and

**WHEREAS,** It would be advantageous to both parties to renew this agreement.

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

The City Manager is authorized to execute a 3 year contract extension between Irving Oil, Inc. and the City of Bangor for a fuel supply agreement at Bangor International Airport. Said agreement shall be in final form as approved by the City Solicitor or Assistant City Solicitor.

**COUNCIL ACTION**

**Item No. 16 - 072**

**Date: January 25, 2016**

**Item/Subject: RESOLVE** Ratifying the City Manager's Approval of a Grant Application for the Fund for the Efficient Delivery of Services, Submitted by Penobscot County.

**Responsible Department:** Manager

**Commentary:** This resolve will ratify the City Manager's approval of a joint grant application between Penobscot County and the City of Bangor. The purpose of the grant is to secure \$492,000 from the State to expand and remodel the County Dispatch Facilities to accommodate the merger of County Dispatch and Bangor Dispatch.

At the goal setting session in January, council discussed that the State has made available grant funds through the Efficient Delivery of Services program. Chad LaBree, Director of Penobscot County Communications has asked the City of Bangor to sign on to the grant as a co-applicant. At this time the Council has not made a final determination as to whether it would like to sign on to County Dispatch. However should the council decide to consolidate dispatch and if the County is successful in obtaining the grant, the City will save approximately \$120,000 in capital costs, which represent its share of the estimated dispatch remodel cost, which is \$492,000.

The Grant was due Friday the 15<sup>th</sup> of January. If the council is agreeable with the application, staff will bring forward a Council action to ratify my signature. If the Council is not agreeable, we will ask the County to withdraw our application.

Should the council agree to go forward; staff will bring forward the entire scope of transitioning to regional dispatch in the next few weeks. This item was reviewed and recommended for approval at the Finance Committee meeting on January 20, 2016

Department Head

**Manager's Comments:**

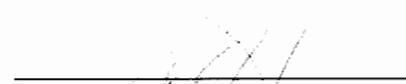
  
City Manager

**Associated Information:**

**Budget Approval:**

  
Finance Director

**Legal Approval:**

  
City Solicitor

Introduced for  
 **Passage**  
 **First Reading**  
 **Referral**



Assigned to Councilor Durgin

## CITY OF BANGOR

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**(TITLE.) RESOLVE,** Ratifying the City Manager's Approval of a Grant Application for the Fund for the Efficient Delivery of Services, Submitted by Penobscot County

- WHEREAS,** the Bangor City Council has discussed the possibility of consolidating Penobscot Regional Communications with Bangor Dispatch; and
- WHEREAS,** Penobscot County anticipates that it will cost approximately \$492,000 to remodel and expand the existing dispatch area to accommodate Bangor; and
- WHEREAS,** The City of Bangor would need to pay approximately 24% of that cost or \$120,000; and
- WHEREAS,** The State of Maine is seeking applications for the funding available through the Fund for the Efficient Delivery of Services; and
- WHEREAS,** The Grant would cover 100% of the costs associated with the remodel; and
- WHEREAS,** Should the City decline to merger of Penobscot Regional Dispatch and Bangor Dispatch, the grant will be withdrawn.

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

Ratifies the City Manager's approval of a \$492,000 grant application from the Fund for the Efficient Deliver of Services, submitted by Penobscot County.

**COUNCIL ACTION**

**Item No. 16-073**

**Date:** January 25, 2016

**Item/Subject:** ORDER, Authorizing Execution of Documents to Purchase Property of the Small Family Trust – Stillwater Gardens Subdivision (Map 55, Lot 012-F)

**Responsible Department:** Legal

**Commentary:**

The Small Family Trust is the owner of a parcel of land abutting open space owned by the City of Bangor that includes trails for public use. The Small Family Trust is willing to convey the property to the City of Bangor for the sum of \$1,500. This acquisition will add to the City's land and improve public access to the City trails.

The Stillwater Gardens Subdivision plan included an ambiguous reference that the property owners at the time of the plan approval "intend" to offer this parcel and an abutting parcel to the City, but the abutting parcel (Tax Map R55 Lot 12-E) is of no value to the City due to its location in relation to the trail. This ambiguous Note in the plan creates a title issue that is best to resolve at this time.

This Order, if approved, will authorize the City Manager to execute documents necessary for the purchase and will provide that to the extent the ambiguous Note in the subdivision plan created any interest in or rights to the remaining property the City releases that interest or right.

\_\_\_\_\_  
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,** Authorizing Execution of Documents to Purchase Property of the Small Family Trust – Stillwater Gardens Subdivision (Map R55, Lot 012-F)

WHEREAS, the Small Family Trust is the owner of a parcel of land abutting open space owned by the City of Bangor that includes trails for public use; and

WHEREAS, the Small Family Trust is willing to convey the property to the City of Bangor for the sum of \$1,500; and

WHEREAS, it is in the best interest of the City of Bangor to acquire the property to improve access to the City trails; and

WHEREAS, the Stillwater Gardens Subdivision plan included an ambiguous reference that the property owners at the time of the plan approval "intend" to offer this parcel and an abutting parcel to the City, but the abutting parcel (Tax Map R55 Lot 12-E) is of no value to the City due to its location in relation to the trail; and

WHEREAS, it is in the City's best interest and that of the property owners to resolve the ambiguity created by said subdivision plan reference.

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

**ORDERED,**

THAT Catherine M. Conlow, City Manager, is hereby authorized, on behalf of the City of Bangor, to execute all documents necessary for the City of Bangor to purchase property of the Small Family Trust in the Stillwater Gardens Subdivision, City of Bangor Tax Map R55, Lot 012-F. Said documents shall be a final form as approved by the City Solicitor or Assistant City Solicitor.

**BE IT FURTHER ORDERED**

THAT the City of Bangor releases to the Parker Realty Trust, owner of a parcel of land in the Stillwater Gardens Subdivision described in Penobscot Registry of Deed Vol. 11382, Page 340 (Map 55 Lot 12-E), from any claim of a possible option to or right in said parcel by virtue of Note 6 on Map File 2007-131. The premises described in Vol 11382, Page 340 may be sold free from any option described in Note 6.

**COUNCIL ACTION**

**Item No. 16-074**

**Date:** January 25, 2016

**Item/Subject: ORDER,** Authorizing Execution of Documents to Accept Property from LTI, Inc.  
– Stillwater Gardens Subdivision (Map 55, Lot 012-C)

**Responsible Department:** Legal

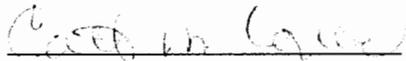
**Commentary:**

LTI, Inc. is the owner of a parcel of land abutting open space owned by the City of Bangor that includes trails for public use. LTI, Inc. is willing to donate the property to the City of Bangor. This acquisition will add to the City's land and improve public access to the City trails.

This Order, if approved, will authorize the City Manager to execute documents necessary to accept the property.

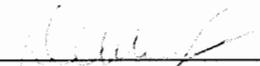
\_\_\_\_\_  
Department Head

**Manager's Comments:**

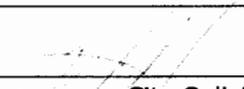
  
\_\_\_\_\_  
City Manager

**Associated Information:**

**Budget Approval:**

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

**Legal Approval:**

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

**Introduced for**  
 Passage  
 First Reading  
 Referral

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



Assigned to Councilor Nichols

## CITY OF BANGOR

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**(TITLE.) ORDER,** Authorizing Execution of Documents to Accept Property from LTI, Inc. – Stillwater Gardens Subdivision (Map 55, Lot 012-C)

WHEREAS, LTI, Inc. is the owner of a parcel of land abutting open space owned by the City of Bangor that includes trails for public use; and

WHEREAS, LTI, Inc. is willing to convey the property to the City of Bangor at no cost to the City; and

WHEREAS, it is in the best interest of the City of Bangor to accept the property to improve access to the City trails.

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

**ORDERED,**

THAT Catherine M. Conlow, City Manager, is hereby authorized, on behalf of the City of Bangor, to execute all documents necessary for the City of Bangor to accept property of LTI, Inc. in the Stillwater Gardens Subdivision, City of Bangor Tax Map R55, Lot 012-C. Said documents shall be in final form as approved by the City Solicitor or Assistant City Solicitor.



**REFERRALS TO COMMITTEES  
& FIRST READINGS**

**COUNCIL ACTION**

**Item No. 16-075**

**Date:** January 25, 2016

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

**Responsible Department:** Public Works

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

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

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

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

**Manager's Comments:**

\_\_\_\_\_  
*Scott D. Lewis*  
City Manager

**Associated Information:** Ordinance

**Budget Approval:**

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

**Legal Approval:**

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

**Introduced for**

- Passage
- First Reading
- Referral

Assigned to Councilor Perry



## CITY OF BANGOR

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

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

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

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

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

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

### **§ 265-3 Residential collection.**

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

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

...

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

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

**COUNCIL ACTION**

Item No. **16-076**

Date: **January 25, 2016**

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

**Responsible Department:** Finance

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

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

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

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

**Manager's Comments:**

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

**Associated Information:**

**Budget Approval:**

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

**Legal Approval:**

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

**Introduced for**

- Passage
- First Reading
- Referral

Page \_\_ of \_\_

Assigned to Councilor Durgin



## CITY OF BANGOR

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

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

COUNCIL ACTION

Item No. 16-077

Date: January 25, 2016

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

**Responsible Department:** Parks & Recreation

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

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

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

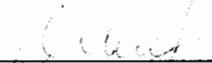
\_\_\_\_\_  
Department Head

**Manager's Comments:**

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

**Associated Information:**

**Budget Approval:**

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

**Legal Approval:**

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

**Introduced for**

- Passage
- First Reading
- Referral

Assigned to Councilor Nichols



## CITY OF BANGOR

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

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

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



**UNFINISHED  
BUSINESS**

**COUNCIL ACTION**

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**Item No. 16-064**

**Date:** January 11, 2016

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

**Responsible Department:** Engineering

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

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

\_\_\_\_\_  
John M. Theriault

Department Head

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**Manager's Comments:**

\_\_\_\_\_  
*Carl M. Conde*  
City Manager

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**Associated Information:** Resolve, Memo

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**Budget Approval:**

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

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**Legal Approval:**

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

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**Introduced for**

- Passage
- First Reading
- Referral



Assigned to Councilor Sprague

## CITY OF BANGOR

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

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

***RESOLVED***

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



**NEW  
BUSINESS**

**COUNCIL ACTION**

**Item No. 16-078**

**Date:** January 25, 2016

**Item/Subject:** ORDER, Authorizing the City Manager to apply for funding in the amount of \$10,000 from the Maine Community Foundation to support the Community Health Leadership Board

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

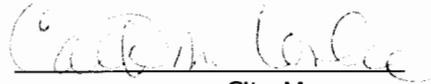
**Commentary:**

This order will authorize the City Manager to apply for funds from the Maine Community Foundation/ Penobscot Valley Health Association Fund/Penobscot Fund in the amount of \$10,000 to support the work of the Community Health Leadership Board. (CHLB). The CHLB is a group of hospital, city, and health and human service leaders who convened to address pressing health concerns in the community. The goal of the CHLB is to utilize its members' unique leadership roles and the strength of their organizations to achieve positive outcomes through collaboration and cooperation. The CHLB is initially focused on measurably reducing the impact of addiction and substance abuse in our community. Maine Community Foundation funds would be used for strategic planning, group facilitation and coordination. The term of the grant would be June 1, 2016 to June 1, 2017.

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

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

**Manager's Comments:**

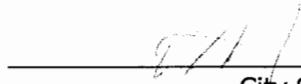
  
\_\_\_\_\_  
City Manager

**Associated Information Order**

**Budget Approval:**

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

**Legal Approval:**

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

**Introduced for**  
 **Passage,**  
 **First Reading**  
 **Referral**



**Assigned to Councilor Durgin**

## CITY OF BANGOR

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(TITLE.) Order, Authorizing the City Manager to Apply for funding in the amount of \$10,000 from the Maine Community Foundation to support the Community Health Leadership Board

BE IT ORDERED THAT: The City Manager is authorized to apply for funding in the amount of \$10,000 from the Maine Community Foundation for the term June 1, 2016 to June 1, 2017 to support the on-going efforts of the Community Health Leadership Board.

**COUNCIL ACTION**

**Item No. 16-079**

**Date: 1-25-16**

**Item/Subject: ORDER, Authorizing the Parks and Recreation Department to Apply for Grant Funding through the State of Maine Recreational Trails Program in the amount of \$8,416.32 to Repair the Kenduskeag Stream Trail**

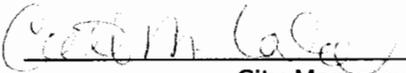
**Responsible Department: Parks and Recreation**

**Commentary:**

The Parks and Recreation Department has been working with a group of individuals who are interested in making repairs and improvements to the section of the Kenduskeag Stream Trail that runs from Franklin Street to the footbridge leading to Harlow Street. The State of Maine through the Bureau of Parks and Lands administers the Recreational Trails Program which awards grants to successful applicants for such projects. Staff would like to proceed with a grant application in the amount \$8416.32 to make repairs to the trail and fencing in this section of the Kenduskeag Stream Trail. This was reviewed and recommended for approval at the January 20, 2016 Government Operations Committee meeting

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Department Head

**Manager's Comments:**

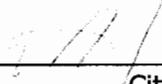
  
\_\_\_\_\_  
City Manager

**Associated Information: Order**

**Budget Approval:**

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

**Legal Approval:**

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

**Introduced for**

Passage  
 First Reading  
 Referral

Page \_\_ of \_\_

Assigned to Councilor Plourde



## CITY OF BANGOR

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**(TITLE.)** ORDER, Authorizing the Parks and Recreation Department to Apply for Grant Funding through the State of Maine Recreational Trails Program in the amount of \$8,416.32 to Repair the Kenduskeag Stream Trail

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

The Parks and Recreation Department is hereby authorized to apply for a grant through the State of Maine Recreational Trails Program in the amount of \$8,416.32 to repair portions of the Kenduskeag Stream Trail between Franklin Street and Harlow Street, including, but not limited to replacing fencing and railings, and upgrading the walking surface of the footpath

**COUNCIL ACTION**

**Item No. 16-080**

**Date: January 25, 2016**

**Item/Subject**      **ORDER, Amending Schedule of Fees, Schedules X and XVI, to Increase the Off-Street and On-Street Parking Permit Rates – Chapter 291 §§291-42 and 291-42.1**

**Responsible Department:**      **Community & Economic Development**

**Commentary:** This order will adjust monthly permit rates for Pickering Square, Lower Kenduskeag, Court Street, Bangor House, and Merrill Bank Street parking which are identified below. Parking rates for several City-owned lots have not been adjusted since 2009. Funds from the increase will cover the increase in operating costs over the last seven years. Additional parking revenues could be used to fund a feasibility study that would examine current parking conditions, identify and evaluate potential sites for parking expansion or development in the Downtown Parking Management District, and prepare cost estimates at a very general level to accompany the findings and conclusions. If approved, Republic Parking is prepared to implement the changes with an effective date of April 1, 2016. This item was reviewed and approved at the Business and Economic Development Committee meeting on January 19, 2016.

#	LOT	CURRENT	PROPOSED	DIFF
1	PICKERING SQ - MAIN	\$57.00	\$61.00	\$4.00
1	PICKERING SQ - ROOF	\$30.00	\$33.00	\$3.00
1	PICKERING SQ - RES	\$40.00	\$43.00	\$3.00
1	PICKERING SQ - MAIN 10%	\$51.30	\$57.40	\$3.60
1	PICKERING SQ - MAIN 5%	\$54.15	\$57.20	\$3.80
1	PICKERING SQ - MAIN 20%	\$45.60	\$57.80	\$3.20
9	LOWER KENDUSKEAG	\$57.00	\$61.00	\$4.00
11	COURT STREET LOT	\$30.00	\$33.00	\$3.00
12	BANGOR HOUSE	\$57.00	\$61.00	\$4.00
13	MERRILL BANK STREET	\$57.00	\$61.00	\$4.00

\_\_\_\_\_  
/s/ Tanya L. Emery  
Department Head

**Manager's Comments:**

\_\_\_\_\_  
Cristina Cole  
City Manager

**Associated Information:**

**Budget Approval:**

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

**Legal Approval:**

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

**Introduced for**  
\_\_\_ **Passage**  
\_\_\_ **First Reading**  
\_\_\_ **Referral**

Assigned to Councilor Graham



## CITY OF BANGOR

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(TITLE.) ORDER, Amending Schedule of Fees, Schedules X and XVI, to Increase the Off-Street and On-Street Parking Permit Rates – Chapter 291 §§291-42 and 291-42.1

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

The following monthly permit parking fees are hereby established for off-street and on-street parking spaces in Parking Schedules X and XVI, effective April 1, 2016:

<u>Lot #</u>	<u>Lot Name and Monthly Permit Rate</u>
1.	Pickering Square – Main - \$61.00
1.	Pickering Square – Rooftop - \$33.00
1.	Pickering Square – Lower - \$60.00
1.	Pickering Square– Resident - \$43.00
2A.	Hammond Square – Lower - \$79.00
2B.	Hammond Square – Upper - \$67.00
3.	Upper Abbot Square - \$66.00
4.	L. Abbott/Haynes Ct - \$54.00
5.	Hancock Sq - \$57.00
6.	French Street - \$54.00
7.	Kenduskeag Plz – E - \$57.00
8.	Kenduskeag Plz – W - \$50.00
9.	Court System Lot - \$61.00
10.	High St - \$54.00
11.	Court Street Lot - \$33.00
12.	Bangor House - \$61.00
13.	Merrill Bank Street - \$61.00

(Lots 9, 12, and 13 are tied to the rate at the Pickering Square Garage-main)