



# CITY COUNCIL AGENDA



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[lisa.goodwin@bangormaine.gov](mailto:lisa.goodwin@bangormaine.gov)

# REGULAR MEETING BANGOR CITY COUNCIL – AUGUST 14, 2023

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## PLEDGE OF ALLEGIANCE

Currently, the public has the choice to participate in meetings in person at City Hall or remotely through Zoom, Facebook, television, and the City's website. Public comment, whether in person or through Zoom requires a person to state their name and address, any inappropriate or offensive remarks may be removed, and the Council Chair will have discretion over the time allowed for comment. On Zoom, the public may be recognized to speak by the hand wave function or, on a phone, by pressing \*9.

## PUBLIC COMMENT

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### CONSENT AGENDA ITEM NO.

### ASSIGNED TO COUNCILOR

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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 July 24, 2023, Business and Economic Development Meetings of July 3, 2023, July 17, 2023 and July 24, 2023, Airport Committee Meeting of July 5, 2023 and Infrastructure Committee Meetings of March 7, 2023, March 21, 2023, April 18, 2023 and May 16, 2023**

### LIQUOR LICENSE RENEWALS:

**Application for Liquor License Renewal Malt, Wine, Spirits of Launchpad d/b/a Bangor Arts Exchange, 189-193 Exchange Street** **HAWES**

**Application for Liquor License Renewal Malt, Wine, Spirits of Timka, Inc. d/b/a Geaghans Pub and Brewery, 570 Main Street** **HAWES**

**Application for Liquor License Renewal Malt, Wine, Spirits of Husson University d/b/a Husson University, 1 College Circle** **HAWES**

**23-237    ORDER    Authorizing the Purchase of Three (3) Police Patrol Vehicles from Darlings Ford, the Current State Contract Holder, in the Amount of \$152,940** **TREMBLE**

**Executive Summary:** This Order would authorize the purchase of police vehicles from Darling's Ford, the current State of Maine contract holder for police vehicles. State of Maine contracts allow for municipalities to "piggyback" on their contract which enables municipalities to take advantage of a negotiated price.

The recently adopted FY 2024 budget authorized the purchase three (3) police patrol vehicles. All three vehicles will be will be 2023 Ford Explorer Hybrids. The total cost is \$152,940. This item was reviewed and recommended for passage by the Finance Committee at its meeting on August 8, 2023.

**23-238    ORDER    Authorizing a Contract with Northeast Paving for Emergency Repairs to the Airport Runway and Replacement of the 600 Cargo Ramp** **PELLETIER**

**REGULAR MEETING BANGOR CITY COUNCIL – AUGUST 14, 2023**

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**CONSENT AGENDA  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

**Executive Summary:** This Order will authorize a contract with Northeast Paving for emergency repairs to the Airport runway and replacement of the 600 Cargo Ramp. There are two portions of the runway at the Bangor International Airport that have fallen into poor condition due to Alkali Silica Reaction (ASR) within the concrete of the runway. In addition, the 600 Cargo Ramp is in very poor condition based on its age and increased usage during the UPS Operation. Both ASR's were to be repaired during the runway project which has been postponed until 2024 resulting in the need for immediate attention. The 600 Cargo Ramp has been continually repaired and patched by the Airport's Airfield Maintenance Department which is not a sustainable solution to maintain ongoing integrity of the area.

The Airport and the Engineering Department reached out to four contractors regarding a deep mill and pavement replacement to two ASR deformations in the runway as well as a complete removal and replacement of the 600 Cargo Ramp.

Two of the four contractors replied with quotes:

Northeast Paving - \$1,481,405 with a start date of 8/25/2023 and completion of 10/31/2023.

Pike Industries - \$2,088,467 with a start date 9/17/2023 and completion date of 10/28/2023.

Staff is recommending the contract be awarded to Northeast Paving, the low quote and earlier starting date, for the amount of \$1,481,405.00.

<b><u>23-239</u></b>	<b><u>ORDER</u></b>	<b>Authorizing a Collective Bargaining Agreement between the City of Bangor and Bangor Federation of Public Employees, Local 6071 Representing Fleet Service and Ground Support Equipment Employees</b>	<b>SCHAEFER</b>
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**Executive Summary:** This Order authorizes the execution of a Collective Bargaining Agreement between the City of Bangor and Bangor Federation of Public Employees, Local 6071, representing the employees of Fleet Services and Ground Support Equipment (GSE) of the Bangor International Airport.

The City of Bangor and the Union entered into negotiations on April 4, 2023 to bargain the agreement that was set to expire June 30, 2023. A tentative agreement was reached on July 5, 2023 based on guidelines established by the City Council for a three-year term from July 1, 2023 to June 30, 2026 with a 5% cost of living adjustment in year one of the contract and 2% in years two and three. This tentative agreement was reviewed by the City Council in Executive Session on July 24, 2023.

<b><u>23-240</u></b>	<b><u>ORDER</u></b>	<b>Authorizing a Contract with D.P. Porter Contractors/CEM for the HVAC Replacement at Building 195, the State Police Barracks in the Amount of \$250,000</b>	<b>HAWES</b>
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**REGULAR MEETING BANGOR CITY COUNCIL – AUGUST 14, 2023**

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**CONSENT AGENDA  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

**Executive Summary:** This Order would authorize a contract with D.P. Porter Contractors/CEM for the replacement of the air handler and associated ductwork for the HVAC system at the State Police Barracks; Airport Building 195.

On July 26, 2023 the City received two bids for this project:

ABM Mechanical - \$280,200  
D.P. Porter Contractors/CEM - \$250,000

Staff is recommending awarding the contract to D.P. Porter Contractors/CEM of Brooks, Maine, the low responsive bidder.

This item was reviewed and approved by the Finance Committee on August 8, 2023.

**23-241      ORDER                      Authorizing Execution of a Contract with Radio                      SPRAGUE**  
**Communications Management for \$507,004 for the**  
**Upgrade of the Public Safety Radio System**

**Executive Summary:** This Order will authorize the Finance Director to execute a contract for the upgrade of the City's Public Safety Radio System with Radio Communications Management (RCM) in the amount of \$507,004.

The Public Safety Radio System, which is 20 years old, is utilized by the Fire and Police Departments and is experiencing repeated failures creating delays to emergency services.

RCM is the City's current vendor for radio equipment, dispatch equipment, and repairs and maintenance. RCM's service and response to City needs has been excellent. Due to their knowledge of the City's current system and needs, staff recommended RCM be contracted to upgrade the City system.

In addition, RCM is the vendor for the State of Maine Public Safety Communications System as well Penobscot and six other Maine Counties. Utilizing RCM will ensure compatibility between the City, State and County system. This item was reviewed and approved by the Finance Committee on August 8, 2023.

**23-242      ORDER                      Authorizing an Amendment to the Employment                      TREMBLE**  
**Agreement of City Assessor Philip Drew**

**Executive Summary:** This Order will authorize the Council Chair to execute an amendment to City Assessor Philip Drew's employment agreement.

In January 2015, Philip Drew was appointed City Assessor and entered into an employment agreement with the City Council. Recently, Mr. Drew requested his agreement be revisited to remove the cap on his progression on the wage scale, thereby moving him to top step, and to increase the City's retirement contribution by 1% effective July 2, 2023. This item was reviewed in Executive Session on Monday, July 24, 2023.

**REGULAR MEETING BANGOR CITY COUNCIL – AUGUST 14, 2023**

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**CONSENT AGENDA  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

**23-243    ORDER            **Appointing Constables for the Year 2023****

**LEONARD**

**Executive Summary:** This Order authorizes the appointment of Jim Brown as Constable for Code Enforcement, and Karen Hessert, Frank Roma, and Tyler Gray as Constables for the Airport to enforce City Ordinances.

**23-244    RESOLVE            **Authorizing the Execution of a Memorandum of Understanding with the Penobscot County Sherriff's Office to Jointly Apply for Edward Byrne Memorial Grant Program Funding in the Amount of \$21,771****

**PELLETIER**

**Executive Summary:** This Order will authorize the Police Department to enter into a Memorandum of Understanding with the Penobscot County Sheriff's Office for the purpose of jointly applying for grant funding in the amount of \$21,771 through Edward Byrne Memorial Grant program.

The Bangor Police Department and the Penobscot County Sheriff's Office received notification that \$21,771 is available through the 2023 Edward Byrne Memorial Grant Program. If approved, the Police Department will enter into an MOU with the Sheriff's Department to apply with the intention of utilizing \$10,500 of the shared grant funding. The funding would be used to purchase ten (10) Setina Dual Blac Rac firearm security locks for marked police cruisers and to install ten (10) previously purchased gun racks in 20 marked cruisers. The deadline for application is August 24, 2023.

This item was reviewed and approved at the Government Operations Committee meeting on August 8, 2023.

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

**ASSIGNED TO  
COUNCILOR**

**23-245    ORDINANCE            **Amending Chapter 165, Land Development Code by Removing and/or Rewording Sections of the Municipality's Code to Align with the Maine State Statutes for the Regulation of Manufactured Housing (First Reading and Referral to Planning Board Meeting of August 15, 2023)****

**SCHAEFER**

**Executive Summary:** This Ordinance will amend Chapter 165, Land Development Code by removing and/or rewording sections of the municipality's code to align with the Maine State Statutes for the regulation of manufactured housing. In 1989, the State enacted 30-A M.R.S. § 4358, which places limitations on the City's home rule authority regarding mobile home parks. The following amendments are provided to ensure the City of Bangor is following state regulations of manufactured housing, as well as avoiding unequal treatment between manufactured housing and other types of housing. These amendments adjust the definitions of manufactured housing to reflect the new laws and adjust the setbacks and other dimensional requirements of manufactured home parks to make them more on par with uses like tiny home parks. The changes also include greater allowances for manufactured home parks in the Rural Residence and Agricultural District to ensure that any parks located in that zone would be able to expand.

**REGULAR MEETING BANGOR CITY COUNCIL – AUGUST 14, 2023**

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

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**ASSIGNED TO  
COUNCILOR**

**23-246      ORDINANCE      Amending Chapter 165, Land Development Code, Attachment 2, Schedule A Urban Developed Area by Increasing the Maximum Height in the Multifamily and Service District (M&SD) (First Reading and Referral to Planning Board Meeting of August 15, 2023)**

**DAVITT**

**Executive Summary:** This Ordinance will amend Chapter 165, Land Development Code, Attachment 2, Schedule A Urban Developed Area by increasing the maximum height in the Multifamily and Service District (M&SD). The proposed change would increase the maximum allowable building height in the M&SD district from 45 feet (approximately four stories) to 60 feet (approximately five stories). This is the same height proposed for high density residential in the S&PS and GC&S zones, the ordinance for which was recently adopted. This increase in height allowance could allow affordable housing projects in this district to be more financially feasible and could allow for more units on M&SD lots. This ordinance would be in keeping with the City Council’s policy to create more housing where feasible.

Additionally, the 2022 Comprehensive Plan directs the City to revise zoning regulations as needed to support the development of housing within the growth boundary and to remove barriers to development for a variety of housing types.

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**UNFINISHED BUSINESS  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

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**23-228      ORDINANCE      Amending Chapter 165, Land Development Code, District Map to Re-zone Property Located on Sunset Avenue from Urban Residence 2 District (URD-2) and High-Density Residential District (HDR) to Multifamily & Service District (M&SD)**

**SPRAGUE**

**Executive Summary:** This Ordinance would amend Chapter 165, Land Development Code, District Map to re-zone property located on Sunset Avenue. The applicant is seeking a zone change for the property at Map-Lot 004-021 from the Urban Residence 2 District (URD-2) and High-Density Residential District (HDR) to Multifamily & Service District (M&SD). The total area requested to be changed is approximately 5.6 acres and is shown in the attached exhibit.

The change to the M&SD district would allow for higher density residential and small offices, as well as less restrictive dimensional controls. The neighborhood primarily consists of M&SD, URD-2, and G&ISD lots. This area is within the growth boundary shown in the 2022 Comprehensive Plan and the future land use map in the Plan shows this area as consisting of “medium-density residential development with limited commercial and institutional uses that are complementary to the surrounding residential land uses.”

This item was reviewed and recommended for passage by the Planning Board at its meeting on August 1, 2023.

**REGULAR MEETING BANGOR CITY COUNCIL – AUGUST 14, 2023**

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**UNFINISHED BUSINESS  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

<b><u>23-229</u></b>	<b><u>ORDINANCE</u></b>	<b>Amending Chapter 165, Land Development Code, District Map to Re-zone Portion of Property Located on Finson Road from Rural Residence &amp; Agricultural District (RR&amp;A) to Low-Density Residential District (LDR)</b>	<b>HAWES</b>
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**Executive Summary:** This Ordinance would amend Chapter 165, Land Development Code, District Map to re-zone a portion of property located on Finson Road. The applicant is seeking a zone change for a portion of the property Map-Lot R21-006 from the Rural Residence & Agricultural District (RR&A) to Low-Density Residential District (LDR). The total area requested to be changed is approximately 10.5 acres and is shown in the attached exhibit.

The change to the LDR district would allow for mostly similar residential uses, but would additionally allow attached residential. Some uses that are allowed in RR&A, such as agriculture, camping areas, and similar uses would no longer be allowed. The neighborhood has a mix of RR&A, LDR, HDR, RP, and G&ISD lots. This area is just outside the growth boundary shown in the 2022 Comprehensive Plan and the future land use map in the Plan shows this area as consisting of “low-density residential areas where open space and farmland is a primary feature of the landscape” and not generally being served by municipal water or sewer service.

This item was reviewed and recommended for passage by the Planning Board at its meeting on August 1, 2023.

**PUBLIC HEARING**

<b><u>23-230</u></b>	<b><u>ORDER</u></b>	<b>Authorizing Issuance of \$13,339,000 of the City's General Obligations Bonds and a Tax Levy Therefor</b>	<b>HAWES</b>
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**Executive Summary:** This Order would authorize the issuance of \$13,339,000 in general obligation bonds for the following purposes: \$3,972,400 for streets and sidewalks, \$1,005,000 for infrastructure improvements, \$800,000 for Water Quality infrastructure improvements, \$1,660,000 for equipment and vehicle replacement and \$5,901,600 for building improvements (including City Hall and the Central Kitchen). These projects were reviewed during the recently completed FY 2024 budget process.

This item was reviewed and recommended for passage by the Finance Committee at its meeting on August 7, 2023.

**PUBLIC HEARING**

<b><u>23-231</u></b>	<b><u>ORDER</u></b>	<b>Authorizing a Loan in the Amount of \$1,000,000 from the Maine Municipal Bond Bank State Revolving Fund, and the Issuance of the City's General Obligation Bonds and a Tax Levy Therefor</b>	<b>LEONARD</b>
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**REGULAR MEETING BANGOR CITY COUNCIL – AUGUST 14, 2023**

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**UNFINISHED BUSINESS  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

**Executive Summary:** This Order would authorize a loan in the amount of \$1,000,000 from the Maine Municipal Bond Bank State Revolving Fund (SRF) and the issuance of the City’s general obligation bonds. These funds would be used fund the repair and upgrade of the Aeration system and the upgrade to the Barkersville Regulator Structure.

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

This item was reviewed and recommended for passage by the Planning Board at its meeting on August 1, 2023.

**23-232      RESOLVE      **Appropriating an Amount not to Exceed \$1,500,000 from the Airport Unappropriated Fund Balance to Fund Anticipated Emergency Repairs to the Airport 600 Cargo Ramp and Runway**      **PELLETIER****

**Executive Summary:** The Resolve will appropriate up to \$1,500,000 from the Airport Unappropriated Fund Balance account to fund anticipated emergency repairs to the Airport 600 cargo ramp and runway alkali-silica reactions (ASR).

The 600-cargo ramp is the dedicated operational area for the UPS mail cargo operation. The cargo ramp is over 60 years old and the pavement’s condition is rapidly declining. The Airfield Maintenance Department has been continuously monitoring and patching the pavement to maintain the ramp’s integrity, however the patchwork is a short-term fix only. Estimated replacement costs are \$1,077,365.

Per the 2022 FAA Part 139 Inspection, a rising hump (ASR), caused by an alkali-silica reaction, was identified near the runway’s south end. In addition, there is another ASR off of Lima taxiway that had a temporary fix on July 7th, 2023. Both ASR's were to be fixed during the planned runway replacement project this year. That project was subsequently delayed until 2024 requiring the ASR's to require immediate attention. Estimated repair costs are \$368,350.

This item was reviewed and approved by the Finance Committee at the July 17, 2024 meeting.

**23-233      RESOLVE      **Accepting and Appropriating a Grant Amendment in the Amount of \$103,000 for Bangor Public Health and Community Services' Public Health Infrastructure Enhancement Grant with Maine Center for Disease Control (First Reading)**      **SPRAGUE****

**REGULAR MEETING BANGOR CITY COUNCIL – AUGUST 14, 2023**

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**UNFINISHED BUSINESS  
ITEM NO.**

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**ASSIGNED TO  
COUNCILOR**

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**Executive Summary:** This Resolve authorizes a grant amendment in the amount of \$103,000 with the Maine Center for Disease Control (CDC) for our existing infrastructure enhancement grant.

On September 27, 2021, Resolve 21-351 was passed to accept and appropriate grant funds in the amount of \$564,834 to support public health infrastructure enhancements at Bangor Public Health and Community Services. The actual funding awarded by Maine CDC was increased by \$12,959 for a total of \$577,793 and was authorized on January 24, 2022 by Order 22-074. In year two of this grant, beginning July 1, 2022, the Maine CDC further increased the contract amount by \$37,506 and acceptance was authorized on September 12, 2022 via Resolve 22-290.

Beginning July 1, 2023, the Maine CDC further increased the contract amount by \$103,000. These additional funds, provided by the state of Maine, will be used to "expand, train, and sustain response-ready public health work force," will support portions of several existing positions within the department currently funded by this grant, and will support Bangor Public Health and Community Services' efforts towards becoming nationally accredited by the Public Health Accreditation Board.

This item was reviewed and approved by the Finance Committee at the July 17, 2024 meeting.

**NEW BUSINESS  
ITEM NO.**

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**ASSIGNED TO  
COUNCILOR**

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**PUBLIC HEARING:**      **Application for Special Amusement License Renewal of Launchpad d/b/a Bangor Arts Exchange, 189-193 Exchange Street**      **HAWES**

**PUBLIC HEARING:**      **Application for Special Amusement License Renewal of Timka, Inc. d/b/a Geaghans Pub and Brewery, 570 Main Street**      **HAWES**

**23-247**      **ORDER**      **Authorizing the Allocation of \$500,000 in State and Local Fiscal Recovery Funds to Fund the Construction of Health Clinic Spaces within the Bangor School Departments Two Middle Schools**      **SCHAEFER**

**Executive Summary:** This Order will allocated \$500,000 in State and Local Fiscal Recovery Funds (AKA ARPA Funds) to construct health clinic spaces at the William S Cohen and James F Doughty middles schools.

The health clinic at Bangor High School has been invaluable in serving the physical and behavioral needs of our students. The pandemic resulted in an increase need to support our students overall health. Studies have demonstrated that in-school health clinics have resulted in increased vaccination rates, reduced emergency room and hospital visits, and improvements in grades and attendance. Ensuring all middle school students have access to these critical services will enhance the equitable opportunity to enable our students to be healthier individuals and students.

**NEW BUSINESS  
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**ASSIGNED TO  
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This award is in support of the following:

- One-time funding that will support the capital costs associated with the creation of dedicated health clinic space within the City's two public middle schools.
- This award will support the public health of our students.

**23-248      ORDER                      Authorizing Award of \$100,000 in State and Local                      HAWES  
Fiscal Recovery Funds to Fund the Christine B  
Foundation to Support the Site Design and Planning  
of the Construction of a Nutritional Health Facility**

**Executive Summary:** This Order will authorize the award of \$100,000 in State and Local Fiscal Recovery Funds (AKA ARPA Funds) to support the site design and planning of the construction of a nutritional health facility.

There are a number of initiatives at both the federal and state level focused on the development of nutritional health efforts. This project will serve as a key component of the systematic improvement in care in our area.

This award is in support of the following:

- One-time funding to support the site design and planning for the construction of a nutritional health facility.
- This award will augment our community's cancer prevention and treatment resources through the development and expansion of access to nutritional assistance and education.

This item was recommended for approval at a Council workshop on August 7, 2023.

**23-249      ORDER                      Authorizing Award of \$2,000,000 in State and Local                      SPRAGUE  
Fiscal Recovery Funds to Support Bangor Housing  
Development Corporation's Sunset Avenue Housing  
Projects**

**Executive Summary:** This Order would authorize the award of \$2,000,000 in State and Local Fiscal Recovery Funds (aka ARPA funds) to Bangor Housing Development Corporation for infrastructure (water, sewer, roadway and broadband) and general construction costs associated with a two-phase housing project on Sunset Avenue.

Bangor Housing Development Corporation is developing a two-phase housing project for persons 55 and older. The current wait list for older adult housing is 6-7 years. Each of the two phases would result in the creation of 50 units of housing for older adults.

This funding award would provide the necessary funding for the installation of the necessary utilities to service both projects.

**NEW BUSINESS  
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**ASSIGNED TO  
COUNCILOR**

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This award is in support of the following:

- Investment in affordable housing
- Investment in water and sewer projects

This item was recommended for approval at a Council workshop on July 24, 2023.

**23-250      ORDER                      Authorizing Award of \$75,000 in State and Local                      LEONARD  
Fiscal Recovery Funds to Food and Medicine to  
Support the Expansion and Start-up Operating Costs  
of Community Gardens in Bangor**

**Executive Summary:** This Order would authorize the award of \$75,000 in State and Local Fiscal Recovery Funds (AKA ARPA funds) to Food and Medicine for the expansion and start-up operating costs of community gardens in Bangor.

Food and Medicine will build additional raised bed gardens in underserved Bangor neighborhoods and establish a system of trained volunteer garden coordinators. The project will increase local food production as well as involve outreach and education while building a sense of community.

This award is in support of the following:

- One-time funding that will support the capital and start up operating costs to expand the availability of food and build a sense of community in underserved Bangor neighborhoods.

This item was recommended for approval at a Council workshop on July 24, 2023.

**23-251      ORDER                      Authorizing Award of \$40,000 in State and Local                      PELLETIER  
Fiscal Recovery Funds to Support Capital and Fit Out  
Costs to Relocate the Bangor Arts Exchange Operated  
by Bangor Symphony Orchestra**

**Executive Summary:** This Order would authorize the award of \$40,000 in State and Local Fiscal Recovery Funds (aka ARPA funds) to Bangor Symphony Orchestra for the capital and fit out costs (stage, lighting, technology, signage, table and chairs) associated with the relocation of its Bangor Arts Exchange operation.

Bangor Arts Exchange was established by Bangor Symphony Orchestra to provide a home to many founding partners, several other arts organizations and artists and serves as a mixed-use arts and event space open to all. Due to a planned renovation of the existing space, the organization will be relocating to nearby modern, ground-level space with a modern HVAC system.

This award is in support of the following:

- One-time funding that will support the capital and fit out costs to relocate the current Bangor Arts Exchange operation.



**NEW BUSINESS  
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**ASSIGNED TO  
COUNCILOR**

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- This award will support a long-tenured non-profit to overcome the negative economic impacts experienced as a result of the pandemic.

This item was recommended for approval at a Council workshop on July 24, 2023.

**23-252      ORDER                      Authorizing Award of \$1,000,000 in State and Local                      LEONARD  
Fiscal Recovery Funds to Habitat for Humanity  
Greater Bangor to Develop Single Family Homes**

**Executive Summary:** This Order would authorize the award of \$1,000,000 in State and Local Fiscal Recovery Funds (aka ARPA funds) to Habitat for Humanity Greater Bangor to develop a single family home neighborhood in Bangor.

Habitat for Humanity plans hire a project manager to oversee the acquisition and construction of a neighborhood of single family homes. This project was proposed as an investment in their capacity to augment their historical model of completing one home at a time. With the escalating costs of new construction, the ability to mobilize contractors on one site, was identified as a cost effective and efficient means by which to increase new single family homeownership opportunities in Bangor.

This award is in support of the following:

- One-time funding that will support the construction of up to 6 single family affordable homes in Bangor.

This item was recommended for approval at a Council workshop on August 7, 2023.

**23-253      ORDER                      Authorizing Award of \$70,700 in State and Local                      SCHAEFER  
Fiscal Recovery Funds to Provide the Start Up  
Funding for a Program Manager at the Maine  
Multicultural Center**

**Executive Summary:** This Order will authorize the award of \$70,700 in State and Local Fiscal Recovery Funds (AKA ARPA Funds) to fund the start up operating costs associated with a program manager position at the Maine Multicultural Center.

The Maine Multicultural Center is advancing a multi-pronged approach in the promotion of community enrichment and economic growth by attracting, retaining, supporting and integrating people of diverse cultures and backgrounds into the Greater Bangor region. Through the provision of robust outreach, education and integrative supports, their project will support the housing and service needs of new Mainers as well as the region's workforce needs.

This award is in support of the following:

- One-time funding that will support the start up operating costs associated with a program manager position. With the passage of LD 320, funding for this position has been secured from the State of Maine beginning July 1, 2024.

**REGULAR MEETING BANGOR CITY COUNCIL – AUGUST 14, 2023**

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**NEW BUSINESS  
ITEM NO.**

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COUNCILOR**

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- This award will support the needs of new Mainers in obtaining safe, permanent housing and increasing the workforce.

This item was recommended for approval at a Council workshop on August 7, 2023.



# CONSENT AGENDA

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – JULY 24, 2023**

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*Meeting called to order at 7:30 PM  
Chaired by Council Chair Fournier  
Councilors Present: Davitt, Hawes, Pelletier (via Zoom),  
Schaefer, Sprague, Yacoubagha, Fournier  
Councilors Absent: Leonard, Tremble  
Meeting adjourned at 8:14 PM*

**PROCLAMATION**                      *Proclaimed July 2023 as Disability Pride Month*

**PUBLIC COMMENT**                      *Michael Norton thought Bangor should declare an environmental disaster regarding the opioid crisis.*

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<b>CONSENT AGENDA ITEM NO.</b>	<b>ASSIGNED TO COUNCILOR</b>
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**MINUTES OF:**                      *Bangor City Council Regular Meeting of July 10, 2023, Business and Economic Development Committee Meetings of January 3, 2023, January 17, 2023, February 7, 2023, February 21, 2023, March 7, 2023, March 21, 2023, March 27, 2023, April 4, 2023, May 2, 2023, May 16, 2023, June 6, 2023 and June 21, 2023*

**LIQUOR LICENSE  
RENEWALS:**                      *Application for Liquor License Renewal Malt, Wine, Spirits of American Cruise Lines, Inc d/b/a American Independence and American Constitution, 741 Boston Post Road*                      **HAWES**

*Application for Liquor License Renewal Malt, Wine of Bangor Urban Air, LLC d/b/a Urban Air, 1129 Union Street*                      **HAWES**

*Application for Liquor License Renewal Malt of American Dream Restaurants, LLC d/b/a Pizza Hut, 611 Broadway*                      **HAWES**

**23-222**                      **ORDER**                      *Authorizing the Parks and Recreation Department to Participate in the WinterKids Downhill 24 Outdoor Grant Funding Program*                      **SCHAEFER**

**23-223**                      **ORDER**                      *Authorizing the Execution of a Five (5) Year Lease with Stryker for LifePak-15 Cardiac Monitors/Defibrillators*                      **HAWES**

**23-224**                      **ORDER**                      *Authorizing Purchase of Fire Truck from Pierce Manufacturing in the Amount of \$879,777*                      **YACIOUBAGHA**

**23-225**                      **ORDER**                      *Authorizing a Six (6) Month Extension of the FY23 Paving Contract with B&B Paving, Inc. for the Amount of \$800,000*                      **LEONARD**

**23-226**                      **ORDER**                      *Authorizing the City Manager to Apply for \$1,151,932 in McKinney-Vento Homeless Assistance Funds from the US Department of Housing and Urban Development in Support of the Shelter Plus Care Program*                      **TREMBLE**

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – JULY 24, 2023**

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<b>CONSENT AGENDA ITEM NO.</b>		<b>ASSIGNED TO COUNCILOR</b>
<u>23-227</u>	<u>ORDER</u>  <i>Authorizing Execution of a Lease Agreement with the United States of America – Building 96, 138 Maine Avenue</i>  <i>Councilor Sprague requested that the Minutes of the June 6, 2023 Business and Economic Development Committee meeting be removed from the Consent Agenda.</i>  <i>Action: Motion made and seconded for Passage of the Consent Agenda</i> <i>Vote: 7 – 0</i> <i>Councilors Voting Yes: Davitt, Hawes, Pelletier, Schaefer, Sprague, Yacoubagha, Fournier</i> <i>Councilors Voting No: None</i> <i>Passed</i>	<b>SCHAEFER</b>
<hr/>		
<b>REFERRALS TO COMMITTEE AND FIRST READING ITEM NO.</b>		<b>ASSIGNED TO COUNCILOR</b>
<u>23-228</u>	<u>ORDINANCE</u>  <i>Amending Chapter 165, Land Development Code, District Map to Re-zone Property Located on Sunset Avenue from Urban Residence 2 District (URD-2) and High-Density Residential District (HDR) to Multifamily &amp; Service District (M&amp;SD)</i>  <i>Action: Motion made and seconded for First Reading and Referral to Planning Board Meeting on August 1, 2023</i> <i>Vote: 7 – 0</i> <i>Councilors Voting Yes: Davitt, Hawes, Pelletier, Schaefer, Sprague, Yacoubagha, Fournier</i> <i>Councilors Voting No: None</i> <i>Passed</i>	<b>SPRAGUE</b>
<u>23-229</u>	<u>ORDINANCE</u>  <i>Amending Chapter 165, Land Development Code, District Map to Re-zone Portion of Property Located on Finson Road from Rural Residence &amp; Agricultural District (RR&amp;A) to Low-Density Residential District (LDR)</i>  <i>Action: Motion made and seconded for First Reading and Referral to Planning Board Meeting on August 1, 2023</i> <i>Vote: 7 – 0</i> <i>Councilors Voting Yes: Davitt, Hawes, Pelletier, Schaefer, Sprague, Yacoubagha, Fournier</i> <i>Councilors Voting No: None</i> <i>Passed</i>	<b>DAVITT</b>
<u>23-230</u>	<u>ORDER</u>  <i>Authorizing Issuance of \$13,339,000 of the City's General Obligations Bonds and a Tax Levy Therefor</i>	<b>HAWES</b>

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – JULY 24, 2023**

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

**ASSIGNED TO  
COUNCILOR**

*Action: Motion made and seconded for First Reading and Referral to Finance Committee Meeting on August 7, 2023  
Vote: 7 – 0  
Councilors Voting Yes: Davitt, Hawes, Pelletier, Schaefer, Sprague, Yacoubagha, Fournier  
Councilors Voting No: None  
Passed*

23-231

ORDER

*Authorizing a Loan in the Amount of \$1,000,000 from the Maine Municipal Bond Bank State Revolving Fund, and the Issuance of the City's General Obligation Bonds and a Tax Levy Therefor*

**LEONARD**

*Action: Motion made and seconded for First Reading and Referral to Finance Committee Meeting on August 7, 2023  
Vote: 7 – 0  
Councilors Voting Yes: Davitt, Hawes, Pelletier, Schaefer, Sprague, Yacoubagha, Fournier  
Councilors Voting No: None  
Passed*

23-232

RESOLVE

*Appropriating an Amount not to Exceed \$1,500,000 from the Airport Unappropriated Fund Balance to Fund Anticipated Emergency Repairs to the Airport 600 Cargo Ramp and Runway*

**YACOUBAGHA**

*Action: Motion made and seconded for First Reading  
Vote: 7 – 0  
Councilors Voting Yes: Davitt, Hawes, Pelletier, Schaefer, Sprague, Yacoubagha, Fournier  
Councilors Voting No: None  
Passed*

23-233

RESOLVE

*Accepting and Appropriating a Grant Amendment in the Amount of \$103,000 for Bangor Public Health and Community Services' Public Health Infrastructure Enhancement Grant with Maine Center for Disease Control*

**TREMBLE**

*Action: Motion made and seconded for First Reading  
Vote: 7 – 0  
Councilors Voting Yes: Davitt, Hawes, Pelletier, Schaefer, Sprague, Yacoubagha, Fournier  
Councilors Voting No: None  
Passed*

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – JULY 24, 2023**

<b>UNFINISHED BUSINESS ITEM NO.</b>	<b>ASSIGNED TO COUNCILOR</b>
<p><u>23-205</u>      <u>ORDINANCE</u>      <i>Amending Chapter 165, Land Development Code, District Map to Re-zone Property Located at 364 State Street from Neighborhood Service District (NSD) to Urban Service District (USD), and a Portion of the Property Located at 410 State Street from Contract Government and Institutional Service District (G&amp;ISD) to Urban Service District (USD)</i></p> <p><i>Action: Motion made and seconded for Passage Vote: 7 – 0 Councilors Voting Yes: Davitt, Hawes, Pelletier, Schaefer, Sprague, Yacoubagha, Fournier Councilors Voting No: None Passed</i></p>	<p><b>SCHAEFER</b></p>
<p><u>23-214</u>      <u>ORDINANCE</u>      <i>Amending Chapter 302, Yard Sales, Removing the Requirement to Obtain a Permit Prior to Conducting a Yard Sale, Defining a Perpetual Yard Sale, and Prohibiting a Perpetual Yard Sale</i></p> <p><i>Action: Motion made and seconded for Passage Vote: 7 – 0 Councilors Voting Yes: Davitt, Hawes, Pelletier, Schaefer, Sprague, Yacoubagha, Fournier Councilors Voting No: None Passed</i></p>	<p><b>SCHAEFER</b></p>
<p><u>23-215</u>      <u>RESOLVE</u>      <i>Appropriating Opioid Settlement Funds in the Amount of \$28,990 for the Purpose of Funding a Part-time Syringe Waste Specialist with the Health Equity Alliance</i></p> <p><i>Action: Motion made and seconded for Passage Vote: 7 – 0 Councilors Voting Yes: Davitt, Hawes, Pelletier, Schaefer, Sprague, Yacoubagha, Fournier Councilors Voting No: None Passed</i></p>	<p><b>DAVITT</b></p>
<p><u>23-216</u>      <u>RESOLVE</u>      <i>Authorizing City Manager to Accept, Appropriate, and Execute a Grant Amendment in the Amount of \$86,441 to the Maine Prevention Network Grant</i></p> <p><i>Action: Motion made and seconded for Passage Vote: 7 – 0 Councilors Voting Yes: Davitt, Hawes, Pelletier, Schaefer, Sprague, Yacoubagha, Fournier Councilors Voting No: None Passed</i></p>	<p><b>HAWES</b></p>

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – JULY 24, 2023**

**NEW BUSINESS  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

*Minutes of the Business and Economic Development Committee Meeting of June 6, 2023*

*Councilor Sprague suggested the following amendments to the minutes:*

*Item 1 – Discussion of Cultural Commission – “The Committee indicated an interest in having a discussion about the Commission creating an expanded vision for cultural development in Bangor that would extend beyond just discussing grant requests and more fully address how the city can expand opportunities. Anne Krieg indicated that the Commission wants to have this discussion and that it would be on its next meeting agenda.”*

*Item 2 – Check-in with General Manager at Hollywood Slots, Austin Muchemore: “Councilor Sprague raised the issue of pursuing expanded use of the area inside the track/oval for recreational options. He cited historic uses for baseball, tennis, and horse shows as well as other uses and his sense that the land was significantly underused. Mr. Muchemore indicated that he was very open to consideration of options, while also citing the need to protect the needs of horsemen.”*

*Action: Motion made and seconded for approval of the minutes as amended  
Vote: 6 – 1  
Councilors Voting Yes: Davitt, Hawes, Schaefer, Yacoubagha, Fournier  
Councilors Voting No: Pelletier  
Passed*

**PUBLIC HEARING:**

*Application for Special Amusement License Renewal of American Cruise Lines, Inc. d/b/a American Independence and American Constitution, 741 Boston Post Road, Guilford, CT* **HAWES**

*Action: Motion made and seconded to Open Public Hearing  
Vote: 7 – 0  
Councilors Voting Yes: Davitt, Hawes, Pelletier, Schaefer, Sprague, Yacoubagha, Fournier  
Councilors Voting No: None  
Public Hearing Opened*

*Motion made and seconded to Close Public Hearing  
Vote: 7 – 0  
Councilors Voting Yes: Davitt, Hawes, Pelletier, Schaefer, Sprague, Yacoubagha, Fournier  
Councilors Voting No: None  
Public Hearing Closed*

*Motion made and seconded for Approval  
Vote: 7 – 0  
Councilors Voting Yes: Davitt, Hawes, Pelletier, Schaefer, Sprague, Yacoubagha, Fournier  
Councilors Voting No: None  
Approved*



**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – JULY 24, 2023**

<b>NEW BUSINESS ITEM NO.</b>			<b>ASSIGNED TO COUNCILOR</b>
<u>23-234</u>	<u>ORDER</u>	<i>Authorizing the Award of \$67,000 in State and Local Fiscal Recovery Funds to Support Eastern Area Agency on Aging's Healthy Aging in the City of Bangor Initiative</i>	<b>PELLETIER</b>
		<i>Action: Motion made and seconded for Passage Vote: 7 – 0 Councilors Voting Yes: Davitt, Hawes, Pelletier, Schaefer, Sprague, Yacoubagha, Fournier Councilors Voting No: None Passed</i>	
<u>23-235</u>	<u>ORDER</u>	<i>Authorizing the Allocation of \$150,000 in State and Local Fiscal Recovery Funds to Fund a Grant Writer/Manager Position</i>	<b>SPRAGUE</b>
		<i>Action: Motion made and seconded for Passage Vote: 7 – 0 Councilors Voting Yes: Davitt, Hawes, Pelletier, Schaefer, Sprague, Yacoubagha, Fournier Councilors Voting No: None Passed</i>	
<u>23-236</u>	<u>ORDER</u>	<i>Amending City of Bangor Schedule of Fees to Remove the Language under Section E. Code (28) Yard Sale Permit</i>	<b>YACOUBAGHA</b>
		<i>Action: Motion made and seconded for Passage Vote: 7 – 0 Councilors Voting Yes: Davitt, Hawes, Pelletier, Schaefer, Sprague, Yacoubagha, Fournier Councilors Voting No: None Passed</i>	

ATTEST:   
Lisa J. Goodwin, MMC, City Clerk

## **BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE**

Monday, July 3, 2023 @ 5:15 PM

City Council Chambers

### **MEETING MINUTES**

City Councilors Present: Fournier, Hawes, Leonard, Sprague, Tremble, Yacoubagha.

City Staff Present: Collette, Krieg, Stanicki.

Chair Sprague called the meeting to order at 6:34 P.M.

- 1. DOWNTOWN PARKING ADVISORY COMMITTEE**, Action requested to receive Committee's recommendations for the fee schedule

Development Director Anne Krieg presented to the Committee. Reported that DPAC met on June 5 and reviewed annual report. Formally accepted rate changes. Next step is to present recommendation to this Committee and ensure fee changes are accurately represented in City's budget. Noted that the last increase to parking fees was in 2017, and these recommended changes are those from 2019 which were delayed due to COVID19 pandemic.

Councilor Tremble asked if rate increases should be evaluated alongside increases in parking capacity. Krieg responded that as these changes were recommended in 2019, they are not going to be consistent with more recent increases in parking capacity, but there are plans for comprehensive parking plan to be created in FY23.

Chair Sprague asked if parking rates will also be addressed in this comprehensive parking plan. Krieg responded affirmatively. Chair Sprague asked why these recommended increases are so low – Krieg repeated that these recommendations are based on 2019 figures and commented that Committee can choose to either accept these recommendations knowing that further increases will be needed in the new fiscal year, or elect to hold off on accepting recommendations and instead ask for new recommendations based on more recent figures, inflation, etc.

Councilor Yacoubagha expressed support for still accepting these recommendations as it is clear that more discussion surrounding further rate increases is upcoming. Commented that these increases are not consistent with current inflation.

Councilor Leonard asked what the annual income for parking was during the last year. Krieg responded that she did not have this figure presently available, but would pass it along to Committee members after meeting.

Councilor Fournier moved to receive Downtown Parking Advisory Committee's recommendations for the fee schedule, seconded by Councilor Tremble. Vote unless doubted, no doubt.

**2. LD2003 TIMELINE AND UPDATE ON APPROACH,** Action requested to accept staff's recommendations

Development Director Krieg reiterated that LD2003 is law passed at state level requiring change in City zoning to allow more units. Reported that the City will be holding a public workshop regarding this on July 20 at 5:00 PM, at the Bangor Public Library.

Councilor Tremble asked if current draft of proposed changes is strictly kept to the minimum requirements of the law. Commented that this will likely mitigate larger, unintended consequences. Krieg responded affirmatively.

Councilor Leonard asked if changes to City zoning will still be amendable in the future. Krieg responded affirmatively. Leonard strongly advised the Committee to consider instituting a Rental Advisory Committee oversee present and future changes.

Chair Sprague expressed agreement that a more in-depth discussion surrounding housing is needed. Asked what the process is for implementing changes, once finalized. Krieg responded that after the public workshop, feedback will be presented to City Council and final draft of proposed changes will then be written and presented for approval. Deadline for implementation is the end of this calendar year.

Chair Sprague asked if there will be any changes to the ordinances for boarding homes. Krieg responded that there will not.

Krieg asked the Committee to clarify that their recommendations is still to follow the minimum requirements of the state law. Chair Sprague responded affirmatively.

Councilor Fournier asked if Planning Board is reviewing these changes, as well. Krieg responded that they are.

**3. SHORT-TERM RENTALS,** Action requested to accept staff's recommendation

Planning Analyst Anja Collette presented to the Committee. Reported that staff's recommendations primarily concern differentiating requirements between hosted and non-hosted short-term rental (STR) properties. Both kinds of properties will require an annual inspection and an annual fee paid for licensing, per staff recommendations. For non-hosted properties, recommendation is to also require registration of an emergency contact in order to obtain license. STR will be defined as any rental that lasts less than 28 days. STRs would be allowed in all residential

and most commercial zones if hosted, and only allowed in Downtown Development and Waterfront Development Districts if non-hosted. Commented that this allowance is being recommended due to shortage of hotels in these zones.

Councilor Tremble asked what differentiates a hotel from a STR. Collette and Development Director Krieg both responded that hotels require state licensing.

Councilor Fournier commented that he thought previous recommendations had included a requirement that properties in historic districts be hosted only. Krieg responded that this recommendation can be included in language if Committee directs staff to do so. Councilors Fournier and Tremble both responded that this change should be made.

Collette commented that other major point of recommendations is institution of a cap on STRs per building, in order to preserve long-term housing. This cap would only apply to buildings under single ownership (i.e. would not apply to condos as each unit has separate ownership).

Chair Sprague asked if City is adequately staffed to implement changes re: licensing and inspections. Collette responded that there would be a six-month grace period upon implementation, but City would also likely contract with third-party company to oversee enforcement. City Code Enforcement would only be asked to perform physical inspections. Chair Sprague asked if licensing fee could be calculated per occupied night instead of a base, annual fee. Krieg responded that fee only allowed to reflect staff time/costs spent on licensing.

Collette asked the Committee for feedback on use of ADUs for STRs. Noted that in current ordinance, this use is explicitly prohibited.

Councilor Leonard expressed tentative support of allowing use so individual owners can decide on their own. Councilor Fournier agreed. Councilor Yacoubagha commented that her only concern is ensuring that abutters of these properties are properly notified of use as STR.

Councilor Leonard asked if there are any foreseen concerns with implementation of new ordinance. Krieg responded that public response thus far has indicated that those who presently own STRs want their interests protected. Public safety is the primary concern for non-hosted properties. Councilor Leonard asked how potential issues with implementation could be mitigated, and suggested checking in re: licensing and inspection process one year after implementation. Krieg agreed that this would be a good idea and noted that benefit of licensing requirement is that licenses can be revoked if any STRs found not to be complying.

Chair Sprague expressed desire that penalties for non-compliance be significant.

Krieg reported that there will be a public workshop re: STRS held in several weeks, and that feedback from this will be presented to Committee afterwards.

Collette asked for clarification on Committee's guidance re: condo usage. Councilor Leonard responded that this may be minimal concern. Krieg clarified that any multi-unit rental building could be converted to condos without additional approval, so staff is assuming that this could happen at any time. Councilor Fournier recommended getting additional input on how similar regulations are working in Portland. Chair Sprague recommended treating condos the same as single-family, private residences. Commented that much of the regulation may actually be up to condo associations.

#### **4. CDBG**

##### **A. UPDATE ON EXCESS FUNDS' APPROPRIATIONS**

Community Development Officer Robyn Stanicki presented to the Committee. Reported that she has submitted plan to HUD to spend excess funds on housing initiatives and economic opportunities.

##### **B. PROPOSED AWARD,** Action requested to accept staff's recommendations for award

Stanicki reported that she has received an application from Bangor Area Homeless Shelter, in collaboration with FreshStart, for a building on Hammond Street to be used as supportive housing. Application asks for funds to repair building and bring it into accordance with City Code. Proposed funding is \$129,000, which Stanicki found to be allowable use for program funds.

Councilor Fournier moved to accept staff's recommendations for award, seconded by Councilor Yacoubagha. Vote unless doubted, no doubt.

#### **5. CHECK-IN FROM STAFF**

##### **A. RECENT MARKETING PROJECTS**

Development Director Krieg reported that ads have been placed in Site Selection Magazine, MaineBiz, and Maine Seniors. Ad will be submitted for fall issue of Visit Maine.

Councilor Leonard asked if any online target ads had been investigated. Krieg responded that ad placed with Maine Seniors includes some online targeting, and that she is also working with Live + Work in Maine organization which may address this in the future.

##### **B. COMPREHENSIVE PLAN POSSIBLE ACCEPTANCE BY COUNCIL**

Krieg reported that staff is still on-track to present final draft at next Council meeting.

### **C. COMMERCIAL KITCHEN**

Krieg reported that City has hired consultant, Caroline Parras, to handle creation of a management & programming plan. There is a public survey currently out and collecting feedback. RFBs are out for design development.

Meeting adjourned at 7:40 P.M.

Meeting minutes respectfully submitted,

Sarah Pritchard  
Admin. Asst.  
C&ED

## **BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE**

Monday, July 17, 2023 @ 5:15 PM

City Council Chambers

### **MEETING MINUTES**

City Councilors Present: Fournier, Hawes, Leonard, Schaefer, Tremble, Yacoubagha.

City Staff Present: Collette, Krieg, Stanicki.

Councilor Schaefer called the meeting to order at 5:15 P.M.

#### **1. RENTAL REGISTRATION, Action requested to provide staff direction**

Development Director Anne Krieg presented to the Committee. Reported that institution of a rental registration is recommendation of the Affordable Housing Work Group. Defined the registration as recording data on number and type of units, and requiring that all be inspected. Funding was approved for undertaking this inventory in FY23 budget. There will be a public workshop on July 27 at the Bangor Public Library. If City Council approves revaluation as part of this year's budget, then rental registration can be implemented afterwards. City staff is asking Committee to consider several options for the registration: (1) implement program as rental licensing rather than rental registration, (2) implement as a pilot program initially, and (3) consider connecting program to CDBG, possibly via an asset management system, which is currently being researched by Community Development Officer Robyn Stanicki. Benefits of the licensure approach would be that it would allow the City to get inventory data and contact information on rental units, show where housing shortages are present, and open dialogue with area landlords.

Councilor Hawes asked if the licensure approach would allow Code Enforcement to enforce regulations more than the registration approach would. Krieg responded that it would, as Code Enforcement would need to inspect rental properties prior to issuing a license.

Councilor Yacoubagha asked if implementing a licensing program would be the first step to implementing a registration program in the future. Krieg responded that both are methods of cataloguing housing and that there is minimal difference between the two approaches. Councilor Yacoubagha expressed support for implementing licensing program sooner rather than later.

Councilor Leonard asked what the next steps would be after implementing licensing program and if future implementation of a registry would then be discussed. Krieg responded that this decision would be up to Council, but registry could be implemented as secondary roll-out program following implementation of

licensing program. Also suggested asking for initial participation to be voluntary, rather than compulsory. Councilor Leonard asked if staff could foresee anything coming up that may sway Council's opinions one way or the other. Krieg responded that the proposal is fairly simple and that, if Committee provides direction to move forward with this today, staff will return with a proposal for a specific licensing process. Councilor Leonard also brought up previous discussions of instituting a Rental Advisory Committee, and again expressed support and urgency to consider alongside several housing discussions that are presently in progress. Krieg asked if Councilor Leonard envisioned a Rental Advisory Committee overseeing the licensing program; Leonard responded that he did not, and that he envisioned them providing general guidance as significant amount of housing information is perhaps too burdensome for Council to consider and give diligence to. Proposed Committee being composed of both renters and property owners.

Councilor Tremble asked how a rental registry would help with housing problems. Krieg responded that it would address what kind of rental housing is present in the City, and would help ensure safety of rental units. Councilor Schaefer noted that it will also show a comparison between what is available as long-term rentals and what is available as short-term rentals. Councilor Yacoubagha commented that it would provide data that would then allow the City to develop a plan to deal with housing problems.

Councilor Yacoubagha shared points emailed to Committee by Chair Sprague, as he was not able to be present at this meeting. Both Councilors Yacoubagha and Schaefer expressed support for Chair Sprague's points, but recommended that his suggestion of requiring quarterly reports on registered rental units be amended to an annual requirement.

## **2. MOBILE HOME PARK CHANGES, Action requested to accept staff's recommendation**

Planning Analyst Anja Collette presented to the Committee. Reported that the City's Mobile Home Park ordinance has not been updated since the 1980s and is no longer in sync with more recent state statutes. Stated that she has written proposed amendments to City ordinance after comparing present ordinance to state's statutes – primary amendments are (1) updating definitions to include manufactured homes, (2) removing limit on number of homes in a park, (3) removing out-of-date references, (4) updating lot sizes to match state requirements, (5) rewriting stipulations for renovating existing mobile home parks, (6) changing wording to be more inclusive and improve general equity, and (7) allowing new parks to be built in the RR&A zone, which currently only allows reconstruction of existing parks. This allowance would apply to lots within the growth boundary.

Councilor Leonard asked to clarify the definition of manufactured homes, as does not want to inadvertently hinder development of 3d printable housing in the future. Collette responded that the updated definitions were discussed with Code



Enforcement and no future issues are foreseen; however, ordinance can also be updated again in the future if technological innovations necessitate it.

Councilor Yacoubagha moved acceptance of staff's recommendation, seconded by Councilor Tremble, Vote unless doubted, no doubt.

### **3. CDBG FUNDED PROJECTS:**

#### **A. BANGOR HISTORICAL SOCIETY,** Action requested to accept staff's recommendation

Community Development Officer Robyn Stanicki presented to the Committee. Reported that Bangor Historical Society submitted application for CDBG funds to repair and extend fence on their property. Stanicki reviewed the application and found it eligible under the small subset of funds for non-income-dependent organizations.

Councilor Tremble moved acceptance of staff's recommendation, seconded by Councilor Yacoubagha. Vote unless doubted, no doubt.

Councilor Yacoubagha asked for the total estimated cost of the project. Stanicki responded that the total cost will be \$70,000, and the application is for \$60,000.

### **4. OTHER BUSINESS**

Development Director Krieg reported that there is a public information session on LD2003 scheduled for this Thursday at 5:00 PM at the Bangor Public Library. Also confirmed that staff has taken Committee's recommendation to keep changes to City's land development code as strict interpretation of the new legislation.

Meeting adjourned at 5:46 P.M.

Meeting minutes respectfully submitted,

Sarah Pritchard  
Admin. Asst.  
C&ED

## **BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE**

Tuesday, July 24, 2023 @ 5:15 PM

City Council Chambers

### **MEETING MINUTES**

City Councilors Present: Davitt, Fournier, Hawes, Leonard, Pelletier (via Zoom), Schaefer, Sprague, Yacoubagha.

City Staff Present: Collette, Krieg.

Councilor Fournier called the meeting to order at 5:15 P.M.

#### **1. CULTURAL COMMISSION GRANT APPLICATION EDIT, Action requested to approve changes**

Development Director Anne Krieg presented to the Committee. Reported that the Cultural Commission Grant review process occurs twice a year and is overseen by a subcommittee. At most recent Grants Committee meeting, members elected to edit a few items in the application to provide better clarity.

Chair Sprague asked if there were any significant edits to highlight. Krieg responded that the edits were minor and primarily served to clarify applicant eligibility, the application approval process and that the Commission's role is to make a funding recommendation to City Council, and that applications cannot be retroactively funded (i.e. cannot apply for funding for an event that will occur before the approval process is completed).

Councilor Schaefer moved approval of changes, seconded by Councilor Davitt. Vote unless doubted, no doubt.

#### **2. PROPOSED CHANGES TO HEIGHT REQUIREMENTS IN THE MULTIFAMILY & SERVICE DISTRICT, Action requested to accept staff's recommendation**

Planning Analyst Anja Collette presented to the Committee. Reported that proposal is to increase the height allowance in the M&SD from 45' to 60', which would bring the allowance from roughly four stories to five stories. This would allow for more units/density. Noted that M&SD primarily falls around downtown area and that this proposal is in line with the Comprehensive Plan and would make denser projects more affordable.

Councilor Davitt asked how this proposal came to be discussed by staff. Collette responded that it has been a long-standing discussion, but recently an interested party contacted staff and it was decided that, since the proposal is in line with the

Comprehensive Plan, it would be an opportune time to propose a formal zone amendment.

Councilor Davitt moved acceptance of staff's recommendation, seconded by Councilor Yacoubagha. Vote unless doubted, no doubt.

Councilor Yacoubagha asked if height allowances had been included as a question on the survey for the Comprehensive Plan, and noted that she was aware that this was being discussed.

Councilor Schaefer asked if the amendment would apply only to new constructions or if it would also apply to existing structures. Collette responded that it would apply to both.

Chair Sprague asked if the next step would be to present the proposal to the Planning Board. Development Director Krieg responded that it will go through the standard zone amendment process and be presented to City Council for a first reading, then the Planning Board, and then back to City Council for a second reading.

Chair Sprague asked if the Comprehensive Plan specifically mentions increasing height allowances. Krieg responded that it mentions increasing density and allowing for multi-family projects.

Meeting adjourned at 5:23 P.M.

Meeting minutes respectfully submitted,

Sarah Pritchard  
Admin. Asst.  
C&ED

City of Bangor Airport Committee

July 5, 2023

Meeting Minutes

The following City Councilors attended: Dina Yacoubagha, Richard Fournier, Dan Tremble, Joseph Leonard, Jonathan Sprague, Susan Hawes, and Airport Co-Interim Director/Director Marketing and Business Development Manager, Aimee Thibodeau.  
Also, in attendance via zoom: Clare Davitt.

Agenda and Discussion:

1. Marketing Update and May stats – Aimee Thibodeau

We are on target between for the 2023 stats; currently above 2019 and slightly under the 2022 numbers relative to passenger statistics.

Statistics reports come in after the close of each month and will be reported as such; June will be reported in July and so forth.

Airline load factor numbers are above 2022. The load factor numbers are indicative of the number of seats available and the number of seats sold.

Parking lot inventory is comparative to 2022; .01% difference from May 2022 to 2023. We have seen an increase in the use of the shuttle lot lately. The shuttle lot has been opened more days since April vacation than have been seen in the past. Short term parking lot has been repainted.

Operations are down slightly. General Aviation traffic has increased. Military operations have increased. Fuel sales, up.

Marketing Aviation Career Exploration (ACE) Camp will tour the airport and Parks & Rec Department will bring groups throughout the week on July 24<sup>th</sup> for airport and infrastructure tours.

Meeting Adjourned

## BGR Statistics Report for May 2023

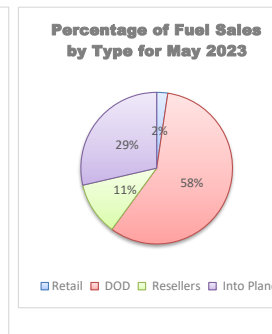
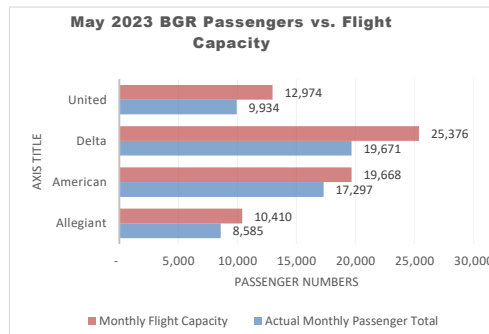
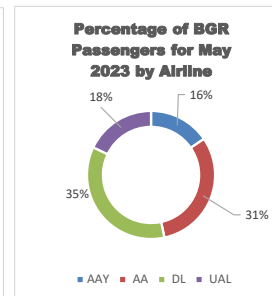
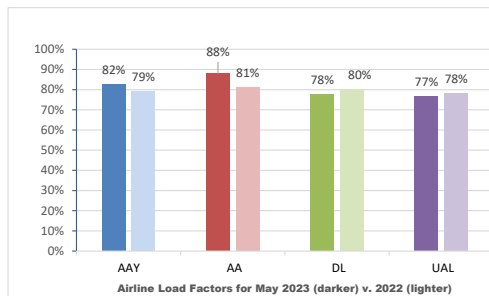
### MONTHLY PASSENGER STATS

	Enplaned 2023	Enplaned 2022	Deplaned 2023	Deplaned 2022	Monthly Total 2023	Monthly Total 2022	% of Change
<b>Allegiant</b>	3,669	3,611	4,916	5,079	<b>8,585</b>	<b>8,690</b>	<b>-1.21%</b>
<b>American</b>	8,265	8,900	9,032	10,339	<b>17,297</b>	<b>19,239</b>	<b>-10.09%</b>
<b>Delta</b>	9,259	11,384	10,412	11,866	<b>19,671</b>	<b>23,250</b>	<b>-15.39%</b>
<b>United</b>	4,620	4,376	5,314	4,725	<b>9,934</b>	<b>9,101</b>	<b>9.15%</b>
<b>Total Monthly Passengers</b>	<b>25,813</b>	<b>28,271</b>	<b>29,674</b>	<b>32,009</b>	<b>55,487</b>	<b>60,280</b>	<b>-7.95%</b>
<b>CALENDAR YTD</b>	<b>110,767</b>	<b>116,001</b>	<b>112,861</b>	<b>117,615</b>	<b>223,628</b>	<b>233,616</b>	<b>-4.28%</b>

### YEARLY PASSENGER STATS

	2019	2020	2021	2022	2023	Avg Mo
January	27,751	31,514	11,218	31,308	<b>33,558</b>	27,070
February	32,739	37,573	13,165	36,552	<b>38,003</b>	31,606
March	44,267	26,451	19,774	<b>48,258</b>	45,545	36,859
April	44,468	2,333	30,742	<b>57,218</b>	51,035	37,159
May	47,664	6,878	40,911	<b>60,280</b>	55,487	42,244
June	61,560	13,411	69,464	<b>71,701</b>		54,034
July	74,310	22,979	<b>90,099</b>	82,535		67,481
August	76,579	25,226	<b>83,168</b>	79,455		46,449
September	62,022	21,881	<b>73,650</b>	73,021		57,644
October	60,064	25,056	<b>70,936</b>	63,706		54,941
November	38,384	14,985	<b>42,679</b>	41,030		46,449
December	36,187	13,799	<b>39,224</b>	38,896		46,449
<b>CALENDAR YTD</b>	<b>605,995</b>	<b>242,086</b>	<b>585,030</b>	<b>683,960</b>	<b>223,628</b>	
<b>FISCAL YTD</b>	<b>570,452</b>	<b>123,926</b>	<b>705,073</b>	<b>673,839</b>		

\* Yellow indicates a record month during the last 5-year period

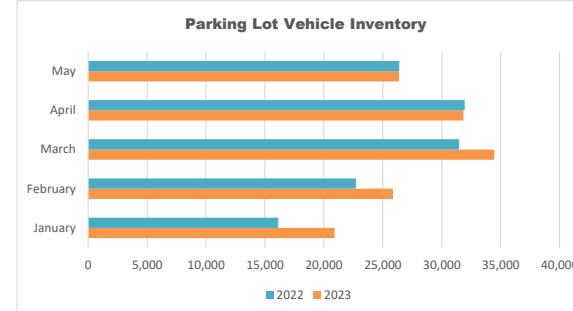


### OPERATIONAL STATS

	May-23	May-22	% Change	FYTD 2023	FYTD 2022	% of Change
<b>Total Operations</b>	3,692	3,858	-4%	37,128	38,202	-3%
<b>Military Operations</b>	777	948	-18%	8,300	9,653	-14%

### FUEL STATS (gallons)

	May-23	May-22	% Change	FYTD 2023	FYTD 2022	% of Change	FY23 Budgeted Gallons	Budget%
<b>Retail</b>	52,780	58,347	-9.5%	594,147	547,713	8.5%	427,590	139%
<b>DOD</b>	1,291,020	1,165,709	10.7%	9,199,944	13,033,544	-29.4%	11,040,598	83%
<b>Resellers</b>	253,825	298,018	-14.8%	3,298,240	2,575,632	28.1%	1,747,747	189%
<b>Into Plane</b>	640,109	595,981	7.4%	7,461,225	7,138,791	4.5%	6,800,761	110%
<b>Avgas</b>	5,623	5,207	8.0%	37,651	38,805	-3.0%	41,433	91%
<b>Total Fuel Sales</b>	<b>2,243,357</b>	<b>2,123,262</b>	<b>6%</b>	<b>20,591,207</b>	<b>23,334,485</b>	<b>-12%</b>	<b>20,058,129</b>	<b>103%</b>



### BGR NOTES

**Infrastructure Committee Minutes  
March 7, 2023**

**ATTENDEES**

Councilors: Gretchen Schaefer, Dan Tremble, Jonathan Sprague,  
Clare Davitt, Joseph Leonard, Susan Hawes, Cara Pelletier, Susan Hawes

Staff: Amanda Smith, Courtney O'Donnell, Debbie Laurie

**AGENDA ITEMS**

1. **WWTP: Sludge Disposal Updates**

Amanda provided an overview of the recent meeting with MaineDEP regarding the absence of solutions concerning the statewide situation on the discussion of PFAS & sludge disposal.

Amanda explained the process of sludge build up exceeding certain limits, especially in the spring, would cause a potential failure in the sludge thickeners at a half million combined total and causing possible violation with sludge entering the river.

Council expressed concern and questions about reaching out to the legislators, Bangor delegates, other participating communities, and Maine Municipal Association for intervention with a statement of position. Also suggested, to seek legal counsel for an injunction against the State for a stay of execution for the legislation passed. This would allow time for DEP and communities to potentially have a resolution.

Vote: Motion made and seconded to move to contact legislative delegations.

# Infrastructure Committee Minutes

## March 21, 2023

### ATTENDEES

Councilors: Gretchen Schaefer, Dan Tremble, Dina Yacoubagha, Clare Davitt, Joseph Leonard, Susan Hawes, Cara Pelletier

Staff: Aaron Houtari, John Theriault, Jefferson Davis, Debbie Laurie

Public: Dominick Rizzo, Betsy Lundy

### AGENDA ITEMS

#### 1. Sidewalk Snow Clearing

Aaron Huotari provided a presentation and stated the City of Bangor clears snow from approximately 85 miles of sidewalks. Clearing sidewalks on both sides of major arterials, with the exception of the downtown district where private property owners are responsible for clearing their own, and one-side of certain neighborhood streets, spread throughout the City. Public Works has five sidewalk clearing tractors and it takes approximately 1 week to clear assigned sidewalks after a storm of less than 1' of snow (assuming it is a true snow event with little to no ice or sleet activity). The clearing rate was dependent on the type of precipitation (snow, sleet, mix), and also the obstructions encountered, to include snow piled on sidewalks by others. Damage to machines from hidden objects in the snow and ice is frequent and often puts us behind our clearing plan.

Municipal clearing of sidewalks varies greatly across the State. Many municipalities clear no snow from sidewalks, some who did clear sidewalks in the past have stopped due to costs and labor shortages, some only clear snow from sidewalks in their business district and others clear a couple major arteries in close proximity to their business district and require property owners in the business to clear their own sidewalks. We weren't able to identify any municipality where the Public Works department clears all sidewalks.

Portland has one of the more robust, yet varied approaches to sidewalk snow clearing. City employees clear sidewalks within walking distance of schools – a one mile radius. This amounts to approximately 1/3 of all sidewalks in the city – approximately 92 miles of sidewalk, utilizing 7 sidewalk clearing machines and the rental of an additional tractor. The other 2/3 of sidewalks are cleared by property owners who own property behind the sidewalk – approximately 200 miles of sidewalk. In addition, the City coordinates a volunteer group that assists elderly residents in clearing snow.

Our residents have an expectation of a particular level of service, unfortunately due to the changing storm precipitation, staffing challenges and equipment breakdowns, we are not always able to meet our goal.

Additional we receive requests to expand our sidewalk clearing work to more sidewalks. Being a pedestrian friendly city supports our neighborhoods, livable community work, climate action plans and health and wellbeing of our residents. Which brings us to our discussion, what sidewalk snow clearing should look like in our community and how do we best achieve it in the most efficient, effective and fiscally responsible way.

It was asked the Committee preference of the following options:

- Do we maintain the status quo?
- Do we maintain the status quo, but add additional units to minimize downtime and provide the opportunity to operate more than 5 machines at times (it is unlikely we would be able to add personnel in the current employment environment)?
- Do we reduce the number of sidewalks being cleared?

- Do we implement a hybrid method – some city, some property owners?
- Other options?

If the sentiment of the Committee was to maintain something akin to our current service, staff will take some steps internally to refine the current routes and practices as well as new program funding requests to support this direction.

If the sentiment of the Committee is to move to a hybrid method or scale back our current approach, staff will develop alternatives to bring back to the Committee for consideration.

The Committee discussed options and concerns. A suggestion to explore the clearing based on traffic pattern based on volume and public access.

**Vote: No vote required.**

## 2. MaineDOT Pilot Program with Municipalities for Traffic Signal Maintenance Stipend

John Theriault stated the Maine Department of Transportation (MaineDOT) has been considering a program for traffic signal maintenance with the larger municipalities within the State for the last couple of years. MaineDOT reached out to city officials of Portland, Lewiston, and Bangor to develop a program where the State of Maine provides a stipend to be utilized by the municipalities to maintain and update traffic signal equipment. This test program is intended to begin in 2023 and last until 2025. The amount of the stipend has not been finalized but the current amount being considered is \$500.00 per traffic signal for the first year and then increased to \$1,500.00 and \$2,000.00 per signal for the second and third year.

The City of Bangor currently has 78 traffic signals that we maintain with the majority of the signals being on State highways. Typically, funding received from MaineDOT for traffic signals comes from BACTS through a very competitive process.

The Engineering Department and Public Works Department are very interested in this proposed program and believe it would provide a significant source of funding to maintain, repair, and replace vital traffic signal equipment. Additional reporting by the City will be required to MaineDOT as a part of this program. The Engineering Department believes that our new asset management program will assist staff in tracking the data required to be provided to MaineDOT.

If MaineDOT finds this program successful, they would extend the program and expand it to other municipalities in the State.

**Vote: Moved and seconded to move Draft Order to Council.**

## 3. MaineDOT Village Partnership Initiative Grant Program

John Theriault stated that in December of 2022, City staff met with Jarod Fam-Guillette, a Regional Planner from the Maine Department of Transportation (MaineDOT), to discuss the Department's Village Partnership Initiative Grant Program. This program provides funding for large scaled downtown redevelopment projects. The Department has a couple of these projects in Southern Maine and Mr. Fam-Guillette believed that Bangor would be a great location north of Augusta to have the Department work on one of these improvement projects.

The City had been discussing a major utility upgrade for downtown Main Street that will include new sewer main, storm water, and drinking water. The Village Partnership Initiative Program seems to be a great opportunity to get much needed infrastructure improvements completed as well as improving sidewalks, street amenities, parking, landscaping, and lighting under one large project with a significant portion funded with State and Federal dollars.



According to John's understanding of how this program works is that the City of Bangor would split the cost of the initial planning and scoping study for an improvement project with MaineDOT 50/50 and then MaineDOT would assist the City in chasing federal dollars for the final design and construction of the project. The City would provide a ten percent local share towards the final design and construction of the project.

John provided the study area that the City provided to MaineDOT to kick off the Village Partnership Initiative process, as well as, a summary of the program from the MaineDOT webpage. It is believed this grant program provides a great opportunity for the City to get much needed utility infrastructure work completed as well as providing improvements to enhance our streets and sidewalks for all users of our downtown. There will be opportunity for public involvement during the planning process.

Dominic Russo recommend Kenduskeag Plaza West be considered as an opportunity particularly the flooding in the area.

John will bring back to Committee once there is a scope of work.

**Vote: No vote required.**

#### 4. **Pickering Square Conceptual Improvement Plan**

Jefferson Davis, PLA, the City's Landscape Architect for the City of Bangor, provided a conceptual plan of the final phase of Pickering Square in the area of Pickering Square between the new Transit Center and south of the Willard C. Orr Pedestrian Bridge.

The City completed several projects within the last few years within the vicinity of Pickering Square including revisions to Pickering Parking Garage main entrance (2019), landscape and sidewalk improvements north of Willard C Orr Bridge (2019), replacement of Willard C Orr Bridge superstructure (2021), New Transit Center and utility improvements to Water Street (2022), and replacement of the bridge deck for the at-grade pedestrian bridge over the Kenduskeag Stream (2022).

This meeting represents the starting point of a public engagement process. City staff will work with interested stakeholders to provide a variety of forums through which to solicit input. Prior to finalizing the bid package, any updates to the plan will be reviewed with the Committee. The desire of these improvements is to provide a programmable space that can be utilized by downtown residents and visitors for a large array of activities. Anticipated bid date would be early spring, with construction in the summer.

There was continued discussion of the potential with Betsy Lundy suggesting adding an a potential attraction to draw tourists and minimize unfavorable public activities associated with unused open space.

**Vote: No vote required.**

## Infrastructure Committee Minutes

April 18, 2023

### ATTENDEES

Councilors: Gretchen Schaefer, Jonathan Sprague, Richard Fournier  
Clare Davitt, Joseph Leonard, Cara Pelletier, Dina Yacoubagha

Staff: Richard May, John Theriault

### AGENDA ITEMS

1. **Apply for MaineDOT Grant Funding From BikePed Program for Mt. Hope Avenue Sidewalk & Drainage**

Richard May states the City would be applying for and accept grant funding from the Maine Department of Transportation (MDOT) for sidewalk and storm drain construction on Mount Hope Avenue.

The Engineering Department has identified a gap in sidewalk infrastructure on Mount Hope Avenue between Saratoga Avenue and the walking trail to Eastern Maine Community College (EMCC), which is near the entrance to the State-owned Dorothea Dix campus. Sidewalk from East side neighborhoods and downtown extends to Saratoga Ave. Sidewalk from Hogan Road extends roughly 800 feet towards Saratoga Ave to the EMCC trail. This 800 foot segment of sidewalk was constructed on Mount Hope Avenue from Hogan Road to the EMCC walking trail, which was also partially grant funded.

In order to install the 2,000 feet of sidewalk needed to close the gap, the Engineering Department has proposed to install curbing, esplanade, and a closed drainage system. This will not only improve pedestrian access and connectivity, but will also improve drainage in the area, including a small sewer separation.

The BikePed program is looking for projects that fill gaps such as these, which makes this a good candidate for grant funding. We will be requesting the maximum \$400,000 award from BikePed grant application and have budgeted \$500,000 in capital funds from the Stormwater Utility in FY25 to fund the remainder of this project, should we receive grant funding from this application.

**Vote: Moved and seconded.**

2. **Easement for Balsam Road Stormwater Drainage Improvements**

Richard May states the City would construct and maintain storm drain features behind four existing homes on the northern side of Balsam Drive by accepting easements from four property owners.

Engineering received several reports of flooding in backyards and ice buildup on the street during winter months along Balsam Drive. Public Works confirmed that ice buildup was sometimes a problem along this roadway. The developer along Balsam Drive originally installed a ditch along the northern boundary of the subdivision along Balsam Drive to divert off-site water away from the homes that were constructed. There are two catch basins in this ditch that collect the water and

allow it to enter the closed drainage system on Balsam Drive. Along the area where the City had received complaints, the diversion ditch is very flat, and tended to overflow. It was also noted that the ditch length between catch basins was over 1,180 feet. This long flow length and large drainage area flowing to a single catch basin does not provide much room for error. Engineering is proposing to rehabilitate and lower the existing ditch, install an additional catch basin in the ditch, and install a pipe to connect to the closed drainage system on Balsam Drive to mitigate these issues.

In order to complete this project, access to private properties at 70, 80, 96, and 106 Balsam Road would be necessary through an easement. Engineering has received initial support from landowners to be granted said easement.

**Vote: Moved and seconded.**

### **3. Penjajawoc Stream Impervious Cover Total Maximum Daily Load (IC-TMDL) Update**

Richard May states the Penjajawoc Stream is an Urban Impaired Stream whose watershed area includes the Bangor Mall and Hogan Road areas.

The Maine Department of Environmental Protection (DEP) and the US Environmental Protection Agency (EPA) issued a Statewide IC-TMDL for many Urban Impaired Streams including Bangor's Arctic Brook, Capehart Brook, Shaw Brook, and Sucker Brook in 2012. The EPA asked the Maine DEP to complete an IC-TMDL for Penjajawoc Stream in 2022. The DEP has drafted an IC-TMDL for the watershed which suggests that Impervious Cover needs to be reduced from the current 11% down to 9%.

There is a great deal of variability in the concentration of impervious cover in sub-watersheds of Penjajawoc Stream. For example, in the upper watershed where it is less developed, IC is only 3%, but in the middle watershed, where it is most developed, IC is 45%. IC reduction in the watershed, according to the IC-TMDL, can be through actual reduction/removal of impervious cover, or through reductions in effective impervious cover by using stormwater treatment Best Management Practices (BMPs). Reducing effective impervious cover would likely be the most common way to reach such a goal.

There was a previous effort to implement a TMDL in this watershed, which incited lots of interest from stakeholders in the watershed. Many of the City Staff who were involved with the discussions incited by stakeholder interest are no longer at the City. The City would like to make an effort to reach out to these individuals and groups again to restart these discussions. Engineering Staff believe involving those stakeholders and giving them awareness of the development of the TMDL will give them the opportunity to provide input both to the City and the DEP.

The TMDL will be open for public comment before it is issued by the Maine DEP. The Maine DEP also believes stakeholder involvement at this earlier stage may be beneficial.

The City is also currently requesting proposals to update and re-write the Watershed-Based Plan (WBP) for Penjajawoc Stream. This WBP is required to be completed as part of the City's Stormwater Permit from DEP. A WBP helps to provide a "road map" to improving water quality and habitat within a stream. This WBP is not directly related to the IC-TMDL, but the WBP will address the IC-TMDL and provide solutions to reduce the effective IC in the watershed.

**Vote: No Vote Required**

**Infrastructure Committee Minutes  
May 16, 2023**

**ATTENDEES**

Councilors: Gretchen Schaefer, Jonathan Sprague, Joseph Leonard, Richard Fournier, Dina Yacoubagha

Staff: John Theriault, Aaron Huotari, Jefferson Davis

Members of the Public

**AGENDA ITEMS**

1. **Browntail Moth Update**

Aaron Huotari stated there was a report mechanism in place for reporting and mapping. It was found most were report on the west side in parks. He also outlined the measure taken to implement programs and test spray last year for Browntail Moths last season and stated it was not effective.

This year they used pesticide injections, as a trial, in selected parks and would be monitoring.

**Vote: No vote required**

2. **Pickering Square Improvements Update & Discussion**

Jefferson Davis stated there was a survey conducted with sixty-two responses. Additional outreach measures included social media, flyers, public design workshop, and a public meeting. As a result of the feedback the conceptual plan was revised, to which he presented to the Committee.

There was continued discussions with Committee and Citizens with regard to the revised plans.

**Vote: No vote required**

3. **021663.00 Broadway Corridor/022276.01 I-95 Bridge –Over Limit Permit**

John Theriault explained this was an agreement with Maine Department of Transportation, Overweight Construction Vehicles - 022276.01 and 021663.00 Bangor Interstate 95 and State Route 15. is a routine action that would allow overweight construction vehicles on City streets in conjunction with MaineDOT Project 022276.01 & 021663.00 Bangor Interstate 95 and State Route 15, Center Street, and Earle. Location of work for project is at the Interstate 95 Broadway Bridge #5789 over Route 15 is located 0.06 of a mile west of Interstate Northbound Exit 187. The extent of the project is from Broadway/State Route 15 beginning at Center Street, extending north 0.14 of a mile to Alden Street. Project includes intersection improvements at northbound and southbound Interstate 95 ramps.

**Vote: Moved and seconded to Council**



**CITY COUNCIL ACTION**

08/14/2023 23-237

Council Meeting Date: 08/14/2023

Item No: 23-237

Responsible Dept: Police

Requested Action: Order

Map/Lot: N/A

**Title, Order**

Authorizing the Purchase of Three (3) Police Patrol Vehicles from Darlings Ford, the Current State Of Maine Contract Holder, in the Amount of \$152,940

**Summary**

This Order would authorize the purchase of police vehicles from Darling's Ford, the current State of Maine contract holder for police vehicles. State of Maine contracts allow for municipalities to "piggyback" on their contract which enables municipalities to take advantage of a negotiated price.

The recently adopted FY 2024 budget authorized the purchase three (3) police patrol vehicles. All three vehicles will be will be 2023 Ford Explorer Hybrids. The total cost is \$152,940.

**Committee Action**

Committee: Finance Committee  
Action: Recommend for passage

Meeting Date: 08/08/2023  
For: 4                      Against: 0

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** Consent



## **CITY OF BANGOR ORDER**

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08/14/2023 23-237

Date: 08/14/2023

Item No: 23-237

Assigned to Councilor: Tremble

Authorizing the Purchase of Three (3) Police Patrol Vehicles from Darlings Ford, the Current State Of Maine Contract Holder, in the Amount of \$152,940

Be it Ordered by the City Council of the City of Bangor that, the City is hereby authorized to piggyback on the State of Maine contract and purchase police patrol vehicles from Darlings Ford in the amount of \$152,940.



**CITY COUNCIL ACTION**

08/14/2023 23-238

Council Meeting Date: 08/14/2023

Item No: 23-238

Responsible Dept: Airport



Requested Action: Order



Map/Lot: N/A

**Title, Order**

Authorizing a Contract with Northeast Paving for Emergency Repairs to the Airport Runway and Replacement of the 600 Cargo Ramp

**Summary**

There are two portions of the runway at the Bangor International Airport that have fallen into poor condition due to Alkali Silica Reaction (ASR) within the concrete of the runway. In addition, the 600 Cargo Ramp is in very poor condition based on its age and increased usage during the UPS Operation. Both ASR's were to be repaired during the runway project which has been postponed until 2024 resulting in the need for immediate attention. The 600 Cargo Ramp has been continually repaired and patched by the Airport's Airfield Maintenance Department which is not a sustainable solution to maintain ongoing integrity of the area.

The Airport and the Engineering Department reached out to four contractors regarding a deep mill and pavement replacement to two ASR deformations in the runway as well as a complete removal and replacement of the 600 Cargo Ramp.

Two of the four contractors replied with quotes:

Northeast Paving - \$1,481,405 with a start date of 8/25/2023 and completion of 10/31/2023.

Pike Industries - \$2,088,467 with a start date 9/17/2023 and completion date of 10/28/2023.

Staff is recommending the contract be awarded to Northeast Paving, the low quote and earlier starting date, for the amount of \$1,481,405.00.

**Committee Action**

Committee: Finance Committee  
Action: Recommend for passage

Meeting Date: 08/08/2023

For: 4

Against: 0

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** Consent



## **CITY OF BANGOR ORDER**

---

08/14/2023 23-238

Date: 08/14/2023

Item No: 23-238

Assigned to Councilor: Pelletier

Authorizing a Contract with Northeast Paving for Emergency Repairs to the Airport Runway and Replacement of the 600 Cargo Ramp

Be it Ordered by the City Council of the City of Bangor that, the Finance Director is hereby authorized to execute a contract with Northeast Paving for the repair of two Alkali Silica Reaction (ASR) locations on the runway and the removal and replacement of the 600 Cargo Ramp in the amount of \$1,481,405.





**CITY COUNCIL ACTION**

08/14/2023 23-239

Council Meeting Date: 08/14/2023

Item No: 23-239

Responsible Dept: Human Resources

Requested Action: Order

Map/Lot: N/A

**Title, Order**

Authorizing a Collective Bargaining Agreement between the City of Bangor and Bangor Federation of Public Employees, Local 6071 Representing Fleet Service and Ground Support Equipment Employees

**Summary**

This Order authorizes the execution of a Collective Bargaining Agreement between the City of Bangor and Bangor Federation of Public Employees, Local 6071, representing the employees of Fleet Services and Ground Support Equipment (GSE) of the Bangor International Airport.

The City of Bangor and the Union entered into negotiations on April 4, 2023 to bargain the agreement that was set to expire June 30, 2023. A tentative agreement was reached on July 5, 2023 based on guidelines established by the City Council for a three year term from July 1, 2023 to June 30, 2026 with a 5% cost of living adjustment in year one of the contract and 2% in years two and three. This tentative agreement was reviewed by the City Council in Executive Session on July 24, 2023.

**Committee Action**

Committee:

Action: Recommend for passage

Meeting Date:

For:

Against:

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** Consent



## **CITY OF BANGOR ORDER**

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08/14/2023 23-239

Date: 08/14/2023

Item No: 23-239

Assigned to Councilor: Schaefer

Authorizing a Collective Bargaining Agreement between the City of Bangor and Bangor Federation of Public Employees, Local 6071 Representing Fleet Service and Ground Support Equipment Employees

Whereas; the Collective Bargaining Agreement between City of Bangor and Bangor Federation of Public Employees, Local 6071 expired on June 30, 2023.

Whereas; the Bangor Federation of Public Employees, Local 6071 requested the collective bargaining agreement to be bargained; and

Whereas, the Bangor City Council approved guidelines and staff bargained in good faith with the Union; and

Whereas, the City of Bangor and Bangor Federation of Public Employees, Local 6071 have reached a tentative agreement through the negotiation process; and

Whereas; the Union has ratified the tentative agreement.

Be it Ordered by the City Council of the City of Bangor that, the City Manager be authorized to enter the collective bargaining agreement with Bangor Federation of Public Employees, Local 6071 for a term of three years (July 1, 2023 through June 30, 2026).



**CITY COUNCIL ACTION**

08/14/2023 23-240

Council Meeting Date: 08/14/2023

Item No: 23-240

Responsible Dept: Airport

Requested Action: Order

Map/Lot: N/A

**Title, Order**

Authorizing a Contract with D.P. Porter Contractors/CEM for the HVAC Replacement at Building 195, the State Police Barracks in the Amount of \$250,000

**Summary**

This Order would authorize a contract with D.P. Porter Contractors/CEM for the replacement of the air handler and associated ductwork for the HVAC system at the State Police Barracks; Airport Building 195.

On July 26, 2023 the City received 2 bids for this project:

ABM Mechanical - \$280,200

D.P. Porter Contractors/CEM - \$250,000

Staff is recommending awarding the contract to D.P. Porter Contractors/CEM of Brooks, Maine, the low responsive bidder.

**Committee Action**

Committee: Finance Committee  
Action: Recommend for passage

Meeting Date: 08/08/2023

For: 4

Against: 0

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** Consent



## **CITY OF BANGOR ORDER**

---

08/14/2023 23-240

Date: 08/14/2023

Item No: 23-240

Assigned to Councilor: Hawes

Authorizing a Contract with D.P. Porter Contractors/CEM for the HVAC Replacement at Building 195, the State Police Barracks in the Amount of \$250,000

Be it Ordered by the City Council of the City of Bangor that, the Finance Director is hereby authorized to execute a contract with D.P. Porter Contractors/CEM for the replacement of the HVAC system at Airport Building 195, the State Police Barracks in the amount of \$250,000.



**CITY COUNCIL ACTION**

08/14/2023 23-241

Council Meeting Date: 08/14/2023

Item No: 23-241

Responsible Dept: Fire

Requested Action: Order

Map/Lot: N/A

**Title, Order**

Authorizing Execution of a Contract with Radio Communications Management for \$507,004 for the Upgrade of the Public Safety Radio System

**Summary**

This Order will authorize the Finance Director to execute a contract for the upgrade of the City's Public Safety Radio System with Radio Communications Management (RCM) in the amount of \$507,004.

The Public Safety Radio System, which is 20 years old, is utilized by the Fire and Police Departments and is experiencing repeated failures creating delays to emergency services.

RCM is the City's current vendor for radio equipment, dispatch equipment, and repairs and maintenance. RCM's service and response to City needs has been excellent. Due to their knowledge of the City's current system and needs, staff recommended RCM be contracted to upgrade the City system.

In addition, RCM is the vendor for the State of Maine Public Safety Communications System as well Penobscot and six other Maine Counties. Utilizing RCM will ensure compatibility between the City, State and County system.

**Committee Action**

Committee: Finance Committee  
Action: Recommend for passage

Meeting Date: 08/08/2023  
For: 4                      Against: 0

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** Consent



## **CITY OF BANGOR ORDER**

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08/14/2023 23-241

Date: 08/14/2023

Item No: 23-241

Assigned to Councilor: Sprague

Authorizing Execution of a Contract with Radio Communications Management for \$507,004 for the Upgrade of the Public Safety Radio System

Be it Ordered by the City Council of the City of Bangor that, the Finance Director is hereby authorized to execute a contract with Radio Communications Management for the upgrade of the City Public Safety Radio System in the amount of \$507,004.



**CITY COUNCIL ACTION**

08/14/2023 23-242

Council Meeting Date: 08/14/2023

Item No: 23-242

Responsible Dept: Assessing

Requested Action: Order

Map/Lot: N/A

**Title, Order**

Authorizing an Amendment to the Employment Agreement of City Assessor Philip Drew

**Summary**

This Order will authorize the Council Chair to execute an amendment to City Assessor Philip Drew's employment agreement.

In January 2015, Philip Drew was appointed City Assessor and entered into an employment agreement with the City Council. Recently, Mr. Drew requested his agreement be revisited to remove the cap on his progression up the wage scale, thereby moving him to top step, and to increase the City's retirement contribution by 1% effective July 2, 2023.

**Committee Action**

Committee: Council Workshop  
Action: Recommend for passage

Meeting Date: 07/24/2023  
For: Against:

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** Consent



## **CITY OF BANGOR ORDER**

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08/14/2023 23-242

Date: 08/14/2023

Item No: 23-242

Assigned to Councilor: Tremble

Authorizing an Amendment to the Employment Agreement of City Assessor Philip Drew

WHEREAS, original employment agreement for the services of Philip Drew as City Assessor of the City of Bangor was entered into in January 2015;

WHEREAS, the parties have discussed changes related to benefits and conditions of employment as outlined;

Be it Ordered by the City Council of the City of Bangor that, Richard Fournier, Chair of the City Council, is authorized to execute an amendment to City Assessor Philip Drew's employment agreement.



## EMPLOYMENT CONTRACT AMENDMENT

THIS Amendment to Agreement (the “Amendment”), made and entered into this \_\_\_\_\_ day of August, 2023, by and between the CITY OF BANGOR (Penobscot County), State of Maine, a municipal corporation, hereinafter sometimes referred to as “Employer”, and Philip Drew, of Glenburn, County of Penobscot, State of Maine, hereinafter sometimes referred to as “Employee.”

### WITNESSETH:

WHEREAS, the City of Bangor desires to employ the services of said Philip Drew as City Assessor of the City of Bangor; and

WHEREAS, the parties have reached agreement as to the benefits, conditions of employment, and working conditions of said Employee;

WHEREAS, the parties desire to amend Section 4 and Section 7 of the Agreement in the manner reflected herein;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree to amend the Agreement and supersede the provisions of the Agreement as follows:

1. Section 4(A) of the Agreement is hereby amended in its entirety to read as follows:

“A. Employer agrees to pay Employee for his services rendered pursuant to the Executive Pay Schedule of the City of Bangor effective July 2, 2023, a base salary of one hundred and twenty-two thousand dollars, eight hundred and sixty-five dollars (\$122,865.00) (Executive Pay Grade 3, Step 11), payable in installments at the same time as other employees of the Employer are paid.”

2. Section 4(B) of the Agreement is hereby deleted in its entirety.

3. The last sentence of Section 7 of the Agreement is hereby amended in its entirety to read as follows:

“Employee is a participant in the ICMA –RC 401a defined benefit retirement plan, and the current contribution rates of 10.0% city contribution, effective July 2, 2023, and 6.5% employee contribution (based upon gross salary paid) shall continue upon his promotion to Assessor.”

4. All terms and provisions of the Agreement not amended hereby, either expressly or by necessary implication, shall remain in full force and effect. From and after the date of this Amendment, all references to the term “Agreement” in this Amendment or the original Agreement shall include the terms contained in this Amendment.

IN WITNESS WHEREOF, The City of Bangor has caused this Amendment to Agreement to be signed and executed in its behalf by its Chair of the Bangor City Council, and duly attested by its City Clerk, and the Employee has signed and executed this Agreement, both in duplicate, the day and year first above written.

BANGOR CITY COUNCIL

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Richard Fournier II  
Chair, Bangor City Council

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Philip Drew

ATTEST:

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City Clerk (Seal)



**CITY COUNCIL ACTION**

08/14/2023 23-243

Council Meeting Date: 08/14/2023

Item No: 23-243

Responsible Dept: City Clerk

Requested Action: Order

Map/Lot: N/A

**Title, Order**

Appointing Constables for the Year 2023

**Summary**

This Order authorizes the appointment of Jim Brown as Constable for Code Enforcement, and Karen Hessert, Frank Roma, and Tyler Gray as Constables for the Airport to enforce City Ordinances.

**Committee Action**

Committee:

Action: Recommend for passage

Meeting Date:

For:

Against:

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** Consent



## **CITY OF BANGOR ORDER**

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08/14/2023 23-243

Date: 08/14/2023

Item No: 23-243

Assigned to Councilor: Leonard

Appointing Constables for the Year 2023

Be it Ordered by the City Council of the City of Bangor that,

the City Council hereby confirms the appointment of im Brown as Constable for Code Enforcement, and Karen Hessert, Frank Roma, and Tyler Gray as Constables for the Airport to for the City of Bangor for the Year 2023.





## **CITY OF BANGOR ORDER**

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08/14/2023 23-244

Date: 08/14/2023

Item No: 23-244

Assigned to Councilor: Pelletier

Authorizing the Execution of a Memorandum of Understanding with the Penobscot County Sherriff's Office to Jointly Apply for Edward Byrne Memorial Grant Program Funding in the Amount of \$21,771

Be it Ordered by the City Council of the City of Bangor that, the Bangor Police Department is authorized to execute a Memorandum of Understanding with the Penobscot County Sherriff's Office for the purpose of applying for Edward Byrne Memorial Grant Program Funding in the Amount of \$21,771.



**REFERRALS TO  
COMMITTEES  
& FIRST READING**



## **CITY COUNCIL ACTION**

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Council Meeting Date: August 14, 2023

Item No: 23-245

Responsible Dept: Planning

Action Requested: Ordinance

Map/Lot: N/A

### **Title, Ordinance**

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Amending Chapter 165, Land Development Code by Removing and/or Rewording Sections of the Municipality's Code to Align with the Maine State Statutes for the Regulation of Manufactured Housing

### **Summary**

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In 1989, the State enacted 30-A M.R.S. § 4358, which places limitations on the City's home rule authority regarding mobile home parks. The following amendments are provided to ensure the City of Bangor is following state regulations of manufactured housing, as well as avoiding unequal treatment between manufactured housing and other types of housing. These amendments adjust the definitions of manufactured housing to reflect the new laws and adjust the setbacks and other dimensional requirements of manufactured home parks to make them more on par with uses like tiny home parks. The changes also include greater allowances for manufactured home parks in the Rural Residence and Agricultural District to ensure that any parks located in that zone would be able to expand.

### **Committee Action**

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Committee: Planning

Meeting Date: August 15, 2023

Action:

For:

Against:

### **Staff Comments & Approvals**

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City Manager

City Solicitor

Finance Director

**Introduced for:** First Reading and Referral





## CITY COUNCIL ORDINANCE

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Date: August 14, 2023

Assigned to Councilor: Schaefer

**ORDINANCE**, Amending Chapter 165, Land Development Code by Removing and/or Rewording Sections of the Municipality's Code to Align with the Maine State Statutes for the Regulation of Manufactured Housing;

**WHEREAS**, at present, the City's Land Development and Planning ordinances predate the 1989 State statutes;

**WHEREAS**, in order to provide a complimentary set of Ordinances that, while maintaining home rule, are in compliance with the State of Maine statutes and avoid discrimination against manufactured home parks;

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

Chapter 165 of the Code of the City of Bangor is amended as follows:

#### **§ 165-13 Definitions.**

...

#### **MANUFACTURED HOUSING**

A structural unit or units designed to be used as a dwelling or dwellings and constructed in a manufacturing facility and then transported by the use of its own chassis or placement on an independent chassis to a building site. The term includes any type of building that is constructed at a manufacturing facility and then transported to a building site where it is utilized for housing and that may be purchased, sold, offered for sale or brokered by a licensee in the interim. For the purposes of this Chapter, 3 types of manufactured housing are included. They are:

- A. ~~For the purpose of this chapter, the term "manufactured housing" shall include the following:~~ Units constructed after June 15, 1976, commonly called "newer mobile homes," which the manufacturer certifies are constructed in compliance with the United States Department of Housing and Urban Development standards, meaning structures, transportable in one or more sections, which, in the traveling mode, are 14 body feet or more in width and are 750 or more square feet and which are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities, including the plumbing, heating, air-conditioning and electrical systems contained therein, except that the term shall include any structure which meets all the requirements of this subsection, except the size requirements, and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. § 5401 et seq.
- B. Pre-HUD-code homes, commonly called "mobile homes", which are those units constructed prior to June 15, 1976, meaning structures, transportable in one or more sections, that are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities, including the plumbing, heating, air-conditioning, or electrical systems contained therein.

(B C). In order for the above-described units to qualify as manufactured housing under this chapter, such units shall also:

- (1) Be not less than 14 feet in width.
- (2) Contain not less than 750 square feet of living area.
- (3) Have a pitched, shingled roof with a minimum pitch of two inches rise (vertical) to 12 inches of run (horizontal).
- (4) Have exterior siding that is residential in appearance, such as brick or masonry veneers, stucco or exterior plaster, wood siding, wood shingles, aluminum or vinyl siding simulating a clapboard pattern or hardboard siding.
- (5) Have a permanent foundation which complies with the requirements of the State of Maine Manufactured Housing Board Maine Uniform Building and Energy Code, as adopted by Chapter 81, Building Code, of the Code of the City of Bangor, and any amendments, replacements or substitutions thereof.
- (6) Be anchored to the permanent foundation in accordance with the requirements of the above-referenced Board Building Code, and any amendments, replacements or substitutions thereof.
- (7) With the exception of pre-HUD-code homes, conforms to all standards of construction, design and performance adopted pursuant to the the State of Maine Manufactured Housing Act (10 M.R.S.A. § 9001 et seq., as it may be amended) or the State of Maine Industrialized Housing Law (30-A M.R.S.A. § 4358 et seq., as it may be amended) or any successive legislation or standards, except those meeting local standards.

...

## **MOBILE HOME**

~~A vehicular portable structure built on a chassis of which wheels are an intrinsic part and are designed to remain so, and said structure is used without a permanent foundation as a dwelling for one or more persons and is provided with a toilet and bathtub or shower. Such a structure body must be 10 feet or more in width and 40 feet or more in length. See "Manufactured Housing".~~

...

## **MOBILE HOME PARK or MANUFACTURED HOME PARK**

~~A parcel of land planned and improved for the placement of two or more mobile homes for nontransient use as licensed under the provisions of this chapter. A parcel of land under unified ownership approved by the City of Bangor Planning Board for the placement of 3 or more manufactured homes.~~

...

## **PERMANENT FOUNDATION**

- A. For Manufactured Housing, as defined above in this Chapter, a foundation that conforms to the installation standards established by the State of Maine Manufactured Housing Board; or
- B. For Modular Homes, as defined above in this Chapter, a foundation that conforms to the municipal building code or, in the absence of a municipal building code, a foundation that conforms to the Maine Uniform Building and Energy Code.

## **§ 165-100 High-Density Residential District (HDR)**

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

...

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

**D.** Conditional uses. Subject to Planning Board approval under the provisions of §165-9, the following uses may be permitted in this district:

...

- (2) Mobile home parks, provided that:
- (a) They meet the requirements of Article XVII.
  - ~~(b) They have sewer service from the City of Bangor.~~
  - ~~(c) They have water service from the Bangor Water District.~~
  - ~~(d) They contain a minimum of 25 mobile home spaces and a minimum land area of five acres.~~
  - ~~(e) They do not contain more than six mobile homes per acre (of lotted area).~~
  - (f) They receive site development approval under Article XVI.

### § 165-105 Rural Residence and Agricultural District (RR&A)

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

...

(16) Tiny home park, provided that:

- (a) The site is located within the growth area delineated in the most recently adopted Comprehensive Plan
- (b) The park meets the requirements of Article XX.

(17) Manufactured home parks, provided that:

- (a) The site is located within the growth area delineated in the most recently adopted Comprehensive Plan
- (b) The park meets the requirements of Article XVII.

~~(17 18)~~ Accessory uses on the same lot and customarily incidental to and subordinate to the above uses and any use approved under Subsection D below.

**D.** Conditional uses. Subject to Planning Board approval under the provisions of §165-9, the following uses may be permitted in this district:

- (4) Reconstruction of mobile home parks established prior to 1971 that are located outside the growth area delineated in the most recently adopted Comprehensive Plan, provided that the reconstruction is done consistent with the requirements of § 165-121C.
  - ~~(a) They have water service from the Bangor Water District sewer service from the City of Bangor and a minimum of 25 mobile home spaces.~~
  - ~~(b) The reconstruction is done consistent with the requirements of § **165-121C.**~~

### § 165-109 Site developments requiring permit.

...

- (7)** Construction or renovation of one or more buildings with three or more dwelling units, including multifamily dwellings, rooming houses or boardinghouses, community living facilities, nursing homes, congregate housing, tiny home parks, manufactured home parks, and similar residential uses.

### § 165-118 General Requirements

...

- C. No mobile home shall be located or occupied in the City of Bangor unless the mobile home conforms to all standards of construction, design and performance adopted pursuant to the ~~National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. § 5401 et seq.)~~, the State of Maine Manufactured Housing Act (10 M.R.S.A. § 9001 et seq., as it may be amended) or the State of Maine Industrialized Housing Law (30-A M.R.S.A. § 4358 et seq., as it may be amended) or any successive legislation or standards, except those meeting local standards. Any mobile home presently located and occupied in the City of Bangor which does not conform to said standards may remain but may not be replaced by a mobile home which does not conform to said standards.

## § 165-120 Development Requirements

...

~~D. All mobile homes shall be located at least 50 feet from all mobile home park boundary lines that abut land used for residential uses and shall be screened from adjacent properties and public streets in accordance with Subsection L of this section, provided that the fifty-foot requirement shall be waived for all mobile home parks in which the projected density of mobile homes per acre is less than twice the density of existing residential units on adjacent residential properties or, if any adjacent parcel remains undeveloped, less than twice the maximum density of residential units permitted under the existing zoning classifications. Where the fifty-foot requirement is waived under this provision, all units in the mobile home park shall be set back from existing or proposed public streets the same distance as is required for adjacent residential developments.~~

...

~~F. A minimum of 25 mobile home lots shall be completed and provided with all utilities, streets and sidewalks as required by this chapter before occupancy of the mobile home park shall be permitted.~~

...

H. Lot size and setback requirements Dimensional requirements.

- (1) Each individual mobile home lot shall meet the following requirements: not be less than 6,000 square feet in area and shall not be less than 50 feet wide and 120 feet deep.
  - (a) If served by water from the Bangor Water District and sewer from the City of Bangor, or if served by a centrally managed subsurface wastewater treatment system, the lot shall be at least 5,000 square feet in area.
  - (b) If the lot is served by its own individual subsurface wastewater treatment system, the lot shall be at least 20,000 square feet in area.
  - (c) All lots shall be at least 50 feet in width.
- (2) No mobile home shall be located less than five feet from the side and rear lines of an individual lot. and 20 feet from the rear lines of an individual mobile home lot. and there shall be a minimum distance of 20 feet between adjacent mobile homes.
- (3) ~~No mobile home shall be located less than 30 feet from the right of way line of any street or less than 40 feet from a service building within the park. All homes in the park shall be set back at least 15 feet from the right of way line.~~
- (4) The setback for cluster subdivisions in the underlying zone for rear and side setbacks shall apply to the distance between homes in the park and the park boundary.
- (5) No structures may exceed the height requirements of the underlying zone of the park.

I. Streets, walks and parking.

- (1) All mobile home parks shall be provided with safe and convenient vehicular access from abutting public streets or roads to each mobile home lot. All park streets shall be well drained, paved, maintained in good condition and adequately lighted at night. ~~All streets within the park shall have a minimum right-of-way width of 50 feet. Pavement width shall be no less than 36 feet where parking is permitted on both sides of the street. Where parking is permitted on only one side of a street, the minimum pavement width shall be 28 feet, and where all on-street parking is prohibited the minimum pavement width shall be 20 feet, provided that any roads within a mobile home park to remain in private ownership shall be not less than 23 feet in width, of which 20 feet must be suitably paved. All streets within the park shall have a minimum right-of-way width of 50 feet. Pavement width shall be no less than 36 feet where parking is permitted on both sides of the street. Where parking is permitted on only one side of the street, the minimum pavement width shall be 28 feet.~~
- (2) ~~All streets within a mobile home park shall be constructed in accordance with sound engineering standards and practices and designed by a licensed professional engineer.~~

(a) Privately owned roads within a mobile home park must:

- (1) Be built according to acceptable engineering standards and with a professional engineer's seal as required by the Manufactured Housing Board;
- (2) Have a right-of-way up to 23 feet in width, 20 feet of which the municipality may require to be paved;
- (3) Conform to reasonable safety standards applicable to intersections with public ways adjacent to the mobile home park.

(b) If the developer intends to offer the roads to the City for acceptance as town ways, the roads must meet City road standards.

...

L. Landscaping.

...

- (2) Lawn and other ground cover shall be installed on all areas except those covered by structures, paved or surfaced areas and planting beds and undisturbed areas, such as woods and ravines, which are to be preserved in their natural state. In no case will the impervious surface ratio of a mobile home park exceed ~~.25~~ .35.
- (3) ~~Screen planting, providing a dense visual barrier at all times subject to review by the Planning Board, shall be provided around the boundaries of the park and around laundry-drying yards, and garbage and trash collection stations, nonresidential uses and along rear lot lines of all mobile home lots. Screens shall meet the requirements of Bufferyard Type A and shall consist of shrubs or trees at least five feet wide and, at the time of planting, at least four feet in height and eventually reaching a mature height of at least 10 feet. The screen planting zone extending along boundary lines shall have a minimum width of 25 feet. Street tree planting (Buffer E) shall occur along the boundary adjacent to the public street providing access to the park.~~

- M. Recreation areas shall be provided for the use of mobile home park residents. The size of such areas shall be based upon a minimum of 10% of the area of the mobile home lots in the development, ~~with no single recreation area being less than 15,000 square feet.~~ Such areas shall be easily accessible to all park residents, located so as to be free of traffic hazards and, where topography permits, centrally located. Any buildings provided for recreation areas shall contain adequate toilet facilities. The number and location of such facilities shall be determined by the Planning Board.

### **§ 165-121 Existing mobile home parks.**

Mobile home parks in existence prior to the effective date of this chapter shall conform to the following regulations:

...

- B. ~~The coverage of any lot shall not be increased over that existing on the effective date of this chapter, or, in the case of lots unoccupied by mobile homes on such date, lot coverage shall not be increased over what it was when last occupied prior to the effective date of this chapter.~~
- C. Any existing mobile home park developed prior to September 13, 1971, may be reconstructed in its entirety in accordance with the provisions of this subsection.

...

- (3) The Planning Board shall review all applications for the reconstruction of an existing mobile home park in accordance with § 165-119E. Before the Planning Board may approve reconstruction, the Board shall determine the following:
  - (a) ~~That the proposed reconstruction will not result in an increase in density, as compared to that of the existing mobile home park, density being measured as the number of mobile homes per acre.~~

- ~~(b) That the proposed reconstruction will not result in an increase in the percentage of lot coverage, as compared to that of the existing mobile home park, the percentage of coverage being calculated by dividing the square footage of the mobile homes by the square footage of the land area developed for mobile home lots.~~
- (c) That it would constitute an undue economic hardship to require that the reconstruction of the existing mobile home park be in accordance with the provisions applicable to new or expanded mobile home parks. The applicant must demonstrate that reconstruction of the mobile home park in accordance with the requirements contained in § 165-120 above would result in the failure to realize a reasonable rate of return on the investment necessary for such a reconstruction of the mobile home park in question.
- (4) Alternative development requirements. For those applications for reconstruction of an existing mobile home park where the Planning Board determines that compliance with any or all of the requirements of § 165-120 would result in an undue economic hardship, the Planning Board may approve reconstruction plans which conform to the minimum standards set forth below. (Note: If an alternative standard is not set forth herein, the applicable standard set forth in § 165-120 shall apply to the proposed reconstruction of an existing mobile home park.)

...

~~(b) No mobile home in the reconstructed mobile home park shall be located any closer to the park boundary than were the mobile homes in the existing park.~~

(c) Lot size and setback requirements:

...

[5] Minimum distance between adjacent mobile homes: ~~20~~ 10 feet.

(d) Streets, walks and parking.

...

~~[5] In the event that the pavement width in a reconstructed mobile home park is less than 36 feet, on street parking in said park shall be consistent with the provisions of § 165-120I(1).~~

## § 165-122 Special Provisions

...

~~C. Net residential density of the development shall not exceed six mobile homes per acre. For purposes of this chapter, net residential density shall be computed by dividing the total number of mobile home lots by the total mobile home lot area (in acres).~~

## § 165-123 Utilities and accessory structures

A. Water supply.

...

(6) If a public water supply is not available, a fire pond must be constructed per NFPA standards.

B. Sewage disposal.

...

(2) Any mobile home park located with ~~1,000~~ 100 feet of an existing public sewer shall be required to connect to such sewer and to provide a sewer system for the park designed by a registered engineer ~~to connect to the existing public sewer and to connect to such sewer.~~

~~(3) Septic sewage disposal systems for individual mobile homes in a mobile home park shall be prohibited.~~

(4) If public sewer is unavailable, a sewer system and treatment facility for the entire mobile home park or for each individual mobile home park lot, designed by a registered engineer, shall be required.

...

G. Accessory structures. The following requirements shall apply to any accessory structures located on an individual mobile home site and accessory to the mobile home. For the purpose of this article, an "accessory structure" in a mobile home park is a detached, subordinate structure, the use of which is clearly incidental and related to that of the principal structure or use of the land and which is located on the same lot as the primary use mobile home.

(1) The accessory structures shall:

...

(b) Be located not less than 15 ~~20~~ feet from the street right-of-way, not less than 5 ~~10~~ feet from a rear lot line and not less than 5 ~~five~~ feet from a side lot line.

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

LAND DEVELOPMENT

165 Attachment 3

City of Bangor

Schedule B

Developing Area

Article XIV, §§ 165-99 through 165-103.1

Zoning Districts	Minimum Lot Area (square feet)	Minimum Front Yard Depth (feet)	Minimum Side Yard Depth (feet)	Minimum Rear Yard Depth (feet)	Maximum Dwelling Units per Acre	Maximum Dwelling Units per Building	Maximum Height (feet)	Maximum Lot Coverage	Maximum Floor Area Ratio	Maximum Impervious Surface Ratio	Minimum Open Space	Minimum Lot Width (feet)	Minimum Buffer Yard Type
Conditional uses													
Mobile home parks- (minimum of 25 mobile home spaces)	8.5 acres	15 <del>30 (20 for accessory structures)</del>	5 from internal lot line (10 from park boundary)	5 from internal lot line (20 from park boundary) 20 (10 for accessory structures)	N/A	N/A-1	35	30%	N/A-0.5	0.35 <del>0.25</del>	10% of lotted area	50 per internal lot; 100 for park site	9-B

NOTES:

<sup>8</sup>For internal lots, 5,000 square feet if on public water/sewer or using a centrally managed subsurface wastewater disposal system, 20,000 square feet if each individual lot is served by its own subsurface wastewater disposal system; for entire park, the total of lotted area, open space, right-of-way, buffer strips, and any other areas required by City ordinances

<sup>9</sup>Type A along the park boundaries, garbage collection stations; Type E along the public street from which the park is accessed



LAND DEVELOPMENT

165 Attachment 4

City of Bangor

Schedule C

Resource, Open Space and Rural Area  
Article XV, §§ 165-105 through 165-107

Zoning Districts	Maximum District Height (feet)	Minimum Lot Area (acres)	Maximum Lot Coverage	Maximum Impervious Surface Ratio	Minimum Lot Width (feet)	Minimum Front Yard Depth (feet)	Minimum Side Yard Depth (feet)	Minimum Rear Yard Depth (feet)
Rural Residence and Agricultural (RR&A), permitted and conditional uses								
<u>Manufactured home parks<sup>3</sup></u>	<u>35</u>	<sup>4</sup>	<u>20%</u>	<u>0.35</u>	<u>50 per internal lot; 100 for park site</u>	<u>15</u>	<u>5 from internal lot line (10 from park boundary)</u>	<u>5 from internal lot line (20 from park boundary)</u>

NOTES:

<sup>3</sup>Type A buffer along the park boundaries, garbage collection stations; Type E along the public street from which the park is accessed

<sup>4</sup>For internal lots, 5,000 square feet if on public water/sewer or using a centrally managed subsurface wastewater disposal system, 20,000 square feet if each individual lot is served by its own subsurface wastewater disposal system; for entire park, the total of lotted area, open space, right-of-way, buffer strips, and any other areas required by City ordinances



## **CITY COUNCIL ACTION**

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Council Meeting Date: August 14, 2023

Item No: 23-246

Responsible Dept: Planning

Action Requested: Ordinance

Map/Lot: N/A

### **Title, Ordinance**

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Amending Chapter 165, Land Development Code, Attachment 2, Schedule A Urban Developed Area by Increasing the Maximum Height in the Multifamily and Service District (M&SD)

### **Summary**

---

The proposed change would increase the maximum allowable building height in the M&SD district from 45 feet (approximately 4 stories) to 60 feet (approximately 5 stories). This is the same height proposed for high density residential in the S&PS and GC&S zones, the ordinance for which was recently adopted. This increase in height allowance could allow affordable housing projects in this district to be more financially feasible and could allow for more units on M&SD lots. This ordinance would be in keeping with the City Council's policy to create more housing where feasible.

Additionally, the 2022 Comprehensive Plan directs the City to revise zoning regulations as needed to support the development of housing within the growth boundary and to remove barriers to development for a variety of housing types.

### **Committee Action**

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Committee: Planning Board

Meeting Date: August 15, 2023

Action:

For:

Against:

### **Staff Comments & Approvals**

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City Manager

City Solicitor

Finance Director

**Introduced for:** First Reading and Referral



## CITY COUNCIL ORDINANCE

---

Date: August 14, 2023

Assigned to Councilor: Davitt

**ORDINANCE**, Amending Chapter 165, Land Development Code, Attachment 2, Schedule A Urban Developed Area by Increasing the Maximum Height in the Multifamily and Service District (M&SD).

**WHEREAS**, at present, the maximum height in M&SD is 45 feet, which limits buildings to approximately 4 stories;

**WHEREAS**, the proposed change would increase the maximum height to 60 feet, or approximately 5 stories;

**WHEREAS**, at present, there are properties proposed to be renovated and improved to create units in this district, and an increase in height allowance to 5 stories could make affordable housing projects more financially feasible;

**WHEREAS**, the City Council has a policy to create residential units where feasible;

**WHEREAS**, the 2022 Comprehensive Plan directs the City to revise zoning regulations as needed to support the development of housing within the growth boundary and to remove barriers to development for a variety of housing types;

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

Chapter 165, Attachment 2, Schedule A of the Code of the City of Bangor is amended as shown on the attached.

LAND DEVELOPMENT

*165 Attachment 2*

**City of Bangor**

**Schedule A**

**Urban Developed Area**

**Article XIII, §§ 165-88 through 165-97**

<b>Zoning Districts</b>	<b>Maximum District Height (feet)</b>	<b>Minimum Lot Area (square feet)</b>	<b>Maximum Lot Coverage</b>	<b>Minimum Lot Width (feet)</b>	<b>Minimum Front Yard Depth (feet)</b>	<b>Minimum Side Yard Depth (feet)</b>	<b>Minimum Rear Yard Depth (feet)</b>	<b>Maximum Impervious Surface Ratio</b>	<b>Minimum Water Setback (feet)</b>	<b>Maximum Floor Area Ratio</b>
Multifamily and Service (M & SD)	45 <u>60</u>	<sup>2</sup>	50%	50	10	5	5	0.85	--	--



UNFINISHED  
BUSINESS



## **CITY COUNCIL ACTION**

---

Council Meeting Date: July 24, 2023

Item No: 23-228

Responsible Dept: Planning

Action Requested: Ordinance

Map/Lot: 004-021

### **Title, Ordinance**

---

Amending Chapter 165, Land Development Code, District Map to Re-zone Property Located on Sunset Avenue from Urban Residence 2 District (URD-2) and High-Density Residential District (HDR) to Multifamily & Service District (M&SD)

### **Summary**

---

The applicant is seeking a zone change for the property at Map-Lot 004-021, located on Sunset Avenue, from the Urban Residence 2 District (URD-2) and High-Density Residential District (HDR) to Multifamily & Service District (M&SD). The total area requested to be changed is approximately 5.6 acres and is shown in the attached exhibit.

The change to the M&SD district would allow for higher density residential and small offices, as well as less restrictive dimensional controls. The neighborhood primarily consists of M&SD, URD-2, and G&ISD lots. This area is within the growth boundary shown in the 2022 Comprehensive Plan and the future land use map in the Plan shows this area as consisting of "medium-density residential development with limited commercial and institutional uses that are complementary to the surrounding residential land uses".

### **Committee Action**

---

Committee: Planning Board

Meeting Date: August 1, 2023

Action:

For:

Against:

### **Staff Comments & Approvals**

---

City Manager

City Solicitor

Finance Director

**Introduced for:** First Reading and Referral



## **CITY COUNCIL ORDINANCE**

---

Date: July 24, 2023

Assigned to Councilor: Sprague

**ORDINANCE**, Amending Chapter 165, Land Development Code, District Map to Re-zone Property Located on Sunset Avenue from Urban Residence 2 District (URD-2) and High-Density Residential District (HDR) to Multifamily & Service District (M&SD).

**WHEREAS**, at present, the zoning of the property allows mostly medium to high-density residential and this zone change would allow for higher density residential;

**WHEREAS**, the 2022 Comprehensive Plan shows this area as consisting of "medium-density residential development with limited commercial and institutional uses that are complementary to the surrounding residential land uses";

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

Chapter 165 of the Code of the City of Bangor District Map is amended to reclassify for the property at Map-Lot 004-021, located on Sunset Avenue, from the Urban Residence 2 District (URD-2) and High-Density Residential District (HDR) to Multifamily & Service District (M&SD). The total area requested to be changed is approximately 5.6 acres and is shown in the attached map exhibits.



# COMMUNITY & ECONOMIC DEVELOPMENT

## CITY OF BANGOR

PLANNING DIVISION

### Memorandum

**To:** Honorable Bangor City Council  
Deb Laurie, City Manager

**From:** Anja Collette, Planning Analyst

**Date:** August 2, 2023

**CC:** Courtney O'Donnell, Assistant City Manager  
David Szewczyk, City Solicitor  
Anne Krieg AICP – Director of Community & Economic Development

**Re:** Planning Board Recommendation August 1, 2023  
Zone Change – Map-Lot 004-021 – Urban Residence 2 District (URD-2) and High-Density Residential District (HDR) to Multifamily and Service District (M&SD)

---

Please accept this memorandum as the recommendation from the Planning Board for the noted item. The Planning Board considered this item in a noticed public hearing on August 1, 2023.

The meeting was conducted in the Council Chambers at City Hall and on Zoom. Members in attendance in the Chambers were the Chair Reese Perkins, Vice Chair Ted Brush, and Members Don Meagher, Trish Hayes, Mike Bazinet, Ken Huhn, and Jonathan Boucher.

Sean Thies from Haley Ward presented the application. He reviewed the applicants' plans to add a 50-unit building for senior housing at this location, which is more units per building than is allowed in HDR, hence the requested change to the M&SD zone, which does not set a cap on the number of units per building.

From the staff memo:

- A. The applicant is seeking a zone change for the property on Sunset Avenue, Map-Lot 004-021, from Urban Residence 2 District (URD-2) and High-Density Residential District (HDR) to Multifamily & Service District (M&SD).
- B. The change to the M&SD district would allow for higher density residential and small offices, as well as less restrictive dimensional controls. The neighborhood primarily consists of M&SD, URD-2, and G&ISD lots.
- C. This area is within the growth boundary shown in the 2022 Comprehensive Plan and the future land use map in the Plan shows this area as consisting of "medium-density residential development with limited commercial and institutional uses that are complementary to the surrounding residential land uses".

There were no comments from the Board or the public.



CITY OF BANGOR PLANNING DIVISION  
PLANNING BOARD RECOMMENDATION TO CITY COUNCIL 8.1.23  
**Sunset Avenue – Map-Lot 004-021**

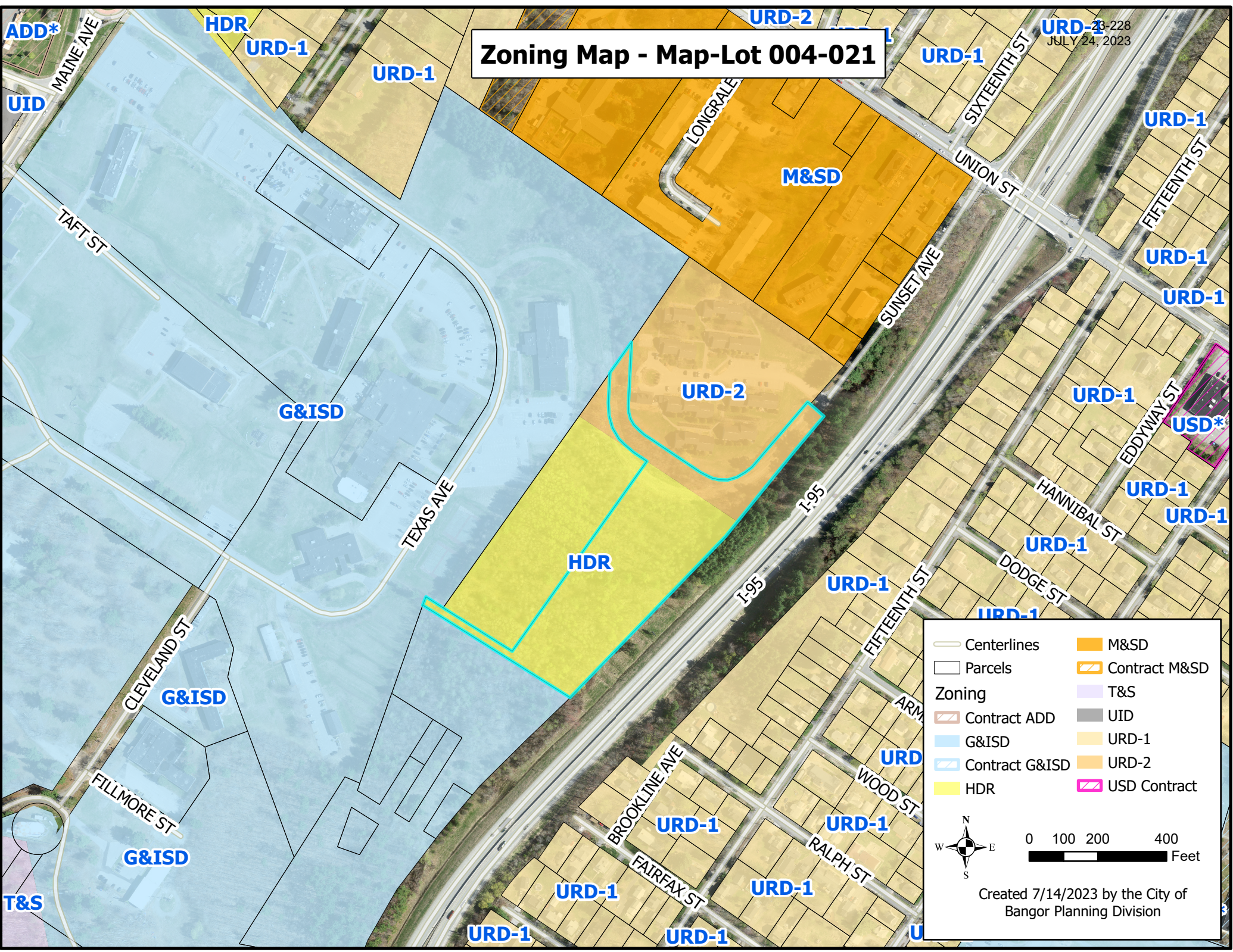
Member Huhn made a motion to recommend to the City Council that the proposed zone change ought to pass. Vice Chair Brush seconded the motion. The motion passed 7:0 with all members voting to approve.

Anja Collette



# Zoning Map - Map-Lot 004-021

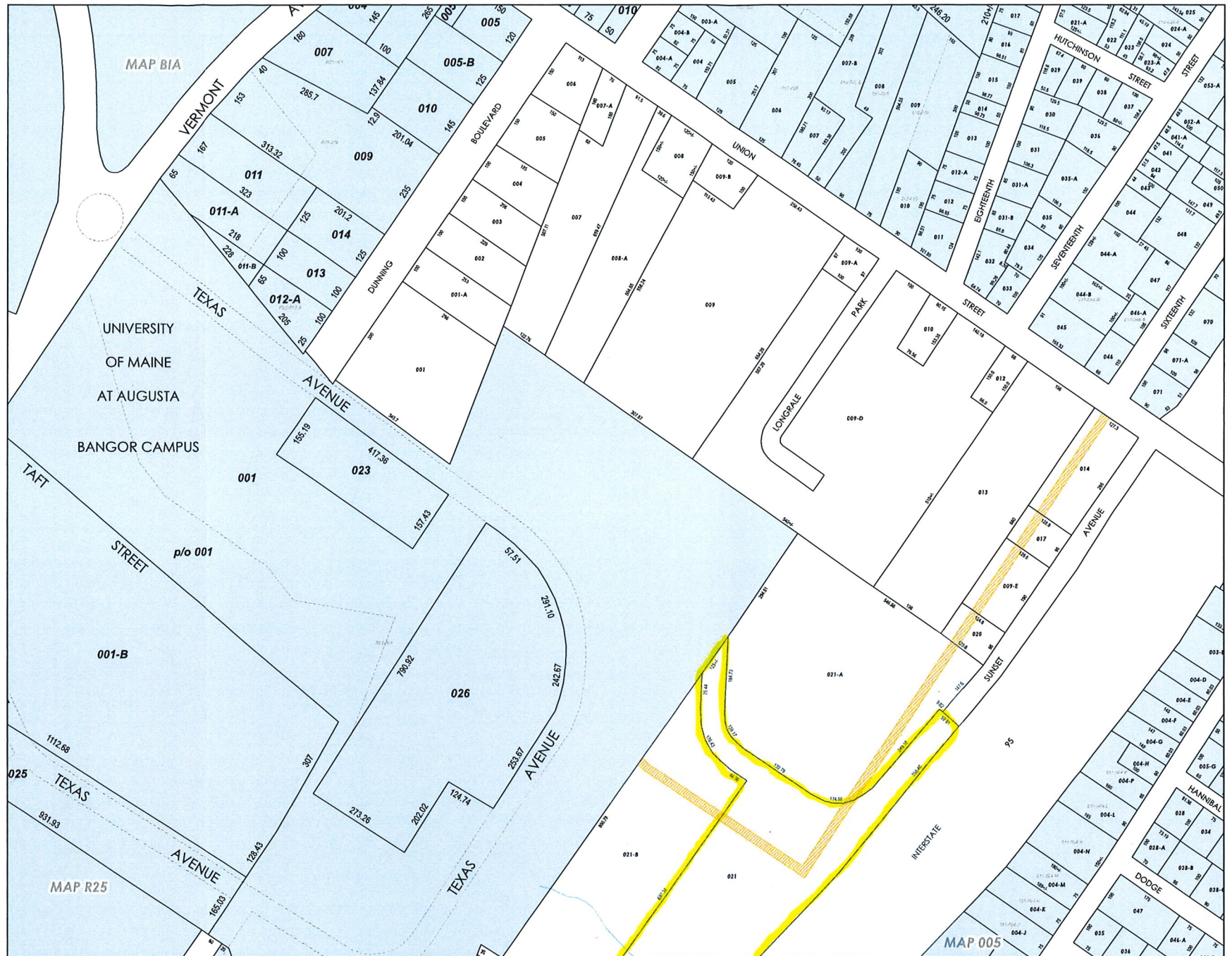
13-228  
JULY 24, 2023



	Centerlines		M&SD
	Parcels		Contract M&SD
<b>Zoning</b>			T&S
	Contract ADD		UID
	G&ISD		URD-1
	Contract G&ISD		URD-2
	HDR		USD Contract

Created 7/14/2023 by the City of Bangor Planning Division





RECEIVED

JUL 14 2023

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PARCEL MAPS



City of  
BANGOR, MAINE

Legend

- Property Line
- Lot Hook
- Old Property Line
- Use / Deed Encumbrance
- Sublot
- Waterway
- Pond (Natural/Manmade)
- Wetland
- 001** Parcel Number
- 100.0** Dimension

EFFECTIVE DATE:  
APRIL 1, 2022

PRINT DATE:  
JULY 06, 2022

Revisions:



Feet  
0 50 100 150 200  
1" = 100' @ 24x36

FOR ASSESSMENT PURPOSES ONLY.  
NOT TO BE USED FOR TRANSFERS  
OR CONVEYANCES. NOT A SURVEY.  
Wetlands Source: City of Bangor GIS.

004



RECEIVED

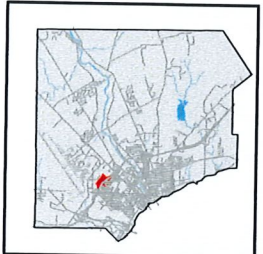
JUL 14 2023

C & ED and Planning

MAP R25

MAP 005





PARCEL MAPS



City of  
BANGOR, MAINE

Legend

- Property Line
- Lot Hook
- Old Property Line
- Use / Deed Encumbrance
- Sublot
- Waterway
- Pond (Natural/Mannmade)
- Wetland
- 001** Parcel Number
- 100.0** Dimension

EFFECTIVE DATE:  
APRIL 1, 2022

PRINT DATE:  
JULY 06, 2022

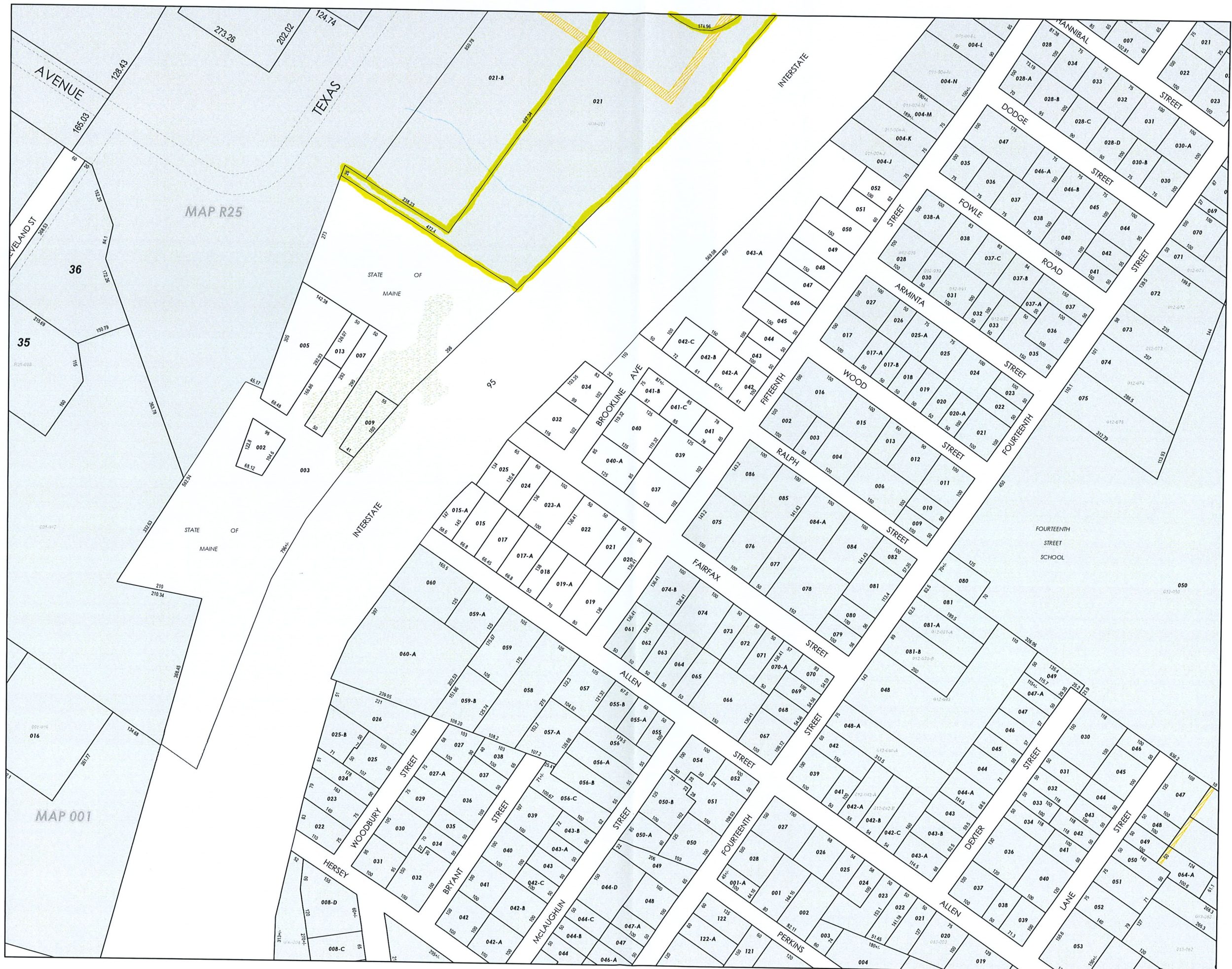
Revisions:



Feet  
0 50 100 150 200  
1" = 100' @ 24x36

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Wetlands Source: City of Bangor GIS.

005



RECEIVED  
JUL 14 2023  
C & ED and Planning





## **CITY COUNCIL ACTION**

---

Council Meeting Date: July 24, 2023

Item No: 23-229

Responsible Dept: Planning

Action Requested: Ordinance

Map/Lot: R21-006

### **Title, Ordinance**

---

Amending Chapter 165, Land Development Code, District Map to Re-zone Portion of Property Located on Finson Road from Rural Residence & Agricultural District (RR&A) to Low-Density Residential District (LDR)

### **Summary**

---

The applicant is seeking a zone change for a portion of the property Map-Lot R21-006, located on Finson Road, from the Rural Residence & Agricultural District (RR&A) to Low-Density Residential District (LDR). The total area requested to be changed is approximately 10.5 acres and is shown in the attached exhibit.

The change to the LDR district would allow for mostly similar residential uses, but would additionally allow attached residential. Some uses that are allowed in RR&A, such as agriculture, camping areas, and similar uses would no longer be allowed.

The neighborhood has a mix of RR&A, LDR, HDR, RP, and G&ISD lots. This area is just outside the growth boundary shown in the 2022 Comprehensive Plan and the future land use map in the Plan shows this area as consisting of "low-density residential areas where open space and farmland is a primary feature of the landscape" and not generally being served by municipal water or sewer service.

### **Committee Action**

---

Committee: Planning Board

Meeting Date: August 1, 2023

Action:

For:

Against:

### **Staff Comments & Approvals**

---

City Manager

City Solicitor

Finance Director

**Introduced for:** First Reading and Referral



## CITY COUNCIL ORDINANCE

---

Date: July 24, 2023

Assigned to Councilor: Davitt

**ORDINANCE**, Amending Chapter 165, Land Development Code, District Map to Re-zone Portion of Property Located on Finson Road from Rural Residence & Agricultural District (RR&A) to Low-Density Residential District (LDR).

**WHEREAS**, at present, the zoning of the property allows mostly low-density residential and agricultural uses and this zone change would allow for a greater variety of residential uses;

**WHEREAS**, the 2022 Comprehensive Plan shows this area as consisting of "low-density residential areas where open space and farmland is a primary feature of the landscape" and not generally being served by municipal water or sewer service;

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

Chapter 165 of the Code of the City of Bangor District Map is amended to reclassify a portion of the property Map-Lot R21-006, located on Finson Road, from the Rural Residence & Agricultural District (RR&A) to Low-Density Residential District (LDR). The total area requested to be changed is approximately 10.5 acres and is shown in the attached exhibit titled "Proposed Zoning Change – Finson Road, Map R21 Lot 006 – Bob Verrill – June 30, 2023".



# COMMUNITY & ECONOMIC DEVELOPMENT

## CITY OF BANGOR

PLANNING DIVISION

### Memorandum

**To:** Honorable Bangor City Council  
Deb Laurie, City Manager

**From:** Anja Collette, Planning Analyst

**Date:** August 2, 2023

**CC:** Courtney O'Donnell, Assistant City Manager  
David Szewczyk, City Solicitor  
Anne Krieg AICP – Director of Community & Economic Development

**Re:** Planning Board Recommendation August 1, 2023  
Zone Change – Map-Lot R21-006 – Rural Residence & Agricultural District  
(RR&A) to Low-Density Residential District (LDR)

---

Please accept this memorandum as the recommendation from the Planning Board for the noted item. The Planning Board considered this item in a noticed public hearing on August 1, 2023.

The meeting was conducted in the Council Chambers at City Hall and on Zoom. Members in attendance in the Chambers were the Chair Reese Perkins, Vice Chair Ted Brush, and Members Don Meagher, Trish Hayes, Mike Bazinet, Ken Huhn, and Jonathan Boucher.

Shelly Lizotte from Artifex presented the application. She reviewed the applicants' plans to construct attached residential at this location and described the change to the LDR district as fitting in with other uses in the area and with the zone of LDR on adjacent properties.

From the staff memo:

- A. The applicant is seeking a zone change for property on Finson Road, a portion of Map-Lot R21-006, from Rural Residence & Agricultural District (RR&A) to Low-Density Residential District (LDR).
- B. The change to the LDR district would allow for mostly similar residential uses, but would additionally allow attached residential. Some uses that are allowed in RR&A, such as agriculture, camping areas, and similar uses would no longer be allowed.
- C. The neighborhood has a mix of RR&A, LDR, HDR, RP, and G&ISD lots. This area is just outside the growth boundary shown in the 2022 Comprehensive Plan and the future land use map in the Plan shows this area as consisting of "low-density residential areas where open space and farmland is a primary feature of the landscape" and not generally being served by municipal water or sewer service. Public water and sewer does not currently extend to this parcel, but it is located nearby and therefore could potentially be extended to this location.



CITY OF BANGOR PLANNING DIVISION  
PLANNING BOARD RECOMMENDATION TO CITY COUNCIL 8.1.23  
**Finson Road – Map-Lot R21-006**

Member Boucher asked if the property was located within the growth boundary. Development Director Krieg stated that it was just outside the boundary on the edge. Member Boucher asked if there were utilities at this location. Lizotte commented that there were utilities the next property over and also at the nearby intersection with Davis Road.

Chair Perkins requested clarification that utilities would not be needed for the zone change, but would be for the site plan process later on. Development Director Krieg confirmed this.

There were no comments from the public.

Member Bazinet made a motion to recommend to the City Council that the proposed zone change ought to pass. Member Meagher seconded the motion. The motion passed 7:0 with all members voting to approve.

Anja Collette





**ARTIFEX**  
architects & engineers

175 Exchange Street  
Bangor, ME 04401  
www.artifexae.com



**GRAPHIC SCALE**



(IN FEET)  
1 inch = 200 ft.

RECEIVED

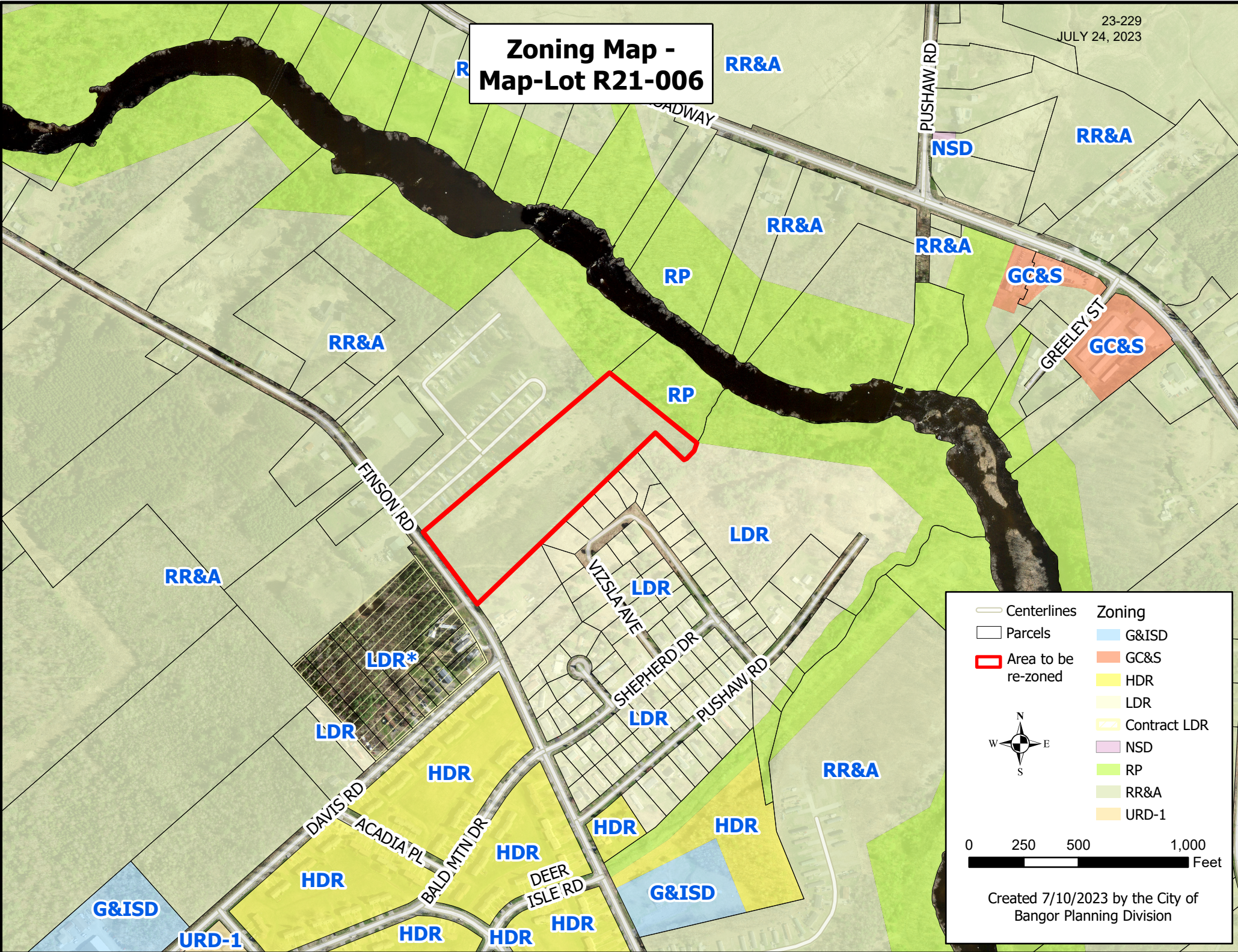
JUL 13 2023

ED and Planning

PROPOSED ZONE CHANGE  
FINSON ROAD, MAP R21 LOT 006  
BOB VERRILL  
JUNE 30, 2023



# Zoning Map - Map-Lot R21-006



Zoning	
	G&ISD
	GC&S
	HDR
	LDR
	Contract LDR
	NSD
	RP
	RR&A
	URD-1

	Centerlines
	Parcels
	Area to be re-zoned

0 250 500 1,000 Feet

Created 7/10/2023 by the City of Bangor Planning Division





**CITY COUNCIL ACTION**

07/24/2023 23-230

Council Meeting Date: 07/24/2023

Item No: 23-230

Responsible Dept: Finance

Requested Action: Order

Map/Lot: N/A

**Title, Order**

Authorizing Issuance of \$13,339,000 of the City's General Obligations Bonds and a Tax Levy Therefor

**Summary**

This Order would authorize the issuance of \$13,339,000 in general obligation bonds for the following purposes: \$3,972,400 for streets and sidewalks, \$1,005,000 for infrastructure improvements, \$800,000 for Water Quality infrastructure improvements, \$1,660,000 for equipment and vehicle replacement and \$5,901,600 for building improvements (including City Hall and the Central Kitchen). These projects were reviewed during the recently completed FY 2024 budget process.

This Order will require a Public Hearing at the August 14th City Council Meeting.

**Committee Action**

Committee:

Meeting Date:

Action:

For:

Against:

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** First Reading & Referral

Finance Committee

08/07/2023



## CITY OF BANGOR ORDER

07/24/2023 23-230

Date: 07/24/2023

Item No: 23-230

Assigned to Councilor: Hawes

Authorizing Issuance of \$13,339,000 of the City's General Obligations Bonds and a Tax Levy Therefor

Following a public hearing held upon due notice posted and published pursuant to Article VIII, Section 13 of the City Charter,

By the City Council of the City of Bangor, BE IT ORDERED:

THAT, pursuant to 30-A, §5772 of the Maine Revised Statutes, Article VIII, Sections 13 and 15 of the City Charter (Private and Special Laws of 1931, Chapter 54 and all amendments thereof and acts additional thereto), and all other authority thereto enabling, there is hereby authorized and approved the issue and sale of the City's general obligation bonds and notes in anticipation thereof, in an amount not to exceed the aggregate principal amount of Thirteen Million Three Hundred Thirty-Nine Thousand Dollars (\$13,339,000). The proceeds derived from the sale of said bonds and notes (referred to herein as the "bonds" and the "notes"), including premium, if any, and any investment earnings thereon shall be used and are hereby appropriated to pay a portion of the costs (as herein defined) of the following improvements, equipment and vehicles (the "Projects"):

Description	Amount	Estimated Life
Streets & Sidewalks	\$3,972,400	12 years
Infrastructure (includes Union Street Complex and Ohio Street Bridge)	\$1,005,000	20 years
Water Quality Infrastructure	\$800,000	20 years
Equipment (includes plow trucks, loaders, and Fire engine)	\$1,660,000	15 years
Building Improvements (includes City Hall, Central Kitchen and Fleet car wash)	\$5,901,600	20 years

BE IT FURTHER ORDERED:

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

THAT the Finance Director, with the approval of the Finance Committee, be and hereby is authorized, in the name of and on behalf of the City, to issue and sell said bonds and notes, at one time or from time-to-time, up to \$13,339,000 aggregate principal amount, which bonds and notes may be issued as physical certificates or in book-entry form pursuant to the Depository Trust Company Book-Entry Only System.

THAT the bonds and notes shall be signed by the Finance Director, countersigned by the Chair of the City Council, sealed with the seal of the City, attested by its Clerk.

THAT the Finance Director, with the approval of the Finance Committee, be and hereby is authorized, in the name of and on behalf of the City, to determine the form, dates, maturities (not to exceed the maximum term permitted by law), denominations, interest rates, place of payment, provisions for redemption prior to the stated maturity date(s), with or without a premium, as provided in Title 30-A, §5772(6) of the Maine Revised Statutes, as amended, and all other details of the bonds and notes, including the timing and provision for their sale and award, which may be through a public offering or a private placement or the general resolution program of the Maine Municipal Bond Bank (the "Bond Bank"), or some combination thereof, on a competitive or negotiated basis, or some combination thereof, his determination and approval thereof to be conclusively evidenced by the execution thereof.

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

THAT the Finance Director be and hereby is authorized, in the name of and on behalf of the City, to do or cause to be done all such acts and things, including to approve, execute and deliver all such contracts, agreements, loan agreements (including but not limited to one or more loan agreements between the City and the Bond Bank, with such usual and customary terms and provisions, not contrary to the general tenor hereof, as the Bond Bank may require), investment agreements, financial or municipal advisory agreements, underwriting agreements, bond purchase agreements, official statements, certificates, tax certificates, instruments, a Letter of Representation or other agreement required to qualify the bonds or notes for and participate in the Depository Trust Company Book-Entry Only System and such other documents (the "Bond Documents"), as may be necessary or advisable in order to accomplish the issuance of the bonds and notes, which Bond Documents may be in such form and contain such terms and provisions including, without limitation, the waiving of the City's sovereign or governmental immunity with respect to the enforceability of any of the forgoing, and such other details as he shall approve, his approval to be conclusively evidenced by his execution thereof.

THAT if the bonds or notes (or any portion thereof) are issued on a tax-exempt basis, the Finance Director be and hereby is authorized, in the name of and on behalf of the City, to covenant and certify that no part of the proceeds of the issue and sale of the bonds or notes shall be used directly or indirectly, in such a manner as would cause such bonds or notes to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 141 and 148 of the Internal Revenue Code of 1986, as amended (the "Code").

THAT if the bonds or notes (or any portion thereof) are issued on a tax-exempt basis, the Finance Director be and hereby is authorized, in the name of and on behalf of the City, to covenant and agree for the benefit of the holders of such bonds or notes, that the City will file any required reports and take any other action that may be necessary to ensure that interest on the bonds or notes will remain exempt from federal income taxation and that the City will refrain from any action that would cause interest on the bonds or notes to be subject to federal income taxation.

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

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

THAT the term "cost" or "costs" as used herein and applied to Projects, or any portion thereof, includes, but is not limited to: (1) cost of feasibility studies, surveys, environmental studies and assessments, engineering, plans and specifications, legal and other professional services associated with the Projects; (2) the cost to design, construct, renovate, refurbish, improve, acquire, replace, furnish and equip the Projects; (3) the cost of land, easements and other real property interests, landscaping and site preparation, utility extensions, all appurtenances and other fixtures, facilities, buildings and structures either on, above, or under the ground which are used or usable in connection with the Projects; (4) other costs of the Projects ancillary or related to the foregoing costs, and (5) issuance costs, including premiums for insurance, capitalized interest and other financing charges, fees and expenses relating to the financing transaction.

THAT the proceeds of the bonds and notes (including premium), if any, and the investment earnings thereon, if any, be and hereby are appropriated for the following purposes, to be selected by the Finance Director:

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

THAT if the actual cost of any Project differs from the estimated cost, whether due to completion, delay or abandonment of such Project, or for any other reason, the Finance Director is authorized, in his sole discretion, to reallocate proceeds of the bonds or notes to any other Project or to any other project or improvement that the City Council has approved or may in the future approve as part of the City's annual capital improvement plan.

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

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

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

THAT if, following issuance of some but less than all of the bonds authorized hereby, the Finance Director determines, in his sole discretion, that the remaining authorized but unissued bonds will not be issued in furtherance of the Projects, then the Finance Director is authorized, in the name of and on behalf of the City, to note on the financial books and records of the City, in the form and manner as she shall determine to be appropriate, that such authorized but unissued bonds will not be issued, following which notation the remaining unissued bonds shall not thereafter be issued and the authority established pursuant to this Order to issue such remaining unissued bonds shall be extinguished and of no further force and effect.

THAT the City may pay certain costs of the Projects prior to the issuance of the bonds and notes authorized hereby (referred to as "original expenditures"); to that end, the City hereby declares its official intent to reimburse itself for such original expenditures from the proceeds of such bonds and notes, and this Order shall constitute the City's declaration of official intent pursuant to Treasury Regulation §1.150-2.





**CITY COUNCIL ACTION**

07/24/2023 23-231

Council Meeting Date: 07/24/2023

Item No: 23-231

Responsible Dept: Finance

Requested Action: Order

Map/Lot: N/A

**Title, Order**

Authorizing a Loan in the Amount of \$1,000,000 from the Maine Municipal Bond Bank State Revolving Fund, and the Issuance of the City's General Obligation Bonds and a Tax Levy Therefor

**Summary**

This Order would authorize a loan in the amount of \$1,000,000 from the Maine Municipal Bond Bank State Revolving Fund (SRF) and the issuance of the City's general obligation bonds. These funds would be used fund the repair and upgrade of the Aeration system, and the upgrade to the Barkersville Regulator Structure.

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

This Order will require a Public Hearing at the August 14th City Council Meeting.

**Committee Action**

Committee:

Meeting Date:

Action:

For:

Against:

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** First Reading & Referral

Finance Committee

08/07/2023



## CITY OF BANGOR ORDER

07/24/2023 23-231

Date: 07/24/2023

Item No: 23-231

Assigned to Councilor: Leonard

Authorizing a Loan in the Amount of \$1,000,000 from the Maine Municipal Bond Bank State Revolving Fund, and the Issuance of the City's General Obligation Bonds and a Tax Levy Therefor

Following a public hearing held upon due notice posted and published pursuant to Article VIII, Section 13 of the City Charter,

By the City Council of the City of Bangor, BE IT ORDERED:

THAT, the Finance Director is hereby authorized, in the name of and on behalf of the City, to borrow an amount not to exceed \$1,000,000 at any one time outstanding from the Maine Municipal Bond Bank (the "Bond Bank") pursuant to its Revolving Loan Fund program to pay a portion of the costs (as herein defined) of the following improvements (the "Project"):

Description	Amount	Estimated Life
Meadowbrook Regulator and Separation	\$1,000,000	20 years

BE IT FURTHER ORDERED:

THAT pursuant to 30-A, §5772 of the Maine Revised Statutes, Article VIII, Sections 13 and 15 of the City Charter (Private and Special Laws of 1931, Chapter 54 and all amendments thereof and acts additional thereto), and all other authority thereto enabling, in furtherance of said loan, there is hereby authorized and approved the issue and sale of the City's general obligation bonds and notes in anticipation thereof, in an amount not to exceed the aggregate principal amount of One Million Dollars (\$1,000,000). The proceeds derived from the sale of said bonds and notes (referred to herein as the "bonds" and the "notes"), including premium, if any, and any investment earnings thereon shall be used and are hereby appropriated to pay a portion of the costs of the Project.

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

THAT the Finance Director, with the approval of the Finance Committee, be and hereby is authorized, in the name of and on behalf of the City, to issue and sell said bonds and notes, at one time or from time-to-time, up to \$1,000,000 aggregate principal amount.

THAT the bonds and notes shall be signed by the Finance Director, countersigned by the Chair of the City Council, sealed with the seal of the City, attested by its Clerk.

THAT the Finance Director, with the approval of the Finance Committee, be and hereby is authorized, in the name of and on behalf of the City, to determine the form, dates, maturities (not to exceed the maximum term permitted by law), denominations, interest rates, place of payment, provisions for redemption prior to the stated maturity date(s), with or without a premium, as provided in Title 30-A, §5772(6) of the Maine Revised Statutes, as amended, and all other details of the bonds and notes, including the timing and provision for their sale and award, on a competitive or negotiated basis, or some combination thereof, his determination and approval thereof to be conclusively evidenced by the execution thereof.

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

THAT the Finance Director be and hereby is authorized, in the name of and on behalf of the City, to do or cause to be done all such acts and things, including to approve, execute and deliver all such contracts, agreements, loan agreements (including but not limited to one or more loan agreements between the City and the Bond Bank, with such usual and customary terms and provisions, not contrary to the general tenor hereof, as the Bond Bank may require), investment agreements, financial or municipal advisory agreements, underwriting agreements, bond purchase agreements, official statements, certificates, tax certificates, instruments, a Letter of Representation or other agreement required to qualify the bonds or notes for and participate in the Depository Trust Company Book-Entry Only System and such other documents (the "Bond Documents"), as may be necessary or advisable in order to accomplish the issuance of the bonds and notes, which Bond Documents may be in such form and contain such terms and provisions including, without limitation, the waiving of the City's sovereign or governmental immunity with respect to the enforceability of any of the forgoing, and such other details as he shall approve, his approval to be conclusively evidenced by his execution thereof.

THAT if the bonds or notes (or any portion thereof) are issued on a tax-exempt basis, the Finance Director be and hereby is authorized, in the name of and on behalf of the City, to covenant and certify that no part of the proceeds of the issue and sale of the bonds or notes shall be used directly or indirectly, in such a manner as would cause such bonds or notes to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 141 and 148 of the Internal Revenue Code of 1986, as amended (the "Code").

THAT if the bonds or notes (or any portion thereof) are issued on a tax-exempt basis, the Finance Director be and hereby is authorized, in the name of and on behalf of the City, to covenant and agree for the benefit of the holders of such bonds or notes, that the City will file any required reports and take any other action that may be necessary to ensure that interest on the bonds or notes will remain exempt from federal income taxation and that the City will refrain from any action that would cause interest on the bonds or notes to be subject to federal income taxation.

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

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

THAT the term "cost" or "costs" as used herein and applied to Projects, or any portion thereof, includes, but is not limited to: (1) cost of feasibility studies, surveys, environmental studies and assessments, engineering,

plans and specifications, legal and other professional services associated with the Projects; (2) the cost to design, construct, renovate, refurbish, improve, acquire, replace, furnish and equip the Projects; (3) the cost of land, easements and other real property interests, landscaping and site preparation, utility extensions, all appurtenances and other fixtures, facilities, buildings and structures either on, above, or under the ground which are used or usable in connection with the Projects; (4) other costs of the Projects ancillary or related to the foregoing costs, and (5) issuance costs, including premiums for insurance, capitalized interest and other financing charges, fees and expenses relating to the financing transaction.

THAT the proceeds of the bonds and notes (including premium), if any, and the investment earnings thereon, if any, be and hereby are appropriated for the following purposes, to be selected by the Finance Director:

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

THAT if the actual cost of any Project differs from the estimated cost, whether due to completion, delay or abandonment of such Project, or for any other reason, the Finance Director is authorized, in his sole discretion, to reallocate proceeds of the bonds or notes to any other Project or to any other project or improvement that the City Council has approved or may in the future approve as part of the City's annual capital improvement plan.

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

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

THAT any issue of bonds may be consolidated with and issued at the same time as any other issue of bonds authorized prior to their issuance, and the bonds may be divided into multiple series and issued in separate plans of financing, with the approval of the Finance Committee.

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

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

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

THAT if, following issuance of some but less than all of the bonds authorized hereby, the Finance Director determines, in his sole discretion, that the remaining authorized but unissued bonds will not be issued in furtherance of the Projects, then the Finance Director is authorized, in the name of and on behalf of the City, to note on the financial books and records of the City, in the form and manner as she shall determine to be

appropriate, that such authorized but unissued bonds will not be issued, following which notation the remaining unissued bonds shall not thereafter be issued and the authority established pursuant to this Order to issue such remaining unissued bonds shall be extinguished and of no further force and effect.

THAT the City may pay certain costs of the Projects prior to the issuance of the bonds and notes authorized hereby (referred to as "original expenditures"); to that end, the City hereby declares its official intent to reimburse itself for such original expenditures from the proceeds of such bonds and notes, and this Order shall constitute the City's declaration of official intent pursuant to Treasury Regulation §1.150-2.





## **CITY OF BANGOR RESOLVE**

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07/24/2023 23-232

Date: 07/24/2023

Item No: 23-232

Assigned to Councilor: Yacoubagha

Appropriating an Amount not to Exceed \$1,500,000 from the Airport Unappropriated Fund Balance to Fund Anticipated Emergency Repairs to the Airport 600 Cargo Ramp and Runway

Be it Resolved by the City Council of the City of Bangor that, an amount not to exceed \$1,500,000 is hereby appropriated from the Airport Unappropriated Fund Balance for anticipated emergency repairs to the Airport 600 cargo ramp area and runway alkali-silica reactions.





**CITY COUNCIL ACTION**

07/24/2023 23-233

Council Meeting Date: 07/24/2023

Item No: 23-233

Responsible Dept: Health & Community Services

Requested Action: Resolve

Map/Lot: N/A

**Title, Resolve**

Accepting and Appropriating a Grant Amendment in the Amount of \$103,000 for Bangor Public Health and Community Services' Public Health Infrastructure Enhancement Grant with Maine Center for Disease Control

**Summary**

This Resolve authorizes a grant amendment in the amount of \$103,000 with the Maine Center for Disease Control (CDC) for our existing infrastructure enhancement grant.

On September 27, 2021, Resolve 21-351 was passed to accept and appropriate grant funds in the amount of \$564,834 to support public health infrastructure enhancements at Bangor Public Health and Community Services. The actual funding awarded by Maine CDC was increased by \$12,959 for a total of \$577,793 and was authorized on January 24, 2022 by Order 22-074. In year two of this grant, beginning July 1, 2022, the Maine CDC further increased the contract amount by \$37,506 and acceptance was authorized on September 12, 2022 via Resolve 22-290.

Beginning July 1, 2023, the Maine CDC further increased the contract amount by \$103,000. These additional funds, provided by the state of Maine, will be used to "expand, train, and sustain response-ready public health work force," will support portions of several existing positions within the department currently funded by this grant, and will support Bangor Public Health and Community Services' efforts towards becoming nationally accredited by the Public Health Accreditation Board.

**Committee Action**

Committee: Government Operations Committee

Action: Recommend for passage

Meeting Date: 07/17/2023

For:

Against:

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** First Reading



## CITY OF BANGOR RESOLVE

07/24/2023 23-233

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Date: 07/24/2023

Item No: 23-233

Assigned to Councilor: Tremble

Accepting and Appropriating a Grant Amendment in the Amount of \$103,000 for Bangor Public Health and Community Services' Public Health Infrastructure Enhancement Grant with Maine Center for Disease Control

Be it Resolved by the City Council of the City of Bangor that, the City Manager is authorized to accept and appropriate \$103,000 from the Maine Department of Health and Human Services to continue implementing a public health infrastructure grant.

Whereas; the City of Bangor has previously accepted \$564,834 in grant funds from the state of Maine to enhance the public health infrastructure at Bangor Public Health and Community Services, and

Whereas; the City of Bangor has previously accepted \$12,959 in grant funds from the state of Maine to enhance the public health infrastructure at Bangor Public Health and Community Services, and

Whereas; the City of Bangor has previously accepted \$37,506 in grant funds from the state of Maine to enhance the public health infrastructure at Bangor Public Health and Community Services, and

Whereas; the state of Maine has additional funds in the amount of \$103,000 to contribute to Bangor Public Health and Community Services' public health infrastructure,

Be it Ordered by the City Council of the City of Bangor that, the City Manager is authorized to accept and appropriate an additional \$103,000 in public health infrastructure funds provided through the State of Maine for the Infrastructure Enhancement Grant.



NEW BUSINESS



**CITY COUNCIL ACTION**

08/14/2023 23-247

Council Meeting Date: 08/14/2023

Item No: 23-247

Responsible Dept: City Manager

Requested Action: Order

Map/Lot: N/A

**Title, Order**

Authorizing the Allocation of \$500,000 in State and Local Fiscal Recovery Funds to Fund the Construction of Health Clinic Spaces within the Bangor School Departments Two Middle Schools

**Summary**

This Order will allocated \$500,000 in State and Local Fiscal Recovery Funds (AKA ARPA Funds) to construct health clinic spaces at the William S Cohen and James F Doughty middles schools.

The health clinic at Bangor High School has been invaluable in serving the physical and behavioral needs of our students. The pandemic resulted in an increase need to support our students overall health. Studies have demonstrated that in-school health clinics have resulted in increased vaccination rates, reduced emergency room and hospital visits, and improvements in grades and attendance. Ensuring all middle school students have access to these critical services will enhance the equitable opportunity to enable our students to be healthier individuals and students.

This award is in support of the following:

- One-time funding that will support the capital costs associated with the creation of dedicated health clinic space within the City's two public middle schools.
- This award will support the public health of our students.

**Committee Action**

Committee: Government Operations Committee

Meeting Date: 08/08/2023

Action: Recommend for passage

For: 8

Against: 0

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** New Business



## **CITY OF BANGOR ORDER**

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08/14/2023 23-247

Date: 08/14/2023

Item No: 23-247

Assigned to Councilor: Schaefer

Authorizing the Allocation of \$500,000 in State and Local Fiscal Recovery Funds to Fund the Construction of Health Clinic Spaces within the Bangor School Departments Two Middle Schools

WHEREAS, the State and Local Fiscal Recovery Funds Act identifies Public Health as an eligible expenditure category; and

WHEREAS, the City would like to build on the success of the Bangor High School in-school health clinic; and

WHEREAS, enabling equitable access to physical and behavioral health for our middle school students was identified as a priority by the School Committee;

Now, Therefore, Be it Ordered by the City Council of the City of Bangor that, \$500,000 in State and Local Fiscal Recovery Funds are allocated for the purpose of funding the capital costs associated with the construction of health clinic spaces within the Bangor School Departments two middle schools.



**CITY COUNCIL ACTION**

08/14/2023 23-248

Council Meeting Date: 08/14/2023

Item No: 23-248

Responsible Dept: City Manager

Requested Action: Order

Map/Lot: N/A

**Title, Order**

Authorizing Award of \$100,000 in State and Local Fiscal Recovery Funds to Fund the Christine B Foundation to Support the Site Design and Planning of the Construction of a Nutritional Health Facility

**Summary**

This Order will authorize the award of \$100,000 in State and Local Fiscal Recovery Funds (AKA ARPA Funds) to support the site design and planning of the construction of a nutritional health facility.

There are a number of initiatives at both the Federal and State level focused on the development of nutritional health efforts. This project will serve as a key component of the systematic improvement in care in our area.

This award is in support of the following:

- One-time funding to support the site design and planning for the construction of a nutritional health facility.
- This award will augment our community's cancer prevention and treatment resources through the development and expansion of access to nutritional assistance and education.

**Committee Action**

Committee: Council Workshop  
Action: Recommend for passage

Meeting Date: 08/07/2023  
For: 8                      Against: 0

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** New Business



## CITY OF BANGOR ORDER

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08/14/2023 23-248

Date: 08/14/2023

Item No: 23-248

Assigned to Councilor: Hawes

Authorizing Award of \$100,000 in State and Local Fiscal Recovery Funds to Fund the Christine B Foundation to Support the Site Design and Planning of the Construction of a Nutritional Health Facility

WHEREAS, in conjunction with the Heart of Maine United Way, the City of Bangor conducted an open and public application process to determine distribution of State and Local Fiscal Recovery Funds; and

WHEREAS, the application from the Christine B Foundation to provide funding to support expanded access to nutritional health resources; and

WHEREAS, the award will provide one-time funding to support the site design and planning phase for the creation of, a first in the State, medical nutritional health facility focused on cancer prevention and treatment;

Now, Therefore, Be it Ordered by the City Council of the City of Bangor that, \$100,000 in State and Local Fiscal Recovery Funds are awarded to the Christine B Foundation for site design and planning costs related to the creation of a medical nutritional health facility.



**CITY COUNCIL ACTION**

08/14/2023 23-249

Council Meeting Date: 08/14/2023

Item No: 23-249

Responsible Dept: City Manager

Requested Action: Order

Map/Lot: N/A

**Title, Order**

Authorizing Award of \$2,000,000 in State and Local Fiscal Recovery Funds to Support Bangor Housing Development Corporation's Sunset Avenue Housing Projects

**Summary**

This Order would authorize the award of \$2,000,000 in State and Local Fiscal Recovery Funds (aka ARPA funds) to Bangor Housing Development Corporation for infrastructure (water, sewer, roadway and broadband) and general construction costs associated with a two-phase housing project on Sunset Avenue.

Bangor Housing Development Corporation is developing a two phase housing project for persons 55 and older. The current wait list for older adult housing is 6-7 years. Each of the two phases would result in the creation of 50 units of housing for older adults.

This funding award would provide the necessary funding for the installation of the necessary utilities to service both projects.

This award is in support of the following:

- Investment in affordable housing
- Investment in water and sewer projects

**Committee Action**

Committee: Council Workshop  
Action: Recommend for passage

Meeting Date: 07/24/2023  
For: 8                      Against: 0

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** New Business





## **CITY OF BANGOR ORDER**

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08/14/2023 23-249

Date: 08/14/2023

Item No: 23-249

Assigned to Councilor: Sprague

Authorizing Award of \$2,000,000 in State and Local Fiscal Recovery Funds to Support Bangor Housing Development Corporation's Sunset Avenue Housing Projects

WHEREAS, in conjunction with the Heart of Maine United Way, the City of Bangor conducted an open and public application process to determine distribution of State and Local Fiscal Recovery Funds; and

WHEREAS, the application from the Bangor Housing Development Corporation to support affordable housing projects ranked highly in the initial citizen panel review process; and

WHEREAS, the award will provide one-time funding to support the development of affordable housing for persons 55 and older within our community;

Now, Therefore, Be it Ordered by the City Council of the City of Bangor that, \$2,000,000 in State and Local Fiscal Recovery Funds are awarded to Bangor Housing Development Corporation in support of Sunset Avenue affordable housing projects.



**CITY COUNCIL ACTION**

08/14/2023 23-250

Council Meeting Date: 08/14/2023

Item No: 23-250

Responsible Dept: City Manager

Requested Action: Order

Map/Lot: N/A

**Title, Order**

Authorizing Award of \$75,000 in State and Local Fiscal Recovery Funds to Food and Medicine to Support the Expansion and Start-up Operating Costs of Community Gardens in Bangor

**Summary**

This Order would authorize the award of \$75,000 in State and Local Fiscal Recovery Funds (AKA ARPA funds) to Food and Medicine for the expansion and start-up operating costs of community gardens in Bangor.

Food and Medicine will build additional raised bed gardens in underserved Bangor neighborhoods and establish a system of trained volunteer garden coordinators. The project will increase local food production as well as involve outreach and education while building a sense of community.

This award is in support of the following:

- One-time funding that will support the capital and start up operating costs to expand the availability of food and build a sense of community in underserved Bangor neighborhoods.

**Committee Action**

Committee: Council Workshop  
Action: Recommend for passage

Meeting Date: 07/24/2023  
For: 8                      Against: 0

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** New Business



## CITY OF BANGOR ORDER

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08/14/2023 23-250

Date: 08/14/2023

Item No: 23-250

Assigned to Councilor: Leonard

Authorizing Award of \$75,000 in State and Local Fiscal Recovery Funds to Food and Medicine to Support the Expansion and Start-up Operating Costs of Community Gardens in Bangor

WHEREAS, in conjunction with the Heart of Maine United Way, the City of Bangor conducted an open and public application process to determine distribution of State and Local Fiscal Recovery Funds; and

WHEREAS, the application from Food and Medicine to support the expansion and start-up operating costs of community gardens in Bangor ranked highly in the initial citizen panel review; and

WHEREAS, the award will provide one-time funding to support capital costs and start-up operating costs for the expansion of community gardens in underserved Bangor neighborhoods;

Now, Therefore, Be it Ordered by the City Council of the City of Bangor that, \$75,000 in State and Local Fiscal Recovery Funds are awarded to Food and Medicine in support of capital and start-up operating costs to expand community gardens in underserved Bangor neighborhoods.



**CITY COUNCIL ACTION**

08/14/2023 23-251

Council Meeting Date: 08/14/2023

Item No: 23-251

Responsible Dept: City Manager

Requested Action: Order

Map/Lot: N/A

**Title, Order**

Authorizing Award of \$40,000 in State and Local Fiscal Recovery Funds to Support Capital and Fit Out Costs to Relocate the Bangor Arts Exchange Operated by Bangor Symphony Orchestra

**Summary**

This Order would authorize the award of \$40,000 in State and Local Fiscal Recovery Funds (aka ARPA funds) to Bangor Symphony Orchestra for the capital and fit out costs (stage, lighting, technology, signage, table and chairs) associated with the relocation of its Bangor Arts Exchange operation.

Bangor Arts Exchange was established by Bangor Symphony Orchestra to provide a home to many founding partners, several other arts organizations and artists and serves as a mixed-use arts and event space open to all. Due to a planned renovation of the existing space, the organization will be relocating to nearby modern, ground-level space with a modern HVAC system.

This award is in support of the following:

- One-time funding that will support the capital and fit out costs to relocate the current Bangor Arts Exchange operation.
- This award will support a long-tenured non-profit to overcome the negative economic impacts experienced as a result of the pandemic.

**Committee Action**

Committee: Council Workshop  
Action: Recommend for passage

Meeting Date: 07/24/2023  
For: 7                      Against: 1

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** New Business



## CITY OF BANGOR ORDER

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08/14/2023 23-251

Date: 08/14/2023

Item No: 23-251

Assigned to Councilor: Pelletier

Authorizing Award of \$40,000 in State and Local Fiscal Recovery Funds to Support Capital and Fit Out Costs to Relocate the Bangor Arts Exchange Operated by Bangor Symphony Orchestra

WHEREAS, in conjunction with the Heart of Maine United Way, the City of Bangor conducted an open and public application process to determine distribution of State and Local Fiscal Recovery Funds; and

WHEREAS, the application from the Bangor Symphony Orchestra to support their relocation of the Bangor Arts Exchange operation ranked highly in the initial citizen panel review process; and

WHEREAS, the award will provide one-time funding to support capital and fit out costs to relocate the Bangor Arts Exchange;

Now, Therefore, Be it Ordered by the City Council of the City of Bangor that, \$40,000 in State and Local Fiscal Recovery Funds are awarded to Bangor Symphony Orchestra in support of capital and fit out costs to relocate the Bangor Arts Exchange operation.



**CITY COUNCIL ACTION**

08/14/2023 23-252

Council Meeting Date: 08/14/2023

Item No: 23-252

Responsible Dept: City Manager

Requested Action: Order

Map/Lot: N/A

**Title, Order**

Authorizing Award of \$1,000,000 in State and Local Fiscal Recovery Funds to Habitat for Humanity Greater Bangor to Develop Single Family Homes

**Summary**

This Order would authorize the award of \$1,000,000 in State and Local Fiscal Recovery Funds (aka ARPA funds) to Habitat for Humanity Greater Bangor to develop a single family home neighborhood in Bangor.

Habitat for Humanity plans hire a project manager to oversee the acquisition and construction of a neighborhood of single family homes. This project was proposed as an investment in their capacity to augment their historical model of completing one home at a time. With the escalating costs of new construction, the ability to mobilize contractors on one site, was identified as a cost effective and efficient means by which to increase new single family homeownership opportunities in Bangor.

This award is in support of the following:

- One-time funding that will support the construction of up to 6 single family affordable homes in Bangor.

**Committee Action**

Committee: Council Workshop  
Action: Recommend for passage

Meeting Date: 08/07/2023  
For: 8                      Against: 0

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** New Business



## **CITY OF BANGOR ORDER**

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08/14/2023 23-252

Date: 08/14/2023

Item No: 23-252

Assigned to Councilor: Leonard

Authorizing Award of \$1,000,000 in State and Local Fiscal Recovery Funds to Habitat for Humanity Greater Bangor to Develop Single Family Homes

WHEREAS, in conjunction with the Heart of Maine United Way, the City of Bangor conducted an open and public application process to determine distribution of State and Local Fiscal Recovery Funds; and

WHEREAS, the application from the Habitat for Humanity Greater Bangor to support the construction of affordable single family housing in Bangor ranked highly in the initial citizen panel review process; and

WHEREAS, the award will provide one-time funding to support the development of up to six single family affordable homes in Bangor;

Now, Therefore, Be it Ordered by the City Council of the City of Bangor that, \$1,000,000 in State and Local Fiscal Recovery Funds are awarded to Habitat for Humanity Greater Bangor to support the construction of single family homes in Bangor.



**CITY COUNCIL ACTION**

08/14/2023 23-253

Council Meeting Date: 08/14/2023

Item No: 23-253

Responsible Dept: City Manager

Requested Action: Order

Map/Lot: N/A

**Title, Order**

Authorizing Award of \$70,700 in State and Local Fiscal Recovery Funds to Provide the Start Up Funding for a Program Manager at the Maine Multicultural Center

**Summary**

This Order will authorize the award of \$70,700 in State and Local Fiscal Recovery Funds (AKA ARPA Funds) to fund the start up operating costs associated with a program manager position at the Maine Multicultural Center.

The Maine Multicultural Center is advancing a multi-pronged approach in the promotion of community enrichment and economic growth by attracting, retaining, supporting and integrating people of diverse cultures and backgrounds into the Greater Bangor region. Through the provision of robust outreach, education and integrative supports, their project will support the housing and service needs of new Mainers as well as the region's workforce needs.

This award is in support of the following:

- One-time funding that will support the start up operating costs associated with a program manager position. With the passage of LD 320, funding for this position has been secured from the State of Maine beginning July 1, 2024.
- This award will support the needs of new Mainers in obtaining safe, permanent housing and increasing the workforce.

**Committee Action**

Committee: Council Workshop  
Action: Recommend for passage

Meeting Date: 08/07/2023  
For: 8                      Against: 0

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** New Business





## **CITY OF BANGOR ORDER**

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08/14/2023 23-253

Date: 08/14/2023

Item No: 23-253

Assigned to Councilor: Schaefer

Authorizing Award of \$70,700 in State and Local Fiscal Recovery Funds to Provide the Start Up Funding for a Program Manager at the Maine Multicultural Center

WHEREAS, in conjunction with the Heart of Maine United Way, the City of Bangor conducted an open and public application process to determine distribution of State and Local Fiscal Recovery Funds; and

WHEREAS, the application from the Maine Multicultural Center to provide start up operating funds to support the hiring of a full-time program manager ranked highly in the initial citizen panel review process; and

WHEREAS, the award will provide one-time funding to support the start up funding necessary to hire a full-time program manager;

Now, Therefore, Be it Ordered by the City Council of the City of Bangor that, \$70,700 in State and Local Fiscal Recovery Funds are awarded to the Maine Multicultural Center for the start up operating funds to hire a full-time program manager.