



# CITY COUNCIL AGENDA



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

# REGULAR MEETING BANGOR CITY COUNCIL – JULY 24, 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.

**PROCLAMATION**                    **PROCLAIMING JULY, 2023 AS DISABILITY PRIDE MONTH**

## PUBLIC COMMENT

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### CONSENT AGENDA ITEM NO.

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### 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 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**

**Executive Summary:** This Order authorizes the participation of the Parks and Recreation Department in the WinterKids Downhill 24 Outdoor funding program for the chance of receiving \$10,000 award.

Winterkids offers the Downhill 24 Outdoor Fund grant program that funds grants to organizations around the state to help get kids outside and active more often. Organizations are divided into three categories: Maine 501(c)(3) non-profits, Maine Public Schools, and Maine Parks and Recreation Departments. Winners are determined by a community vote with first place winners in each category receiving \$10,000, second place winners receiving \$5,000 and third place finishers receiving \$1,500.

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Parks and Recreation is responsible for grooming cross-country ski trails and maintaining mountain biking trails at Essex Woods. If awarded, funding would be used for cross country ski rental equipment, as well as additional grooming equipment for trail use at Essex Woods. The equipment rental program is something Parks and Recreation has done in the past and was a popular program. This item was reviewed and recommended at the Government Operations Committee Meeting on July 17, 2023.

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

**Executive Summary:** This Order would authorize the execution of a five (5) year lease with Stryker for eight (8) LifePak-15 cardiac monitors/defibrillators.

The Fire Department uses five (5) ambulances and three (3) engines for Emergency Medical Service (EMS) responses. Each of those apparatus are equipped with a cardiac monitor/defibrillator for a total of eight (8) units. Our current LifePak-15(s) are an older version that the City purchased through a lease purchase agreement in 2016. The units the Fire Department have are at the end of their service life and outdated. The new LifePak-15(s) are the newest version with updated technology.

Staff compared other brands of monitors/defibrillators and recommended waiving the bid process to remain with the LifePak-15(s) due to their ease of use and familiarity with the product.

Stryker is offering a five (5) year, no interest lease/purchase agreement for eight (8) units for a total of \$351,535.54 or \$70,307.11 per year. The City may purchase the units at the end of the lease for \$1.00 each. The agreement includes maintenance and repairs, plus a trade-in allowance for the current units.

This item was reviewed and recommended by the Finance Committee at their July 17, 2023 meeting.

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

**Executive Summary:** This Order would authorize the purchase of a fire truck from Pierce Manufacturing in the negotiated amount of \$879,777. As part of the FY 2024 budget process, a new fire engine was approved for purchase in the Fire Department. The Department has requested to sole source the purchase of a Pierce engine from Pierce Manufacturing for the negotiated amount of \$879,777. Every fire truck purchased since 1982 has been a Pierce brand. The department is requesting to remain with Pierce to maintain consistency within the fleet based on: common parts inventory, the mechanic being factory certified, the department having the necessary diagnostic equipment, the ability of the manufacturer to replace body components for the life of the vehicle and the availability of technical support within the State. This item was reviewed and recommended by the Finance Committee at their July 17, 2023 meeting.

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**CONSENT AGENDA  
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**ASSIGNED TO  
COUNCILOR**

**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**

**Executive Summary:** This Order will authorize the extension of the the FY23 paving contract by six (6) months to December 31, 2023. B&B Paving has offered to hold FY23 contract pricing through the balance of the calendar year.

Extending the existing contract will allow the paving program to be more efficient by moving to a calendar versus fiscal year cycle. Staff anticipates better pricing and service by bidding the paving contract earlier in the year. Staff has identified 5 miles of roads requiring approximately 7,000 tons of asphalt for a cost of \$800,000 for the six month extension period.

The City has positive experience with B&B Paving, Inc. and staff recommends awarding a contract extension to B&B Paving, Inc. in the amount of \$800,000. This item was reviewed and approved by the Finance Committee at the July 17, 2023 meeting.

**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**

**Executive Summary:** This Order will authorize the City Manager to apply for McKinney-Vento Homeless Assistance Funds from the US Department of Housing and Urban Development in support of the Shelter Plus Care program.

These funds are comprised of four grants totaling the total amount request to provide Shelter Plus Care Rental Assistance to qualified individuals and families to live in Bangor and other communities in Penobscot County. Shelter Plus Care promotes housing stability by paying rent for homeless individuals and families. Participants needing case management services are assisted by the Shelter Plus Care Housing Specialist through referrals for life skills such as healthy living, financial literacy, and employment. These funds are granted through the Maine Continuum of Care selective competition process.

To apply for City of Bangor TRA 8716 in the amount of \$147,679  
Grant period 12/1/24-11/30/25  
16 households

To apply for TRA Consolidated 8715 in the amount of \$490,717  
Grant period 9/1/24-8/31/25  
51 households

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To apply for Consolidated 8714-A in the amount of \$440,709  
Grant period 4/1/24-3/31/25  
42 households

To apply for TRA-8719 in the amount of \$72,830  
Grant period 8/1/24-7/31/25  
6 households

This item was reviewed and recommended for approval at the Government Operations Committee on July 17, 2023.

**23-227      ORDER                      **Authorizing Execution of a Lease Agreement with the United States of America – Building 96, 138 Maine Avenue**                      **SCHAEFER****

**Executive Summary:** The City of Bangor has leased to the United States of America, Federal Aviation Administration, office space in Building 96 located at 138 Maine Avenue since 1993. The lease agreement expired September 30, 2021, and the tenant has been in “holdover” status since then. In September, 2022 the FAA solicited open bids for office space. The City of Bangor submitted a proposal package which was selected. We have been negotiating the terms of a lease agreement which has resulted in the following terms. The lease rate during the previous period was \$90,122.64 annually or \$7,510.22 per month.

Premises: 7,749 sq. ft., 138 Maine Ave., building #96, including office space, use of any common areas, such as entrances, exits and loading areas, and 16 reserved, off-street parking spaces

Term: Five (5) years, October 1, 2021 to September 30, 2026 with an option to extend the term to September 30, 2030

FAA can terminate the lease by providing sixty (60) days’ notice.

**Rate:**

October, 2021 – September, 2026 - \$9,182.56 monthly

This includes a monthly base rent of \$8,071.88 and \$1,110.68 in janitorial costs.

Should the option be exercised, the lease rate would be renegotiated to reflect any changes in occupancy costs.

Use: Office space in support of the National Airspace System, operating in a businesslike, clean and safe manner.

Utilities: The City would assume the cost of all utilities including electricity, fuel oil, and water, stormwater and sewer user fees.

Maintenance: The City would be responsible for all interior and exterior maintenance including building fixtures, equipment, foundation, roof, structural walls, operating systems, doors, windows, floors and floor coverings, ceilings, walls, and interior and exterior surfaces, as well as parking areas, grounds landscaping, snowplowing, waste disposal and the cleaning of all leased areas.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its July 17, 2023 meeting.

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<b>REFERRALS TO COMMITTEE AND FIRST READING ITEM NO.</b>	<b>ASSIGNED TO COUNCILOR</b>
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<b><u>23-228</u></b>	<b><u>ORDINANCE</u></b>	<b>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) (First Reading and Referral to Planning Board Meeting on August 1, 2023)</b>	<b>SPRAGUE</b>
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**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.”

<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) (First Reading and Referral to Planning Board Meeting on August 1, 2023)</b>	<b>DAVITT</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.

<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 (First Reading and Referral to Finance Committee Meeting on August 7, 2023)</b>	<b>HAWES</b>
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**REFERRALS TO COMMITTEE AND FIRST READING  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

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

**23-231      ORDER                      Authorizing a Loan in the Amount of \$1,000,000 from      LEONARD  
the Maine Municipal Bond Bank State Revolving  
Fund, and the Issuance of the City's General  
Obligation Bonds and a Tax Levy Therefor (First  
Reading and Referral to Finance Committee Meeting  
on August 7, 2023)**

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

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

**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.

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**REFERRALS TO COMMITTEE AND FIRST READING  
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**ASSIGNED TO  
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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.

<b><u>23-233</u></b>	<b><u>RESOLVE</u></b>	<b>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)</b>	<b>TREMBLE</b>
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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.

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**UNFINISHED BUSINESS  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

<b><u>23-205</u></b>	<b><u>ORDINANCE</u></b>	<b>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)</b>	<b>SCHAEFER</b>
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**REGULAR MEETING BANGOR CITY COUNCIL – JULY 24, 2023**

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**UNFINISHED BUSINESS  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

**Executive Summary:** This Ordinance would amend Chapter 165 of the 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&ISD) to Urban Service District (USD).

The applicant is seeking a zone change for the property at 364 State Street, Map-Lot 054-223, from NSD to USD and for a portion of the property at 410 State Street, Map-Lot 054-224-C, from G&ISD to USD. The total area requested to be changed is 0.5 acres and is shown in the attached exhibit and described in the attached description.

The change to the USD district would allow for a greater variety of commercial uses on this lot, such as drive-in businesses, animal clinics, and restaurants. The change would also remove the contract conditions from the portion of property at 410 State Street, which currently limit the property to be used only for employee parking and prevents a curb cut onto Otis Street.

The neighborhood has a mix of differently zoned lots. The 2012 Comprehensive Plan showed this area as commercial and institutional and the 2022 Comprehensive Plan shows this as having limited commercial and institutional uses that are complementary to the surrounding area.

This item was reviewed and unanimously approved by the Planning Board at its meeting on July 11, 2023.

<b><u>23-214</u></b>	<b><u>ORDINANCE</u></b>	<b>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</b>	<b>SCHAEFER</b>
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**Executive Summary:** This Ordinance amendment would remove the requirements of sub-section 302-2 (B) of Chapter 302, which requires that a permit be obtained from the Code Enforcement Office prior to conducting a yard sale. This ordinance amendment would also define "perpetual yard sale". Currently, obtaining a \$5-yard sale permit, requires a citizen to travel to City Hall. Citizens who obtain the permit frequently mention that it is a cumbersome process and is hard to enforce. The majority of yard sales are held during weekends when Bangor Code Enforcement Officers are not on duty, so responding to unpermitted sales wouldn't happen until the following Monday when the sale are likely to be over. In the previous five years, Code Enforcement has received no complaints in regards to unpermitted yard sales. A premise behind the need for a yard sale permit is to prevent the occurrence of "perpetual yard sales". If the need for a yard sale permit is removed, existing zoning regulations could be used to work with a property owner should this situation occur. In the previous five years, this situation occurred once in 2018. In 2020, 126-yard sale permits were issued; 269 in 2021; and 264 in 2022. At a fee of \$5 per permit, this reflects \$1,345 and \$1,320 income from yard sale permits the past two years.

This item was reviewed and recommended by Business & Economic Development at its meeting on May 2, 2023.

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<b>UNFINISHED BUSINESS ITEM NO.</b>	<b>ASSIGNED TO COUNCILOR</b>
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<b><u>23-215</u></b>	<b><u>RESOLVE</u></b>	<b>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</b>	<b>LEONARD</b>
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**Executive Summary:** This Resolve will authorize the appropriation of Opioid Litigation Settlement dollars received by the City of Bangor in the amount of \$28,990 for FY 24 for the purpose of funding a part-time syringe waste specialist with the Health Equity Alliance (HEAL).

Orders 23-106 and 22-065 authorized the City Manager to execute settlement documents related to this matter. The State of Maine, along with many other states, has reached settlements in the opioid litigation matters against the manufacturers Teva and Allergan, and the distributors Walmart, Walgreens and CVS. The Maine State Subdivision Memorandum of Understanding and Agreement Regarding the Use of Settlement Funds defines the allowable use of settlement proceeds. Community drug disposal and harm reduction strategies are eligible uses of the settlement funds.

If approved, this Resolve would authorize the use of settlement funds to address the improper disposal of syringe litter waste which also poses a significant health risk to others. An agreement for the City to contract with HEAL to provide a part-time staff position dedicated to properly removing and disposing of syringe litter waste reported on private and public property, is under consideration by the Council Order 23-218

This item was reviewed and recommended for approval by the Government Operations Committee at its meeting on July 3, 2023.

<b><u>23-216</u></b>	<b><u>RESOLVE</u></b>	<b>Authorizing City Manager to Accept, Appropriate, and Execute a Grant Amendment in the Amount of \$86,441 to the Maine Prevention Network Grant</b>	<b>HAWES</b>
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**Executive Summary:** This Resolve will authorize the City Manager to accept and appropriate \$86,441 through a grant amendment for FY 24 to an existing Maine Prevention Network Grant. Bangor Public Health and Community Services has been providing these prevention services since 2007.

On December 12, 2022 Resolve 23-026 was passed, accepting appropriating grant funds in the amount of \$1,504,611 to establish the Maine Prevention Network in the Penquis Public Health District from January 1, 2023 through June 30, 2024. These additional funds will be provided by the State of Maine Department of Health and Human Services and will be used to fund innovative tobacco prevention programming in the Penquis Public Health District between July 1, 2023 and June 30, 2024.

Bangor Public Health is responsible for providing prevention services including substance use prevention, tobacco prevention, and promotion of healthy eating and active living throughout the Penquis Public Health District. Bangor Public Health provides direct prevention services in Penobscot County and subcontracts direct prevention service provision in Piscataquis County to Northern Light Mayo Hospital.

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

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<b>NEW BUSINESS ITEM NO.</b>		<b>ASSIGNED TO COUNCILOR</b>
<b><u>PUBLIC HEARING:</u></b>	<b>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</b>	<b>HAWES</b>
<b><u>23-234</u>    <u>ORDER</u></b>	<b>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</b>	<b>PELLETIER</b>

**Executive Summary:** This Order will authorize the award of \$67,000 in State and Local Fiscal Recovery Funds (aka ARPA funds) to Eastern Area Agency on Aging (EAAA) to support their healthy aging in the City of Bangor initiative.

Increasing program costs, including food, has negatively impacted EAAA's nutrition services, which has reduced the number of meals that can be furnished. Older Bangor residents or those on a fixed income are experiencing similar inflationary impacts. In addition, household pandemic resources have abated, all of which has culminated in a wait list.

This award is in support of the following:

- One-time funding that will support the delivery of 25% of the 31,000 delivered meals in Bangor during a one-year period, as well as access to congregate meals at the Community Cafe, and supplement their Furry Friends Food Bank.
- This award will support our impacted community of older adults, caregivers, and disabled adults by ensuring access to health meals, community connections and supports needed in the aging process.

This item was recommended at a Council workshop on July 11, 2023.

<b><u>23-235</u>    <u>ORDER</u></b>	<b>Authorizing the Allocation of \$150,000 in State and Local Fiscal Recovery Funds to Fund a Grant Writer/Manager Position</b>	<b>TREMBLE</b>
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**Executive Summary:** This Order will authorize the allocation of \$150,000 in State and Local Fiscal Recovery Funds (aka ARPA funds) to be utilized to hire a grant writer/manger position for the City of Bangor.

This fund allocation will enhance the City's ability to access grant funding to support municipal expenditures, thereby reducing the impact to the taxpayer. It will provide the necessary start up funding, without impacting the taxpayer, to access state/federal/private grants funds. Typically, grant awards include an indirect funding allocation. The long-term goal of the position will be to identify adequate grant funding opportunities that not only mitigate future costs to our taxpayers but to provide adequate funding to become self-sustaining. This allocation is eligible for funding within the government services category.

This item was recommended for approval at a Council workshop on July 10, 2023.

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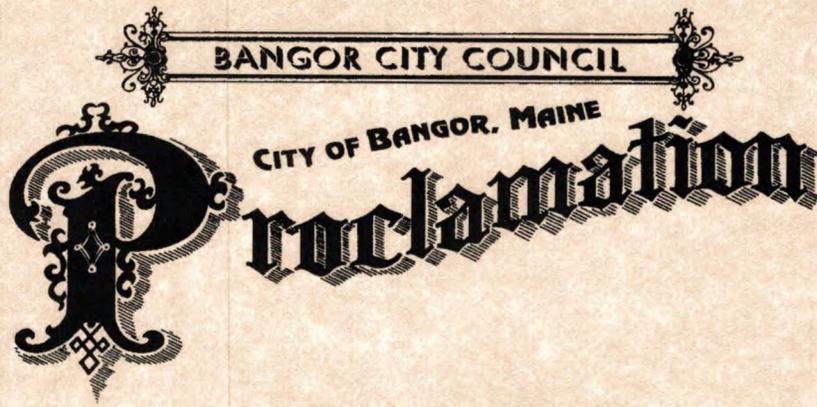
**NEW BUSINESS  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

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<b><u>23-236</u></b>	<b><u>ORDER</u></b>	<b>Amending City of Bangor Schedule of Fees to Remove the Language under Section E. Code (28) Yard Sale Permit</b>	<b>YACOUBAGHA</b>
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**Executive Summary:** This Order will authorize an amendment to the schedule of fees to remove the language under Section E. Yard Sale Permit. Earlier this evening, the City Council amended the City’s Code such that yard sales do not need a permit. This action is the additional step need to remove the yard sales fee from the City's schedule of fees.



## PROCLAIMING JULY, 2023 AS DISABILITY PRIDE MONTH

- WHEREAS,** Disability Pride Month is celebrated annually in July to promote acceptance of disability as an identity, community, culture, and pride felt by people with disabilities; and
- WHEREAS,** Disability Pride Month seeks to change the way people think about and define disability, to end the stigma of disability, and to promote the belief that disability is a natural part of human diversity in which people living with disabilities can celebrate and take pride; and
- WHEREAS,** More than one in four adults in the United States lives with a disability, representing all ages, races, ethnicities, genders, sexual orientations, religions and socio-economic backgrounds; and
- WHEREAS,** Disability Pride is an integral part of movement building and a direct challenge of systemic ableism and stigmatizing definitions of disability; and
- WHEREAS,** The more Disability Pride is celebrated and made public, the closer we come to a more inclusive world; and
- WHEREAS,** Disability Pride is about celebrating and reclaiming visibility in public because people with disabilities have historically been pushed out of public spaces; and
- WHEREAS,** Disability Pride Month is a way for people with disabilities to celebrate who they are, and for others to better understand how they can become better allies; and
- WHEREAS,** The City of Bangor joins communities across the country throughout the month of July to commemorate the passing of the landmark Americans with Disabilities Act (ADA) in July 1990.

**NOW, THEREFORE, I, Richard Fournier, Mayor of Bangor,** on behalf of the City Council and the City of Bangor, do hereby proclaim July, 2023 as Disability Pride Month in Bangor, Maine and encourage all citizens to acknowledge and celebrate it.

Given this the 24th day of July, 2023.

A handwritten signature in black ink, appearing to read "Richard Fournier", written over a horizontal line.

Richard Fournier, Mayor





# CONSENT AGENDA

*Meeting called to order at 7:30 PM  
Chaired by Council Chair Fournier  
Councilors Absent Davitt and Hawes  
Meeting adjourned at 9:37 PM*

**PROCLAMATION**

*Proclaimed Greg Edwards as a Spirit of America Foundation  
Tribute Recipient*

**PUBLIC COMMENT**

*John King spoke regarding mental health and substance use and stated something  
needs to be done for the children who are being left behind due to the conditions they  
live in.*

*Aubrae Filipiak, Betsy Lundy and Abe Furth urged the Council to consider the ARPA  
request for Street Plus.*

*Jared Willey, IAFF Local 772 President, along with a dozen firefighter gave  
testimonials on the effects their jobs had on their lives. They requested that the  
Council consider their ARPA application for premium pay.*

*Amy Roeder advocated for the firefighters' and Fresh Start's ARPA applications.*

*Michael Beck felt the Council was in violation of open meeting law by deciding on  
applications with a secret vote. Councilor Tremble corrected Mr. Beck stating that no  
applications had been eliminated.*

*Robin Sandau, of Design Wall Housing, urged the Council to consider that entity's  
ARPA application.*

*Scott Pardy, President of Fresh Start, along with more than a dozen residents of  
Fresh Start homes, urged the Council to consider its ARPA application. Mr. Pardy  
also thanked the Council for the assistance they have already given Fresh Start, and  
he also supported consideration of the firefighters' application.*

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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 June 26, 2023*

*Action: Approved*

**LIQUOR LICENSE  
RENEWALS:**

*Application for Liquor License Renewal Malt, Wine, Spirits      HAWES  
of Smoke and Steel, LLC d/b/a Smoke and Steel, 471  
Stillwater Avenue*

*Action: Approved*

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – JULY 10, 2023**

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<b>CONSENT AGENDA ITEM NO.</b>		<b>ASSIGNED TO COUNCILOR</b>
	<i>Application for Liquor License Renewal Malt, Wine, Spirits of Hero's Sports Grill, LLC d/b/a Hero's Sports Grill at Bangor Municipal Golf Course, 278 Webster Avenue</i>	<b>HAWES</b>
	<i>Action: Approved</i>	
<b><u>LIQUOR LICENSE NEW</u></b>	<i>Application for Liquor License New Malt, Wine of Chimera Coffee, LLC d/b/a Chimera Coffee, 24 Broad Street</i>	<b>HAWES</b>
	<i>Action: Approved</i>	
<b><u>23-209</u></b>	<b><u>ORDER</u></b> <i>Authorizing Execution of an Agreement Designating Concentra Urgent Care as the City of Bangor's Occupational Health Services Provider and Workers' Compensation Ten (10) Day Provider</i>	<b>HAWES</b>
	<i>Action: Passed</i>	
<b><u>23-210</u></b>	<b><u>ORDER</u></b> <i>Authorizing the City Manager to Execute a Contract with CA Strout &amp; Sons Inc. to Reconstruct a Portion of Finson Road in the Amount of \$637,285</i>	<b>TREMBLE</b>
	<i>Action: Passed</i>	
<b><u>23-211</u></b>	<b><u>ORDER</u></b> <i>Authorizing the City Manager to Accept Permanent Stormwater Drainage Easements at 830 Finson Road</i>	<b>YACOUBAGHA</b>
	<i>Action: Passed</i>	
<b><u>23-212</u></b>	<b><u>ORDER</u></b> <i>Authorizing City Manager to Execute MaineDOT Modification 2 to a Locally Administered Project Agreement for WIN #024771.00, City of Bangor Riverfront Trail Enhancements</i>	<b>DAVITT</b>
	<i>Action: Passed</i>	
<b><u>23-213</u></b>	<b><u>ORDER</u></b> <i>Amending the Schedule of Fees for Parking to Increase Monthly Rates for Nine (9) Parking Lots in the Downtown Parking Management District</i>	<b>SPRAGUE</b>
	<i>Action: Passed</i>	

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – JULY 10, 2023**

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<b>REFERRALS TO COMMITTEE AND FIRST READING ITEM NO.</b>	<b>ASSIGNED TO COUNCILOR</b>
<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 align="center"><i>Action: First Reading</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 align="center"><i>Action: First Reading</i></p>	<p><b>LEONARD</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 align="center"><i>Action: First Reading and Referral to Government Operations Committee on July 17, 2023</i></p>	<p><b>HAWES</b></p>

<b>UNFINISHED BUSINESS ITEM NO.</b>	<b>ASSIGNED TO COUNCILOR</b>
<p><u>23-206</u>     <u>RESOLVE</u>     <i>Authorizing the City Manager to Accept and Appropriate \$100,000 for a Two-Year Maine Health Access Foundation Systems Improvement and Innovation Responsive Implementation</i></p> <p align="center"><i>Action: Motion made and seconded for Passage Passed</i></p>	<p><b>PELLETIER</b></p>
<p><u>23-207</u>     <u>RESOLVE</u>     <i>Authorizing the City Manager to Accept and Appropriate \$1,151,932 in McKinney-Vento Homeless Assistance Funds from the U.S. Department of Housing and Urban Development (HUD)</i></p> <p align="center"><i>Action: Motion made and seconded for Passage Passed</i></p>	<p><b>LEONARD</b></p>

<b>NEW BUSINESS ITEM NO.</b>	<b>ASSIGNED TO COUNCILOR</b>
<p><u>LIQUOR LICENSE RENEWAL</u>     <i>Application for Liquor License Renewal Malt, Wine, Spirits of Bangor Ground Round – Odlin Road, LLC d/b/a Ground Round, 248 Odlin Road</i></p> <p align="center"><i>Action: Approved</i></p>	<p><b>HAWES</b></p>

**NEW BUSINESS**  
**ITEM NO.**

**ASSIGNED TO**  
**COUNCILOR**

**PUBLIC HEARING**

*Application for Special Amusement License Renewal of Smoke and Steel, LLC d/b/a Smoke and Steel, 471 Stillwater Avenue*

**HAWES**

*Action: Motion made and seconded to open the Public Hearing  
Public Hearing Opened  
Motion made and seconded to close the Public Hearing  
Public Hearing Closed  
Motion made and seconded for Approval  
Approved*

**PUBLIC HEARING**

*Application for Special Amusement License New of Tesoro Restaurant, LLC d/b/a Tesoro Restaurant, 118 Harlow Street*

**HAWES**

*Action: Motion made and seconded to open the Public Hearing  
Public Hearing Opened  
Motion made and seconded to close the Public Hearing  
Public Hearing Closed  
Motion made and seconded for Approval  
Approved*

**23-217**      **ORDER**

*Authorizing the City Manager to Execute a Contract with C&C Lynch Excavating, LLC for Construction Services for the Riverfront Trail Enhancements Project, MaineDOT WIN 024771.00*

**DAVITT**

*Action: Motion made and seconded for Passage  
Passed*

**23-218**      **ORDER**

*Adopting the City of Bangor 2022 Comprehensive Plan*

**SPRAGUE**

*Action: Motion made and seconded to Table  
Motion Doubted  
Vote: 2 – 5  
Councilors Voting Yes: Leonard, Sprague  
Councilors Voting No: Pelletier, Schaefer, Tremble, Yacoubagha, Fournier  
Motion Failed  
Motion made and seconded for Passage  
Motion Doubted  
Vote: 6 – 1  
Councilors Voting Yes: Leonard, Pelletier, Schaefer, Tremble, Yacoubagha, Fournier  
Councilors Voting No: Sprague  
Passed*

<u>NEW BUSINESS</u> <u>ITEM NO.</u>			<u>ASSIGNED TO</u> <u>COUNCILOR</u>
<u>23-219</u>	<u>ORDER</u>	<i>Authorizing the City Manager to Execute an Agreement with Health Equity Alliance for the Purpose of Providing Syringe Litter Waste Clean-Up Services for Private and Public Property Located in the City of Bangor</i>	TREMBLE
		<i>Action: Motion made and seconded for Passage Passed</i>	
<u>23-220</u>	<u>ORDER</u>	<i>Authorizing Award of a \$129,650 Community Development Block Grant Funded Forgivable Loan to the Bangor Area Homeless Shelter Transitional Living Project</i>	YACIOUBAGHA
		<i>Action: Motion made and seconded for Passage Passed</i>	
<u>23-221</u>	<u>ORDER</u>	<i>Authorizing the Award of \$415,600 in State and Local Fiscal Recovery Funds to Support Bangor Area Recovery Network to Fund Recovery Community Center Improvements</i>	PELLETIER
		<i>Action: Motion made and seconded for Passage Passed</i>	

ATTEST:   
Lisa J. Goodwin, MMC, City Clerk

## **BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE**

Tuesday, January 3, 2023 @ 5:15 PM

City Council Chambers

### **MEETING MINUTES**

City Councilors Present: Davitt, Fournier, Hawes, Leonard, Schaefer, Sprague.

City Staff Present: Krieg, Laurie.

Chair Sprague called the meeting to order at 5:15 P.M.

#### **1. ACCEPTANCE OF REPORT FROM DOWNTOWN BANGOR PARTNERSHIP RE: FIRST 6 MONTHS OF FY2022**

DBP Executive Director Betsy Lundy presented to the Committee to request that the mid-year report be accepted as presented.

Councilor Davitt requested project status update at next meeting. Anne Krieg, new Development Director, reported she has not had a chance to go over the report in detail but has meeting with DBP tomorrow to address specific projects mentioned.

Councilor Schaefer asked if DBP is addressing need for more members – they are.

Chair Sprague asked for update on business owners' feelings re: homelessness in the city, encampments, and whether the City is doing enough to address these issues. Lundy reported DBP will be advocating for additional services during budget process, but City Council had already approved RFP for additional landscaping services this past October. Hoping these services will be delivered on during the next year. City Manager Laurie clarified that the City will be issuing three separate RFPs – (1) landscaping for waterfront area, (2) landscaping for core downtown area, and (3) additional trash & waste pick-up. Public Works and Parks & Recreation will be responsible for selecting vendors.

Chair Sprague asked about the new strategic & marketing plan. Lundy stated will deliver these plans at next meeting.

Some discussion amongst Committee and Lundy re: City's response to homelessness issue for public property vs. private property. Agreed to continue discussions and address if any resources could be made available for private property owners.

Chair Sprague asked about the Joint Needs Assessment – Lundy confirmed it was mentioned in report. Currently pending analysis of second phase of responses from City department heads. City Manager Laurie confirmed she has these

responses and will be discussing them at meeting tomorrow with Development Director Krieg and DPB.

Chair Sprague moved acceptance of semi-annual report from DBP. Vote unless no doubted, no doubt.

Meeting adjourned at 5:43 P.M.

Meeting minutes respectfully submitted,

Sarah Pritchard  
Admin. Asst.  
C&ED

## **BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE**

Tuesday, January 17, 2023 @ 5:15 PM

City Council Chambers

### **MEETING MINUTES**

City Councilors Present: Leonard, Schaefer, Sprague, Tremble, Yacoubagha.

City Staff Present: Krieg, Laurie.

Chair Sprague called the meeting to order at 5:15 P.M.

#### **1. SALE OF A PARCEL ON HILDRETH ST. TO JB BROWN & SONS**

Economic Development Officer Steve Bolduc presented to the Committee. Reported a property on Hildreth Street that was provided to the city for the provision of waste water infrastructure but was never used as such has had an offer to purchase made it on by owner of adjacent property, with the intention of joining the two properties. City Assessor provided property value of \$24,830, which has been offered in full by the interested property. Staff recommends accepting said offer.

Councilor Schaefer moved acceptance of offer to purchase property at \$24,830, seconded by Councilor Tremble. Vote unless no doubted, no doubt.

Councilor Tremble commented that, in the future, it may be advisable to ask the Committee to approve the City's assessed value being the offered sale price before presenting it to an interested party. Chair Sprague commented that the entire acquisition of property process should perhaps be clarified.

City Manager Laurie noted that all sale documents will go through the City Solicitor anyways, so felt no issue with approving current offer & sale.

#### **2. UPDATE ON COMPREHENSIVE PLAN**

Development Director Krieg reported that staff is working with a consultant team on an implementation plan. Krieg requested additional staff time to complete this process and a delay until February 13<sup>th</sup> to present implementation plan at pre-council meeting.

Chair Sprague asked if any additional meetings outside of the existing pre-council schedule would be needed during this review process. Krieg felt this would depend upon level of editing needed in March. Sprague voiced concern over the short amount of time provided for Committee to review initial plan before meeting. Krieg confirmed that a second review is scheduled on February 27<sup>th</sup> for a more in-depth review, and that initial meeting is intended just as a first presentation.

### 3. **UPDATE ON DOWNTOWN BANGOR PARTNERSHIP**

Councilor Leonard presented to the Committee. Noted that as he is not voting member of Committee he will be taking on role of liaison between Committee and DBP, with the goal of enhancing the relationship and finding unifying projects on which both parties can work together.

Two projects that currently would benefit from collaboration were presented: (1) evaluation of downtown and (2) parking request for garage area.

Leonard requested any suggestions/input/guidance from the Committee as he will be attending monthly DBP meetings.

Meeting adjourned at 5:35 P.M.

Meeting minutes respectfully submitted,

Sarah Pritchard  
Admin. Asst.  
C&ED

## **BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE**

Tuesday, February 7, 2023 @ 5:15 PM

City Council Chambers

### **MEETING MINUTES**

City Councilors Present: Davitt, Fournier, Leonard, Sprague, Tremble (via Zoom).

City Staff Present: Krieg (via Zoom), Laurie.

Chair Sprague called the meeting to order at 5:15 P.M.

#### **1. COMPREHENSIVE PLAN UPDATE**

Development Director Krieg reported that first draft of implementation plan was sent by email to Committee members today and will be discussed at pre-Council meeting next week, for presentation at next City Council meeting. Will also be presented at Planning Board meeting on February 21<sup>st</sup> for public comment.

#### **2. ECONOMIC DEVELOPMENT STRATEGY ADDENDUM UPDATE**

Development Director Krieg reported that consultant firm, Better City, is working on document focusing on technology and healthcare industries. Will likely be presented to Committee in March.

3. **REVIEW OF ANNUAL REPORTS**, Action requested to recommend each to the City Council for acceptance.

- a) **CULTURAL COMMISSION**
- b) **HISTORIC PRESERVATION COMMISSION**
- c) **PLANNING BOARD**

Councilor Davitt moved staff recommendation of each report to City Council for acceptance, seconded by Councilor Leonard. All in favor, none opposed.

#### **4. DOWNTOWN BANGOR PARTNERSHIP**

- a) **REQUEST TO FUND INTERNATIONAL DOWNTOWN ASSOCIATION VITALITY REPORT PREPARATION**, Action requested to vote to support funding

DBP members Eric Mihan and Betsy Lundy presented to the Committee. Stated that this report would entail a 7-month process of “deep diving” into Bangor and downtown area to understand interplay between the two and provide concrete data. Data would then be provided for City-wide use.

Development Director Krieg stated that the cost of the report is \$15,000, and would be funded through unspent money from vacant position.

Chair Sprague asked how “downtown” is defined for the purposes of the study. Commented that overall business vitality study may be more useful than just downtown. Lundy stated that this report will assist in examining future determination of districts within City.

### **b) STRATEGIC PLAN**

Lundy reported that Strategic Plan has identified need to better understand the use of the DBP; felt that this was also missing from Comprehensive Plan. Concerned that there isn't access to the kind of data needed to understand who the Partnership is, identify areas of needed infrastructure growth and necessary marketing, or identify the available commercial spaces to fill and what outreach would be useful in filling those spaces.

Lundy also reported that Strategic Plan identified massive shift in use of downtown area, primarily in conversion of commercial spaces to residential. DBP would like to do a better job of collecting residents and helping them become more focused voice in figuring out their needs within downtown area.

Strategic Plan additionally redefined mission to connect with City as a partner, identified need for additional staffing and improvements in committee recruitment, and identified goal to enthusiastically market down by increasing funding for marketing materials and continuing to encourage creative place-making via signature events and beautification programs.

### **c) MARKETING PLAN**

Lundy and Mihan reported that, in addition to above mentioned marketing efforts, Plan highlighted DBP's desire to work with City liaison (Councilor Leonard) to bring all parties to the discussion table.

Chair Sprague asked how workable comprehensive database could be built that would hold the improved data for which the DBP is asking. Lundy answered that it could include items such as businesses' email addresses, notifications to DBP of new businesses brought into City, etc.

## **5. 2018 AFFORDABLE HOUSING STUDY IMPLEMENTATION UPDATE, Next steps discussion**

Development Director Krieg stated that a tracking table of study's recommendations and City's compliance with them has been created. Current suggested changes are (1) another parking ordinance change to loosen some requirements and (2) putting in a zoning allowance for tiny home parks.

City Manager Laurie reported that housing workshop would likely be scheduled in early March.

Councilor Davitt moved going into executive session, seconded by Councilor Leonard. All in favor, none opposed.

Meeting adjourned at 6:11 P.M.

Meeting minutes respectfully submitted,

Sarah Pritchard  
Admin. Asst.  
C&ED

## **BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE**

Tuesday, February 21, 2023 @ 5:15 PM

City Council Chambers

### **MEETING MINUTES**

City Councilors Present: Davitt (via Zoom), Fournier, Schaefer, Sprague, Tremble, Yacoubagha.

City Staff Present: Collette, Krieg, Labree, Wallace.

Chair Sprague called the meeting to order at 5:15 P.M.

1. **EMERGENCY SHELTERS DISCUSSION**, Action requested to provide staff direction

Development Director Anne Krieg presented to the Committee. Stated that emergency shelters were proposed as a conditional use in the Government & Institutional Service District (G&ISD) last year but the proposal did not pass at Planning Board or at City Council. This was because of a slight conflict in wording between Code Ordinances and Council Orders which staff is now trying to resolve. One proposal is to allow emergency shelters as a conditional use on major arterials only; another is to allow them as a conditional use on properties in residential districts that meet a 100ft setback requirement.

Councilor Schaefer suggested clarifying whether shelters are for personal emergencies (such as housing insecurity) or community-wide emergencies (such as extreme weather events). Councilor Davitt stated that she found a definition from a previous proposal as “any facility operated by a not-for-profit or public agency providing temporary overnight shelter to homeless individuals, which provides shelter to no more than 70 individuals overnight.”

Chair Sprague recommended clarifying the overall goal of this proposal, and determining whether there is any conflict with the Comprehensive Plan due to the location of the proposed areas where this conditional use would be allowed.

2. **NO MOW MAY PROPOSAL**, Action requested to provide staff direction on Code change

Code Enforcement Officer Jeff Wallace presented to the Committee. Stated that proposal is to relax standard of  $\leq 10$ ” grass height for lawn mowing requirements during the month of May, as this is when pollinators are just coming out of hibernation and research has shown that early spring lawn mowing and pesticide use can be detrimental to these populations.

Chair Sprague recommended communicating this Code change well to the community so that citizens don't issue complaints about un-mowed lawns.

Councilor Davitt asked if there were any associated public health concerns re: ticks, browntail moth caterpillars, etc. Wallace responded that a study out of the University of Maine suggested that taller grass does not attract more ticks.

3. **MIKE MYATT, BANGOR HOUSING AUTHORITY, Check-in**

Director of Bangor Housing Authority, Mike Myatt, presented to the Committee to give general report on BHA's current programs. Highlighted the Family Self-Sufficiency Program, which is a HUD program that allows families to improve themselves financially. Bangor presently has 116 families in the program, defined by Myatt as work-able families whose goals strive towards meaningful employment. They also partner with the Boys & Girls Club of Bangor to provide a two-generation approach. BHA is also the second agency in Maine to be designated as Moving to Work, which allows them to pick and choose which HUD programs they will participate in and be more flexible with how their HUD funds are used. BHA also manages five projects for Bangor Housing Development Corporation, a private non-profit organization.

Chair Sprague suggested scheduling another meeting for Myatt to return and host a full housing workshop for Committee members.

4. **REQUEST FOR FUNDING FROM CULTURAL COMMISSION FOR A CALENDAR IN THE BANGOR DAILY NEWS**

Committee agreed to defer this agenda item in the interest of time.

5. **UPDATES:**

a) **COMPREHENSIVE PLAN UPDATE**

Committee agreed to defer this agenda item in the interest of time.

b) **ECONOMIC DEVELOPMENT STRATEGY ADDENDUM UPDATE**

Committee agreed to defer this agenda item in the interest of time.

c) **CDBG – HEAT PUMP GRANT UPDATE**

Economic Development Officer Jeff Labree presented to the Committee. Stated that the heat pump grant program was launched in March 2022 and has assisted approximately 89 applicants during the last year. Each grant award averages about \$2000, paid directly to the heat pump vendor. Efficiency Maine also gives an additional \$800, on average, to each applicant, and will also grant an additional \$2000 to any property assessed at under \$90,000 and for which the applicant receives other forms of assistance. The average cost of a heat pump installation is \$4200.

Councilor Schaefer asked if staff had seen any correlation between those applying for heat pump grants and those applying for general heating assistance. Labree responded that this was observed frequently following the initial launch of the program, but has since decreased.

Meeting adjourned at 6:14 P.M.

Meeting minutes respectfully submitted,

Sarah Pritchard  
Admin. Asst.  
C&ED

## **BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE**

Tuesday, March 7, 2023 @ 5:15 PM

City Council Chambers

### **MEETING MINUTES**

City Councilors Present: Davitt, Hawes, Leonard, Sprague, Tremble.

City Staff Present: Collette, Krieg, Laurie.

Chair Sprague called the meeting to order at 5:15 P.M.

1. **NO MOW MAY PROPOSAL**, Action requested to accept staff recommendation to forward Code change

Planning Analyst Anja Collette presented to the Committee. Addressed concerns previously noted by Committee members re: allergies, ticks, pests, etc. Reported that available research does not indicate that short-term lack of lawn mowing causes notable increase in these areas; staff does not feel that there will be large enough impact to cause community concern.

Councilor Tremble moved to accept staff recommendation to forward Code change. Seconded by Councilor Davitt. Vote unless doubted, no doubt.

2. **COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG)**

- A. ALLOWANCE FOR STAGGERING OF FAÇADE GRANTS**, Action requested to accept staff recommendation

Development Director Anne Krieg presented to the Committee. Stated that staff is asking for this allowance due to frequency in tenant changes in downtown area.

Councilor Tremble asked if all CDBG funds are typically used during the fiscal year. Krieg responded that they are not. Councilor Tremble asked if it would then be better to allow for open/rolling grant awards. Krieg clarified that this would be the allowance, as opposed to staggered award periods.

Councilor Tremble moved to accept staff recommendation. Seconded by Councilor Davitt. Vote unless doubted, no doubt.

- B. REVIEW TIMELINE FOR FY24 FISCAL YEAR**, No action required

Development Director Krieg reported that deadline to submit consolidated plan to HUD is May 15th. Would like to wait until new Community

Development Officer is hired before starting comprehensive discussion of CDBG fund and its uses.

Chair Sprague suggested putting this discussion on the Committee agenda in the fall as a placeholder. Would also like to discuss adjustments to housing applications at this time.

3. **UPDATES**

**A. CONVENTION BUREAU SERVICES, Staff follow-up**

City Manager Debbie Laurie presented to the Committee. Reported that Convention Bureau Services board voted to dissolve at last meeting, but decision has not been officially finalized as of yet. There are still some unused funds that had been allocated to them. City is currently in discussions with Bangor Chamber of Commerce regarding whether they may be able to take over the role of the Convention Bureau.

**B. COMPREHENSIVE PLAN UPDATE**

Development Director Krieg reported that staff is still collecting public comments. A review of the current draft of the Comprehensive Plan is scheduled for the pre-Council meeting on March 27th.

Chair Sprague recommended rescheduling this review as up to three Council members may be absent from this meeting.

**C. ECONOMIC DEVELOPMENT STRATEGY ADDENDUM UPDATE**

Development Director Krieg reported that this will be brought to next meeting.

Meeting adjourned at 5:40 P.M.

Meeting minutes respectfully submitted,

Sarah Pritchard  
Admin. Asst.  
C&ED

## **BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE**

Tuesday, March 21, 2023 @ 5:15 PM

City Council Chambers

### **MEETING MINUTES**

City Councilors Present: Davitt, Leonard, Schaefer, Tremble, Yacoubagha.

City Staff Present: Krieg, Laurie.

Councilor Tremble called the meeting to order at 6:30 P.M.

1. **COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG),**  
Action requested to provide staff direction for Action Plan and requests for follow-up information

#### **A. INTRODUCTION OF THE PROGRAM AND REQUIREMENTS FROM STAFF**

Development Director Anne Krieg presented to the Committee. Reported that public hearing is requirement for development of Consolidated Plan, which is formal action presented to HUD for how CDBG funds will be used. Bangor will be receiving approx. \$800,000 in CDBG funds this fiscal year.

Councilor Davitt moved to open the public hearing. Councilor Schaeffer seconded, no doubt.

#### **B. PUBLIC HEARING, Action requested to receive public comments**

No public comments.

Councilor Schaefer moved to close the public hearing. Councilor Davitt seconded, no doubt.

2. **HOUSING PROJECTS UPDATE**

#### **A. RENTRAL REGISTRATION**

Development Director Krieg reported that current obstacle in creating a rental registry is how to collect the data on the number of units and their locations. City staff is presently working on this data collection.

#### **B. REVALUATION**

Krieg recommended revaluation as best method for collecting the data needed to start a rental registry.

**C. SHORT-TERM RENTALS,** Action requested to provide staff with direction or requests for follow-up

Krieg reported that this is not currently an allowed property use, but City is working towards developing a plan to transition to allowed use. Minimum recommendation from City staff is to require registration & inspection of all short-term rental units. Also recommend requiring property owners/managers be on-site for all units.

Councilor Davitt suggested focusing on ADUs in developing guidelines. Also recommended instating a cap on the number of STRs allowed in any one area (i.e. downtown).

Councilor Leonard strongly recommended creating a citizen-led rental advisory committee.

Councilor Schaefer commented that her primary concern is the dormancy of STR units when they are not in use, during time when there is significant long-term housing shortage in the City.

Member of the public, identified as Jenny, presented to the Committee via Zoom. Wanted to make Committee aware that she presently owns a downtown apartment that she uses as STR and that it has been booked solid all winter, not remaining dormant at any point.

City Manager Laurie recommended next step be a City Council workshop in which she will present a decision-making grid to further discuss proposed City guidelines for STRs. Committee members in agreement.

Meeting adjourned at 6:58 PM.

Meeting minutes respectfully submitted,

Sarah Pritchard  
Admin. Asst.  
C&ED

**BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE  
SPECIAL MEETING DURING CITY COUNCIL WORKSHOP**

Tuesday, March 27, 2023 @ 5:15 PM  
City Council Chambers

**MEETING MINUTES**

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

City Staff Present: Krieg.

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

1. **22 CLEVELAND STREET – PERMANENT SUPPORTIVE HOUSING PROJECT – REQUEST FROM PENQUIS FOR GAP FINANCING**, Action requested to approve used of CDBG funds to support project

Development Director Anne Krieg presented to the Committee. Reported that Penquis is requesting \$200,000 in gap funding for permanent supportive housing project at 22 Cleveland Street. Staff reviewed application with both HUD and CDBG consultant to ensure it would be an appropriate use of CDBG funds.

Councilor Tremble asked why CDBG funds are being requested instead of ARPA funds. Krieg responded that CDBG funds are available immediately and there are fewer conditions on funding due to property being an acquisition rather than a new construction, so staff felt this was simplest method of supporting project.

Councilor Fournier asked if other funding sources had been explored. Jason Bird of Penquis presented to the Committee and responded that they had, and that this was final source explored when other options did not pan out. Councilor Fournier asked for the timeline of the project. Bird responded that Penquis plans to close on the property during the third week in April, begin renovations within 45 days of the closing date, and then complete the project within 3-4 months following.

Councilor Tremble moved to approve use of CDBG funds to support project. Seconded by Councilor Schaefer. Vote unless doubted, no doubt.

Meeting minutes respectfully submitted,

Sarah Pritchard  
Admin. Asst.  
C&ED

## **BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE**

Tuesday, April 4, 2023 @ 5:15 PM

City Council Chambers

### **MEETING MINUTES**

City Councilors Present: Fournier, Leonard, Sprague, Tremble, Yacoubagha (via Zoom).

City Staff Present: Krieg, Laurie.

Chair Sprague called the meeting to order at 5:15 P.M.

1. **COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) – 2<sup>ND</sup> PUBLIC HEARING – RECEIVE PUBLIC COMMENTS**, Action requested to provide staff direction for Action Plan prep

Development Director Anne Krieg presented to the Committee. Reported that public hearings are required due to CDBG being funded by HUD. This second hearing is intended to be used for recommending areas of focus for the coming fiscal year of funding. Stated that current recommended areas are (1) façade grants, (2) non-profit organizations, with the suggestion of choosing a theme, such as housing support, as a way of better managing applications, (3) residential property Rehabilitation program, and (4) affordable housing initiatives and neighborhood infrastructure improvements, especially for low-to-moderate income neighborhoods. Reported that a portion of the funding is always designated for staff administration of the program, as well.

Chair Sprague asked what the next steps will be after this hearing. Krieg responded that formal recommendation of fund use will be presented at next B&ED Committee meeting, and will then go to City Council for final vote. Deadline for submission to HUD is May 15th.

Chair Sprague asked if Development Director Krieg and City Manager Debbie Laurie will have time to assess applications to see which ones would better benefit from ARPA funds vs. CDBG funds. Krieg responded that they would.

Councilor Tremble moved to open the public hearing. Seconded by Councilor Yacoubagha. Vote unless doubted, no doubt.

No public comments.

Councilor Tremble moved to close the public hearing. Seconded by Councilor Yacoubagha. Vote unless doubted, no doubt.

2. **DRAFT NEEDS ASSESSMENT FOR DOWNTOWN – REVIEW**, Action requested to provide feedback to staff

Development Director Krieg presented to the Committee. Reported that she, City Manager Laurie, and Downtown Bangor Partnership have been working together on assessment, which reviews different services and programs that both City and DBP participate in.

DBP Executive Director, Betsy Lundy, presented to the Committee. Lengthy discussion commenced between Lundy, Krieg, Laurie, and Committee members regarding specifics of the needs assessment.

Chair Sprague asked if DBP members had seen this draft yet. Lundy responded that the DBP Executive committee have seen it, but no other members have.

City Manager Laurie presented to the Committee and stated that City and DBP are in agreement re: needs, but not in agreement re: actions to address these needs.

Councilor Fournier commented that this draft provides useful information and is helpful as advance notice on items that may formally come onto the Committee agenda at a later date. Committee members in agreement that no other action needed at this time.

3. **ECONOMIC DEVELOPMENT STRATEGY ADDENDUM – DOCUMENT DISCUSSION**, Action requested to accept, edit, or request further information, or take action on the document

Jason Godfrey of Better City presented to the Committee via Zoom. Reported that purpose of ED Strategy document was to look specifically at commercialization of technology & research. Highlights of report are (1) Bangor was initially assessed as doing well in this area, and Godfrey still stands by this assessment, (2) recommendation to make technology and other tools more accessible to independent researchers outside of university ecosystem, (3) recommendation to increase investments for start-ups, and (4) recommendation to improve upon marketing of Bangor to attract more workforce talent.

Councilor Leonard asked if Godfrey had any examples of how other communities similarly improved upon their marketing. Godfrey responded that he has not worked with another community equivalent to Bangor, in that primary need is for mid-level workforce talent, but suggested possibly focusing on immigrant populations.

Chair Sprague commented that he does not feel there is an existing culture in the City surrounding economic development. Also suggested giving more thought to creation of a science park. Godfrey responded that collaboration with the University of Maine would likely be essential to success of a science park.

Chair Sprague recommending sending this addendum to members of the community directly involved in the technology & research sectors. Committee members in agreement that no other action needed at this time.

Meeting adjourned at 6:41 P.M.

Meeting minutes respectfully submitted,

Sarah Pritchard  
Admin. Asst.  
C&ED

## **BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE**

Tuesday, May 2, 2023 @ 5:15 PM

City Council Chambers

### **MEETING MINUTES**

City Councilors Present: Davitt, Fournier, Graham, Schaefer, Sprague, Yacoubagha (by Zoom).

City Staff Present: Collette, Krieg, Laurie, Wallace.

Chair Sprague called the meeting to order at 5:15 P.M.

#### **1. UPDATE ON COMPREHENSIVE PLAN**

Development Director Krieg reported still on-target to bring finalized Comprehensive Plan to City Council at May 22<sup>nd</sup> meeting. Advisory Committee reviewed and may provide some edits for inclusive language.

Lengthy discussion of addendum addressing input from health & academic institutions. Chair Sprague felt strongly that plan could not be finalized without more input from these institutions and without more assurance that members of these communities would be engaged with the plan's actions once finalized. Members Schaefer and Davitt and Development Director Krieg felt finalizing plan should not be delayed by this piece and that it is normal and acceptable to have multiple planning & strategy efforts occurring simultaneously.

It was agreed that Development Director Krieg would follow up with members of health & academic institutions one more time.

#### **2. UPDATE ON CDBG PROGRAM**

Development Director Krieg reported that consolidated plan had been reviewed and would be moving forward to City Council meeting on May 8<sup>th</sup>.

Chair Sprague asked how these funds could best be used to leverage other grant funds. City Manager Laurie and Development Director Krieg discussed use of funds and that more would be known following May 8<sup>th</sup> City Council meeting. Development Director Krieg also noted that new Development Officer has been hired and would like to be part of this discussion. Confirmed on-track to make fund use recommendations by end of June.

### **3. UPDATE ON CODE CHANGES**

#### **a. Yard Sale Permits**

Code Enforcement Officer Jeff Wallace presented to the committee. Recommended that current yard sale permit requirement be discontinued. Definitions of standard yard sale vs. perpetual yard sale were discussed. All agreed that if permit requirement removed, these definitions would need to be clearly laid out for both residents and City staff.

Chair Sprague moved to recommend the measure to City Council. Member Yacoubagha seconded the motion – all in favor, none opposed.

#### **b. Allowance for Higher Density Housing in S&PS and G&CS Districts**

Planning Analyst Anja Collette reported that two new uses are being looked at for the S&PS and GC&S districts, which primarily include the areas around Bangor Mall, parts of Broadway, industrial area on outer Hammond Street, and Union Street areas particularly around the airport. One considered use is high density residential; second considered use is mixed commercial & residential as permitted by right. Currently, high density residential is not an allowed use in these zones, and mixed commercial & residential is allowed only as conditional use. If these new uses were to be allowed, all development applications would still need to be approved by the Planning Board.

Committee discussed need for more zoning for residential use, increasing market for mixed use zoning, and possible concerns re: sprawl.

#### **c. LD2003**

Planning Analyst Collette reported that primary zoning changes proposed are: (1) Urban Residence District 1 (URD-1) would allow up to four units per lot. The minimum lot area for 1 unit would be 5,000sqft, increasing by 5,000 for each additional unit, up to 20,000sqft for a 4-unit. (2) Low Density Residential District (LDR) would have a lot minimum of 12,000sqft and allow for 6,000sqft per additional unit, so a minimum of 30,000sqft would be needed for a 4-unit. (3) The provisions for Rural Residence & Agricultural District (RR&A) depend on whether there's water and sewer and whether there's an existing dwelling or not. Wanted to stick with minimum state requirements to reduce sprawl and keep the rural areas more rural. Can have up to 4 units if it's within the growth boundary and has those services. (4) A bonus would be provided to developers providing affordable housing – if a certain percentage of the units on their property are made affordable to low to moderate income people, the developer can have up to 2.5 times the zone's base density. Planning Analyst Collette notes that there is no state requirement for this percentage, but notes that it has been proposed that 51% be made the requirement as it is the current percentage used for CDBG properties. (5) For ADUs, LD2003 will require that they now be

allowed in the front of a property and that the city cannot require additional parking for these units.

Chair Sprague expressed concern that there will be significant community pushback on these changes.

Member Schaefer moved to go into executive session to discuss property & economic development. Member Davitt seconded the motion – all in favor, none opposed.

Meeting adjourned at 6:40 P.M.

Meeting minutes respectfully submitted,

Sarah Pritchard  
Admin. Asst.  
C&ED

## **BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE**

Tuesday, May 16, 2023 @ 6:15 PM

City Council Chambers

### **MEETING MINUTES**

City Councilors Present: Davitt, Fournier, Leonard, Schaefer, Sprague, Yacoubagha.

City Staff Present: Bolduc, Collette, Krieg, Laurie.

Chair Sprague called the meeting to order at 6:15 P.M.

#### 1. **PARKING REPORT**, Action requested to accept report

Parke Clemons of Republic Parking presented to the Committee. Stated that report is separated into two sections (1) off-street parking, which consists of transient and monthly uses, and (2) on-street parking. Transient revenue decreased during COVID19 pandemic and is now starting to increase again. Monthly revenue stayed about the same throughout. On-street revenue decreased during pandemic but is also increasing again. Report includes capacity & fee chart, indicating that higher-demand lots are more expensive, and ticketing map. Based on the report, Clemons recommends: (1) implementation of rate increases recommended in 2019 and placed on hold for duration of pandemic, (2) implementation of an app-based mobile payment system, (3) implementation of Barnacle to replace self-releasing boot, and (4) parking fine reprieve for those who pay off fines prior to implementation of Barnacle.

Councilor Davitt moved acceptance of parking report, seconded by Chair Sprague. Vote unless doubted, no doubt.

Councilor Schaefer asked if mobile app would replace cash/coin/credit card kiosks. Clemons reported it would not.

Councilor Leonard recommended that any parking fine reprieve offer be mailed personally to those with outstanding fines rather than advertised on social media. Leonard also asked when these recommendations would be presented to the Parking Committee. City Manager Laurie reported that report is not automatically sent to Parking Committee, but rather is sent at the Business and Economic Development Committee's request. Leonard commented that he felt it was important that the Parking Committee be included in these discussions before any further decisions are made.

Chair Sprague asked if Downtown Bangor Partnership (DBP) had been consulted about the report. Development Director Krieg and City Manager Laurie confirmed they had and also reported that DBP has members on the Parking Committee.

Councilor Schaefer commented that she did not think Parking Committee needed to review this report as all recommended items had been discussed/approved in 2019.

Councilor Davitt stated that she stands by her original motion but would like to add that all decisions re: details of implementation of recommendations be put before the Parking Committee.

Member of DBP and Parking Committee, Bev Uhlenhake, presented to the Committee. Felt strongly that rate increases should be discussed with Parking Committee before making decision.

Councilor Yacoubagha asked if scheduling of Parking Committee meeting could be expedited.

Councilor Davitt and Chair Sprague agreed to vote down Davitt's previous motion. Chair Sprague renewed motion to accept parking report. Upon roll call vote, all Committee members voted not in favor.

Councilor Schaefer moved referral of parking report and recommendations to Parking Committee, with report-back date no later than June 30th. Seconded by Councilor Yacoubagha – vote unless doubted, no doubt.

## **2. REQUEST FOR REFERRAL TO PARKING COMMITTEE, 152 Main St.**

Development Director Krieg requested that referral be approved with minimal discussion in the interest of time. Reported that request is for a parking/loading zone change at 152 Main Street.

Councilor Davitt moved referral of 152 Main Street request for parking/loading zone change to Parking Committee, seconded by Councilor Schaefer. Vote unless doubted, no doubt.

## **3. CODE CHANGES DISCUSSION, Adding higher density allowances for housing in the Shopping & Personal Service and General Commercial & Service Districts.**

Committee agreed that there was not adequate time to discuss this agenda item.

City Manager Laurie stated that it could be added to the pre-Council meeting on Monday as a first reading.

## **4. CDBG REQUEST FOR FUNDING, Hope for Homeless**

Development Director Krieg presented CDBG application from Hope for Homeless – requesting \$50,000 to purchase furniture for individuals who are newly becoming housed.

Councilor Schaefer moved recommendation of approval of application for funding to City Council, seconded by Councilor Davitt. Vote unless doubted, no doubt.

Meeting adjourned at 6:52 P.M.

Meeting minutes respectfully submitted,

Sarah Pritchard  
Admin. Asst.  
C&ED

## **BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE**

Tuesday, June 6, 2023 @ 5:15 PM

City Council Chambers

### **MEETING MINUTES**

City Councilors Present: Davitt, Fournier, Leonard, Schaefer, Sprague, Tremble, Yacoubagha.

City Staff Present: Bolduc, Krieg, Laurie.

Chair Sprague called the meeting to order at 5:15 P.M.

- 1. GRANT RECOMMENDATIONS FROM THE COMMISSION ON CULTURAL DEVELOPMENT,** Action requested to receive and recommend Commission action

Councilor Schaefer moved receipt and recommendation of Commission action, seconded by Councilor Davitt. Vote unless doubted, no doubt.

- 2. LOCAL BUSINESS/EMPLOYER CHECK-IN DISCUSSION WITH GENERAL MANAGER AT HOLLYWOOD SLOTS, AUSTIN MUCHEMORE, OF PENN ENTERTAINMENT**

General Manager at Hollywood Slots, Austin Muchemore, presented to the Committee. Reported that things are going well at the casino, and that the last year was an especially good year as the business recovers from the COVID19 pandemic. Staffing shortages continue to be somewhat problematic. Business has not been fully re-opened yet but staff is looking into how to continue to open up the parts that are still closed. Staff is also working on plan to come into compliance with new sports betting law.

Councilor Davitt asked if Muchemore had any data on how much of their customer base is local residents vs. visitors from elsewhere, which parts of the business tend to be the most frequented, etc. Muchemore responded that it all varies depending on the time of year, but they consider most of their customer base to be local to the area.

Councilor Fournier asked how occupancy levels have been over the last year. Muchemore responded that they have been very good.

Chair Sprague asked if there was any update on Bass Park and the horse racing. Muchemore responded that the things are improving as they are now able to broadcast events from Churchill Downs again after a contracting issue prohibited this temporarily.

### **3. GENERAL UPDATES**

#### **a. COMMERCIAL KITCHEN**

Development Director Krieg reported that there is currently an RP out for architectural design development, which will also help to ascertain current estimated costs. The City has also contracted with Caroline Paras as consultant on the project.

Chair Sprague asked that as the project continues, it may be helpful to clarify purpose – communal kitchen vs. kitchen innovation hub.

#### **b. PROPOSED UMBRELLA PROJECT FROM DOWNTOWN BUSINESS PARTNERSHIP**

DBP representative Imke Jandreau presented to the Committee. Presented plans as laid out in application that will be reviewed by Historic Preservation Commission on June 8th.

Councilor Davitt asked who would be in charge of the installation. Jandreau responded that this is still being decided but that it would likely be DBP volunteers, although they would be asking Public Works for use of scissor lifts.

Councilor Schaeffer asked if building owners had already been consulted and had given permission for installation of the cable bolts. Jandreau responded that they had and that the technical particulars of this installation had already been discussed with HPC consultant Mike Pullen; confirmed that bolts will be placed in the mortar rather than the bricks themselves in order to allow for easier repair when they are removed afterwards.

Councilor Davitt asked if there will be a process in place for any damage that the installation may incur due to weather, etc. Jandreau responded that there is a 3-year contract in place for installation & maintenance.

Councilor Yacoubagha asked if there were any safety concerns for people in the vicinity of the project. Jandreau reported that there have been none reported in the other cities that have installed this art project thus far.

### **4. OTHER BUSINESS**

Economic Development Officer Steve Bolduc presented to the Committee to introduce an Executive Session agenda item and interested party.

Tristan Thomas presented to the Committee to introduce himself and report that he has been in discussion with Bolduc to negotiate a 25-year lease extension at a City-owned property, under the condition that Thomas will invest approximately \$300,000 to improve the property.

Councilor Schaefer moved to go into Executive Session. Meeting adjourned at 5:43 P.M.

Meeting minutes respectfully submitted,

Sarah Pritchard  
Admin. Asst.  
C&ED

## **BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE**

Tuesday, June 21, 2023 @ 5:15 PM

City Council Chambers

### **MEETING MINUTES**

City Councilors Present: Davitt, Schaefer, Sprague, Tremble, Yacoubagha.

City Staff Present: Krieg, Stanicki.

Chair Sprague called the meeting to order at 5:15 P.M.

- 1. MUNICIPAL GOLF COURSE – SPONSORSHIP AGREEMENT WITH THE FIRST**, Action requested to accept staff recommendation to execute agreement

Chair Sprague recused himself due to conflict of interests (has family employed by The First).

Parks & Recreation Director Tracy Willette presented to the Committee. Reported that staff would like to enter into a 3-year sponsorship agreement with The First, which would include having their logo on the golf carts and certain playing rights for their employees.

Councilor Tremble asked what the monetary value of the playing rights amounts to. Willette responded that he would follow up and find out this information.

Councilor Schaefer moved acceptance of staff recommendation to execute agreement, seconded by Councilor Tremble. Vote unless doubted, no doubt.

- 2. BROWNFIELD GRANT FOR AIRPORT**, Resolve requested to recommend the City Council accept and appropriate the EPA for Brownfields Cleanup Grant Funds for building at Bangor International Airport

Development Director Krieg reported that this grant will be under the management of new Community Development Officer, Robyn Stanicki.

Community Development Officer Stanicki presented to the Committee. Reported that these funds are designated to address the alert building on the airport property, which has been abandoned for many years and has chemical contamination that has been absorbed into the foundation, as well as wildlife living inside. Building needs remediation to excavate foundation and prepare for new development. There are \$897,850 available in grant funds, and the clean-up project is slated to start in October 2023.

Councilor Schaefer moved resolve to recommend the City Council accept and appropriate the EPA for Brownfields Cleanup Grant Funds for building at Bangor International Airport, seconded by Councilor Davitt. Vote unless doubted, no doubt.

Meeting adjourned at 5:21 P.M.

Meeting minutes respectfully submitted,

Sarah Pritchard  
Admin. Asst.  
C&ED



**CITY COUNCIL ACTION**

07/24/2023 23-222

Council Meeting Date: 07/24/2023

Item No: 23-222

Responsible Dept: Parks & Recreation



Requested Action: Order

Map/Lot: N/A

**Title, Order**

Authorizing the Parks and Recreation Department to Participate in the WinterKids Downhill 24 Outdoor Grant Funding Program

**Summary**

This Order authorizes the participation of the Parks and Recreation Department in the WinterKids Downhill 24 Outdoor funding program for the chance of receiving \$10,000 award.

Winterkids offers the Downhill 24 Outdoor Fund grant program that funds grants to 10 organizations around the state to help get kids outside and active more often. Organizations are divided into three categories: Maine 501(c)(3) non-profits, Maine Public Schools, and Maine Parks and Recreation Departments. Winners are determined by a community vote with first place winners in each category receiving \$10,000, second place winners receiving \$5,000 and third place finishers receiving \$1,500.

Parks and Recreation is responsible for grooming cross-country ski trails and maintaining mountain biking trails at Essex Woods. If awarded, funding would be used for cross country ski rental equipment, as well as additional grooming equipment for trail use at Essex Woods. The equipment rental program is something Parks and Recreation has done in the past and was a popular program.

This item was reviewed and recommended at the Government Operations Committee Meeting on July 17, 2023.

**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:** Consent



## **CITY OF BANGOR ORDER**

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07/24/2023 23-222

Date: 07/24/2023

Item No: 23-222

Assigned to Councilor: Schaefer

Authorizing the Parks and Recreation Department to Participate in the WinterKids Downhill 24 Outdoor Grant Funding Program

Be it Ordered by the City Council of the City of Bangor that, the Parks and Recreation is authorized to participate in the WinterKids Downhill 24 Outdoor grant funding program for the opportunity to receive up to \$10,000.





## **CITY OF BANGOR ORDER**

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07/24/2023 22-223

Date: 07/24/2023

Item No: 22-223

Assigned to Councilor: Hawes

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

Be it Ordered by the City Council of the City of Bangor that, the Finance Director is hereby authorized to enter into a five (5) year lease with Stryker for eight (8) LifePak-15 cardiac monitors/defibrillators for a total of \$331,535.54, or \$70,307.11 per year.





## **CITY OF BANGOR ORDER**

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07/24/2023 23-224

Date: 07/24/2023

Item No: 23-224

Assigned to Councilor: Yacoubagha

Authorizing Purchase of Fire Truck from Pierce Manufacturing in the Amount of \$879,777

WHEREAS; the City's Fire Department operations a fleet of four (4) fire engines and two (2) ladder trucks; and

WHEREAS; since 1982 each truck purchased has been a Pierce brand; and

WHEREAS; standardization of the fleet is beneficial in a number of ways including; common parts inventory, mechanic certification, diagnostic equipment, body components, etc; and

WHEREAS; the FY 24 budget included funding to replace a fire truck;

NOW THEREFORE BE IT ORDERED that the purchase of a Fire Truck from Pierce Manufacturing in the amount of \$879,777 is hereby approved.





## **CITY OF BANGOR ORDER**

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07/24/2023 23-225

Date: 07/24/2023

Item No: 23-225

Assigned to Councilor: Leonard

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

Be it Ordered by the City Council of the City of Bangor that, the Finance Director is hereby authorized to execute a contract extension with B&B Paving, Inc., for City of Bangor paving projects, in the amount of \$800,000 for the period of July 1, 2023 through December 31, 2023.



**CITY COUNCIL ACTION**

07/24/2023 23-226

Council Meeting Date: 07/24/2023

Item No: 23-226

Responsible Dept: Health & Community Services

Requested Action: Order

Map/Lot: N/A

**Title, 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

**Summary**

This Order would authorize the City Manager to apply for McKinney-Vento Homeless Assistance Funds in the amount of \$1,151,932 for grant period August 1, 2024 through November 30, 2025 for the Shelter Plus Care program.

These funds are comprised of four grants totaling the total amount request to provide Shelter Plus Care Rental Assistance to qualified individuals and families to live in Bangor and other communities in Penobscot County. Shelter Plus Care promotes housing stability by paying rent for homeless individuals and families. Participants needing case management services are assisted by the Shelter Plus Care Housing Specialist through referrals for life skills such as healthy living, financial literacy, and employment. These funds are granted through the Maine Continuum of Care selective competition process.

To apply for City of Bangor TRA 8716 in the amount of \$147,679  
Grant period 12/1/24-11/30/25  
16 households

To apply for TRA Consolidated 8715 in the amount of \$490,717  
Grant period 9/1/24-8/31/25  
51 households

To apply for Consolidated 8714-A in the amount of \$440,709  
Grant period 4/1/24-3/31/25  
42 households

To apply for TRA-8719 in the amount of \$72,830  
Grant period 8/1/24-7/31/25  
6 households

**Committee Action**

Committee: Government Operations 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**

07/24/2023 23-226

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Date: 07/24/2023

Item No: 23-226

Assigned to Councilor: Tremble

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

WHEREAS, Shelter Plus Care promotes housing stability by paying rent for homeless individuals and families; and

WHEREAS, these funds are comprised of four grants, in the amount of \$1,151,932, to provide Shelter Plus Care Rental Assistance to qualified individuals and families to live in Bangor and other communities in Penobscot County.

WHEREAS, the City of Bangor has been a long-standing recipient of this funding and Shelter Plus Care promotes housing stability by paying rent for homeless individuals and families. Participants needing case management services are assisted by the Shelter Plus Care Housing Specialist through referrals for life skills such as healthy living, financial literacy, and employment. ;

Be it Ordered by the City Council of the City of Bangor that, the City Manager is authorized 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



**CITY COUNCIL ACTION**

07/24/2023 23-227

Council Meeting Date: 07/24/2023

Item No: 23-227

Responsible Dept: Community & Economic Development

Requested Action: Order

Map/Lot: 001-096

**Title, Order**

Authorizing Execution of a Lease Agreement with United States of America – Building 96, 138 Maine Avenue

**Summary**

The City of Bangor has leased to the United States of America, Federal Aviation Administration, office space in Building 96 located at 138 Maine Avenue since 1993. The lease agreement expired September 30, 2021, and the tenant has been in "holdover" status since then. In September, 2022 the FAA solicited open bids for office space. The City of Bangor submitted a proposal package which was selected. We have been negotiating the terms of a lease agreement which has resulted in the following terms. The lease rate during the previous period was \$90,122.64 annually or \$7,510.22 per month.

Premises: 7,749 sq. ft., 138 Maine Ave., building #96, including office space, use of any common areas, such as entrances, exits and loading areas, and 16 reserved, off-street parking spaces

Term: Five (5) years, October 1, 2021 to September 30, 2026 with an option to extend the term to September 30, 2030  
FAA can terminate the lease by providing sixty (60) days' notice.

Rate:

October, 2021 – September, 2026 - \$9,182.56 monthly

This includes a monthly base rent of \$8,071.88 and \$1,110.68 in janitorial costs.

Should the option be exercised, the lease rate would be renegotiated to reflect any changes in occupancy costs.

Use: Office space in support of the National Airspace System, operating in a businesslike, clean and safe manner.

Utilities: The City would assume the cost of all utilities including electricity, fuel oil, and water, stormwater and sewer user fees.

Maintenance: The City would be responsible for all interior and exterior maintenance including building fixtures, equipment, foundation, roof, structural walls, operating systems, doors, windows, floors and floor coverings, ceilings, walls, and interior and exterior surfaces, as well as parking areas, grounds landscaping, snowplowing, waste disposal and the cleaning of all leased areas.

This item was reviewed and recommended for approval by the Business & Economic Development Committee at its July 17, 2023 meeting.

**Committee Action**

Committee: Business & Economic Development Committee

Meeting Date: 07/17/2023

Action: Recommend for passage

For:

Against:

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** Consent



## CITY OF BANGOR ORDER

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07/24/2023 23-227

Date: 07/24/2023

Item No: 23-227

Assigned to Councilor: Schaefer

Authorizing Execution of a Lease Agreement with United States of America – Building 96, 138 Maine Avenue

WHEREAS, the City of Bangor has leased to the United States of America, Federal Aviation Administration, office space in Building 96 located at 138 Maine Avenue since 1993; and

WHEREAS, the FAA has solicited open bids for office space, and the City of Bangor's proposal package was selected as the best option; and

WHEREAS, the United States of America, Federal Aviation Administration, desires to continue to lease the office space at 138 Maine Avenue: then

Be it Ordered by the City Council of the City of Bangor that, the City Manager is hereby authorized to execute a Lease Agreement between the City of Bangor and the United States of America to lease office space in Building 96 at 138 Maine Avenue for five (5) years at a monthly rate of \$9,182.56. Said lease will be in a form approved by the City Solicitor or Assistant City Solicitor.



REFERRALS TO  
COMMITTEES  
& FIRST READING



## **CITY COUNCIL ACTION**

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Council Meeting Date: July 24, 2023

Item No: 23-228

Responsible Dept: Planning

Action Requested: Ordinance

Map/Lot: 004-021

### **Title, Ordinance**

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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**

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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**

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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).

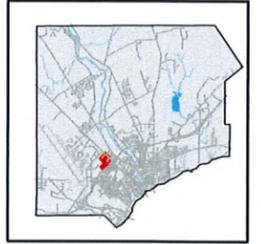
**WHEREAS**, at present, the zoning of the property allows mostly medium to high-density residential and this zone change would allow for higher density residential;

**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.





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



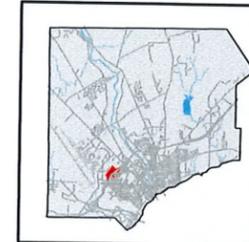
RECEIVED

JUL 14 2023

C & ED and Planning

MAP R25

MAP 005



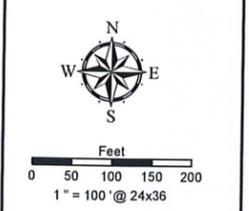
PARCEL MAPS  
  
City of  
BANGOR, MAINE

- 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

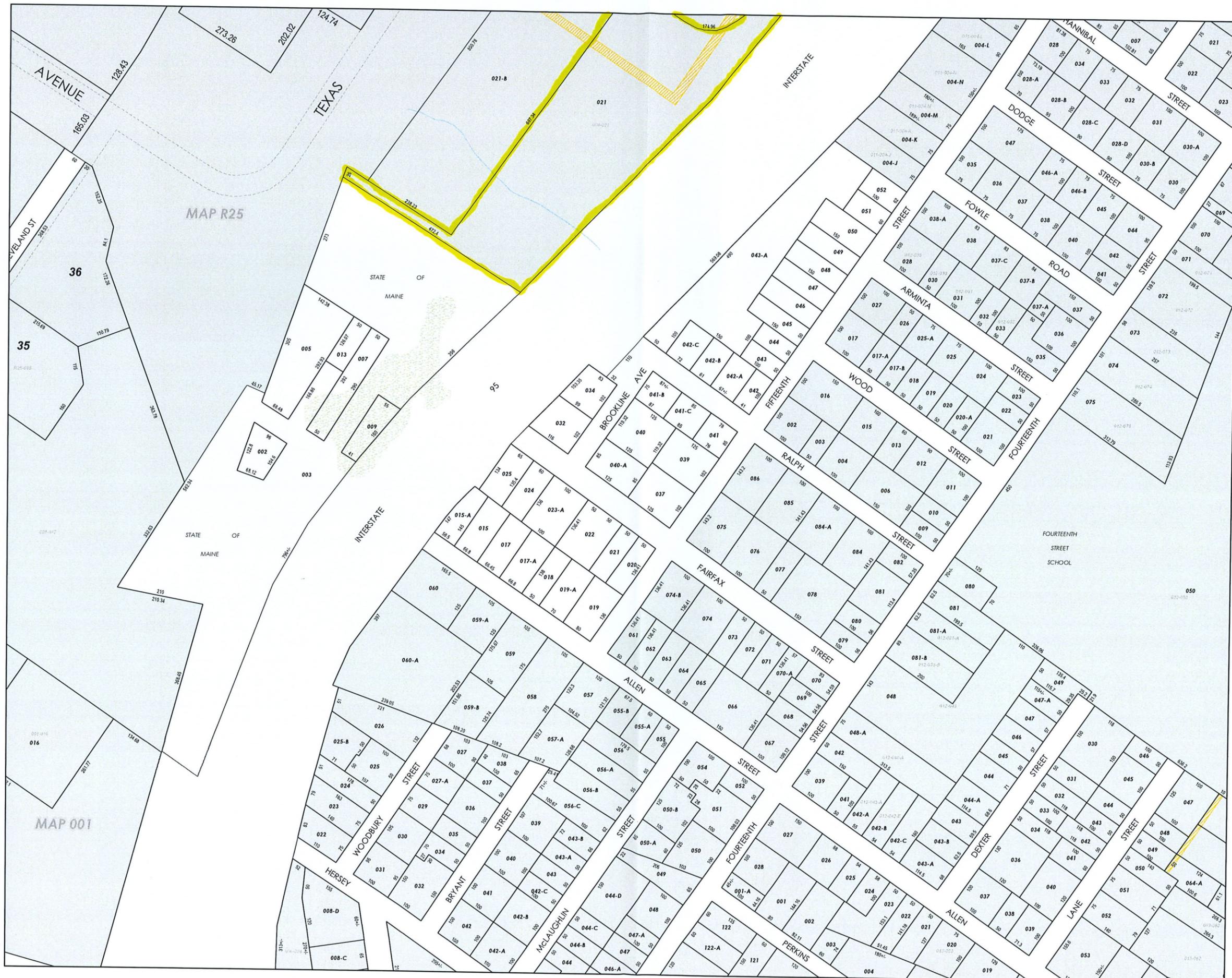
PRINT DATE:  
JULY 06, 2022

Revisions:



FOR ASSESSMENT PURPOSES ONLY.  
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Wetlands Source: City of Bangor GIS.

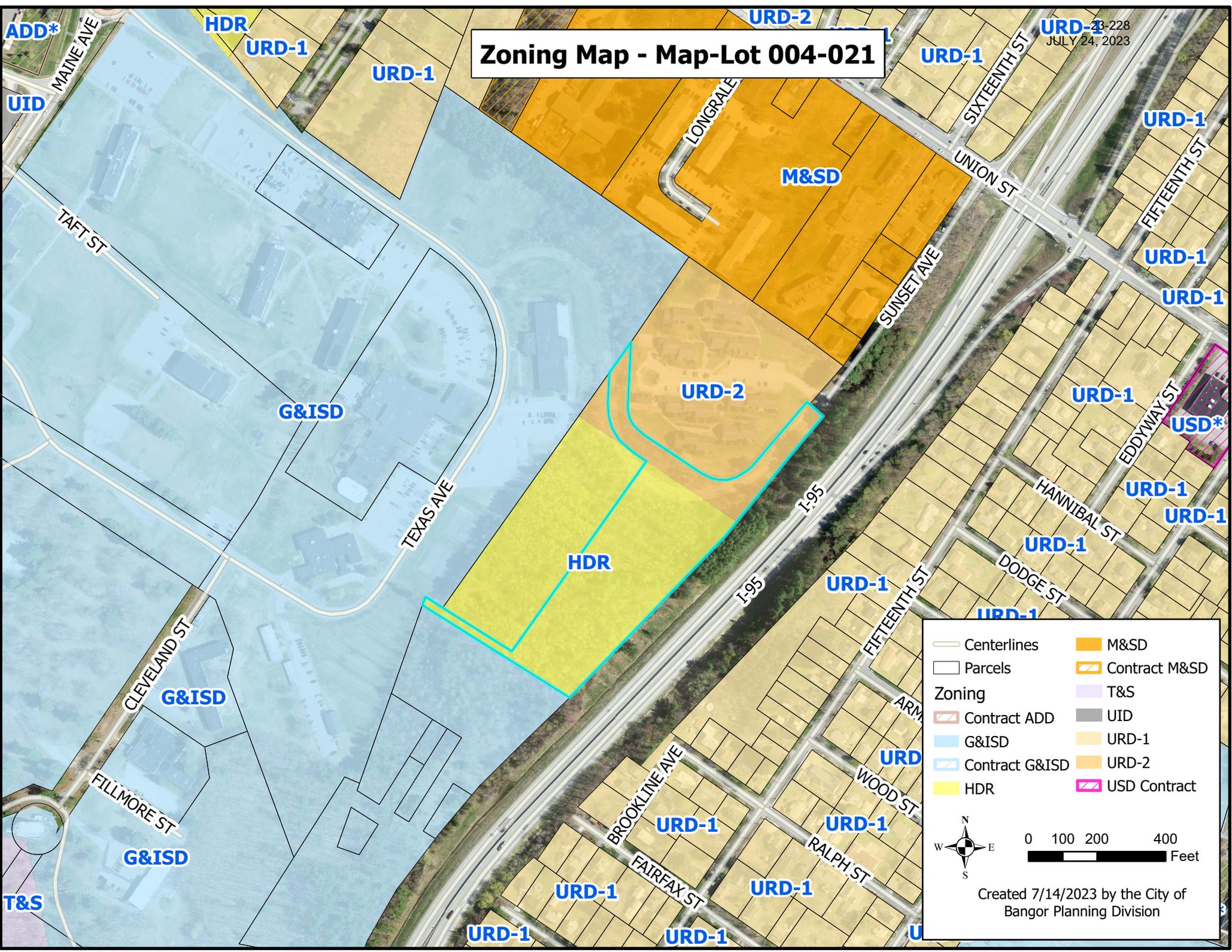
# 005



RECEIVED  
JUL 14 2023  
C & ED and Planning

# 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



## **CITY COUNCIL ACTION**

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Council Meeting Date: July 24, 2023

Item No: 23-229

Responsible Dept: Planning

Action Requested: Ordinance

Map/Lot: R21-006

### **Title, Ordinance**

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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**

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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;

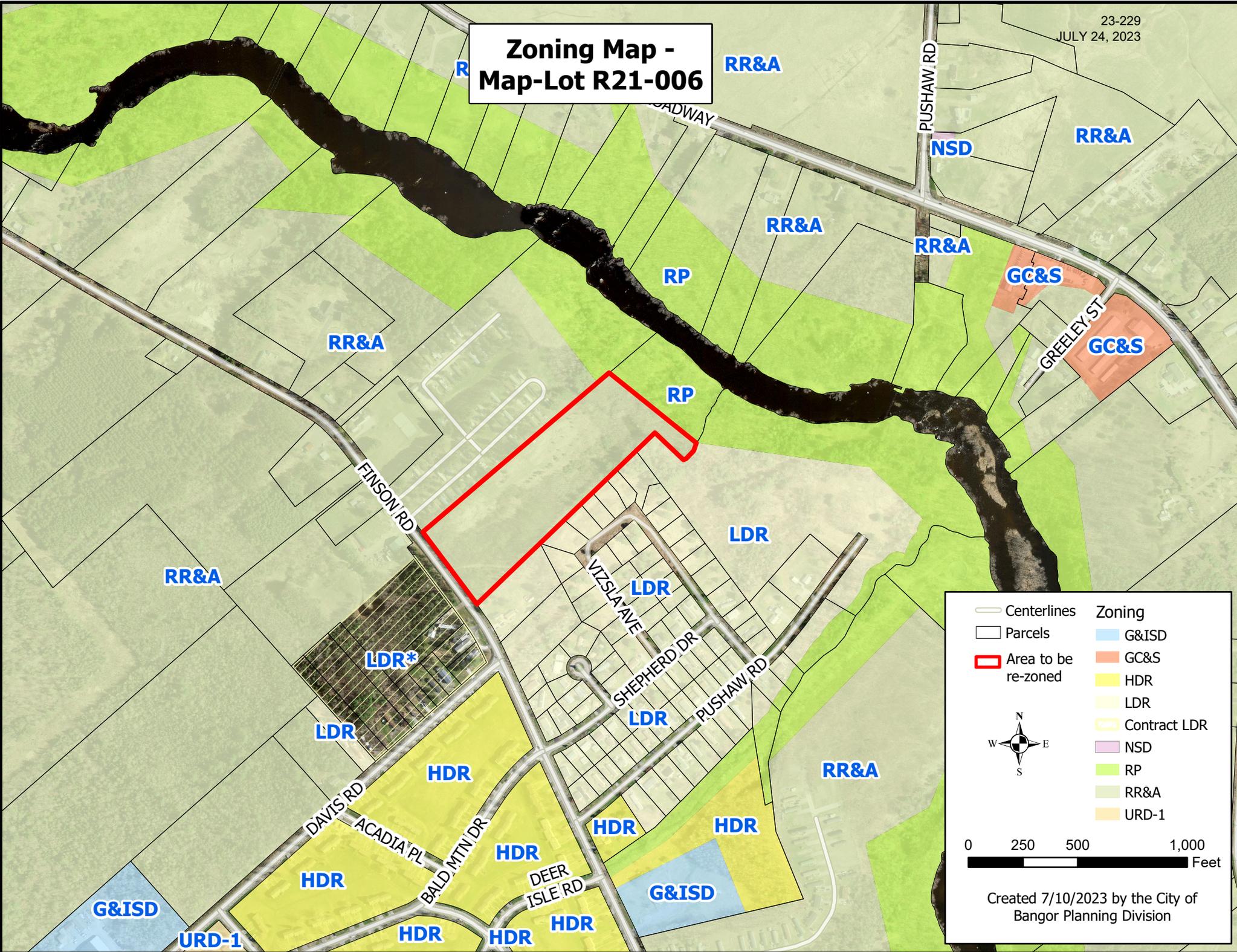
**WHEREAS**, the 2022 Comprehensive Plan shows this area as consisting of "low-density residential areas where open space and farmland is a primary feature of the landscape" and not generally being served by municipal water or sewer service;

### **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".



# Zoning Map - Map-Lot R21-006



	Centerlines	<b>Zoning</b>
	Parcels	G&ISD
	Area to be re-zoned	GC&S
		HDR
		LDR
		Contract LDR
		NSD
		RP
		RR&A
		URD-1

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 Bakersville 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.

JULY 24, 2023

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

Meeting Date: 07/17/2023

Action: Recommend for passage

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.



UNFINISHED  
BUSINESS



## **CITY COUNCIL ACTION**

---

Council Meeting Date: June 26, 2023

Item No: 23-205

Responsible Dept: Planning

Action Requested: Ordinance

Map/Lot: 054-223, 054-224-C

### **Title, Ordinance**

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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&ISD) to Urban Service District (USD).

### **Summary**

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The applicant is seeking a zone change for the property at 364 State Street, Map-Lot 054-223, from the Neighborhood Service District (NSD) to Urban Service District (USD) and for a portion of the property at 410 State Street, Map-Lot 054-224-C, from Contract Government and Institutional Service District (G&ISD) to Urban Service District (USD). The total area requested to be changed is 0.5 acres and is shown in the attached exhibit and described in the attached description.

The change to the USD district would allow for a greater variety of commercial uses on this lot, such as drive-in businesses, animal clinics, and restaurants. The change would also remove the contract conditions from the portion of property at 410 State Street, which currently limit the property to be used only for employee parking and prevents a curb cut onto Otis Street.

The neighborhood has a mix of G&ISD, NSD, M&SD, URD-1, and URD-2 lots. The 2012 Comprehensive Plan showed this area as commercial and institutional and the 2022 Comprehensive Plan shows this as having limited commercial and institutional uses that are complementary to the surrounding area.

### **Committee Action**

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Committee: Planning Board

Meeting Date: July 11, 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: June 26, 2023

Assigned to Councilor: Schaefer

**ORDINANCE**, 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&ISD) to Urban Service District (USD).

**WHEREAS**, at present, the zoning of the property restricts the site to certain contract conditions and more limited commercial uses and government and institutional uses and this zone change would allow for a greater variety of commercial uses;

**WHEREAS**, the 2012 Comprehensive Plan showed this area as commercial and institutional and the 2022 Comprehensive Plan shows this as having limited commercial and institutional uses that are complementary to the surrounding area;

### **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 the property addressed at 364 State Street, Map-Lot 054-223, from the Neighborhood Service District (NSD) to Urban Service District (USD) and for a portion of the property at 410 State Street, Map-Lot 054-224-C, from Contract Government and Institutional Service District (G&ISD) to Urban Service District (USD). The total area requested to be changed is 0.5 acres and is shown in the attached exhibit titled "Proposed Zoning Change Sketch – Northern Light Health – 364 State Street, Bangor, Maine", and is described in the attached description titled "Exhibit A – Proposed Zone Change Parcel".



# COMMUNITY & ECONOMIC DEVELOPMENT

## CITY OF BANGOR

PLANNING DIVISION

### Memorandum

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

**From:** Anja Collette, Planning Analyst

**Date:** July 12, 2023

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

**Re:** Planning Board Recommendation July 11, 2023  
Zone Change – Map-Lot 054-223 – Neighborhood Service District (NSD) to Urban Service District (USD) and portion of Map-Lot 054-224-C – Contract Government and Institutional Service District (G&ISD) to Urban Service District (USD)

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 July 11, 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 Alternate Member Joshua Saucier.

Board members voted to recuse Member Trish Hayes from deliberation since she felt she had a conflict of interest due to having a personal relationship with the project manager for the application.

Jason Vafiades from Atlantic Resource Consultants presented the application. He reviewed the applicants' plans to add a drive-thru pharmacy at this location, which is why a change to the Urban Service District (USD) is needed.

From the staff memo:

- A. The applicant is seeking a zone change for the property at 364 State Street, Map-Lot 054-223, from the Neighborhood Service District (NSD) to Urban Service District (USD) and for a portion of the property at 410 State Street, Map-Lot 054-224-C, from Contract Government and Institutional Service District (G&ISD) to Urban Service District (USD).
- B. The change to the USD district would allow for a greater variety of commercial uses on this lot, such as drive-in businesses, animal clinics, and sit-down restaurants. The change would also remove the contract conditions from the portion of property at 410 State Street, which currently limit the property to be used only for employee parking, stipulates certain buffer requirements, and provides limitations on creating a curb cut onto Otis Street.

- C. The neighborhood has a mix of G&ISD, NSD, M&SD, URD-1, and URD-2 lots. The 2012 Comprehensive Plan showed this area as commercial and institutional and the 2022 Comprehensive Plan shows this as having limited commercial and institutional uses that are complementary to the surrounding area.

Chair Perkins asked about the current use. The applicant stated there was currently an abandoned building on the site. Member Huhn asked if the applicants would be closing the current pharmacy at 210 State Street (formerly known as Miller Drug). Matt Marston, Chief Pharmacy Officer for Northern Light Health, approached the podium and confirmed this, stating that it would not be feasible to renovate the current facility. Chair Perkins and Marston discussed the changes that have been made over time to the current facility.

Huhn stated to the applicant that Board members have to consider all the uses that could be in the new zone. Member Saucier asked if the main purpose of their zone change request was to allow for the drive-thru use. Development Director Krieg confirmed this. Member Huhn asked if the additional reason was that they couldn't do upgrades to the current location; Krieg confirmed this as well. Perkins stated he didn't feel there were many differences between the current zoning and the proposed zone.

There were no comments from the public.

Member Huhn 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 6:0 with all members voting to approve.

Anja Collette



Grid North  
NAD83(2011)

N/F  
Eastern Maine Medical Center  
Book 4662, Page 44  
Tax Map 054 Lot 221

N/F  
Eastern Maine Medical Center  
Book 3447, Page 258 (1st Parcel)  
Book 4420, Page 362

Tax Map 054  
Lot 224-C

208

N79° 35' 09"E 33.31'  
15.92'  
N79° 10' 48"E 43.75'  
S70° 37' 53"E

R=28.00'  
L=43.98'

207

OTIS STREET  
Bangor Road Book 2, Page 352

Proposed  
Zone Change  
0.5 Acres

S10° 49' 12"E 137.34'

206

N/F  
Pratt & Lawler  
Book 14846, Page 335  
(ref. Book 4918, Page 126)  
Tax Map 054 Lot 223

N10° 43' 33"W 207.84'

205

S63° 08' 33"W 124.00'

204

STATE STREET  
Bangor Road Book 1, Page 89

Map 059  
Lot 025

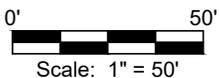


HANCOCK  
STREET

225

Lot numbers refer to Tax  
Map 054 unless noted.

No monuments set.

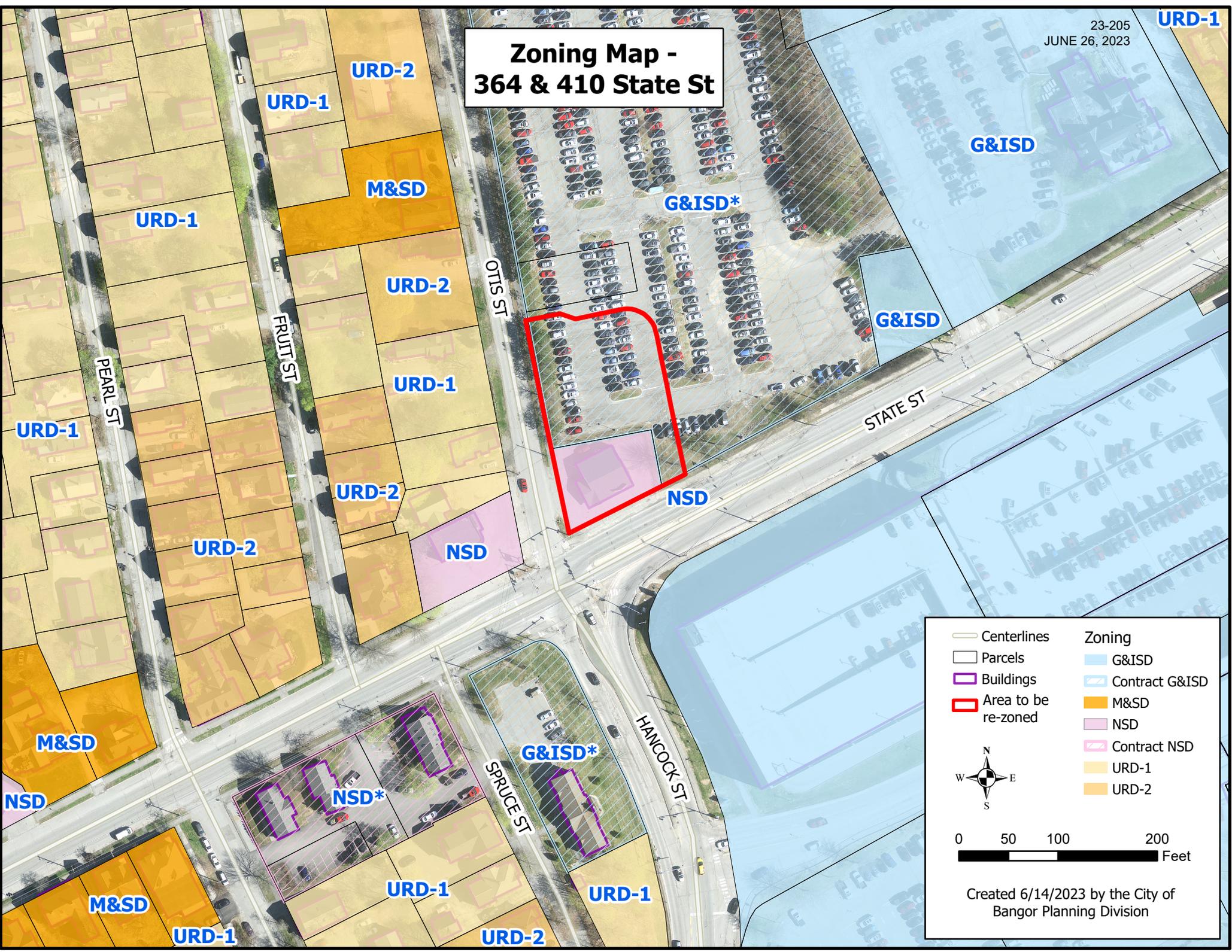


Proj# 23175  
Date: 06/15/2023

Proposed Zoning Change Sketch  
Northern Light Health  
364 State Street, Bangor, Maine

**PLISGA & DAY**  
Land Surveyors  
72 Main Street  
Bangor, ME 04401  
(207) 947-0019  
www.wemapit.com

# Zoning Map - 364 & 410 State St



Centerlines	<b>Zoning</b>
Parcels	G&ISD
Buildings	Contract G&ISD
Area to be re-zoned	M&SD
	NSD
	Contract NSD
	URD-1
	URD-2

N  
W E  
S

0 50 100 200  
Feet

Created 6/14/2023 by the City of Bangor Planning Division

**Exhibit A**  
**Proposed Zone Change Parcel**

A certain lot or parcel of land and any improvements thereon located on the north side of State Street and on the east side of Otis Street, City of Bangor, County of Penobscot, State of Maine, bounded and described as follows:

BEGINNING at the intersection of the north line of State Street with the East Line of Otis Street;

THENCE N10°43'33"W along said East line of Otis Street two hundred seven and eighty-four hundredths (207.84) feet;

THENCE N79°35'09"E a distance of thirty-three and thirty-one hundredths (33.31) feet;

THENCE S70°37'53"E a distance of fifteen and ninety-two hundredths (15.92) feet;

THENCE N79°10'48"E a distance of forty-three and seventy-five hundredths (43.75) feet to the point of curvature of a tangent curve to the right, said curve having a radius of twenty-eight and zero hundredths (28.00) feet;

THENCE easterly, southeasterly and southerly along said curve an arc distance of forty-three and ninety-eight (43.98) feet to a point of tangency;

THENCE S10°49'12"E a distance of one hundred thirty-seven and thirty-four hundredths (137.34) feet to said north line of State Street;

THENCE S63°08'33"W along said north line of State Street one hundred twenty-four and zero hundredths (124.00) feet to THE POINT OF BEGINNING.

Containing one-half acre, more or less.

MEANING AND INTENDING to describe all of the land described in a Certificate and Abstract of the Estate of David Bruce Lawler recorded in the Penobscot County Registry of Deeds in Book 14846, Page 335, with reference made to a deed to David Lawler recorded in Book 4918, Page 126, a portion of the land described in a deed from Wing Park Partnership to Eastern Maine Medical Center dated September 21, 1983 and recorded in Book 3447, Page 258, and a portion of the land described in a deed from Jay A. Smith to Eastern Maine Medical Center dated April 14, 1989 and recorded in Book 4420, Page 362.

This description was prepared by Plisga & Day Land Surveyors and is based on Survey work performed for Northern Light Health, dated June 15, 2023, Project No. 23175. Bearings reference NAD83(2011) Maine East Zone.



## **CITY COUNCIL ACTION**

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Council Meeting Date: July 10, 2023

Item No: 23-214

Responsible Dept: Code Enforcement

Action Requested: Ordinance

Map/Lot: n/a

### **Title, Ordinance**

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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.

### **Summary**

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This Ordinance Amendment would remove the requirements of sub-section 302-2 (B) of Chapter 302, which requires that a permit be obtained from the Code Enforcement Office prior to conducting a yard sale. This ordinance amendment would also define "perpetual yard sale". Currently, obtaining a \$5 yard sale permit, which is not available online, requires a citizen to travel to City Hall. Citizens who do come in to obtain the permit frequently mention that it is a cumbersome process to do so and that they see examples of others who don't obtain a permit for their sale. The process is not customer service friendly and certainly not followed by all. The majority of yard sales are held during weekends when Bangor Code Enforcement Officers are not on duty, so responding to unpermitted sales wouldn't happen until the following Monday when the sale would likely be over. In the previous five years, Code Enforcement has received no complaints in regards to unpermitted yard sales. A premise behind the need for a yard sale permit is to prevent the occurrence of "perpetual yard sales". If the need for a yard sale permit is removed, zoning regulations already on the books could be used to work with a property owner should this situation occur. In the previous five years, this situation occurred once in 2018. In 2020, 126 yard sale permits were issued; 269 in 2021; and 264 in 2022. At a fee of \$5 per permit, this reflects \$1,345 and \$1,320 income from yard sale permits the past two years.

### **Committee Action**

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Committee: Business & Economic Development

Meeting Date: May 2, 2023

Action: Recommended

For:3

Against: 0

### **Staff Comments & Approvals**

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City Manager  
Director

City Solicitor

Finance

**Introduced for:** First Reading



## CITY COUNCIL ORDINANCE

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Date: July 10, 2023

Assigned to Councilor: Schaefer

**ORDINANCE**, 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.

**WHEREAS**, a permit with a \$5 fee is required to be obtained prior to conducting a yard sale; and,

**WHEREAS**, a yard sale permit can only be obtained in person at City Hall; and

**WHEREAS**, obtaining a yard sale permit can be a cumbersome, non-customer service friendly process for some citizens; and

**WHEREAS**, Code Enforcement Officers are not available to respond to un-permitted yard sales on weekends; and

**WHEREAS**, zoning regulations are in place to respond to perpetual yard sales;

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

Chapter 302 of the Code of the City of Bangor is amended as follows:

### **Section 302.1 Definitions**

#### **YARD SALE**

A sale of personal property owned or donated personal property upon a residential property.

#### **PERPETUAL YARD SALE**

A sale of personal property owned or donated personal property upon a residential property for a period of more than three consecutive days; or more than two yard sales of personal property upon a residential property in any one calendar year.

### **Section 302.2 Permit required.**

No person shall sell or offer for sale personal property from any residential premises, as defined herein, except as permitted by this chapter. Only the sale of donated personal property, as defined herein, and the sale of personal property owned, used and maintained for personal use only by the seller and not for resale to the public shall be permitted to be sold from residential premises, ~~and only after issuance to the seller of a permit for such purposes, as follows:~~

**A.**

~~Application. A permit may be obtained by submitting a completed application to the Code Enforcement Officer upon forms provided for such purposes, together with a fee as prescribed in the Schedule of Fees adopted pursuant to Chapter **109**, Fees, of this Code.~~

~~{Amended 9-13-1993 by Ord. No. 93-410; 9-14-1998 by Ord. No. 98-339; at time of adoption of Code (see Ch. 1, General Provisions, Art. I)}~~

**B-A.**

~~Permit limitations. Limitations. No permit shall be issued. There shall be no sales of personal property upon residential premises for a period of more than three consecutive days, and no more than two permits shall be issued for such sales upon a residential premises in any one calendar year. there shall be no more than two sales upon a residential premises in any one calendar year.~~

~~{Amended 10-28-2019 by Ord. No. 19-395}~~

**~~Section 302.5 Forms.~~**

~~Applications and permits required under this chapter shall be approved as to form by the City Council.~~

**Section ~~302-6~~ 302.5 Violations and penalties.**

[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

Any person, firm or corporation conducting any sale ~~regulated under this chapter without obtaining a permit as required by § **302-2** or who or which shall violate any of the terms of this chapter~~ in violation of any regulation under this chapter shall, upon conviction, be fined not less than \$25 nor more than \$100. Each day of violation shall constitute a separate offense for purposes of prosecution of violations of this chapter.

*Additions are underlined; deletions are ~~struck through~~.*



**CITY COUNCIL ACTION**

07/10/2023 23-215

Council Meeting Date: 07/10/2023

Item No: 23-215

Responsible Dept: Health & Community Services

Requested Action: Resolve

Map/Lot: N/A

**Title, Resolve**

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

**Summary**

This Resolve will authorize the appropriate of Opioid Litigation Settlement dollars received by the City of Bangor in the amount of \$28,990 for FY 24 for the purpose of funding a part-time syringe waste specialist with the Health Equity Alliance (HEAL).

Orders 23-106 and 22-065 authorized the City Manager to execute settlement documents related to this matter. The State of Maine, along with many other states, has reached settlements in the opioid litigation matters against the manufacturers Teva and Allergan, and the distributors Walmart, Walgreens and CVS. The Maine State Subdivision Memorandum of Understanding and Agreement Regarding the Use of Settlement Funds defines the allowable use of settlement proceeds. Community drug disposal and harm reduction strategies are eligible uses of the settlement funds.

If approved, this Resolve would authorize the use of settlement funds to address the improper disposal of syringe litter waste which also poses a significant health risk to others. An agreement for the City to contract with HEAL to provide a part-time staff position dedicated to properly removing and disposing of syringe litter waste reported on private and public property, was previously authorized by the Council.

**Committee Action**

Committee: Government Operations Committee  
Action: Recommend for passage

Meeting Date: 07/03/2023  
For: Against:

**Staff Comments & Approvals**

The details of the settlements are outlined here: <https://nationalopioidsettlement.com/>.

City Manager

City Solicitor

Finance Director

**Introduced for:** First Reading



## CITY OF BANGOR RESOLVE

07/10/2023 23-215

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Date: 07/10/2023

Item No: 23-215

Assigned to Councilor: Leonard

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

WHEREAS; the City has authorized a contract with Health Equity Alliance (HEAL) to provide syringe litter waste disposal services; and

WHEREAS; the City wishes to utilize Opioid Settlement Funds for a one-year for this purpose; and

WHEREAS; Community drug disposal and harm reductions are eligible uses for the settlement funds; and

WHEREAS; Improperly disposal of syringe litter waste occurs on both private and public property throughout the City; and

WHEREAS; The proper disposal of syringe litter waste is a harm reduction strategy that will minimize the potential impact on our community members;

Be it Resolved by the City Council of the City of Bangor that, opioid settlement funds in the amount of \$28,990 are appropriated for the purpose of funding a part-time syringe waste specialist with the Health Equity Alliance for a period of one-year.



**CITY COUNCIL ACTION**

07/10/2023 23-216

Council Meeting Date: 07/10/2023

Item No: 23-216

Responsible Dept: Health & Community Services

Requested Action: Resolve

Map/Lot: N/A

**Title, Resolve**

Authorizing City Manager to Accept, Appropriate, and Execute a Grant Amendment in the Amount of \$86,441 to the Maine Prevention Network Grant

**Summary**

This Resolve will authorize the City Manager to accept and appropriate \$86,441 through a grant amendment for FY 24 to an existing Maine Prevention Network Grant. Bangor Public Health and Community Services has been providing these prevention services since 2007.

On December 12, 2022 resolve 23-026 was passed, accepting appropriating grant funds in the amount of \$1,504,611 to establish the Maine Prevention Network in the Penquis Public Health District from January 1, 2023 through June 30, 2024. These additional funds will be provided by the State of Maine Department of Health and Human Services and will be used to fund innovative tobacco prevention programming in the Penquis Public Health District between July 1, 2023 and June 30, 2024.

Bangor Public Health is responsible for providing prevention services including substance use prevention, tobacco prevention, and promotion of healthy eating and active living throughout the Penquis Public Health District. Bangor Public Health provides direct prevention services in Penobscot County and subcontracts direct prevention service provision in Piscataquis County to Northern Light Mayo Hospital.

**Committee Action**

Committee: Government Operations Committee

Meeting Date: 07/17/2023

Action: Recommend for passage

For:

Against:

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** First Reading & Referral Government Operations Committee



## **CITY OF BANGOR RESOLVE**

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07/10/2023 23-216

Date: 07/10/2023

Item No: 23-216

Assigned to Councilor: Hawes

Be it Resolved by the City Council of the City of Bangor that, the City Manager is authorized to accept and appropriate \$86,441 from the Maine Department of Health and Human Services to continue implementing the Maine Prevention Network grant in the Penquis Public Health District.

Whereas; the City of Bangor has previously accepted \$1,504,611 in grant funds from the state of Maine for the Maine Prevention Program,

Be it Ordered by the City Council of the City of Bangor that, the City Manager is authorized to accept and appropriate an additional \$86,441 in Maine Prevention Network Funds provided through the State of Maine by executing a grant amendment.



NEW BUSINESS





## CITY OF BANGOR ORDER

07/24/2023 23-234

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Date: 07/24/2023

Item No: 23-234

Assigned to Councilor: Pelletier

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

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 Eastern Area Agency on Aging Bangor Area Recovery Network to provide funding in support of healthy aging in the City of Bangor initiative ranked highly in the initial citizen panel review process; and

WHEREAS, the award will provide one-time funding that will spread their purchasing power further, avoid wait lists and ensure Bangor residents have access to needed food security;

Now, Therefore, Be it Ordered by the City Council of the City of Bangor that, \$67,000 in State and Local Fiscal Recovery Funds are awarded to Eastern Area Agency Aging's Healthy Aging in the City of Bangor Initiative.





## **CITY OF BANGOR ORDER**

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07/24/2023 23-235

Date: 07/24/2023

Item No: 23-235

Assigned to Councilor: Tremble

Authorizing the Allocation of \$150,000 in State and Local Fiscal Recovery Funds to Fund a Grant Writer/Manager Position

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

WHEREAS, the allocation will provide start-up funding for the City to hire a grant writer/manager; and

WHEREAS, the long-term goal of the position will be to identify adequate grant funding opportunities that not only mitigate future costs to taxpayers but to provide adequate funding to become self-sustaining;

Now, Therefore, Be it Ordered by the City Council of the City of Bangor that, \$150,000 in State and Local Fiscal Recovery Funds are allocated for the purpose of hiring a grant writer/manager position for the City of Bangor.



**CITY COUNCIL ACTION**

07/24/2023 23-236

Council Meeting Date: 07/24/2023

Item No: 23-236

Responsible Dept: Community & Economic Development

Requested Action: Order

Map/Lot: N/A

**Title, Order**

Amending City of Bangor Schedule of Fees to Remove the Language under Section E. Code (28) Yard Sale Permit

**Summary**

This Order will authorize an amendment to the schedule of fees to remove the language under Section E. Yard Sale Permit. Earlier this evening, the City Council amended the City's Code such that yard sales do not need a permit. This action is the additional step need to remove the yard sales fee from the City's schedule of fees.

**Committee Action**

Committee: Business & Economic Development Committee  
Action: Recommend for passage

Meeting Date: 05/02/2023

For: 3

Against: 0

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** New Business



## CITY OF BANGOR ORDER

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07/24/2023 23-236

Date: 07/24/2023

Item No: 23-236

Assigned to Councilor: Yacoubagha

Amending City of Bangor Schedule of Fees to Remove the Language under Section E. Code (28) Yard Sale Permit

WHEREAS, Council Ordinance 23-214 which was adopted earlier this evening removes the requirement to obtain a yard sale permit; and

WHEREAS; the fee associated with yard sales permits is included with the City of Bangor Schedule of Fees; and

WHEREAS; in order to remove the associated fee this separate action is necessary;

Now Therefore Be it Ordered by the City Council of the City of Bangor that, the City of Bangor Schedule of Fees is hereby amended to remove the language for Yard Sale Permits in Section E.(28)