

City Council Guidelines

1. Introduction

In the course of serving as a public official, there are myriad of issues with which you will become involved. These guidelines attempt to centralize information on common issues related to local government and your role as a member of the Bangor City Council. The document is intended to be a guide and is not a substitute for the counsel, guidance, or opinion of the City Solicitor.

The Bangor City Council Guidelines are meant to assist the City Council by documenting practices and clarifying expectations. Administration of City Council affairs is greatly enhanced by the agreement of the City Council and staff bound by these practices. While attempting not to be overly restrictive, procedures are established so that expectations and practices can be clearly articulated to guide Councilors.

2. City Charter

The [City Charter](#) plays the same role for a City that a constitution does for a state or country. Under state law, it can only be changed by means of a municipal election. The City Charter describes powers and procedures of the City Council and its Chair, regulates, along with the City Code, initiatives, referenda, and elections, provides for appointment and duties of certain positions within the City, and sets forth certain financial and budgetary provisions.

Council-Manager Form of Government

Like many Maine municipalities, the City of Bangor operates under a Council-Manager form of government. As described in the City of Bangor Charter, certain responsibilities are vested in the City Council and the City Manager. Authority is vested in the City Council to set policy, which determines not only the local laws that regulate community life, but also determines what public policy is and gives direction to the City Manager to administer the affairs of the city government in a businesslike and prudent manner. The government works best when everyone involved understands their various roles and responsibilities.

Except for the purpose of inquiry, the Council and its members will deal with the administrative service solely through the City Manager or designee, and neither the Council nor any committee or member of a committee shall give orders to any subordinate of the City Manager.

3. City Council

A. Powers and duties

Fundamentally, the powers of the City Council are to be utilized for the good of the community and its residents; to provide for the health, safety and general welfare of the citizenry. The City Council is the non-partisan policy making and law-making body of the City.

It is important to note that the Council acts as a body and speaks with one “corporate voice.” No

member has any extraordinary powers beyond those of other members. While the Chair has some additional ceremonial and presiding officer responsibilities as described below, when it comes to establishing policies, voting, and in other significant areas, all members are equal. It is also important to note that policy is established by at least a majority vote of the Council. While individual members may disagree with decisions of the majority, a decision of the majority does bind the Council to a course of action. Councilors should respect adopted Council policy. In turn, it is staff's responsibility to ensure the policy of the Council is upheld.

The City Council is responsible for appointing four positions within the city organization, all of whom serve at the pleasure of the Council: City Manager, City Assessor, City Clerk and City Solicitor.

The City Council appoints members to volunteer boards, commissions and advisory committees, all of which provide a great deal of assistance to the Bangor City Council when formulating public policy and transforming policy decisions into action.

The general management, care and conduct of the schools is vested in the School Committee.

B. Composition, Election, Tenure of Office

The City Council is comprised of nine (9) members elected at large. Members are elected to a three year term, unless elected to fill an unexpired term. Each member of the City Council shall hold office until a successor is elected and qualified. Members of the City Council are paid \$2,000 per year, payable in quarterly payments, and the Council Chair receives an additional \$500 per year.

No Council Member during their term nor for a year thereafter may be an employee of the City.

No person may serve as a member of the City Council for more than three complete consecutive terms, after which there must be a break in service before eligible to serve again.

C. Code of Conduct

Having accepted the challenges and opportunities for service as a Bangor City Councilor, the following principles will guide the actions of the members of the City Council.

- Members should view service on the City Council as an opportunity to serve their community and will at all times base their decisions as a Councilor on how they will affect the best interests of the City of Bangor and its citizens.
- Members should remember that as an individual Councilor their legal authority is limited to authority delegated to them by the Charter and Code of Ordinances, and they will conduct their relationships with city staff, local citizens, other elected officials and the media on that basis.
- Members should individually respect the collective decision-making of the City Council. If a member disagrees with a decision made by the City Council, members will take care to, when making public statements, voice their opinion in a way as to avoid eroding the collective reputation of the City Council.

- During City Council deliberations, members should make special effort to listen to other members and will make decisions only after all facts bearing on a question have been presented and discussed.
- Members should act with civility and preserve order and decorum during municipal meetings and will not delay or interrupt proceedings or refuse to comply with the orders of the Council or Committee Chair.
- Members should not criticize employees publicly, but will make such criticism to the appropriate City Council appointee or Human Resource Director for investigation and action if necessary.

D. Election of Council Chair

At the first meeting, or as soon thereafter as possible, the City Council shall elect one of its members as Chair of the Council for the ensuing year, and until a successor is elected and qualified, and the City Council may fill for the unexpired term any vacancy as Chair that may occur.

By Charter, the City Council shall meet at the usual place for holding meetings at ten o'clock A.M., on the first Monday in November following the regular city election, and at said meeting the councilors-elect shall be sworn to the faithful discharge of their duties by the city clerk or dedimus justice.

In accordance with the City Council [adopted policy](#), following the swearing in, the City Clerk will call for nominations to serve as City Council Chair for the ensuing year. Each member of the City Council will be permitted to nominate one (1) person, and nominations will not require a second. A nominee who wishes to decline the nomination will do so at this time. Nominations are then closed. Nominees will be asked to provide a statement of qualifications to serve as Council Chair. As a body, the City Council will determine if the nominations should be voted on at the time of nomination or if the organizational meeting should be postponed to a time certain of 6:30 P.M. on the same day. To be elected, a nominee must receive a majority vote of the Councilors present.

E. Role of Council Chair

The Council Chair serves as the presiding officer and acts as chair at all meetings of the City Council. The Chair is expected to vote in all proceedings, unless a conflict of interest exists. The Chair does not possess any power of veto.

Responsibility to act as the City Council's ceremonial representative at public events and functions has been assigned to the Chair.

The Council Chair appoints three to five members to four of the City's five Standing Committees (Finance, Government Operations, Business and Economic Development, and Infrastructure Committees) from the City Council membership, one of which will be appointed as Chair of said committee. The Personnel Committee shall be composed of the Council Chair and five other members appointed by the Council Chair from the City Council membership, the Council Chair shall serve as Chair of the Personnel Committee.

The Council Chair shall appoint one member from the City Council membership to serve as a

liaison to the Downtown Bangor Partnership, yearly. The liaison shall act as a conduit to share city positions or actions and to inform City Councilors or City Manager of priorities, concerns or questions raised. In the event a need arises to appoint a member to another Committee, Board, Commission or other similar position, the Council Chair shall appoint one City Council member to serve as liaison for a one (1) year term.

As the elected leader of the City Council, they frequently fill the role of primary contact with the City Manager and are often called upon to express the views of the City to the media and representatives of other units and levels of government.

An effective Council Chair also works diligently to ensure that the work of the Council is coordinated, especially on major issues, and that sound lines of communication are in place with all of the members of Council.

F. Regular Meetings

Currently City Council meetings are held at 7:00 P.M. on the 2nd and 4th Mondays of every month. In the event a holiday falls on a normally scheduled Monday meeting night, it is automatically moved to Wednesday of the same week, per the City's Charter.

Council Committee meetings are held the 1st and 3rd Mondays of each month.

Occasionally, additional meetings are required, the most common being City Council Workshops to review and discuss the annual budget. As soon as practicable, notice will be provided to all City Councilors of any additional meeting needs and generally will be scheduled on Wednesday nights.

City Council Workshops are intended to provide Councilors with an opportunity to discuss policy or current issues or projects of significance or heightened interest that impact the City. Workshop sessions can also serve as the mechanism to receive updates from third parties on their work within the City, as needed. Any policy recommendations or commitments will return to the appropriate Council Committee or City Council meeting for adoption or approval. Unless the City Council Workshop is established specifically for the purpose of receiving public comment, no public comment will be accepted.

G. Weekly Agendas

Electronic agendas for Council meeting are made available every Friday before the upcoming week both on the City's website, via email, and uploaded to Councilor issued iPads.

H. Quorum

A majority of the members of the City Council constitutes a quorum for the transaction of business. For City Council meetings five (5) members are a quorum. For Council Committee meetings three (3) members are a quorum.

I. Role of Committee Chair

The Committee Chair serves as the presiding officer and acts as chair at all meetings of the

respective standing committee. The Committee Chair is expected to vote in all proceedings, unless a conflict of interest exists. The Chair does not possess any power of veto.

Committee agendas are prepared by staff, based on the direction of the City Manager, and will be reviewed with the Committee Chair in advance of publication. The Committee Chair will serve as a resource for other members of the committee.

J. Public Proceedings

For the most part, public proceedings are required by State law to be open to the public, and any person shall be permitted to attend ([1 M.R.S.A. § 403](#)). Public notice is required for all public proceedings if these proceedings are a meeting of a body or agency consisting of three (3) or more persons ([1 M.R.S.A. § 406](#)).

If there are three (3) or more councilors present in a social setting, this does not meet the definition of a public proceeding (nor does it require notice) provided the City Councilors present do not discuss City business.

It is intent of the City Council that its actions be taken openly and that the records of its actions be open to public inspection and its deliberations be conducted openly. It is further the intent of the City Council that clandestine meetings, conferences or meetings held on private property without proper notice and ample opportunity for attendance by the public not be used to defeat the purpose of a public proceeding. Further, the commitment to public proceedings shall be liberally construed and applied to promote the declaration that public proceedings exist to aid in the conduct of the people's business.

City Councilors should avoid discussion of substantive City business by email, text or social media.

K. Remote Participation Policy

The City Council has adopted a robust remote participation policy ([Remote Participation Policy](#)) to allow for enhanced participation of Councilors, appointed committee and board members as well as the public to ensure a more inclusive and accessible meeting format.

L. Public Comment Policy

City Council and Committee meetings are conducted to carry on the official business of the City of Bangor. All meetings of the City Council and City Council Committees, except Executive Sessions, are open to the public. The public is invited to attend all City Council and City Council Committee meetings, and to participate in them consistent with the adopted Public Comment Policy ([Public Comment Policy](#)).

M. Executive Sessions

Only certain matters may be discussed in executive session, including; certain matters relating to employees or public officials; acquisition or use of property, if premature disclosure of information would prejudice the City's bargaining position; labor contracts; consultation with an attorney over legal rights and duties; and discussion of information in confidential records.

Executive sessions cannot be used to defeat the purposes of the freedom of access law. The intent of the State law is that actions be taken openly, that records of actions be open to public inspection, and that deliberations be conducted openly ([1 M.R.S.A. § 401](#)).

Executive sessions may be called only by a public, recorded roll call vote of 3/5 of the members, present and voting, of the Council, committee, or board in question. A motion to go into executive session must indicate the statutory basis and precise nature of the business of the executive session. No other matters may be considered in the executive session and no official actions may be finally approved in executive session ([1 M.R.S.A. § 405](#)).

N. Public Records

Any record in possession of a public official or the City of Bangor may be a public record, unless a statutory exception applies.

Public records disclosure may apply to emails, text messages, Facebook messages, or any other form of electronic communication that are generated regarding City business.

All communications regarding the business and activities of the City of Bangor should generally be considered a matter of public record, including electronic information, even if it is on your personal device, computer, or email account.

To ensure access to all communication regarding the business and activities of the City of Bangor please limit electronic communication to your bangormaine.gov email account.

All members of the City Council are required to certify that they have received certain required training on the Maine Freedom of Access Act. The State's website www.maine.gov/foaa/faq is a great resource.

O. Proclamations and Recognitions

Proclamations and recognitions are ceremonial documents that honor and celebrate events, recognize achievements and/or increase public awareness.

Requests for consideration should be submitted to the City Council Chair and/or City Manager at least 14 days in advance. If approved by the City Council Chair, these documents may be presented either at the beginning of a City Council meeting or off-site at alternative events (i.e. ribbon cutting, ceremony, etc).

P. Communications

As the City Council performs as a body (that is, acting based on the will of the majority as opposed to individuals), it is important that general guidelines be understood when speaking for the Council without limiting an individual City Councilor's right to express their position as a City Councilor on an item under consideration by the City Council (if Councilors are expressing personal views that the City Council has not taken a position on or that differ from the position

taken by the City Council, the public should be so advised. Please refer to Section 5. Code of Ethics within these guidelines for specific guidance on Use of Titles and Disclaimers).

The City Council appointed positions of City Manager, City Assessor, City Clerk and City Solicitor are the information liaisons between the City Council and city staff. City Council appointees will provide regular updates to the City Council as it relates to their respective work. Information requested by a City Councilor will be copied to all members of the City Council so that each member may be equally informed.

Testimony and letters of support submitted to other governmental or grantor agencies, shall be presented to and reviewed at a City Council workshop or City Council Committee prior to submission, whenever possible, unless the City Council has previously taken action in support of the topic under consideration. For those topics where the City Council has previously taken a position, copies of testimony or letters of support will be provided to all City Council members.

The City Council appointees shall ensure that a summary of any media interactions is provided to the City Council. As a courtesy, any City Councilor who interacts with the media, regardless of the medium (print, video, audio) or form (i.e. oral or written), should provide an overview of the interaction, to all City Councilors and the appropriate City Council appointee. City Councilors should feel free to redirect any media requests to the City's Communication Manager or appropriate City Council appointee.

4. Code of Ordinances

The Code of the City of Bangor is the collective laws of the City of Bangor. Home rule authority granted by the state allows the City considerable latitude in enacting laws, although state and federal laws take precedence if they conflict with City ordinances.

Ordinances in the Code regulate a wide variety of areas, including: animals, building code, business licenses, general assistance, historic preservation, land development, marijuana, mobile homes, noise, parades, public assemblies and pickets, property maintenance, public parks, sewers, signs, storm water, streets, taxicabs, vehicles and parking.

5. Code of Ethics

The proper operation of democratic government requires that City Councilors and their appointees be fair, impartial, and responsive to the needs of the people and each other in the performance of their respective functions and duties; that the decisions and policy be made in proper channels of the City's governmental structure; that public office not be used for personal gain; and that City employees, City Councilors, and City Council appointees maintain a standards of conduct that will inspire public confidence in the integrity of the City's government.

Any City Councilor, board, commission or committee member seeking advice as to whether a particular situation constitutes an actual or potential violation of the Code of Ethics, may seek guidance from the City Solicitor. However, should a member require an opinion on a particular situation, the member shall submit a written statement in the form of a Council Order describing

the nature of the matter to the City Council. If the City Council feels that an advisory opinion is necessary, it shall adopt the Order, by majority vote, referring the matter to the Board of Ethics.

A. Nonpartisanship ([Chapter 33, Section 1.1](#))

Nonpartisanship of City Councilors and their appointees is important for the public confidence in their conduct in fulfilling their duties. City Councilors and their appointees shall conduct themselves in a nonpartisan manner, favoring no political party, and shall refrain from active participation in the election campaign of any particular candidate, whenever they are identified with, or closely associated with, their role as Bangor public officials or appointees.

B. Unbiased Conduct ([Chapter 33, Section 5.1](#))

City Councilors, City employees, and board, committee and commission members shall conduct themselves in a manner that does not discriminate unlawfully against any person because of race, color, religion, sex, national origin, physical or mental disability, genetic information, gender, gender identity, sexual orientation, socioeconomic status, cultural group, or political status.

All persons, irrespective of personal characteristics or other distinctions, to include, but not limited to race, ethnic background, national origin, gender, gender identity, sexual orientation, religion, socioeconomic status, age, cultural group, or political status, shall be treated in the same basic manner under the same or similar circumstances.

C. Contracts and Purchases ([Chapter 33, Section 6](#))

No City employee, City Councilor, board, committee or commission member shall participate directly, by means of deliberation, approval or disapproval or recommendation, in the purchase of goods and services for the City and the award of any contracts with the City, where to their knowledge there is a financial interest, or special interest other than that possessed by the public generally.

D. Confidential Information ([Chapter 33, Section 7](#))

No City employee, City Councilor, board or committee or commission member shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the City, nor shall they use such information to advance the financial, special, or personal interest of themselves or others.

Confidential information means any information, oral or written, which comes to the attention of, or is available to, such City employee, City Councilor, board or committee or commission member only because of their position with the City and is not a matter of public record.

Information received and discussed during an executive session pursuant to [1 M.R.S.A. §405](#) shall be considered confidential information and is not to be disclosed to any third party.

E. Use of Social Media ([Chapter 33, Section 7.1](#))

The purpose of this section is to offer a means to distinguish between personal opinions or

comments and opinions or comments in one's official capacity. Its intent is to respect protected speech and First Amendment rights.

The use of online social networks can blur the lines between private opinions and comments and those that are made in one's official capacity. Discretion and caution are urged when using social media as a person associated with the City may be perceived as representing the City and City government.

All those governed by the Code of Ethics must, on their personal social media accounts, include a qualifying statement that substantially adheres to the following form: "The views I express on this site are my own and do not reflect any official view of position of the City of Bangor."

Inappropriate uses of private social media include: disclosure of confidential information; statements that could reasonably be considered to represent the views or position of the City, unless an official position has been taken; posting or messaging in a manner that could reasonably give rise to an expectation that someone contacting the person would receive an official response.

F. Gifts and favors ([Chapter 33, Section 8](#))

No City employee, City Councilor, board or committee or commission member shall accept any gift, favor or thing of value, regardless of the form, from any person or organization which to their knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the City.

G. Solicitations by City officials and employees ([Chapter 33, Section 9.1](#))

No member of the City Council shall solicit donations of money, property or items of value for the benefit of the City of Bangor or for the support of any City program or activity.

The following are not prohibited: general statement of support for particular fund-raising efforts, provided that the statements of support are directed at the public at large and are solicitations expressly authorized by the City Council.

H. Representing third party interest before City agencies ([Chapter 33, Section 10](#))

No City Councilor shall either appear on behalf of any third-party interest before any City agency or represent a third party interest in any action, proceeding or litigations in which the City or one of its agencies is a party.

Nothing prohibits a Councilor, on behalf of a constituent in the course of their duties as a representative of the electorate, or any Councilor, on behalf of their personal interest, from appearing before a City agency.

I. Conflicts of interest ([Chapter 33, Section 11](#))

Common law provides that a municipal official has a conflict of interest when they are placed in a situation of temptation to serve their own personal pecuniary interest to the prejudice of the interests of those for whom the law authorized and required them to act.

No City Councilors shall participate in the deliberation or vote, or otherwise take part in the decision making process, on any agenda item in which they or a member of their immediate family has a financial or special interest, other than an interest held by the public generally.

Any City Councilor who believes they may have a conflict of interest on any agenda item shall disclose the nature and extent of the interest.

Any City Councilor who believes another City Councilor may have a conflict of interest on any agenda item shall disclose the nature and extent of the interest.

Even if no legal conflict of interest exists, a City Councilor should avoid even the appearance of a conflict in order to maintain the public's confidence in the City Council.

Once the issue of conflict has been raised relative to an individual City Councilor, the remaining City Councilors shall review the facts as disclosed and shall vote on whether or not such individual has a financial or special interest with respect to the agenda item concerned.

The City Clerk shall record any conflicts voted in the affirmative.

If a conflict has been noted, the City Councilor shall immediately remove themselves from the meeting room to avoid the appearance of a conflict.

This does not preclude a City Councilor from having access to the same information as all other City Councilors nor does it prohibit any City Councilor from representing their own personal interest by appearing before the body on any such agenda item.

If a City Councilor fails to disclose and abstain from an agenda item defined as a business interest under 30-A M.R.S.A. §2605, the vote on the question is voidable.

J. Abstention; Exercising the Right to Abstain ([Chapter 33, Section 11.1](#))

Any City Councilors who believes they have a conflict of interest may, after disclosing the nature and extent of such interest, publicly state their intent to abstain from the agenda item and any action thereon. However, the City Council may, by motion and vote, determine that there is no conflict and that the City Councilor shall not be permitted to abstain from participating and voting on the agenda item.

K. Disclosure Statement ([Chapter 33, Section 12](#))

Within 15 days after each annual municipal election every City Councilor shall file a completed disclosure form with the City Clerk. Such disclosure forms shall contain the following :a list of all entities doing business with the City in excess of \$1,000 that the disclosing party, their spouse or member of their immediate family actually residing in the household received money or other things of value or has a financial interest in in excess of \$1,000; the name of any entity the disclosing party, their spouse, or member of their immediate family actually residing in the

household holds a position of officer or member of any board.

City Councilors shall amend their annual disclosure statement as may be required from time to time to ensure continued accuracy.

Copies of the completed disclosure statements will be delivered to all City Council members within 30 days after the expiration of the filing period, and a summary shall be posted on the City's website.

L. Political Activities ([Chapter 33, Section 13](#))

No City employee, City Councilor, board member or commission member shall participate in any political activity which would be in conflict or incompatible with the performance of their official functions and duties for the City. In conjunction therewith, no City employee, City Councilor, board member or commission member may use their official authority or position for the purposes of influencing or interfering with or affecting the result of any election, nor shall they solicit funds or contributions or accept or receive fund or contributions from City employees for political purposes.

No City Councilor, board member or commission member may distribute pamphlets or handbills while they are performing official functions and duties with the City.

Nothing herein shall be construed to prohibit any City employee, City Councilor, board, committee or commission member from participating in the political process in their private capacity as candidates for elected office or as private citizens.

Examples of Political Activities:

- I. Election signs – placement of signs at residence - this is not a violation; bringing signs to city meetings – this is a violation.
- II. Working in support of a candidate for office – if the work is similar to other residents (distribution of signs, development of materials) – this is not a violation; if the work is dissimilar (appearing in ads with reference to your title, knocking on doors with candidates where an individual could be aware of your position) – this is a violation.
- III. Encouraging voters – if encouraging people to vote – this is not a violation; encouraging friends or relatives to vote for a particular candidate – this is not a violation; encouraging individuals to vote for a particular candidate during any City Council or committee meeting – this is a violation.
- IV. To ensure compliance with the Code of Ethics as it relates to political activities, refrain from using titles unless conveying a position of the City and include a qualifying statement on personal social media accounts.

M. Use of Titles and Disclaimers ([Chapter 33, Section 13.1](#))

Bangor public officials, whether elected or appointed, retain their full constitutionally guaranteed, First Amendment rights as private individuals.

Use of titles, in making written or oral statements, elected or appointed City officials may use their titles upon, and only upon, the following circumstances:

- (1) When so doing does not violate any other provision of the Code of Ethics or any provision of the Code of ordinances, state law or federal law; and
- (2) When:
 - a. The City Council has specifically authorized the official to speak on behalf of the City, or
 - b. The information conveyed:
 - i. Is consistent with the official position of the City as that position was adopted by the Council or is consistent with the official decision of an applicable board, commission or committee; and
 - ii. References the appropriate decision by or position of the City Council, or to the decision of the applicable board, commission, or committee;

Or

 - c. When it is made clear and unambiguous that the official is speaking in their individual capacity and not on behalf of the entire City or board, commission, or committee.

Disclaimers are only required when there could be ambiguity regarding the capacity in which an elected or appointed official is communicating.

In exercising your First Amendment Rights as a private individual actions should be evaluated to ensure compliance with the Code by asking the following question:

- How likely is it that the target audience will know my position with the City?
 - If activity is specific to a Bangor initiative, it is highly likely that any action could be viewed as part of your official capacity. Therefore, individuals should refrain from using their titles and include a disclaimer stating the action is being undertaken as a private individual.
 - If activity is specific to a statewide or national initiative, it is less likely that any action could be viewed as a part your official capacity. However, to ensure we hold ourselves to the highest standards, individuals should refrain from using their titles.

N. Incompatible Employment or Office ([Chapter 33, Section 14](#))

No City Councilor shall occupy any other office, elected or appointed, in any other governmental entity when the duties of such office are incompatible with the proper discharge of their official duties with the City.

6. Committees, Boards and Commissions

A. Standing Committees

Much of the City Council's work is done by its various Committees, each made up of several members of the Council. Generally speaking, these committees serve as work sessions to fulfill two primary roles within their designated areas of responsibilities: to make final decisions on minor matters, and to recommend a course of action to the full Council on major matters.

All Councilors are invited to attend and participate in all Committee meetings. For voting purposes, only members of the Committee may vote; however, if a regular member of the Committee is absent, any member of the Council who is present may temporarily take the absent member's place on the Committee.

While there are agendas for Committee meetings and the Committees are generally bound by the Council's rules of procedure, Committee meetings tend to be less formal than Council meetings. We also find that members of the public are often more comfortable speaking at committee meetings. Committee Chairs are to allow public comment on city business agenda items that provide direction to staff or that the Committee will take formal action only, in accordance with the City's [Public Comment Policy](#). The focus of these meetings, especially for difficult or complex issues, is often on problem solving and/or developing a Committee recommendation that addresses the concerns of all of the members of the Committee.

The five committees and their primary areas of interest are as follows:

Finance Committee

- Bids and contracts
- City departments: City Council, City Manager, Finance, Assessing, Legal Pensions, debt service, library, education and county taxes
- City claims and accounts, hardship abatements
- Resolves appropriating City funds
- Primary staff contact: Dave Little, Finance Director

Government Operations Committee (Gov Ops)

- City departments: City Clerk, Police, Fire, Health and Community Services, insurance, Parks and Recreation
- Parking outside the downtown area
- Primary staff contact: Courtney O'Donnell, Assistant City Manager

Business and Economic Development Committee (B&ED)

- City departments: Community and Economic Development, Airport, Golf Course, Planning, Code Enforcement, Parking
- Development projects
- Downtown, including parking
- Comprehensive Plan and Land Development Code
- Primary staff contact: Anne Krieg, Director of Community & Economic Development

Infrastructure Committee

- City departments: Engineering, Public Works, & WWTP/Sewer, Storm Water
- Sewer abatements
- Infrastructure
- Primary staff contact: Jefferson Davis, Director of Engineering

Personnel

- Applicants for positions on City boards, commissions and committees, Primary staff contact: Lisa Goodwin, City Clerk
 - Employee grievances, Primary staff contact: Courtney O'Donnell, Assistant City Manager/HR Director.

B. Boards, Commissions and Committees

The City's Code of Ordinances, and Charter establishes several [Boards, Commissions and Committees](#). Municipally appointed citizen boards, committees, and commissions are vital for fostering community engagement, strengthening democratic governance, and ensuring that diverse perspectives are considered in local decision-making.

The majority of the Boards, Commissions and Committees are advisory in nature in that the bodies make recommendations but have no decision-making authority. Certain Boards, Commissions and Committees have delegated decision making authority based on the authorizing Ordinance. These include:

- [Board of Appeals](#) hears appeals from any order, requirement, decision determination or interpretation of the Code Enforcement Officer or other officer or entity specified by an ordinance of the City of Bangor and to grant variance requests from any ordinance of the City of Bangor which specifically permits variances
- [Board of Assessment Review](#) functions in a quasi-judicial capacity. It reviews and determines whether or not to grant property tax abatements pursuant to state law and determines the tax-exempt status of real and personal property.
- [Historic Preservation Commission](#) reviews all; new construction within its jurisdiction to determine if locally listed prehistoric or historic archaeological sites will be affected and proposed National Register nominations for properties within its jurisdiction. Conducts or causes to be conducted a continuing survey of cultural resources in the community according to the guidelines established by the Maine Historic Preservation Commission. Acts in an advisory role to other officials and departments of the City regarding the protection of local cultural resources and as a liaison on behalf of the City to individuals and organizations concerned with historic preservation. Works toward the continuing education of citizens within the Commission's jurisdiction regarding preservation issues and concerns.
- [Planning Board](#) develops the City's Comprehensive Plan, makes recommendations on rezoning requests, and approves subdivisions and site plans.

[Special Committees](#) may be established from time to time and are intended to advise the Council on particular issues and are typically composed of Bangor citizens, business and organizational representatives, City staff, and sometimes a City Councilor.

For more information on committees, boards, and commissions, contact the City Clerk.

7. Council Meetings

The full City Council meets on the second and fourth Mondays of each month at 7:00 P.M. Executive Sessions or full Council Workshops are normally scheduled immediately prior to the open Council session. In the event a holiday falls on the Monday of a regularly scheduled meeting, it automatically shifts to the Wednesday of that same week.

A. Council Actions

The Council takes action in four ways: ordinances, orders, appropriation resolves, and non-appropriation resolves. Any member of the Council may request that an item be prepared and placed on a Council or Committee agenda.

Ordinances – An ordinance is a law, the violation of which is subject to a citation, court appearance, and, if found guilty, a civil penalty. Examples include the City’s zoning ordinance, prohibitions against discharging certain materials into our sanitary sewer system, and parking regulations. Ordinances require first and second reading and must be voted on in a roll call where each Councilor announces his or her vote. Five affirmative votes are necessary to adopt an ordinance.

Orders – Orders are generally administrative actions. They include awarding bids, adopting policies, authorizing acceptance of grants, and directing that staff take certain actions. Orders do not require roll call votes and can be approved by a simple majority of Councilors present.

Appropriation Resolves – These resolves appropriate money. The best example is the annual appropriation resolve that adopts the City’s budget. Other appropriation resolves may arise during the year, particularly when the City receives and must then appropriate a grant. These resolves authorize staff to spend money in accordance with the Council’s direction. Appropriation Resolves require first and second reading. A simple majority of Councilors present can approve these resolves.

Non-Appropriation Resolves – Generally, such a resolve states the City’s position on an issue, usually involving an action of another level of government or ratifying the action of staff. For example, the City Council could adopt a resolve supporting or opposing a particular piece of legislation under consideration by state or federal government. By adopting such a resolve, City staff is then authorized to express the City’s position on that issue. Such resolves do not require first and second reading and can be adopted by a simple majority of those Councilors present and voting.

Unless an item is adopted as an emergency measure, which requires a separate motion, second, and two- thirds vote, it becomes effective after ten days.

B. Parliamentary Procedures

The City Council operates under Robert’s Rules of Order unless a particular rule has been

superseded by a separate Council ordinance. The City Solicitor serves as the Council's parliamentarian. As such, they can guide Council through procedural issues and, if necessary, issue rulings on how the rules should be applied.

Assignment of Agenda Items. Councilors are assigned to introduce agenda items by the City Manager as a part of the agenda preparation process. Generally, items are assigned to individuals who serve on the Committee to which the item has or will be assigned, to the Councilor requesting the item, or to a Councilor known to have a special interest in the item. Every effort is made to spread items among Councilors and to avoid assigning an item to a Councilor known to not support that item. In certain instances where an item is likely to be controversial, the Manager may contact you to determine if you would or would not be willing to introduce it.

Placing an Item on an Agenda. Most items are placed on a Committee or Council agenda by a member of City staff. However, any Council member can request that an item be placed on an agenda and staff is prepared to assist you in drafting the item. As a general practice, we suggest that Councilors wishing to introduce an item follow the normal process by directing the item first to the appropriate Council committee. This will allow for feedback from the Council and the public as to whether there is support for or interest in fully debating the issue.

Citizen Requests for Agenda Items. From time to time, individuals or groups of citizens may request to appear before the Council or a Council Committee or may request that an item appear on a Council or Committee agenda. In most instances, when a request to appear before a Committee is received, it is honored and scheduled at the next available meeting. When an item is requested to appear on a Council Agenda, the citizen may either be requested to first appear before a Council Committee or be asked to contact members of the Council to determine if any Councilor is interested in sponsoring the item. These processes are intended to ensure that citizens have access to the Council while avoiding situations where items appear on full Council agenda when there is no support for such items among the Council.

Requirement to Vote. Under the City's Ordinances, Councilors who are present are required to vote unless the Council votes to excuse the member from voting due to a conflict of interest.

Election of Chair Pro Tempore. In the event, the Council Chair is absent from a meeting over which the Chair would preside, the Councilors present will need to select a Councilor to serve in their absence.

Motions and Seconds. All items must be moved and seconded before they can be voted on.

A Vote Unless Doubted. After an item has been moved, seconded, and opened for discussion, the Council Chair may indicate that there will be a vote unless doubted. If no Councilor indicates a doubt (by saying "I doubt it"), the item is approved unanimously. This procedure is frequently used on items that do not require a roll call vote.

Roll Call Votes. Roll call votes are required on Ordinances, when a Councilor is participating remotely and to enter Executive Session. Additionally, a roll call may be requested by any Councilor on any other item. Procedurally, the Council Chair will direct the Clerk to call the roll,

who will then call on individual Councilors to announce their vote. Roll calls are alternated in alphabetical order followed by reverse alphabetical order. Once completed, the Clerk will announce the vote.

Amendments. Once an item has been moved or seconded, any Councilor may move that the item be amended. The wording of the amendment must be specified. To be considered, an amendment must be seconded. During debate on an amendment, discussion should be confined to the amendment and not include the main motion. After the amendment has been dealt with, the discussion can then turn to other amendments or to the main motion.

Amendment by Substitution. It is not unusual for an item to be returned from Committee after first reading with a suggested amendment. When this happens, an amended item is included in the agenda booklet or provided at the Council meeting. Procedurally, the non-amended version must be moved and seconded. Then a motion is made and seconded to amend by substitution. Following discussion and a vote, the main motion (either as amended or not amended) returns to the floor. A successful motion to amend by substitution replaces the original item with the amended item. The item, as amended, must then be moved, seconded, and voted on.

Postponed to a Date Certain. If an item that appears on an agenda for action is not ready to be acted upon, it can be postponed to a future meeting. The date of that meeting must be specified. This is generally done if an affected member of the public cannot be present at the meeting or if a Councilor with a special interest in it is absent.

Refer Back to Committee. Alternatively, if additional discussion is required, a motion may be made to refer that item back to committee. It will then generally appear on that Committee's next agenda. This approach has the potential advantage of not specifying in advance the date on which it will return to the Council's agenda.

Postpone Indefinitely. A motion to postpone indefinitely, if adopted, has the effect of killing the item under discussion. It constitutes a final and negative action on it.

Table. A motion to table has the effect of setting aside action on an item to an unspecified point in the future. At that point, a motion to remove the item from the table is required to bring it back for consideration. This procedure is almost never used, with preference given to either postponing an item to a date certain or referring it back to Committee.

The Previous Question. Moving the previous question is a motion to end debate on a particular item. If moved and seconded, the motion may not be debated and the Council must immediately vote. If approved by a majority of those present and voting, the Council must then immediately vote on the pending motion.

Reconsideration of an Item. After an item has been passed by the Council, any member of the Council may move that it be reconsidered. Such a motion is in order only within ten days of the Council's initial action. As a result, a motion to reconsider can only be made at the Council meeting at which the item is approved or at a special meeting called within ten days. If a motion to reconsider is approved, it effectively rolls back Council action to the point immediately before the vote was

taken on the item to be reconsidered. At that point, the item may be voted on again or amendments may be introduced.

Recognizing Councilors to Speak. The Council Chair must recognize a Councilor before that Councilor may speak. Council rules indicate that all Councilors must be provided with an opportunity to speak on an item before a Councilor can be recognized to speak a second time.

Interrupting a Speaker. Councilors are prohibited from interrupting a speaker with the exception of rising to a point of order in the belief that the speaker is violating the Council's rules of order.

Suspension of the Rules. By a two-thirds vote, the Council may suspend its rules. This is rarely done. When it is, it is almost always to allow an item to be considered at a Council meeting where the item has not appeared on the meeting's published agenda.

Motions Decided Without Debate. The following motions are not debatable. If made and seconded, the Council must immediately vote on them without discussion:

- To adjourn.
- To suspend the rules.
- To lay on the table.
- To take from the table.
- The previous question.

C. Meeting Format

Proclamations and Public Recognition. Proclamations are presented and other pre-arranged recognitions may take place.

Call to the Audience. Individuals in attendance, in person or via Zoom, who wish to address an issue that is not on the agenda may do so. The general public comment period for items not on the agenda shall be in accordance with the [City Council adopted policy](#) as may be amended from time to time. If a citizen brings forth an issue that requires further discussion, they may be referred to the appropriate member of City staff or the issue may be referred to the Council Committee with jurisdiction. It is generally not feasible to deal with an issue brought forward by a member of the public at a formal Council meeting. If it can be handled by staff, it will be. If it requires further Council attention, the Committee system is the appropriate forum for discussion and problem solving.

Consent Agenda. The consent agenda groups together a number of items that are either routine in nature or which have been unanimously recommended by the reviewing Council Committee. The consent agenda is moved for approval and voted on as a whole, regardless of the number of separate items appearing on it. Individual items may be pulled off of the consent agenda by a Councilor.

First Reading and Referral. Certain Council Actions must appear on two separate Council Agendas before they can be voted on. This includes ordinances and appropriation resolves. In addition, items that may be of public interest sometimes are first read prior to going to a Committee in an

effort to increase public awareness of them. Items are generally assigned to a Committee or, in the case of zoning and Land Development Code amendments, referred to the Planning Board. Please note that this process is procedurally routine. Items that appear for first reading and referral should rarely, if ever, be discussed at that time. Discussion takes place at Committee level and when the item is returned to the Council.

Waive Requirement of Reading on Two Separate Days. From time to time, due to imminent deadlines or needs certain items that require two readings on separate days prior to Council Action may need to be expedited. In certain instances, the City Council may take separate action that waives the requirement of reading of the item on two separate days.

Unfinished Business. This is the section of the agenda for items that have previously been first read and referred or which were postponed at a previous meeting. Normally they are returned to the Council with a recommendation from a Council Committee or the Planning Board. In most instances, items appearing in this section of the agenda are ready for Council action.

New Business. The new business section of the agenda is for items that are ready for Council action but which do not require first reading. Typically, this includes Council Orders and non-appropriation resolves. Most items that appear under new business have been to Committee and will carry a committee recommendation.

On the Friday prior to the Council meeting, you will receive a weekly agenda with background on items that appear on the agenda. For each item, there is a Council Action form with the item number and title, the responsible department, and an explanation of the action requested. The City Manager may add comments as well. When City funds are involved, the Finance Director will indicate that the necessary funds are available; the City Solicitor also signs all items indicating legal approval. The Council Action form is followed by the legal document to be voted on. This may be followed by additional information such as a contract, grant agreement, or memorandum providing further background and information. The overall intent is to provide the Council with the information it needs to take action on the item and to answer questions in advance in order to move the agenda along at a reasonable pace.

Councilors are urged to contact staff in advance of the Council meeting if they have questions that are not answered or if they would like further information. Every effort is then made to have this information available prior to or at the meeting.

8. Policy Administration

Questions or concerns regarding an action that is contrary to the adopted policy are to be forwarded to the City Council Chair and/or City Manager or City Solicitor, for inquiry. The City Council shall review this policy, at least annually, and provide direction as to any potential amendments.

9. Common Acronyms

BACTS - Bangor Area Comprehensive Transportation System – the Metropolitan Planning Organization (MPO) designated by federal and Maine state government to carry out transportation planning in the greater Bangor urbanized area.

BCAT – Bangor Community Assistance Team – an alternate response available when a call for service is received by our dispatch that provides a civilian based response for non-emergent crisis or qualify of life intervention needs.

CDBG – Community Development Block Grant – the City of Bangor is an entitlement community in that it receives an allocation of funding annually directly from the Department of Housing & Urban Development to invest in priorities established and adopted annually by the City Council.

CEA – Credit Enhancement Agreement – an agreement with another party to provide financial assistance to a development project by using some portion of the increase in tax revenues generated by the project.

FAA – Federal Aviation Administration

FOAA – Freedom of Access Act – state law that governs access to government information and meetings (commonly referred to FOIA or Freedom of Information Act of the federal government).

FTA – Federal Transit Administration

GA – General Assistance – a State of Maine mandated entitlement program that provides financial assistance to individuals and families who do not have the income or resources to meet their basic needs.

MDOT – Maine Department of Transportation

MRC – Municipal Review Committee – a group of 115 Maine cities and towns that have joined together as a nonprofit organization to manager their municipal solid waste (MSW).

SCADA – Supervisory control and data acquisition – used in our wastewater department to control systems and provide data about different process instruments and equipment.

SLODA - Site Location of Development - a law enacted that requires the review of developments that may have a substantial effect on the environment.

S+C – Shelter Plus Care – a federal program that provides permanent housing accompanied by a range of supportive services.

TIF – Tax Increment Financing – Established by State Statute as a program to promote local economic development and/or support municipal projects.