

REGULAR MEETING

AGENDA

April 14, 2014

1. Roll Call
2. Pledge of Allegiance to the Flag
3. Public Forum (5 min. limit each speaker)
4. Meeting Notice
5. Reading of the Record
6. Reports:
 - a. City Manager's Report
 - b. City Attorney's Report
 - c. Other Official's Report
 - d. Mayor's Report
7. Licenses and Permits:
 - a. Lodging House License – Captain Lindsey House (Postponed from 03/10/14)
 - b. Liquor License – Primo Restaurant
 - c. Liquor License – Rockland Café
 - d. Liquor & Entertainment Licenses – The Pearl Restaurant
 - e. Liquor License – Lobsterman's Restaurant
 - f. Liquor License – L & H Burgers
 - g. Liquor & Entertainment Licenses – Archers on the Pier
 - h. Liquor License – Brass Compass Café
 - i. Liquor License – Sunfire Mexican Grill
 - j. Liquor License – Roselyn Seafood
8. Resolves:
 - #17 Commendation – Lloyd Daniels (32 Yrs. of Service) City Council
 - #18 Commendation – Raymond Athearn (50 Yrs. of Service) City Council
 - #19 Accepting Donations – Library & Recreation City Manager
 - #20 Appointment of Republican Election Clerks Mayor Pritchett
 - #21 Appointment to BOAR – J. Billington Mayor Pritchett
 - #22 Appointment of Warden & Ward Clerk Mayor Pritchett
9. Ordinances in Final Reading and Public Hearing:
 - #7 Purchase & Sales Agreement Amendment – S. Hale Councilor Hebert
 - #8 Zoning Map Amendment – Broad/Grace/Grace St. Place Area Mayor Pritchett
10. Ordinances in First Reading:
 - #26 Chapter 13, Section 13-103 Public Art (Postponed 02/10/14) Councilor Dickerson
 - # 6 Chapter 15, Section 15-147 Snow Disposal (Postponed 2/10/14) Councilor MacLellan-Ruf
 - #10 Chapter 19, Sections 19-302 & 19-309 Container Restaurants Councilor MacLellan-Ruf
 - #11 Zoning Amendment – Remove Harbor Park from TAAOZ Councilor MacLellan-Ruf
11. Orders:
 - #39 Adopting Art Display Policy (Postponed from 03/10/14) Councilor Hebert
 - #21 Authorizing Retention of Massachusetts Counsel City Manager
 - #22 Temporary Street Closure – Lobster Festival Parade Councilor Hebert
 - #23 Temporary Street Closure – Farnsworth Museum Annual Gala Councilor Hebert
 - #24 Authorizing Tax Abatement – Assessment Error City Manager
 - #25 Study of Zoning & Public Infrastructure, Park/Payne Area Councilor Hebert
 - #26 Authorizing RFPs – Public Art Displays City Manager
 - #27 Temporary Street Closure & Fee Waiver – Summer Solstice Councilor Hebert
 - #28 Authorizing Boundary Agreement – Sea View Cemetery Mayor Pritchett
12. Adjournment.

APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE

270 Pleasant Street
Rockland, Maine 04841

Name of Applicant Minava Inc d/b/a Captain Lindsey House Phone 207-576-7950

Address of Applicant 5 Lindsey Street
Rockland, ME 04841

Name of Business Captain Lindsey House Phone same

Address of Business same

Name of Property Owner (if different) Ellen Barnes

Type of License(s): Liquor Victualer Entertainment
 Lodging House Commercial Hauler Landscape Contractor
 Billiard Room Second Hand Dealer Other (Specify) _____

Type of Business Bed + Breakfast

Expiration of Current License state license expires 7/31/14

Fee(s) Paid \$100 Date _____

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature [Signature] Manager Date 2/18/14

Approved By: _____ License # _____

Approved [Signature] Inspected; See Report Code Officer 3/6/14 Date

Approved [Signature] Inspected; See Report Fire Inspector 3/31/14 Date

Approved [Signature] Inspected; See Report Police Chief 3/18/14 Date

Approved [Signature] Inspected; See Report City Clerk 3/31/14 Date

Postponed 3/10/14 to 4/14/14

APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE

270 Pleasant Street
Rockland, Maine 04841

Name of Applicant PRICE KUSHNER Phone 596-0770

Address of Applicant 2 MAIN STREET
ROCKLAND, MAINE 04841

Name of Business PRIMO RESTAURANT Phone 596-0770

Address of Business 2 MAIN STREET
ROCKLAND, MAINE 04841

Name of Property Owner (if different) SAME

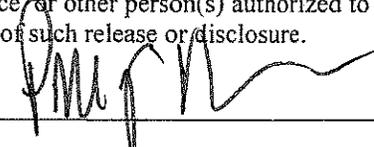
Type of License(s): Liquor Victualer Entertainment
 Lodging House Commercial Hauler Landscape Contractor
 Billiard Room Second Hand Dealer Other (Specify) _____

Type of Business RESTAURANT

Expiration of Current License 04/13/2014

Fee(s) Paid \$150.00 Date 3/31/14

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

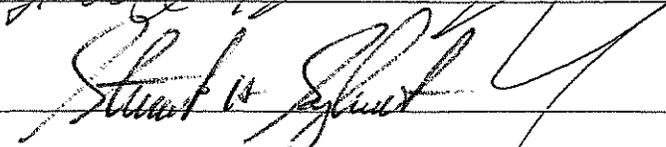
Applicant's Signature  Date 3.30.14

Approved By:  License # _____

Approved Inspected; See Report Code Officer 3/31/14 Date

Approved Inspected; See Report Fire Inspector 4/1/14 Date

 Police Chief 4/1/14 Date

 City Clerk 4/1/14 Date

APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE
270 Pleasant Street
Rockland, Maine 04841

Name of Applicant Wayne Steeves Phone 207-691-0021

Address of Applicant 16 Summer St
Rockland, ME 04841

Name of Business Rockland Cafe Phone 207-596-7556

Address of Business 441 Main St
Rockland, ME 04841

Name of Property Owner (if different) _____

Type of License(s): Liquor Victualer Entertainment
 Lodging House Commercial Hauler Landscape Contractor
 Billiard Room Second Hand Dealer Other (Specify) _____

Type of Business Restaurant

Expiration of Current License 05/04/14

Fee(s) Paid \$ 150.00 Date _____

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature Wayne Steeves Date 03/14/14

Approved By: _____ License # _____

Approved [Signature] Inspected; See Report Code Officer 4/1/14 Date

Approved [Signature] Inspected; See Report Fire Inspector 4/1/14 Date

Approved [Signature] Inspected; See Report Police Chief 4/1/14 Date

Approved [Signature] Inspected; See Report City Clerk 4/1/14 Date

APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE
270 Pleasant Street
Rockland, Maine 04841

Name of Applicant THE PEARL ORGANIZATION, INC. Phone 594-9889

Address of Applicant 273 MAIN STREET
ROCKLAND, MAINE 04841

Name of Business THE PEARL RESTAURANT Phone 594-9889

Address of Business 273 MAIN STREET
ROCKLAND, MAINE 04841

Name of Property Owner (if different) WATERFRONT GROUP, INC.

Type of License(s): Liquor Victualer Entertainment
 Lodging House Commercial Hauler Landscape Contractor
 Billiard Room Second Hand Dealer Other (Specify) _____

Type of Business RESTAURANT

Expiration of Current License 05/11/2014

Fee(s) Paid \$300.00 Date _____

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature Valerie Lanning, Secy. Date 3-26-2014

Approved By _____ License # _____

Approved [Signature] Inspected; See Report _____ Code Officer 3/28/14 Date

Approved [Signature] Inspected; See Report _____ Fire Inspector 4/1/14 Date

[Signature] Police Chief 3/18/14 Date

[Signature] City Clerk 4/1/14 Date

CITY OF ROCKLAND, MAINE



**270 Pleasant Street
Rockland, Maine 04841**

CODE ENFORCEMENT OFFICE

Office (207) 594-0308 FAX (207) 594-9481

City's Web: www.ci.rockland.me.us

Email: jroot@ci.rockland.me.us or dkalloch@ci.rockland.me.us

MEMO

DATE: March 27, 2014

TO: Jimmy Fanning, business owner/operator

Cc: Stuart Sylvester, City Clerk; Assistant Chief Mazzeo, Fire Department

FROM: David A. Kalloch, Assistant Code Enforcement Officer

RE: City of Rockland Licenses for your business at the Pearl Restaurant, 273 Main Street,
Tax Map #5B14, in Rockland, Maine.

I am writing to notify you of how we are proceeding with your several license applications since your business is presently not open and/or is not ready for our inspections. The Fire Department and Code Enforcement Office have agreed to give our approval for your Liquor and Entertainment applications so that the City Council can vote on these at their next regularly scheduled meeting on April 14, 2014.

The Fire Department and Code Enforcement Office have not approved your Victualer License at this time. Please notify me at 594-0308 prior to your expected opening date, with adequate time to arrange for our inspection and to sign off on the application if our inspections show that your premises are ready for reoccupancy. The City Clerk can then issue your Victualer License.

I look forward to seeing you after your winter break. Feel free to contact me if you have any questions or other concerns.

APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE
270 Pleasant Street
Rockland, Maine 04841

Name of Applicant SHAWN ELLIOTT Phone 809-1974

Address of Applicant 1118 ST RT 32
ROUND POND, MAINE 04564

Name of Business LOBSTERMAN'S RESTAURANT Phone 809-1974

Address of Business 421 MAIN STREET
ROCKLAND, MAINE 04841

Name of Property Owner (if different) 421 MAIN LLC

Type of License(s): Liquor Victualer Entertainment
 Lodging House Commercial Hauler Landscape Contractor
 Billiard Room Second Hand Dealer Other (Specify) _____

Type of Business RESTAURANT

Expiration of Current License 05/01/2014

Fee(s) Paid \$150.00 Date 04/04/14

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature [Signature] Date 2/27/14

Approved By: _____ License # _____

[Signature] Code Officer 3/28/14 Date
 Approved Inspected; See Report

[Signature] Fire Inspector 5/31/14 Date
 Approved Inspected; See Report

[Signature] Police Chief 3/18/14 Date

[Signature] City Clerk 3/31/14 Date

APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE
270 Pleasant Street
Rockland, Maine 04841

Name of Applicant JOHN P. STOWE Phone 975-3294

Address of Applicant 15 BEREKLEY STREET
ROCKLAND, MAINE 04841

Name of Business L & H BURGERS Phone 975-3294

Address of Business 313 MAIN STREET
ROCKLAND, MAINE 04841

Name of Property Owner (if different) ARENDAHL LLC

Type of License(s): Liquor Victualer Entertainment
 Lodging House Commercial Hauler Landscape Contractor
 Billiard Room Second Hand Dealer Other (Specify) _____

Type of Business RESTAURANT

Expiration of Current License 05/15/2014

Fee(s) Paid \$150.00 Date _____

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature [Signature] Date 3/20/14

Approved By: _____ License # _____

[Signature] Code Officer 3/28/14 Date
 Approved Inspected; See Report

[Signature] Fire Inspector 3/31/14 Date
 Approved Inspected; See Report

[Signature] Police Chief 4/1/14 Date

[Signature] City Clerk 4/1/14 Date

APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE
270 Pleasant Street
Rockland, Maine 04841

Name of Applicant LYNN ARCHER Phone 691-2436

Address of Applicant 1617 OYSTER RIVER ROAD
WARREN, MAINE 04864

Name of Business ARCHER'S ON THE PIER Phone 594-2435

Address of Business 58 OCEAN STREET
ROCKLAND, MAINE 04841

Name of Property Owner (if different) HARBOR PARK LLC

Type of License(s): Liquor Victualer Entertainment
 Lodging House Commercial Hauler Landscape Contractor
 Billiard Room Second Hand Dealer Other (Specify) _____

Type of Business RESTAURANT

Expiration of Current License 05/18/2014

Fee(s) Paid \$300.00 Date _____

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature _____ Date _____

Approved By: _____ License # _____

[Signature] Code Officer 3/28/14 Date
 Approved Inspected; See Report

[Signature] Fire Inspector 3/31/14 Date
 Approved Inspected; See Report

[Signature] Police Chief 3/18/14 Date

[Signature] City Clerk 3/31/14 Date

APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE
270 Pleasant Street
Rockland, Maine 04841

Name of Applicant LYNN ARCHER Phone 596-5960

Address of Applicant 1617 OYSTER RIVER ROAD
WARREN, MAINE 04841

Name of Business THE BRASS COMPASS CAFE Phone 596-5960

Address of Business 305 MAIN STREET
ROCKLAND, MAINE 04841

Name of Property Owner (if different) SAME

Type of License(s): Liquor Victualer Entertainment
 Lodging House Commercial Hauler Landscape Contractor
 Billiard Room Second Hand Dealer Other (Specify) _____

Type of Business RESTAURANT

Expiration of Current License 05/05/2014

Fee(s) Paid \$150.00 Date _____

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature _____ Date _____

Approved By: _____ License # _____

[Signature] Code Officer 3/24/14 Date
 Approved Inspected; See Report

[Signature] Fire Inspector 24/MAR 14 Date
 Approved Inspected; See Report

[Signature] Police Chief 3/18/14 Date

[Signature] City Clerk 3/28/14 Date

APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE

270 Pleasant Street
Rockland, Maine 04841

Name of Applicant ALLAN & PAMELA COTA Phone 785-2240

Address of Applicant 81 WILLIS DRIVE
HOPE, MAINE 04847

Name of Business SUNFIRE MEXICAN GRILL Phone 594-6196

Address of Business 488B MAIN STREET
ROCKLAND, MAINE 04841

Name of Property Owner (if different) VINCENT FERRAILOLO

Type of License(s): Liquor Victualer Entertainment
 Lodging House Commercial Hauler Landscape Contractor
 Billiard Room Second Hand Dealer Other (Specify) _____

Type of Business RESTAURANT

Expiration of Current License 05/17/2014

Fee(s) Paid \$150.00 Date 3/14/13

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature *Allen Cota* Date 3/14/14

Approved By: _____ License # _____

DA W Code Officer 3/28/14 Date
 Approved Inspected; See Report

Mick M... Fire Inspector 27 MAR 14 Date
 Approved Inspected; See Report

[Signature] Police Chief 3/18/14 Date

[Signature] City Clerk 3/28/14 Date

APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE
270 Pleasant Street
Rockland, Maine 04841

Name of Applicant CHAUNCHOM SUNGKAMANEE Phone 596-7348

Address of Applicant 403 BROADWAY
ROCKLAND, MAINE 04841

Name of Business ROSELYN SEAFOOD Phone 593-0888

Address of Business 1 PAYNE AVENUE
ROCKLAND, MAINE 04841

Name of Property Owner (if different) KEITH WASS

Type of License(s): Liquor Victualer Entertainment
 Lodging House Commercial Hauler Landscape Contractor
 Billiard Room Second Hand Dealer Other (Specify) _____

Type of Business RESTAURANT

Expiration of Current License 05/13/2014

Fee(s) Paid \$150.00 Date _____

The applicant herein agrees to conform with the provisions of the Ordinances of the City of Rockland relating to business licenses and such reasonable rules and regulations as may hereafter be adopted. The applicant hereby gives all persons and governmental agencies having information relevant to the above items permission to release the same to the City Clerk, Chief of Police, or other person(s) authorized to receive the same, and releases any claim that may be alleged to have arisen as a result of such release or disclosure.

Applicant's Signature *C. Chanchom Sungkamanee* Date 4/01/14

Approved By: *[Signature]* License # _____

[Signature] Code Officer 4/8/14 Date
Approved _____ Inspected; See Report

[Signature] Fire Inspector 04/07/14 Date
Approved _____ Inspected; See Report

[Signature] Police Chief 4/7/14 Date

[Signature] City Clerk 4/8/14 Date

CITY OF ROCKLAND, MAINE

RESOLVE #17

IN CITY COUNCIL

April 14, 2014

RESOLVE Commendation – Lloyd M. Daniels

BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

THAT Lloyd M. Daniels is hereby commended and congratulated for 32 years of dedicated service to the City of Rockland with the Rockland Police Department.

AND, be it further Resolve that a Plaque and Certificate of Commendation be presented to Officer Daniels as a token of the City's appreciation for his service on the occasion of his retirement, and the Council wishes him well in his future endeavors.

Sponsor: City Council
Originator: City Council

CITY OF ROCKLAND, MAINE

RESOLVE #18

IN CITY COUNCIL

April 14, 2014

RESOLVE Commendation – Raymond C. Athearn

BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

THAT Raymond C. Athearn is hereby commended and congratulated for 50 years of dedicated service to the City of Rockland with the Public Works and Solid Waste Departments.

AND, be it further Resolve that a Plaque and Certificate of Commendation be presented to Mr. Athearn as a token of the City's appreciation for his service.

Sponsor: City Council
Originator: City Council

CITY OF ROCKLAND, MAINE

RESOLVE #19

IN CITY COUNCIL

April 14, 2014

RESOLVE Accepting Donations

WHEREAS, the Friends of the Rockland Public Library donated \$1,526.69 for 123 books, \$119 for children's audio books, and \$81.86 for the Summer Reading Program, to be receipted into the Library Revenue Donations account (#10062-03147) and the same expended from the Library Restricted Donations Expenditure account (#10062-07003); and

WHEREAS, the Rockland Elks Lodge #1008 donated \$500 to the Rockland Public Library for the Summer Reading Program, to be receipted into the Library Revenue Donations account (#10062-03147) and the same expended from the Library Restricted Donations Expenditure account (#10062-07003); and

WHEREAS, the Rockland Historical Society donated \$2,000 to the Rockland Public Library to assist in paying the cost of utilities at the Library, to be receipted into the Library Revenue Donations account (#10062-03147) and the same expended from the Library Restricted Donations Expenditure account (#10062-07003); and

WHEREAS, Roger Woodbury, Morrill, Maine, donated the book *Mists of Adriana, Book II*, estimated value \$14.99, to the Rockland Public Library to be added to the Library's collection; and

WHEREAS, the Beta Sigma Phi Sorority donated \$200 to the Rockland Recreation Department to pay the cost of one child to attend the Summer Camp for two weeks, to be receipted into the Recreation Department Program Revenue Account (#10063-03145) and the same expended from the Recreation Department Program Expenditure Account (#10063-05014),

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City gratefully accepts these donations and directs that letters of thanks be sent to each donor in recognition of their generous donations.

Sponsor: City Manager
Originator: City Manager

CITY OF ROCKLAND, MAINE

RESOLVE #20

IN CITY COUNCIL

April 14, 2014

RESOVLE Appointment -- Republican Election Clerks

BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

THAT the following persons, duly elected as Republican Election Clerks at the Rockland Republican Caucus held on March 1, 2014, are hereby appointed as Election Clerks for the City of Rockland for a term of two years:

Linda Bodner, 5 Woodland Road
Wayne Gray, 67 Lawn Avenue
James M. Kalloch, 41 North Main Street

Sponsor: Mayor Pritchett
Originator: City Clerk

CITY OF ROCKLAND, MAINE

RESOLVE #21

IN CITYN COUNCIL

April 14, 2014

RESOLVE Appointment – Board of Assessment Review

BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

THAT the appointment by the Mayor of Joanne Billington, 29 Admontem Avenue, to the Board of Assessment Review, to fill a vacancy on that Board, is hereby confirmed. Mrs. Billington shall serve until that term expires in 2016.

Sponsor: Mayor Pritchett
Originator: Mayor Pritchett

CITY OF ROCKLAND, MAINE

RESOLVE #22

IN CITY COUNCIL

April 14, 2014

RESOLVE Appointment of Acting Warden and Ward Clerk

BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

THAT Teisha Hufnagel, 11 Robinson Street, is hereby appointed as the acting Election Warden for the June 10, 2014 Elections; and

BE IT FURTHER RESOLVED THAT Chelsea Avirett, 10 Fulton Street, is hereby appointed as the acting Ward Clerk for the June 10, 2014 Elections.

Sponsor: Mayor Pritchett
Originator: City Clerk

CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT #7

(As Amended 03/10/14)

IN CITY COUNCIL

March 10, 2014

ORDINANCE AMENDMENT Purchase and Sales Agreement Amendment – S. Hale

THE CITY OF ROCKLAND HEREBY ORDAINS AS FOLLOWS:

THAT the Purchase and Sale Agreement between the City of Rockland and Stephen C. Hale for the purchase of 242 Old County Road (Tax Map #80-A-5), adopted by the City Council pursuant to Ordinance Amendment #16-11, effective 06/08/11, and amended pursuant to Ordinance Amendment #04-13, effective 07/29/13, is hereby further amended as follows:

**SECOND AMENDMENT TO
PURCHASE & SALE AGREEMENT**

The **CITY OF ROCKLAND, MAINE**, a municipal corporation duly organized and existing under the laws of the State of Maine (“Seller”) and **STEPHEN C. HALE**, an individual residing at 242 Old County Road in Rockland, and formerly of 130 Thomaston Street in Rockland (“Buyer”) hereby amend that certain Purchase And Sale Agreement For Municipal Lien-Acquired Property – namely, real property located at 242 Old County Road in Rockland, Maine (Tax Map 80-A-5) – by and between Seller and Buyer and dated April 13, 2011 (the “P & S”), as follows:

* * *

4. **PURCHASE PRICE:** For such Quitclaim Deed and conveyance Buyer agrees to pay the total purchase price of ~~\$18,000~~ **\$18,000.**

* * *

6. **ACCEPTANCE; CLOSING DATE:** . . . The Closing Date shall be no later than March 31, ~~2014~~ **2015.**

* * *

25. **OTHER CONDITIONS:** Buyer to lease the Premises for no more than ~~three~~ **four** years, and pay the purchase price no later than March 31, ~~2014~~ **2015.** Until closing, Buyer shall pay Seller rent in the amount of \$400.00/month on or before the first day of each month for the period up to and concluding on March 31, 2013; ~~and~~ **and in the amount of \$600.00/month on or before the first day of each month commencing April 1, 2013; ; and in the amount of \$600.00/month on or before the first day of each month commencing April 1, 2014.** Buyer shall be responsible for repairs necessary to render the property habitable, and for yard maintenance

and snow removal; shall pay all utilities; and shall pay the City a payment in lieu of tax at the rate of \$1,223/year pro-rated to Buyer to cover the period between the Closing Date and the completion of the then-current fiscal year. If the Closing Date is between April 1, 2013, and June 30, 2013, Buyer shall make a further payment in lieu of tax for ~~Fiscal Year 2014~~ the following fiscal year, in the amount of the tax that would have been assessed had Buyer owned the property on such April 1, 2013. Of Buyer's rent payments to the City for periods prior to the Closing Date, \$300/month shall be credited to the purchase price at closing. Buyer shall secure and maintain property and liability insurance coverages for the property, and shall name the City of Rockland a certificate holder of the same.

* * *

Terms and conditions in the Purchase and Sale Agreement, as amended, or subparts thereof, not amended in this Second Amendment shall remain in full force and effect and binding upon the Parties.

Sponsor: Councilor Hebert
Originator: Councilor Hebert

First Reading 3/10/14
First Publication 3/20/14
Public Hearing 4/14/14
Final Passage _____
Second Publication _____
Effective Date _____

**CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #8
IN CITY COUNCIL**

March 10, 2014

ORDINANCE AMENDMENT Zoning Map Amendment – Broad Street, Grace Street Place, Grace Street.

THE CITY OF ROCKLAND HEREBY ORDAINS AS FOLLOWS:

THAT the Official Zoning Map of the City of Rockland be amended by changing the zoning classification as follows, and in conformance with the attached map:

- ❖ At 47 Broad Street (Tax Map 20-A-29), change the zone from Commercial 2 Zone to Residential Zone A; and
- ❖ At 43 Broad Street (Tax Map 20-A-28), change the zone from Commercial 2 Zone to Residential Zone A; and
- ❖ At 5 Grace Street Place (Tax Map 20-A-5), change the zone from Commercial 2 Zone to Residential Zone A; and
- ❖ At 9 Grace Street Place (Tax Map 20-A-27), change the zone from Commercial 2 Zone to Residential Zone A; and
- ❖ At 10 Grace Street Place (Tax Map 20-A-7), change the zone from Commercial 2 Zone to Residential Zone A; and

Also at 38 Grace Street (Tax Map 20-A-10), extend the Residential A zone eastward to encompass the entire parcel, thus eliminating the split of the parcel between the Commercial 2 and Residential A zones as currently shown on the Official Zoning Map of the City of Rockland.

The zone boundary is intended to follow parcel boundary lines where applicable.

First Reading 3/10/14
First Publication 3/20/14
Public Hearing 4/14/14
Final Passage _____
Second Publication _____
Effective Date _____

Sponsor: Mayor Pritchett
Originator: Code Enforcement Officer



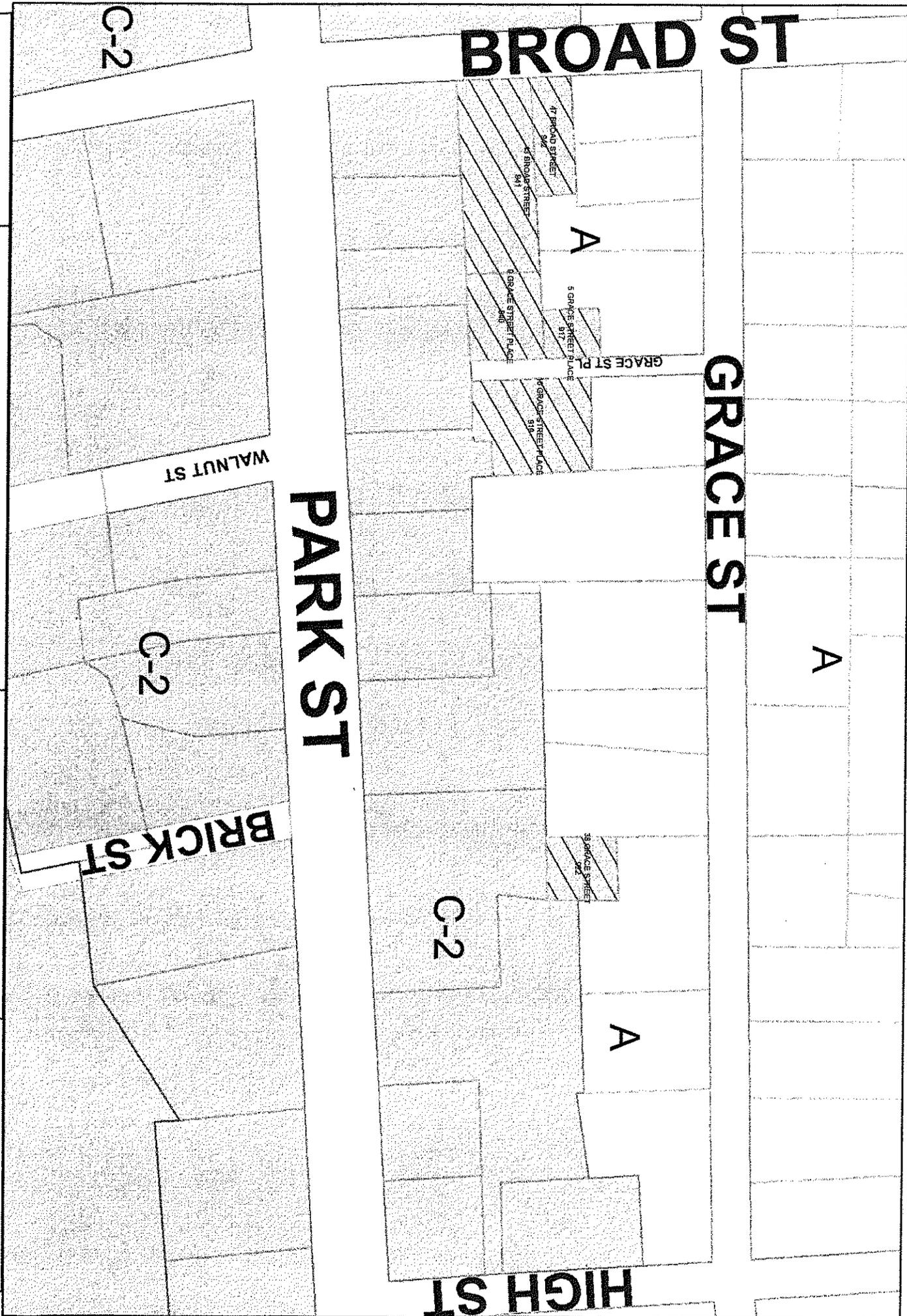
CITY OF
ROCKLAND
KNOX COUNTY
MAINE



Change from Commercial 2 to Residential Zone A



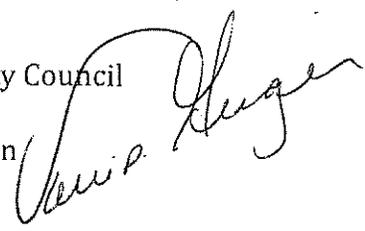
DISCLAIMER
Tax maps are compiled from aerial photography,
existing surveys, deeds, and landowner's descriptions.
They are to be used for assessment purposes only,
and not for conveyance



MEMORANDUM

To: Mayor Larry Pritchett and members of the Rockland City Council

From: Valli Geiger, Chair, Comprehensive Planning Commission



Date: March 24, 2014

Re: Ordinance Amendment #8, Zoning Map Amendment – Broad/Grace Street Area

The Comprehensive Planning Commission met on Thursday, March 13, 2014 at Rockland City Hall. Members present included: Valli Geiger, Chair, Ann Morris, Eileen Wilkinson, Thomas Keedy and Ex Officio member, Mayor Pritchett.

The Commission reviewed Ordinance Amendment #8, Zoning Map Amendment – Broad/Grace Street Area and recommended that the zone change to the ordinance be adopted as proposed. The Commission voted 4-0.

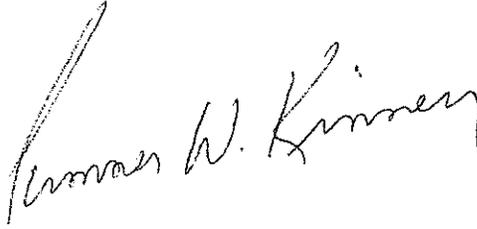
Thank you for the opportunity to serve.

Sumner W. Kinney
Marjorie H. Kinney
13 Fluker Street
Thomaston, ME 04861
354-9591

DATE: 10-Apr-14

TO: Mr Tom Luttrell
City Manager

FROM: Sumner W. Kinney

A handwritten signature in cursive script that reads "Sumner W. Kinney". The signature is written in black ink and is positioned to the right of the "FROM:" field, overlapping slightly with the "TO:" field.

SUBJECT: **RE-ZONE Broad St and Grace St. Place**

Marjorie and I have owned 43-45 Broad St. since 1996

We object to rezoning this parcel to residential. We feel strongly that this could decrease the value and marketability of the property.

CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #26
IN CITY COUNCIL

October 16, 2013

ORDINANCE AMENDMENT Curating Public Art by Parks Commission

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 13, Parks And Trees, ARTICLE I, Parks, SECTION 13-103, Parks Commission, BE AMENDED AS FOLLOWS:

Sec. 13-103 Parks Commission

A. Formation; Procedure. A Parks Commission is hereby established for the purpose of assisting the City with the acquisition, creation, improvement, care, and maintenance of City parks, gardens, forests, and public shade trees. The Parks Commission shall consist of five (5) members to be appointed by the City Council for staggered terms of three (3) years. The Commission shall elect a Chairman, a Secretary, and a Tree Warden from its membership annually, and adopt its own rules of procedure.

B. Duties. The Commission may invite other Rockland residents to participate in meetings and to help with the Commission's work who shall not be members and may not vote. The Commission shall advise the City Council in matters of policy and planning for parks, gardens, forests, and public shade trees; advise the City Manager regarding the care, maintenance, and improvements of parks, gardens, forests, and public shade trees; and maintain close cooperation with the Planning Board, the Harbor Management Commission, the Oyster River Bog Association, and the Recreation, Public Works, and Harbor & Waterfront Departments.

C. Public Art. The Commission shall review, grant, grant with conditions, or deny art in City parks, where locations for public art have been designated by the establishment of art display pads constructed for the purposes of displaying public art. The Commission shall apply the criteria established by Order of the City Council when determining eligibility. Applications to display art in a public place shall be made in writing on a form prepared and provided by the City Clerk. The Commission shall act upon applications within sixty days of the date of the completed application. Appeals from decisions of the Commission regarding the public display of art shall be filed with the City Clerk within thirty days of the Commission's written decision, and shall be heard and decided by the City Council. The City Council may, by Order, establish a fee for the public display of Art.

State Law Ref.: 30-A M.R.S. § 3264.

Sponsor: Councilor Dickerson
Originator: City Manager
Postponed 10/16/13 to 12/09/13
Postponed 12/09/13 to 02/10/14
Postponed 02/10/14 to 04/14/14

**CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #6
IN CITY COUNCIL**

February 10, 2014

ORDINANCE AMENDMENT Snow Disposal in Harbor Prohibited

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 15, Use of Street, SECTION 15-147, Snow, BE AMENDED AS FOLLOWS:

Sec. 15-147 Snow

No person shall deposit or cause to be deposited any ice or snow, in any street or public place in the City. Disposal of snow in Rockland Harbor by any entity, including the City of Rockland, shall be prohibited.

State Law Reference: 17 M.R.S. § 2802; 17-A M.R.S. § 505; 23 M.R.S. § 3452.

Sponsor: Councilor MacLellan-Ruf
Originator: Councilor MacLellan-Ruf

Postponed 02/10/14 to 04/14/14

CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT #10

IN CITY COUNCIL

April 14, 2014

ORDINANCE AMENDMENT: Exempting Container Restaurants And Food Wagons From Certain Zoning Regulations

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 19, Zoning and Planning, ARTICLE III, Zoning Ordinance, SECTIONS 19-302, Definitions, and 19-309, Exceptions and Exemptions, BE AMENDED AS FOLLOWS:

Sec. 19-302 Words and Phrases Defined

ADD, ALPHABETICALLY:

Container Restaurant. A prefabricated, mobile shipping or storage container converted for use as a take-out or eat-in restaurant.

Food Wagon. A small bus, truck, or other vehicle, or stand, trailer, or other small mobile structure outfitted for selling or for serving light meals and snacks to the public. The term “food wagon” does not include push carts that are removed daily or vehicles selling food from the street in accordance with Chapter 15, Article I, Section 15-109.

Sec. 19-309 Exceptions and Exemptions

1. Special Classes. No building may be erected, altered, or used, and no land may be used, for any of the following special use classes in the Residential A and AA zones. In other zones, the Planning Board, applying the procedures and standards set forth in Chapter 16, Article II, may approve such use in any zone other than Residential A or AA zones, upon application, notice, and public hearing, and upon a determination that the use will not be detrimental or injurious to the neighborhood, and that there will be provided fencing and screening adequate to provide visual and auditory barriers from other properties and public rights of way, and that the applicant has demonstrated compliance with all other applicable City ordinances. All owners of property located within 300 feet of the lot lines of the subject parcel shall be notified of the Special Class application, in writing and at least seven days prior to the public hearing, and shall be provided an opportunity to be heard at such hearing.

- A. Cemetery;
- B. Municipal use (not otherwise provided for);
- C. Public utility use (other than as provided by Section 19-304(3)(B));
- D. Stables, public; saddle horses for hire;
- E. Transformer stations;
- F. Wind power generation equipment;

G. Temporary Buildings that house a use incidental to and reasonably required by an occupant of residential property on the same parcel for a non-commercial purpose (other than the storage or repair of a recreational or fishing vessel, or fishing equipment). Such temporary buildings shall be removed within one (1) year at the owner's expense, unless the permit therefor shall have been extended by the Board for not more than one year. Applications for temporary building permits must be accompanied by a bond, bill of sale, or other instrument acceptable to the City Manager to guaranty the removal and disposal of the building.

2. Seasonal Container Restaurants & Food Wagons.

A. Exemption From Certain Standards. In the Downtown and Tillson Avenue Area Overlay Zones, container restaurants and food wagons having total floor areas of fewer than 350 sq. ft. and utilized for less than six months / calendar year shall be exempt from the following standards, where applicable:

- (1) Architectural and/or Design Standards;
- (2) Space and Bulk Standards;
- (3) Maximum front setbacks; and
- (4) Buffering and Screening performance standards.

B. Planning Board Review.

(1) No person, corporation, or other legal entity may place, construct, add to, or use any seasonal container restaurant or food wagon without first applying for and obtaining approval of the same from the Planning Board, pursuant to Chapter 16, Article II, applying the following standards and requirements in Chapters 16 and/or 19, in addition to applicable building code, life safety, and fire prevention requirements:

(a) Provisions for parking and vehicular and pedestrian circulation, except in the Downtown Parking District;

(b) Lighting standards;

(c) On-site restrooms for customers of restaurants with inside seating, and restroom availability for all employees;

(d) Water supply and wastewater disposal;

(e) Landscaping in accordance with Section 19-316(H)(3). Other landscaping shall be designed to soften, screen, or enhance the physical design of structures and parking areas to avoid the encroachment of the proposed use outside its fixed perimeter.

(f) The use of exterior speakers or other audible devices to play music, communicate with customers, or other purposes shall be strictly prohibited.

Container restaurants and food wagons having total floor areas of 350 sq. ft. or more, and/or that are utilized for six months or more are subject to full site plan review and approval pursuant to Chapter 16, Article II.

(2) Food wagons in Buoy and Harbor Parks and at the Middle Pier shall be exempt from Planning Board Review.

(3) Container restaurants and food wagons exempted from standards pursuant to Section 19-309(2)(A) shall be removed from the site to another location where storage of such containers and wagons is authorized when not in use for two or more consecutive weeks.

(4) Container restaurants and food wagons exempted from standards pursuant to Section 19-309(2)(A) may not begin service to the public prior to 6:00 AM nor continue service after 9:00 PM, except during events for which the nearest street is closed pursuant to Order of the City Council, in which instances the hours of operation may be extended to the close of the event.

Sponsor: Councilor MacLellan-Ruf
Originator: Councilor MacLellan-Ruf

CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT #11

IN CITY COUNCIL

April 14, 2014

ORDINANCE AMENDMENT Removing Buoy Park, Middle Pier, Harbor Park, and the Pearl from the Tillson Avenue Area Overlay Zone (“TAAOZ”)

THE CITY OF ROCKLAND HEREBY ORDAINS AS FOLLOWS:

THAT the Official Zoning Map of the City of Rockland be amended as follows:

<u>Address*</u> :	<u>Tax Map:</u>	<u>Deed Reference:</u>	<u>Withdraw From:</u>	<u>Remains:</u>
3 Park Drive	5-B-3	0423 / 448	TAAOZ	WF-2
Non-WF-2 Portion of 255 Main Street	5-B-6	1995 / 078	TAAOZ	DT
271 Main Street	5-B-5	0312 / 067	TAAOZ	DT & WF-2
273 Main Street	5-B-14	2140 / 204	TAAOZ	WF-2

* The zone boundaries are intended to follow parcel boundary lines where applicable.

Sponsor: Councilor MacLellan-Ruf
Originator: Code Enforcement Officer

CITY OF ROCKLAND, MAINE

ORDER #39

IN CITY COUNCIL

October 16, 2013

ORDER Adopting Criteria for the Review And Placement of Public Art

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT, pursuant to Rockland Code, Ch. 13, Art. I, Sec. 13-103(C), the Parks Commission shall apply the following procedures and criteria when reviewing artwork proposed for display in a public park or on other City property in the City of Rockland.

Procedure:

1. The Parks Commission, in consultation with the City Manager, shall prepare an application form to be utilized by persons or entities, including the City of Rockland, that propose to display artwork in a public park or on other City property ("Public Art"). Such form shall elicit the name and contact information of the owner and, if applicable, gallery owner / broker, of the Public Art; the location and term proposed for its display; a statement of placement, maintenance, and other conditions / limitations proposed by the Applicant; other pertinent information; and acknowledgement by the Applicant that the display of Public Art in Rockland shall be at the Applicant and/or owner's risk;
2. No person may display Public Art until granted approval therefor by the Parks Commission, and if not in conformance with any conditions imposed therefor;
3. Applications shall be submitted to the City Manager, who shall inform the Parks Commission Chair. The Parks Commission shall meet to review and act upon such application within 60 days of the date of the application. The Parks Commission shall provide prior, written notice to the Applicant of the date and time of the hearing for the application; shall provide the Applicant and owner an opportunity to be heard; shall conduct a public hearing on such application; shall – applying the Review Criteria set for thin in this Order – grant, grant with conditions, or deny such application; and shall issue, under the Chair's signature, a written decision consistent with the decision and vote of the Parks Commission;
4. The approval of an application to display Public Art shall be conditioned upon the availability of private or authorized public resources to install, maintain, and remove the Public Art, and upon the availability and maintenance of property and general liability insurance coverages for the Public Art;
5. The Public Art must be available and shall be displayed for a fixed term of no fewer than three months and no more than 12 months;
7. The public art shall not be available for sale and removal during such term;

8. The Parks Commission's decision on an application for the display of Public Art may be appealed by the Applicant or City Manager to the City Council, by submitting written notice of such appeal with the City Clerk within ten business days of the date of written notice of the Commission's decision; and
9. Until the effective date of Ordinance Amendment #13-26, authorizing the Parks Commission to review applications for the display of Public Art, and in the event, once so authorized, that the Parks Commission fails to act upon any such application within 60 days thereof, the City Manager is authorized to review and grant, grant with conditions, or deny such application, without notice or public hearing.

Review Criteria:

- A. The Public Art is of a size, durable material, quality, and condition suitable for display at the proposed location;
- B. The subject matter of the Public Art is not political in nature, and is appropriate for viewing by the general public;
- C. The Public Art contains no commercial advertising, logos, slogans, or mascots other than mascots of public schools located within the City; and
- D. The subject matter of the Public Art is suitable for and not incompatible with the purpose, nature, and other amenities of the public park or City property where it is proposed to be displayed, and shall not unreasonably be susceptible to damage, theft, or vandalism at such location.

Sponsor: Councilor Hebert

Originator: City Manager

Postponed 10/16/13 to 12/4/13

Postponed 12/4/13 to 3/10/14

Postponed 3/10/14 to 4/14/14

CITY OF ROCKLAND, MAINE
ORDER #21
IN CITY COUNCIL

April 14, 2014

ORDER Authorizing Retention of Massachusetts Counsel

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City Manager is hereby authorized, in consultation with the City Attorney, to retain competent Massachusetts counsel, at a contingency fee of no greater than 25% plus costs, to seek recovery of the City's judgments against Rockland Lobster Co., LLC and Antonio Bussone in Massachusetts, where Mr. Bussone resides and maintains his assets.

Sponsor: City Manager
Originator: City Attorney

CITY OF ROCKLAND, MAINE

ORDER #22

IN CITY COUNCIL

April 14, 2014

ORDER Authorizing Use of Main Street - Lobster Festival Parade

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the Rockland Festival Corporation is hereby authorized to close Main Street on Saturday, August 2, 2014 to hold the Annual Maine Lobster Festival Parade. The Festival Corporation shall be responsible for setting up for and cleaning up after this event, coordinating with the Rockland Fire and Police Departments for any necessary public safety and/or traffic control measures, and shall provide proof of liability insurance to the City prior to holding this event.

Sponsor: Councilor Hebert
Originator: Rockland Festival

CITY OF ROCKLAND, MAINE

ORDER #23

IN CITY COUNCIL

April 14, 2014

ORDER Authorizing Temporary Street Closure – Farnsworth Museum Summer Gala

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the Farnsworth Art Museum is hereby authorized to close Museum Street on Friday, July 11, 2014 to hold its annual Summer Gala substantially in conformance with the attached Special Events Application and any additional requirements deemed advisable by City staff. The Farnsworth Art Museum shall be responsible for setting up for and cleaning up after this event, shall coordinate with the Rockland Police and Fire Departments for any necessary traffic control and/or public safety measures, and shall provide proof of liability insurance to the City prior to holding the event. The serving or consumption of alcohol on Museum Street is prohibited.

Sponsor: Councilor Hebert

Originator: Farnsworth Art Museum

CITY OF ROCKLAND, MAINE

ORDER #24

IN CITY COUNCIL

April 14, 2014

ORDER Authorizing Abatement – Tax Assessment Error (266 & 268 Pleasant Street)

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City Manager is hereby authorized to abate FY 2012 and FY 2013 taxes on properties located at 266 & 268 Pleasant Street (Tax Map #57-A-3 and 57-A-4) totaling \$1,466.88, owned by the Estate of John Belyea, to correct an assessment error whereby the properties were assessed on incorrect acreages, as follows:

	266 Pleasant St.		268 Pleasant St.	
Year	Acres	Land Assm't	Acres	Land Assm't
FY 2012	2.00 ac	\$53,800	1.44 ac	\$28,200
FY 2013	2.00 ac	\$53,800	1.44 ac	\$28,200
FY 2014	2.00 ac	\$53,800	1.44 ac	\$28,200
FY 2015	.81 ac	\$24,700	.48 ac	\$18,900
Assm't Difference		\$29,100		\$ 9,300

Tax Difference to be abated by Council.

Year	Mill Rate	Tax Amount	Mill Rate	Tax Amount
FY 2012	.01878	\$ 546.50	.01878	\$ 174.65
FY 2013	.01942	\$ 565.12	.01942	\$ 180.61
Total Tax Abatement		\$1,111.62		\$ 355.26

Sponsor: City Manager
Originator: City Assessor

CITY OF ROCKLAND, MAINE

ORDER #25

IN CITY COUNCIL

April 14, 2014

ORDER Study of Zoning & Public Infrastructure along Park Street & Payne Avenue Corridor

WHEREAS, the western entrance, or gateway, to the City of Rockland via U.S. Route #1 from the Thomaston town line to Main Street is comprised of Park Street and Payne Avenue, and

WHEREAS, the Council seeks to identify zoning adjustments or public infrastructure changes that could help foster improvements to or redevelopment of parcels along this corridor in a manner that would enhance the economic vitality and aesthetic appeal of this gateway to the City, and

WHEREAS, the City has completed for Camden Street, which is the northern Gateway to the City, the initial stages of a re-visioning process, including the adoption of values and objectives that apply to this type of high traffic, high visibility corridor via Resolve #'s 8 and 9, adopted February 11, 2013; and

WHEREAS, many of the questions, challenges and opportunities including improving pedestrian access, reducing curb cuts, incentivizing shared parking and improving the public corridor identified in the Camden Street project may apply to the Park Street and Payne Avenue area, and

WHEREAS, the mix of commercial and transitional businesses zones abutting residential zones along Camden Street are largely the same as the zones along the Park Street and Payne Avenue corridor on the southern side of the City, and

WHEREAS, Comprehensive Planning Commission, in consultation with the Economic Development Advisory Committee, is in the process of reviewing these zones as a part of the Camden Street project, and

WHEREAS, the Citizens' Institute on Rural Design (CIRD) provides both grants and in-kind technical support for Cities and towns with populations under 50,000 to be used for planning purposes that include siting new growth and redeveloping older areas effectively as well as developing contextually sensitive design guidelines;

NOW, THEREFORE, BE IT HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT, City Council directs the Comprehensive Planning Commission, in consultation with city staff and other committees, where relevant, to review both land use zoning along the Park St./Payne Ave. area as well as the public corridor itself and make recommendations to Council to address the points raised above in this order, and

THAT, the City Manager is authorized to develop and sign all documents needed to apply for and carry out a Citizens' Institute on Rural Design grant that would aid this planning effort if awarded to the City

Sponsor: Councilor Hebert
Originator: Councilor Hebert

CITY OF ROCKLAND, MAINE

ORDER #26

IN CITY COUNCIL

April 14, 2014

ORDER Authorizing Request for Proposals for Public Art Displays

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City Manager is hereby authorized and directed to solicit proposals for the display of art at the locations established therefor in Winslow-Holbrook Memorial Park, Ferry Terminal Park, and Sandy Beach Park. The City Manager shall consult with the Parks Commission in identifying appropriate items for display, and for that purpose the Commission shall elicit public comment regarding the proposals from non-members at a duly noticed public meeting of the Commission. The City Attorney shall prepare license agreements with the selected artists for review and approval by the City Council.

Sponsor: City Manager

Originator: City Manager

CITY OF ROCKLAND, MAINE

ORDER #27

IN CITY COUNCIL

April 14, 2014

ORDER Authorizing Temporary Street Closure & Fee Waiver - Summer Solstice Celebration

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the Rockland Main Street Inc. is hereby authorized to close Main Street, between Park Street and Summer Street, from 4:00 p.m. to 9:00 p.m., with parking along Main Street to be prohibited beginning at 1:00 p.m. to allow for set up, on Saturday, June 21, 2014 to hold the 13th Annual Summer Solstice Celebration. The Organizers shall be responsible for setting up for and cleaning up after the event, shall coordinate with the Rockland Police and Fire Departments for any necessary traffic control and/or public safety measures, and shall provide proof of liability insurance to the City prior to holding the event. Any fees associated with this event are hereby waived.

Sponsor: Councilor Hebert

Originator: Summer Solstice Committee



April 7, 2014

Rockland City Council
c/o Mr. Tom Lutrell
City Manager
270 Pleasant Street
Rockland, ME 04841

Dear Council Members:

Rockland Main Street Inc. is preparing for its 13th annual Summer Solstice event. It is traditional to close Main Street from Park Street to Summer Street for this community event.

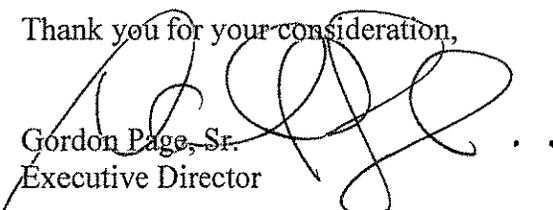
Please accept this formal request to make that closure of Main Street from Park to Summer St. from 4:00pm to 9:00pm, on the evening of Saturday, June 21, 2014 for the purposes of the Summer Solstice event. In addition to the street closure, we seek permission to prohibit parking by putting up no parking signs starting on Main Street beginning at 1:00pm on June 21.

Attached is the City of Rockland Special Events Application that has been signed off by Rockland Police Chief Bruce Boucher. Rockland Main Street, Inc. will provide extra trash cans, and empty all city trash cans in the area closed off. All trash will be disposed of by RMS, Inc. No street cleaning will be necessary outside the DPW normal schedule.

The focus of the event is on providing a family friendly environment while celebrating our community and the beginning of summer. Given that this is an event created for the enjoyment of the community and residents of Rockland, we ask that you consider waiving the fees. We will work closely with you and your staff to minimize the impact of the event on your staff, just as we have done in past years.

I will make myself available to answer any questions that you might have. As it is my intention to attend the council meeting that will handle our request, I ask that I be informed of the date and time of the meeting.

Thank you for your consideration,


Gordon Page, Sr.
Executive Director

Rockland Main Street, Inc. ~ PO Box 402, Rockland Maine 04841
Located at 417 Main Street # 203 ~ 207 593.6093
Rocklandmainstreet.com ~ on facebook : Rockland Main Street
rocklanddowntown@gmail.com

Rockland Main Street, Inc. is a focused partnership of residents, businesses and local government that enhances and protects the unique sense of place and economic vitality of downtown Rockland, Maine.

City of Rockland
Special Events Application

Date of Event: 21 JUNE 2014 Type of Event: Parade Walk
Start Time: _____ Foot Race Bike Race
Completion Time: _____ Demonstration Other
Rain Date: _____ # Participants: 5000+ STREET FAIR

SECTION I. APPLICANT

Title of Event: SUMMER SOLSTE Name of Applicant Organization: *ROCKLAND MAIN STREET INC.
Address: 417 MAIN STREET # 703 PO BOX 402 ROCKLAND
Telephone: 5936093 Type of Organization: for profit (non-profit) / other: SOICB

Representative of the Organization (at least one name required - must be the applicant):
Name: GORDON PAGE Position: EX DIR Telephone: 5936093 Business: *RMSI
5924452

SECTION II. CITY PROPERTY

Proposed Use of City Owned Property (specify whether admission to be charged, and how much)
Building / Park / Street Closure / Use of Public Way / Other City Owned property
MAIN STREET - FROM PARK TO SUMMER + SIDE STREETS
(City Council or Harbor Management Commission approval required for street/sidewalk closure or exclusive use of park)

SECTION III. LOGISTICS (Attach additional pages if needed.)

Parking: N/A Location(s):

Liquor Service? N/A (license required) Type of License (attach copy):
Food Service? N/A (attach copy of state license) Describe arrangements for food storage, preparation, and type and storage of cooking fuels:
Sanitary facilities: Type: _____ # Available: _____

Contractor / Contact Info:

Signage? Location(s): _____ Number: _____

(City Council approval is required for off-premises signs in ROW / on City property)

Electrical Installations? Type: N/A Location(s): _____ Contractor: _____
Tents? Number: _____ Location(s): _____ Contractor: _____ Dates: _____
Insurance: Agent: AUEN INSURANCE Contact: JOANNE BLUNDEN Limits: COI TO BE RIVED W/ CITY
(Attach copy of insurance rider / declaration page)

SECTION IV. EVENT INFORMATION

- A. Assembly Area Prior to Event: N/A
- B. Will the Event Disrupt Traffic Patterns? Yes X No _____
- C. Traffic Detours Needed? Yes X No _____
- D. Are Street Closures Necessary? Yes X No _____
- E. Traffic Control Equipment (signs, barricades, etc.) Needed? Yes X No _____
- F. Who Will Provide Traffic Control? ROCKLAND PD
- G. Will the Event Disrupt Retail Businesses? Yes _____ No X MAIN STREET BUSINESSES EXPECTED TO REMAIN OPEN

(If yes, you must notify those affected businesses)

H. Type of Crowd Expected to Attend?

5000 +/-

SECTION V. CITY SERVICES REQUESTED and / or REQUIRED

The following services are available from, or may be required by, the City of Rockland. The applicant must determine the requested and/or required services prior to submission of the application. Whether City services are required shall be determined by the applicable department. All fees and costs associated with these services will be the responsibility of the applicant unless a waiver of such fees and costs is sought and obtained from the City Council, or Harbor Management Commission, where applicable.

POLICE DEPARTMENT SUPPORT

(Contact (207) 594-0317)

Yes X No

FIRE DEPARTMENT / EMS SUPPORT

(Contact (207) 594-0318)

Yes No X

DEPARTMENT OF PUBLIC WORKS SUPPORT

(Contact (207) 594-0320)

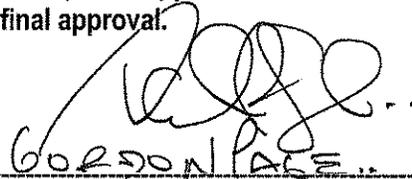
Yes No X

I hereby acknowledge and agree that the event sponsor and the participants will comply with all applicable laws of the State of Maine and the City of Rockland, and adhere to the conditions granted by this permit. It is the responsibility of the applicant to obtain the requisite approvals from the departments listed below prior to submission of this application for final approval.

Signature of authorized representative:

Date: 7 APRIL 2014

Print:


GORDON PAGE

SECTION VI. CITY OF ROCKLAND USE ONLY

POLICE:

Approved as submitted:

Chief of Police / Designee

Approved with conditions:

Chief of Police / Designee

Conditions:

3 officers needed in Traffic & Crowd control / in 5 hours - with vehicles

FIRE:

Approved as submitted:

Fire Chief / Designee

Approved with conditions:

Fire Chief / Designee

Conditions:

PUBLIC WORKS:

Approved as submitted:

Public Works Director / Designee

Approved with conditions:

Public Works / Designee

Conditions:

HARBOR & WATERFRONT

(for Buoy, Harbor, or Snow Marine Park)

Approved as submitted:

Harbor Master

Approved with conditions:

Harbor Master

Conditions:

CITY OF ROCKLAND, MAINE

ORDER #28

IN CITY COUNCIL

April 14, 2014

ORDER Authorizing Boundary Line Confirmation Agreement – Pinkham

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City Manager is hereby authorized to enter into a Boundary Line Confirmation Agreement, substantially in compliance with the attached, with Timothy and Linda Pinkham of Camden, Maine, to establish and confirm the common boundary line which divides the Seaview Cemetery property located on Warrington Street in the Town of Rockport (Rockport Tax Map #1, Lot 180 - owned by the City of Rockland), and the adjacent Pinkham property (Rockport Tax Map #1, Lot 120).

Sponsor: Mayor Pritchett

Originator: Rockland Cemetery Association

BOUNDARY LINE CONFIRMATION AGREEMENT

THIS AGREEMENT is entered into by and between the INHABITANTS OF THE CITY OF ROCKLAND (“ROCKLAND”) and TIMOTHY and LINDA PINKHAM of Camden, Knox County, Maine (“PINKHAM”), collectively referred to as the “Parties”.

WHEREAS, ROCKLAND owns the Seaview Cemetery located on Warrenton Street in the Town of Rockport, Knox County, Maine and is a portion of Tax Map 1, Lot 180 (“Seaview Cemetery Property”); and

WHEREAS, PINKHAM owns land adjacent to ROCKLAND located in the Town of Rockport, Knox County, Maine, described in a deed recorded at Book 774, Page 237 and known as Tax Map 1, Lot 120 (“Pinkham Property”); and

WHEREAS, ROCKLAND and PINKHAM wish to enter into a Boundary Confirmation Agreement to establish and confirm the common boundary line which divides the Seaview Cemetery Property and the Pinkham Property, conforming to a certain plan entitled “Boundary Survey of Seaview Cemetery” dated October 2013 by Professional Surveying/Michael P. Shaffer, PLS.

NOW THEREFORE, in consideration of the mutual agreements and conveyances contained herein, and other valuable consideration, the receipt of which is hereby acknowledged, ROCKLAND and PINKHAM hereby agree, release and convey as follows:

1. The Parties agree to establish and confirm the common boundary between the Seaview Cemetery Property and the Pinkham Property and describe the boundary as follows:

Beginning in line of land of Kurr at a 1” iron pipe, which is located North 29° 08’ 40” West, of and four hundred forty-four and fifty-five hundredths (444.55) feet from a #4 rebar set at the northwest corner of land of Kurr (Book 2365, Page 299) and land of Paterson Mobile Home Park, LLC;

Thence North 59° 21’ 56” East, five hundred seventy and sixty-nine hundredths (570.69) feet to a point;

Thence North 34° 42’ 59” West, three hundred seventy-two and eighty-two hundredths (372.82) feet to a ¾” pipe in line of land of Patterson Mobile Home Park, LLC.

2. ROCKLAND grants, releases and conveys to PINKHAM, their heirs, successors and assigns, any and all land, if any, in which ROCKLAND may have any

interest, lying north and west of the line described in Paragraph 1 above and contiguous to said line.

3. PINKHAM grants, releases and conveys to ROCKLAND, its successors and assigns, any and all land, if any, in which PINKHAM may have any interest, lying south and west of the line described in Paragraph 1 above, and contiguous to said line.

4. LIMITED RIGHT OF ACCESS. ROCKLAND also grants, releases and conveys to PINKHAM, their heirs and assigns, a right of access twenty feet (20') in width from Warrenton Street over the Seaview Cemetery road lying to the northeast of the brick building as shown on the attached sketch and on the survey plan referenced herein to the Pinkham property for access for recreational purposes and for the purpose of removing wood and crops. This right of access shall not be used for residential purposes or for commercial purposes other than agriculture and forestry.

Any damage to Seaview Cemetery roads shall be promptly repaired to prior condition at the sole expense of PINKHAM, their heirs or assigns. PINKHAM, their heirs and assigns, shall indemnify ROCKLAND for any costs, claims, or damages including reasonable legal fees and court costs incurred by ROCKLAND as a result of use of this right of access to the Pinkham Property.

IN WITNESS WHEREOF, ROCKLAND and PINKHAM have executed this Agreement effective this _____ day of _____, 2014

Signed, Sealed and Delivered

in the presence of

Inhabitants of the City of Rockland

Witness

By:

Its:

Printed Name

State of Maine

County of Knox, ss.

_____, 2014

Then personally appeared the above named _____, and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of said body corporate.

Notary Public

Printed Name

Crystalline A Spaulding

Witness

Crystalline A Spaulding

Printed Name

Timothy S. Pinkham

Timothy Pinkham

to both

Witness

Printed Name

Linda Pinkham

Linda Pinkham

**STATE OF MAINE
COUNTY OF KNOX, SS.**

April 4, 2014

Then personally appeared the above-named **TIMOTHY and LINDA PINKHAM** known to me (or satisfactorily proven to me) to be the individuals described in this instrument and acknowledged the above instrument to be their free act and deed.

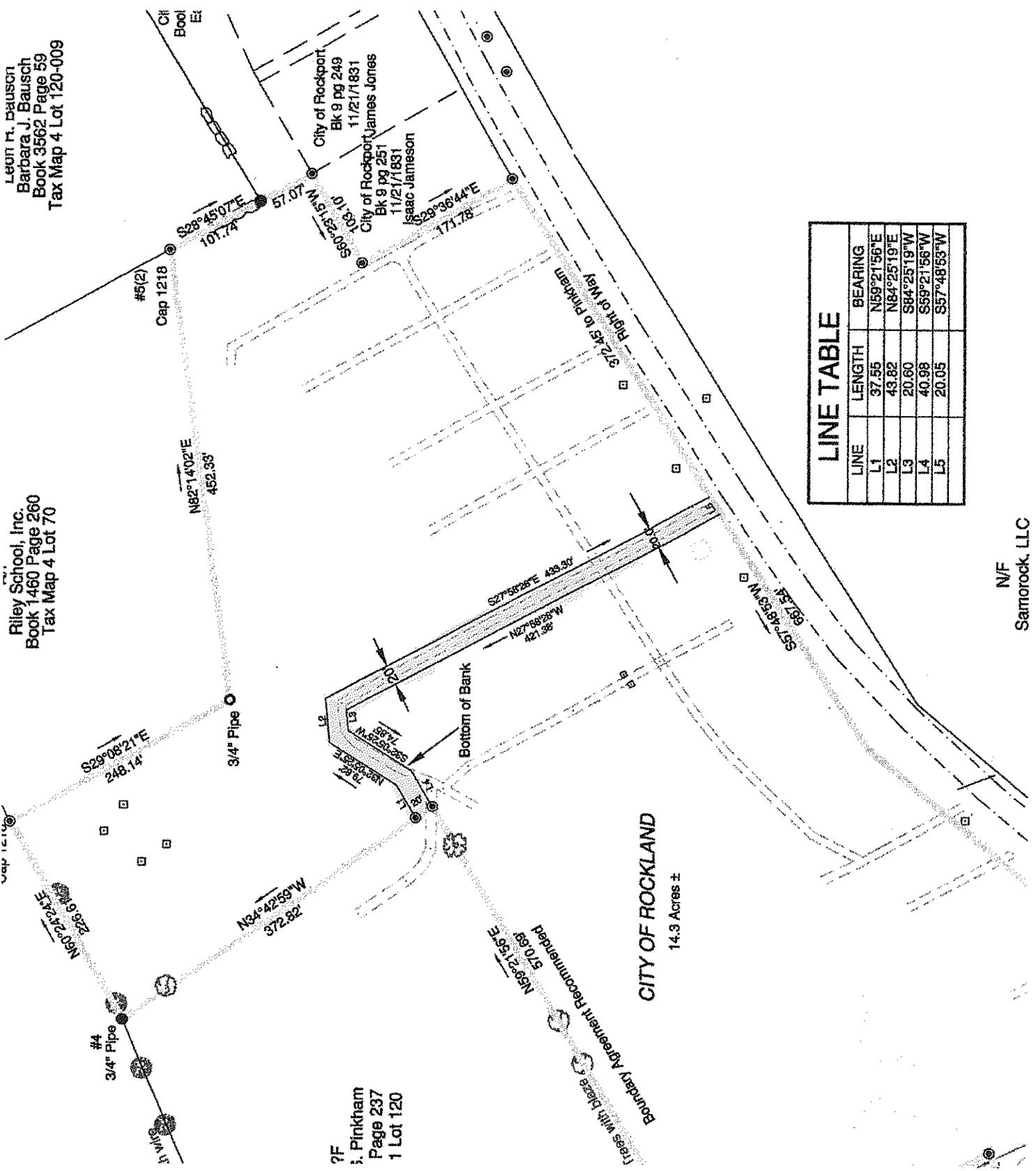
Robin Lee Horvath
Notary Public

Robin Lee Horvath, Notary Public
State of Maine
Printed Name of Notary
My Commission Expires 4/17/2021

Leon M. Pauson
Barbara J. Bausch
Book 3562 Page 59
Tax Map 4 Lot 120-009

Riley School, Inc.
Book 1460 Page 260
Tax Map 4 Lot 70

?F
i. Pinkham
Page 237
1 Lot 120



LINE TABLE	
LINE	BEARING
L1	N59°21'56"E
L2	N84°25'19"E
L3	S84°25'19"W
L4	S59°21'56"W
L5	S57°48'53"W

CITY OF ROCKLAND
14.3 Acres ±

N/F
Samrock, LLC

Boundary Agreement Recommended
570.69
N59°21'55"E

