

CITY OF ROCKLAND, MAINE



***270 Pleasant Street
Rockland, Maine 04841***

CITY CLERK'S OFFICE

May 9, 2014

***YOU ARE HEREBY NOTIFIED THAT A SPECIAL MEETING OF THE
ROCKLAND CITY COUNCIL WILL BE HELD IN CITY COUNCIL
CHAMBERS AT ROCKLAND CITY HALL, 270 PLEASANT STREET,
ROCKLAND, MAINE ON MONDAY, May 12, 2014 AT 6:30 P.M. FOR THE
FOLLOWING PURPOSE(S):***

[Please Note Starting Time and Date]

Executive Session - Pursuant to Title 1, Maine Revised Statutes, Section 405(6)(F); Title 22, Maine Revised Statutes, Section 4306; Title 26, United States Code, Section 6103; and Title 5, Maine Revised Statutes, Section 13119-A(2), which requires the City to preserve the confidentiality of applicants' financial statements and tax returns, the Rockland City Council will convene in executive session to hear an application for financial assistance from the City's Katherine B. Haines Fund

***YOUR PUNCTUAL ATTENDANCE IS REQUESTED
PER ORDER OF THE MAYOR OF THE CITY OF ROCKLAND***



**STUART H. SYLVESTER
CITY CLERK**

REGULAR MEETING

AGENDA

May 12, 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. Liquor & Entertainment Licenses – Rock Harbor Pub & Brewery
 - b. Liquor & Entertainment Licenses – Rock City Café
 - c. Liquor, Entertainment & Amusement Device Licenses – Myrtle Street Tavern
 - d. Liquor & Entertainment Licenses – Café Miranda
 - e. Lodging House License – Navigator Motor Inn
 - f. Retail Sale of Alcohol – Rockland Farmer's Market
8. Resolves:
 - #23 Commendation – Charles Jordan City Council
 - #24 Accepting Donations – Library City Manager
 - #25 Appointments – Boards, Commissions and Committees Mayor Pritchett
9. Ordinances in Final Reading and Public Hearing:
 - #10 Chapter 19, Sections 19-302 & 19-309 Container Rests. Councilor MacLellan-Ruf
 - #11 Zoning Map Amendment – Harbor Park Area / TAAOZ Councilor MacLellan-Ruf
10. Ordinances in First Reading:
 - #12 Chapter 19, Section 19-304 Res. B Zone Regs. – Parking Lots Councilor Hebert
 - #13 Chapter 17, Section 17-801 Main Street Parking Mayor Pritchett
 - #14 Chapter 19, Section 19-302 Accessory Apartment Parking Req. Mayor Pritchett
 - #15 Zoning Map Amendment – 6 High Street Councilor Hebert
11. Orders:
 - #30 Authorizing License Agreement – Lawrence St. Ext. Councilor Hebert
 - #31 Authorizing Temp. Street Closure – Blues Festival Club Crawl City Council
 - #32 Authorizing Camden St. Project Grant For Engineering Services Mayor Pritchett
 - #33 Authorizing Allocation & Expenditure – Fisher TIF Funds City Manager
 - #34 Authorizing Accept & Admin Agent – Healthy Main St Grant City Manager
 - #35 Authorizing Reserve Fund Expenditure – Sewer Reserve City Manager
 - #36 Authorizing Fee Waiver – Use of Parks – Lobster Festival Councilor Hebert
 - #37 Authorizing Expenditure of TIF Funds – Storm Water Separation City Manager
 - #38 Setting Polling Times – June 10, 2014 Election City Clerk
12. Adjournment.

APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE

270 Pleasant Street
Rockland, Maine 04841

Name of Applicant ~~Rock Harbor~~ Dan Pease Phone 207-701-7811

Address of Applicant 52 Appleton Road
Union, ME 04862

Name of Business Rock Harbor Phone 207-993-7488

Address of Business 416 Main Street
Rockland, ME 04841

Name of Property Owner (if different) Willard Pease

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 6/8/14

Fee(s) Paid \$300 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 Dan Pease Date 4/28/14

Approved By: [Signature] License # _____

Approved Inspected; See Report Code Officer 5/6/14 Date

Approved Inspected; See Report Fire Inspector _____ Date

[Signature] Police Chief 5/6/14 Date

City Clerk _____ Date

APPLICATION FOR CITY LICENSE

CITY OF ROCKLAND, MAINE

270 Pleasant Street

Rockland, Maine 04841

Name of Applicant ~~Rock City Cafe~~ ^{Susanne Ward} Phone ~~594 4123~~ ^{594 5688}

Address of Applicant ~~316 Main St~~ ^{55 Masonic St}
Rockland

Name of Business Rock City Cafe Phone 594 4123

Address of Business 316 Main St
Rockland

Name of Property Owner (if different) Ken Shure, Richard Aronson (Orient St properties)

Type of License(s): Liquor Victualer Entertainment

Lodging House Commercial Hauler Landscape Contractor

Billiard Room Second Hand Dealer Other (Specify) _____

Type of Business Cafe

Expiration of Current License 6/13/14

Fee(s) Paid \$300 Date 5/5/14

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 S. Ward Date 5/5/14

Approved By: _____ License # _____

[Signature] Code Officer 5/6/14 Date
 Approved Inspected; See Report

[Signature] Fire Inspector 5/8/14 Date
 Approved Inspected; See Report

[Signature] Police Chief 5/10/14 Date

[Signature] City Clerk 5/8/14 Date

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

Name of Applicant Leslie A. Spiers Phone 691-8089

Address of Applicant 13 South St
Rockland, ME 04841

Name of Business Myrtle Street Tavern Phone 691-8089

Address of Business 12 Myrtle St, P.O. Box 416
Rockland, ME 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 Tavern serving food & spirits w/ live Entertainment

Expiration of Current License 06/15/14

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 Leslie A. Spiers Date 4.28.14

Approved By: David Allen License # _____

Approved Inspected; See Report Code Officer 5/6/14 Date

Ari McKay Fire Inspector 5/6/14 Date
 Approved Inspected; See Report

[Signature] Police Chief 5/9/14 Date

[Signature] City Clerk 5/9/14 Date

APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE

270 Pleasant Street
Rockland, Maine 04841

Name of Applicant Miranda Inc. Phone 207-594-2034

Address of Applicant 15 Oak Street
Rockland ME 04841

Name of Business Cafe Miranda Phone 207-594-2034

Address of Business 15 Oak 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 6/9/14

Fee(s) Paid \$300 Date 4/30/14

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 _____

Approved By: _____ License # _____

David W. Code Officer 5/6/14 Date
 Approved Inspected; See Report

Am. M. Fire Inspector 5/6/14 Date
 Approved Inspected; See Report

896 Police Chief 5/6/14 Date

Shirley J. City Clerk 5/6/14 Date

APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE

270 Pleasant Street
Rockland, Maine 04841

Name of Applicant Liberty Hospitality of Maine Phone - 596 6666

Address of Applicant Navigator Inn
520 Main St - Rockland

Name of Business Navigator Inn Phone _____

Address of Business 520 Main St.
Rockland, ME 04841

Name of Property Owner (if different) Robert Liberty

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

Type of Business HOTEL

Expiration of Current License 06/13/2014

Fee(s) Paid \$100.00 Date 04/24/14

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 Amee Hunt Date 4-22-14

Approved By: _____ License # _____

Approved Inspected; See Report Code Officer 5/7/14 Date

Approved _____ Inspected; See Report Fire Inspector 5/8/14 Date

Approved _____ Inspected; See Report Police Chief 5/6/14 Date

Approved _____ Inspected; See Report City Clerk 5/8/14 Date

Farmer's Market Authorization, At least 30 days prior to the sale of wine or malt liquor, a farmer's market must obtain municipal approval and apply and receive authorization from the bureau for a licensee authorized by the bureau to sell wine or malt liquor at the farmer's market.

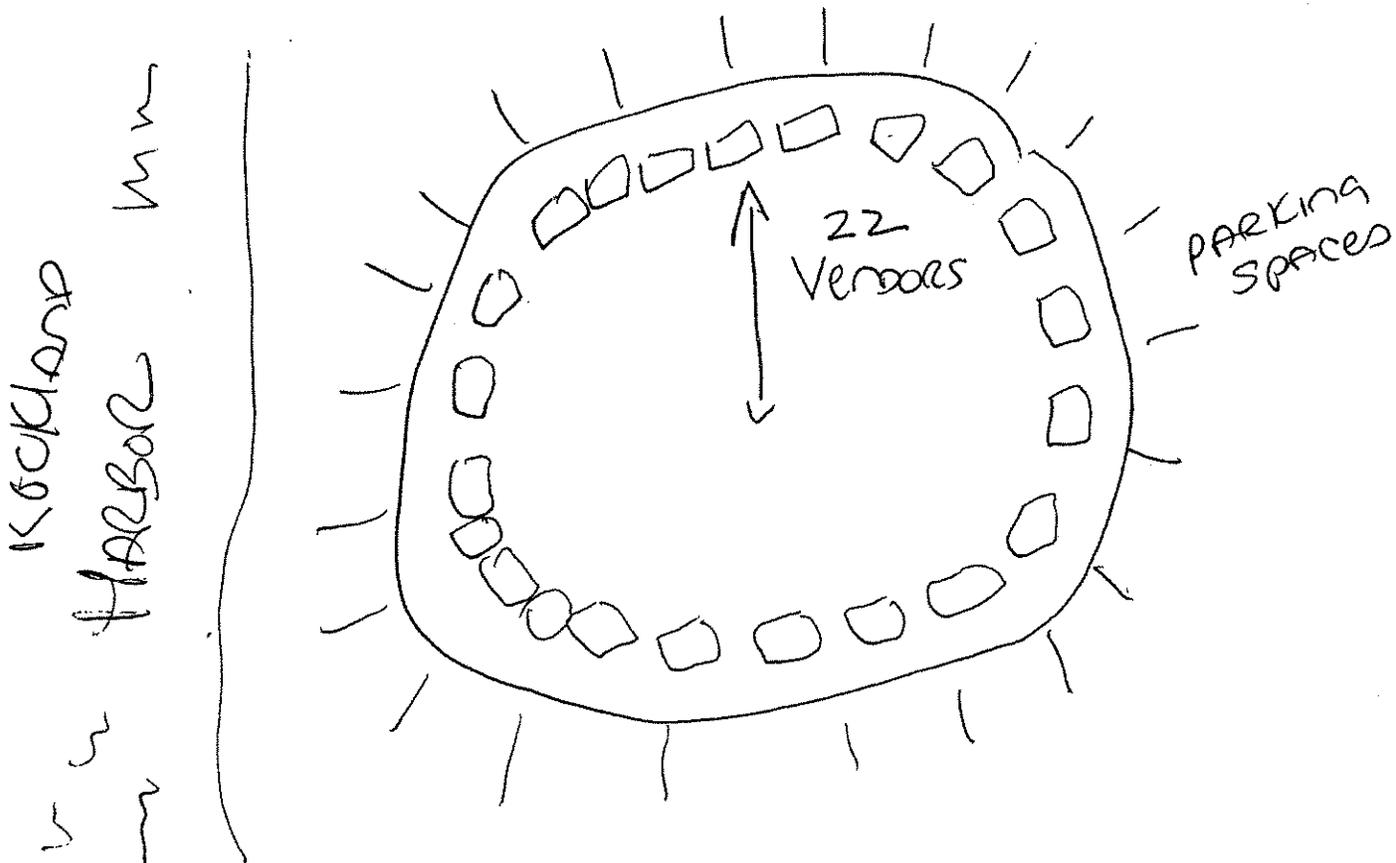
**STATE OF MAINE
MUNICIPAL APPROVAL**

Dated at: _____, Maine _____ ss
City/Town (County)

On: _____
Date

The undersigned being: Municipal Officers County Commissioners of the
 City Town Plantation Unincorporated Place of: _____, Maine

**A diagram is required showing the number of booths at the Farmer's Market.
There must be at least 6 stalls or booths not including booth for sale of alcohol**



CITY OF ROCKLAND, MAINE

RESOLVE #23

IN CITY COUNCIL

May 12, 2014

RESOLVE Commendation – Charles D. Jordan, Jr.

BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

THAT Charles D. Jordan, Jr. is hereby commended and congratulated for 25 years of dedicated service to the City of Rockland with the Rockland Fire Department, 15 years on the Call Division and 10 years as Chief.

AND, be it further Resolve that a Plaque and Certificate of Commendation be presented to Chief Jordan 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 #24

IN CITY COUNCIL

May 12, 2014

RESOLVE Accepting Donations - Library

WHEREAS, the Friends of the Rockland Public Library donated \$2,392.19 for 184 books, 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, Olga Hamilton, of Goose Creek South Carolina, donated \$100 to the Rockland Public Library in memory of her husband Stephen K. Hamilton, 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, Paul Charbonneau, of Rockport, Maine, donated a book of his poems, *Back to the Light*, to be added to the Library's collection; and

WHEREAS, the Rockland Public Library Endowment Association (RPLEA) donated \$630 to the Rockland Public Library for directional signage, and \$1,297.18 for Ebsco magazine subscription service, to be receipted into the Library Revenue Donations account (#10062-03147) and the same expended from the Library Restricted Donations Expenditure account (#10062-07003);

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 #25

IN CITY COUNCIL

May 12, 2014

RESOLVE Appointments to Boards, Commissions and/or Committees

BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

THAT the appointments by the Mayor of the following persons to the following Boards, Commissions and/or Committees for the terms listed are hereby confirmed:

- William Clayton, 95 Acadia Drive, Board of Assessment Review (2014)
- Anthony Coyne, 41 Highland Street, Energy Committee (2015)
- Robin Jordan, 1 Walker Place, Personnel Board (2016)
- Patricia Moran Wotton, 261 Park Street, Personnel Board (2016)
- Charles Jordan, Jr., 1 Walker Place, Planning Board (2016)

Sponsor: Mayor Pritchett

Originator: Mayor Pritchett

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.

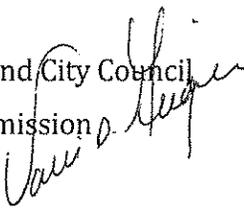
(3) Container restaurants and food wagons exempted from standards pursuant to Section 19-309(2)(A) shall be removed from the site to another location where storage of such containers and wagons is authorized when not in use for two or more consecutive weeks.

(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

First Reading 4/14/14
First Publication 4/24/14
Public Hearing 5/12/14
Final Passage _____
Second Publication _____
Effective Date _____

MEMORANDUM

To: Mayor Larry Pritchett and members of the Rockland City Council
From: Valli Geiger, Chair, Comprehensive Planning Commission 
Date: May 6, 2014
Re: Ordinance Amendment # 10, Ch. 19, Secs. 19-302 & 19-309, container restaurants & Ordinance Amendment # 11, Zoning Map Amendment, Removing Harbor Park Area from TAAOZ

The Comprehensive Planning Commission met on Thursday, April 17, 2014 at the City Hall. Members present included: Valli Geiger, Chair, Audra Caler-Bell, Eileen Wilkinson, and Thomas Keedy.

The Commission reviewed and made the following recommendations on two ordinance amendments:

- Ordinance amendment #10, Ch. 19, Secs. 19-302 & 19-309, container restaurants. The Commission voted 4-0 to recommend the city council postpones action on Ordinance Amendment #10 at this time to provide time for further study and review.

This amendment was reviewed with background provided by John Root, Code Enforcement Officer. Discussion concerned need for this change and its purpose. Concerns were expressed about sidestepping current regulations for stationary restaurants with this ordinance amendment.

- Ordinance amendment #11, Zoning Map Amendment, removing Harbor Park Area from TAAOZ. The Commission voted 4-0 to recommend the TAAOZ designation be removed from the four properties listed in Ordinance Amendment #11.

The Commission voted 4-0 to begin twice-monthly meetings, with the first meeting of the month for handling City Council business and the second meeting of the month for ongoing work to finalize recommendations for Camden Street redevelopment, Zoning Change recommendations for the Park Street & Payne Avenue Corridor and continued updates to the 2002 Comprehensive Plan.

Thank you for the opportunity to serve the city of Rockland. Please let me know if any additional clarification is needed.

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

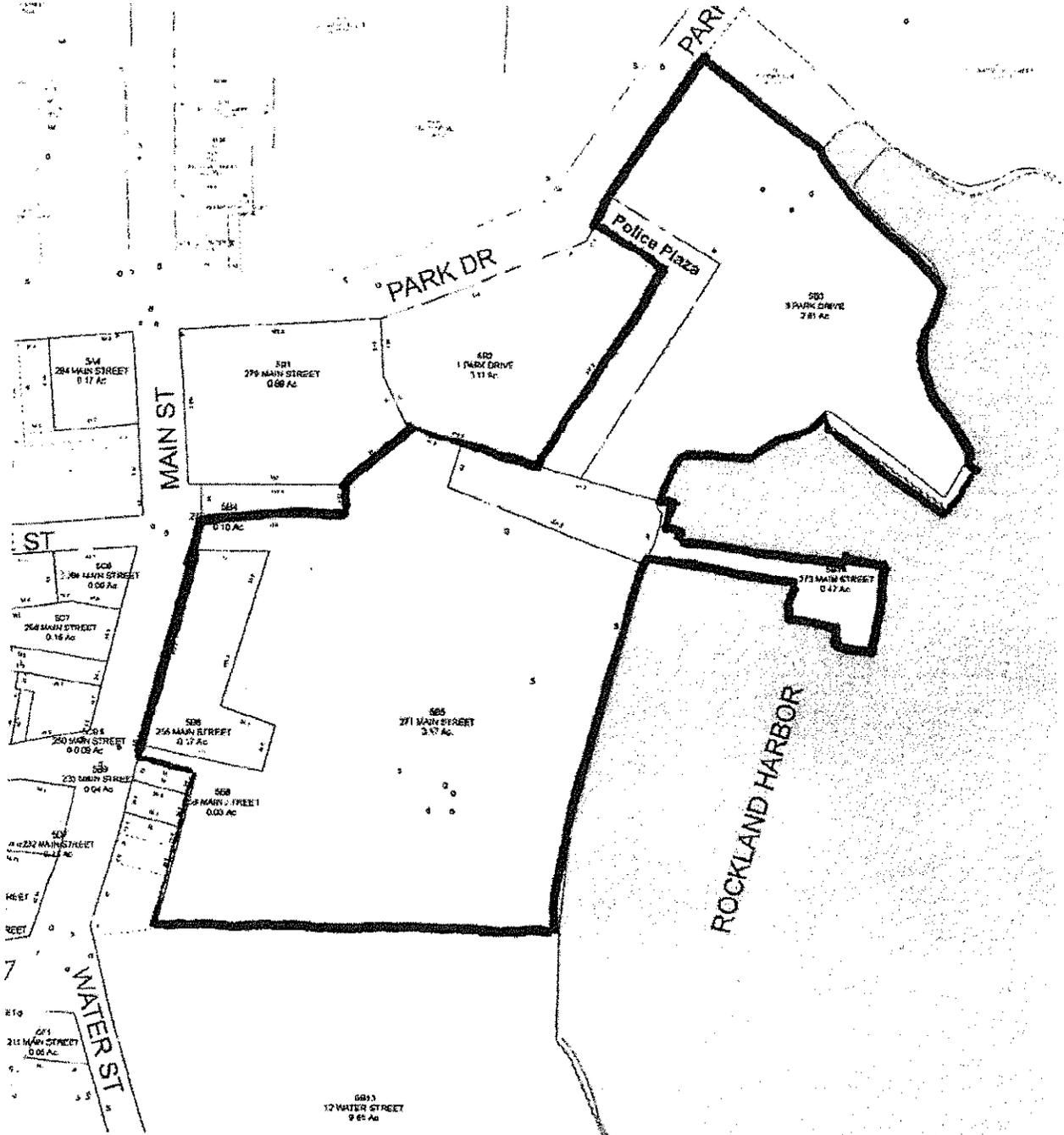
* The zone boundaries are intended to follow parcel boundary lines where applicable.

Sponsor: Councilor MacLellan-Ruf
Originator: Code Enforcement Officer

First Reading 4/14/14
First Publication 4/24/14
Public Hearing 5/12/14
Final Passage _____
Second Publication _____
Effective Date _____

**PARCELS PROPOSED TO BE REMOVED FROM
TILLSON AVENUE AREA OVERLAY ZONE (TAAOZ)**

- 3 Park Drive (Tax Map #5-B-3) – remains WF-2
- 255 Main Street (Tax Map #5-B-6) – remains DT
- 271 Main Street (Tax Map #5-B-5) – remains DT & WF-2
- 273 Main Street (Tax Map #5-B-14) – remains WF-2



MEMORANDUM

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Thank you for the opportunity to serve the city of Rockland. Please let me know if any additional clarification is needed.

**CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #12
IN CITY COUNCIL**

May 12, 2014

ORDINANCE AMENDMENT: Terminating Off-Site Parking Lots As A Conditional Use In The Residential B Zone

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 19, Zoning and Planning, ARTICLE III, Zoning Ordinance, SECTION 19-304, Zone Regulations, SUBSECTION (3), Residential Zone “B” BE AMENDED AS FOLLOWS:

Sec. 19-316(3) RESIDENTIAL ZONE “B”

Purpose: The purpose of this district is to protect the existing density and character of residential development, as well as limited home based businesses, while providing an area of the community for similar development.

A. Permitted Uses

RESIDENTIAL ZONE “B” PERMITTED USES	
(1)	One-family dwellings, two-family dwellings, multi-unit dwellings
(2)	Accessory Apartments
(3)	Home Occupation, Level 1 and Level 2, or a home occupation similar in scale and impact to a Level 1 or Level 2 Home Occupation
(4)	Churches, convents
(5)	Flag Lots
(6)	Golf courses, parks, playgrounds, municipal recreation use
(7)	Trailer parks
(8)	Accessory uses customarily incident to other permitted uses

B. Conditional Uses

The following are permissible with the approval of the Planning Board. In granting, denying, and/or imposing conditions, the Planning Board shall undertake a review, applying the process and standards outlined in Chapter 16-201 through 16-206 for site plan review and shall take into consideration the following factors: location, character and natural features of the site and adjoining property; fencing and screening; landscaping, topography, and natural drainage; traffic hazards, vehicular access, circulation and parking; pedestrian circulation; signage, and lighting; compatibility with existing uses; availability of necessary public services; and compliance with applicable requirements of all City ordinances. All property owners within 300 feet of the lot lines of any proposed conditional use shall be notified in writing, at the applicant’s expense, at least 7 days prior to consideration of the conditional use by the Planning Board. Eff: 09/09/09

RESIDENTIAL ZONE “B” CONDITIONAL USES	
(1)	Bed and Breakfast Establishments

(2)	Home Occupation, Level 3
(3)	Home Occupation similar in scale and impact to Home Occupation Level 3
(4)	Lodging or Rooming houses;
(5)	Nurseries or commercial greenhouses shall be allowed north or west of Old County Road only, and provided that no greenhouse heating plant shall be located within 60 feet of any front lot line or within 25 feet of any other lot line
(6)	Farming
(7)	<p>Parking Lots. Parking lots shall be allowed in a Residential Zone "B" only with the following additional restrictions:</p> <p>(a) Any parking lot located in a Residential Zone "B" shall be for the exclusive use of employees of the business requesting the special exception.</p> <p>(b) The parking lot shall be closed off and unavailable for use when the business requesting the special exception is not in operation.</p> <p>(c) No parking spaces shall be rented for profit.</p> <p>(d)(e) Special exceptions for parking lots granted pursuant to this section shall not be assignable to the successors or assigns of the business requesting the special exception, but shall apply only to that business. Eff: 10/12/94</p>
(78)	Private Non-Medical Institutes and Residential Care Facilities, Small.
(89)	Schools and Day Care Facilities
(910)	Quasi-Public Uses
(1044)	Any public utility building, if constructed to conform and harmonize with the buildings in this zone, provided further that the proposed use does not include a storage or service yard or repair shop, or outside storage of supplies.
(1142)	On lots served by public sewerage, Assisted Living Facilities, and multi-family dwellings that include an Assisted Living Facility.

C. Prohibited Uses

RESIDENTIAL ZONE "B" PROHIBITED USES	
(1)	Any use which is obnoxious, annoying, unsightly, detrimental to the character of the neighborhood, or offensive to a neighborhood by reason of odor, fumes, vapor, dust, smoke, gas, noise or vibration is prohibited

* * *

Sponsor: Councilor Hebert
Originator: Councilor Hebert

**CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #13
IN CITY COUNCIL**

May 12, 2014

ORDINANCE AMENDMENT Parking on Main Street

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 17, Traffic and Vehicles, SECTION 17-801 Schedule I, Parking Prohibitions, BE AMENDED AS FOLLOWS:

Sec. 17-801 Schedule I. Parking Prohibitions

Parking is prohibited at all times upon the following streets or parts thereof:

Street	Area Affected
20. Main	M. East side beginning approximately forty (40) <u>twenty-nine (29)</u> feet south of the intersection with Tillson Avenue and extending to the intersection of Tillson Avenue.

Sponsor: Mayor Pritchett
Originator: City Manager

CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT #14

IN CITY COUNCIL

May 12, 2014

ORDINANCE AMENDMENT Revising Parking Standards For Accessory Apartments

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

Accessory Apartment: A second dwelling unit within or attached to a single-family residence. The accessory apartment shall not be considered an additional dwelling unit for purposes of the minimum lot size zoning standards. The accessory apartment will be approved only if the applicant has demonstrated that the proposed unit meets the following criteria:

- a. The principal unit and the accessory apartment shall remain under common ownership and one of the units shall be owner-occupied at all times.
- b. The accessory apartment shall not alter the basic character of the building as a single-family dwelling.
- c. ~~One (1) driveway shall service both dwelling units.~~ Off-street parking for both units must be provided with two (2) on-site spaces for the principal dwelling unit and one (1) on-site space for the accessory apartment. Impervious surface area of the driveways shall be minimized to the greatest extent practical and still meet the parking requirements.
- d. The accessory apartment shall include its own kitchen, three (3) fixture bath, and no more than one (1) bedroom. The floor area of the apartment must be at least four hundred and twenty-five (425) square feet and cannot exceed eight hundred (800) square feet and thirty-three (33) percent of the floor area of the existing home.
- e. The accessory apartment shall comply with all applicable codes and ordinances.

Sponsor: Mayor Pritchett

Originator: Mayor Pritchett

Mayor Pritchett

To: City Council
Cc: City Manager; City Clerk; Code Office
Subject: Accessory Apartments > Parking Requirements

Councilors,

As most of you know, "Accessory Apartments" as defined in and permitted by Chapter 19 are a single small apartment that is part of a property that is primarily a single family residence. The primary residence must be owner occupied and the one "Accessory Apartment" cannot be larger than 1/3 of the size of the primary residence.

In practice these tend to be apartments for aging parents or small income producing units to help families meet the mortgage payments on their homes (or to provide supplemental income for a retired homeowner).

The current parking requirement for "Accessory Apartments" requires one drive way sized large enough to accommodate three cars. Especially for corner lots, and lots on narrow blocks that have frontage on streets on both sides, the single driveway requirement seems to preclude the simplest and smallest parking options.

I have gotten questions a few time in my three years on Council about the "single driveway" parking requirement for "Accessory Apartments." While the City does not want to encourage paving over yards to provide parking, I could not think of a clear benefit to the single driveway requirement so long as total impervious surface is limited.

All of the current language defining "Accessory Amendments" is shown in the Ordinance Amendment. The Amendment simply drops one sentence and adds one sentence to the section on parking.

Mayor Larry R. Pritchett
Phone: (207) 594-8806
LarryPritchett.Council@GMail.Com

**CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #15
IN CITY COUNCIL**

May 12, 2014

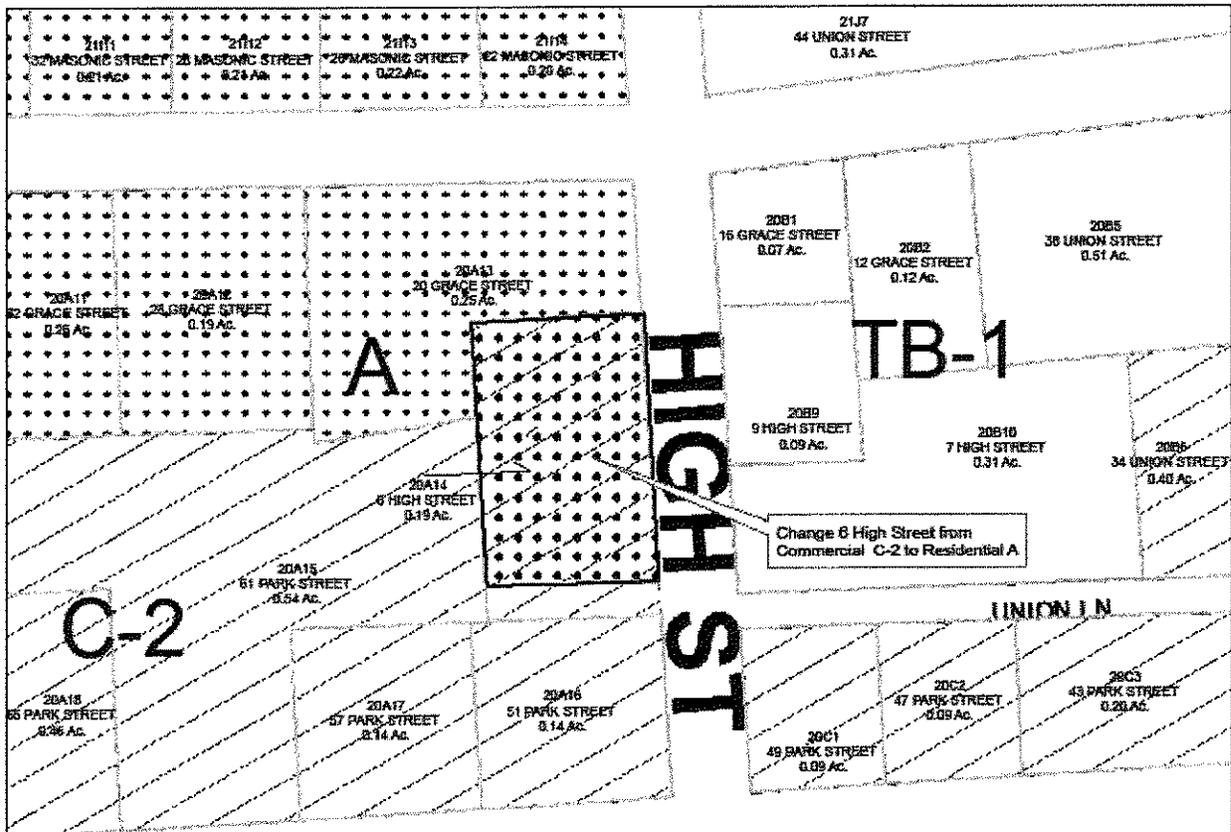
ORDINANCE AMENDMENT Zoning Map Amendment – 6 High Street

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 6 High Street (Tax Map 20-A-14), change the zone on the entire parcel from Commercial 2 Zone to Residential Zone A. The zone line is intended to follow the parcel lines.

Sponsor: Councilor Hebert
Originator: Code Enforcement Officer



Ordinance Amendment #15
Change 6 High Street, Tax Map #20-A-14
from Commercial C-2 to Residential A

Printed: 5/7/2014
 0 12.5 25 50 75 Feet

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

CITY OF ROCKLAND, MAINE

ORDER #30

IN CITY COUNCIL

May 12, 2014

ORDER Authorizing License Agreement – Lawrence Street Extension Right of Way

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City Manager is hereby authorized to enter into a license agreement with David Ober, substantially in compliance with the attached agreement, which grants to the Licensee a non-exclusive license to place, replace, maintain, and use stairs, a parking area for one vehicle, egress to and from the same, and landscaping, all to serve the single-family home currently located at 85 Main Street (Tax Map 10-E-10), which are wholly or partially located in the Lawrence Street Extension right-of-way. The improvements authorized herein are subject to the review and approval of the Rockland Code Enforcement Officer or his designee, including, where applicable, after the fact review and approval, which approval shall not unreasonably be withheld.

Sponsor: Councilor Hebert

Originator: Code Enforcement Officer

LICENSE AGREEMENT

THIS AGREEMENT by and between the City of Rockland, Maine, a municipal corporation situated in the County of Knox and State of Maine (the "City" or "Licensor") and David L. Ober, an individual residing at 39 Pond Lane, Appleton, Rockland, Maine (the "Licensee"), is effective May 13, 2014.

WHEREAS, the Licensee owns land and a rental, single-family house at 85 Main Street in Rockland, Maine (Tax Map #10-E-10) (the "Property"); and

WHEREAS, on November 9, 1988, the Rockland Zoning Board of Appeals granted former Community Development Director Dake Collins, on behalf of Loren Young, the then-owner of the Property, a variance from the side yard [setback] requirements "so that a 19 ft. by 42 ft. single-family dwelling can be constructed" on the Property; and

WHEREAS, a certificate evidencing said variance was filed on the Knox County Registry of Deeds in Book 1316, Page 128; and

WHEREAS, a house was subsequently constructed on the Property, the south wall of which is situated with no setback, at the northern line of the Lawrence Street Extension right-of-way; and

WHEREAS, stairs serving an entrance to the house were constructed and remain located entirely within the Lawrence Street Extension; and

WHEREAS, the parking area for vehicles on the east side of the Property is not large enough for a vehicle, and tenants of necessity park their vehicle(s) partially within the Lawrence Street Extension; and

WHEREAS, the Licensee, the current owner of the Property under deed of Charles W. Collins to the Licensee, dated July 7, 2003, and filed on the Knox County Registry of Deeds in Book 3020, Page 247, seeks formal permission from the City to maintain and to permit his tenants to use the said stairs and parking area,

NOW, THEREFORE, in consideration of the mutual covenants of the parties hereto as follows:

1. Grant of License. The City grants to Licensee a non-exclusive license to place, replace, maintain, and use stairs, a parking area for one vehicle, egress to and from the same, and landscaping, all to serve the single-family home currently located on the Property, within five feet of the southerly boundary line of the Property, as shown on the attached Exhibit A (the "License Premises"). The improvements authorized herein are subject to the review and approval of the Rockland Code Enforcement Officer or his designee, including, where applicable, after the fact review and approval, which approval shall not unreasonably be withheld;

2. Term. Unless the Licensee shall default, or the City terminate this Agreement, the Term of this License Agreement shall be ten (10) years, commencing on May 15, 2014, and terminating at midnight on May 14, 2024; provided, however, that this License Agreement may be renewed for one additional, ten-year term upon the mutual, written agreement of the City and Licensee.

3. Termination. Notwithstanding the foregoing, this License Agreement shall terminate ninety (90) days following the earlier of (A) written notice by Licensor terminating this License Agreement any time after the City Manager, in his sole discretion, determines that (1)(a) the use of the License Premises poses an unreasonable risk to the public or City personnel or equipment and that (b) no alternative remedy is reasonably available; (2) the construction, reconstruction, or realignment of Lawrence Street Extension requires the temporary or permanent termination of Licensee's use and occupancy of the License Premises; (3) Licensee conveys the Property to another party; and/or (4) Licensee defaults under any term or condition of this Agreement. Within ninety days of the effective date of termination of this Agreement, Licensee or its successor shall cause the removal of any improvements located within right-of-way, except as the parties may otherwise agree, in a signed writing;

4. Fee. There shall be no fee owed to the City for the permissions granted herein during the initial term of this License Agreement;

5. Restrictions. Licensee may not pave or place any other impervious surface on any portion of the License Premises. Licensee may not place or allow the placement of any improvements, storage containers, personal property, or item except entrance stairs, reasonable lighting of the same, and one registered and inspected motor vehicle within the License Premises. Licensee shall not undertake or permit any use of the License Premises that are not accessory to or reasonably incidental occupancy of the Property as a single-family home.

6. Construction; Maintenance; Default. Licensee shall be fully and solely responsible for the construction and/or costs of the improvement(s) authorized in this License Agreement, and the City shall have no responsibility or liability therefor. Licensee shall maintain the License Premises in a safe and presentable condition throughout the Term or Terms of this License Agreement, to the satisfaction of the Code Enforcement Officer, and shall bear the full expense thereof. In the event of any default under this Agreement by Licensee, or any failure of Licensee to comply with any other applicable code, rule, or regulation of the City, or order to correct by the Code Enforcement Officer or his designee, Licensee shall, at Licensee's sole expense, cure such default or failure to comply within thirty (30) days. Nothing in the foregoing shall limit the City's authority to terminate this Agreement, as set forth herein;

7. Indemnification; Hold Harmless. Licensee hereby agrees and undertakes to indemnify Licensor, and shall protect and hold Licensor harmless from and against any and all liabilities, losses, claims, demands, judgments, costs, and expenses (including reasonable attorney's fees) of any nature arising from any event, act, or omission within the term of this Agreement in connection with any claim, loss, or damage arising from or connected with the construction of the installation(s) authorized herein, or their maintenance as required of Licensee herein. Nothing herein shall be deemed a waiver of any limitation of liability or immunity afforded to the City by the doctrine of sovereign immunity, the Maine Tort Claims Act, and/or

other applicable law or doctrine;

8. Miscellaneous.

A. This License Agreement is contractual, and is not intended and shall not be construed as creating or conveying to Licensee, or any party, an interest in real property or right-of-way, and Licensee acknowledges for itself, its tenants, members, agents, successors, and assigns, that it or they shall have no right, title, or interest in any City property or right-of-way;

B. The limitations, obligations, and rights granted to or imposed upon Licensee in this License Agreement shall alike extend to and be binding upon Licensee and its successors and assigns;

C. This License Agreement and the rights and obligations of the parties thereto shall be governed by the laws of the State of Maine;

D. This License Agreement sets forth the entire agreement between the parties relating to the subject matter hereof, and stands in the place of any previous agreement, whether oral or in writing. The parties hereto agree that no amendment to this License Agreement shall be effective or binding upon any party unless it is in a writing signed in due form by both parties.

IN WITNESS WHEREOF, this License Agreement has been duly executed by the parties hereto as of the date first above written.

WITNESS:

CITY OF ROCKLAND, MAINE:

by: Stuart H. Sylvester, City Clerk

by: Thomas J. Luttrell,
its: Acting City Manager

As to Form:

Kevin J. Beal, City Attorney

WITNESS:

DAVID L. OBER:

Print: _____

CITY OF ROCKLAND, MAINE

ORDER #31

IN CITY COUNCIL

May 12, 2014

ORDER Authorizing Temporary Street Closure - Blues Festival "Club Crawl"

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the organizers of the North Atlantic Blues Festival are hereby authorized to close Main Street, from Park Street to Talbot Avenue, from 8:00 p.m. on July 12, 2014 to 1:00 a.m. on July 13, 2014, to hold the annual "Club Crawl" in conjunction with the North Atlantic Blues Festival. Establishments offering live entertainment in conjunction with the "Club Crawl" shall be limited to those within the area stated above. The organizers 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.

Sponsor: City Council
Originator: Paul Benjamin

CITY OF ROCKLAND, MAINE

ORDER #32

IN CITY COUNCIL

May 12, 2014

ORDER Authorizing Camden Street Project Grant For Engineering Services

WHEREAS, the City's Economic Development Advisory Committee (EDAC) worked for eighteen months to develop both a vision for and options to enhance economic activity along Camden Street in a manner that builds on Rockland's community values and strengths; and

WHEREAS, On January 13, 2014, the City Council accepted the reports from EDAC illustrating redevelopment concepts for four segments along Camden Street; and

WHEREAS, modifying the public corridor in ways that would support current and future vehicle traffic through the corridor while enhancing bicycling and pedestrian activity and improving the overall streetscape were key components of EDAC's overall recommendations to strengthen economic activity in the Camden Street Corridor; and

WHEREAS, EDAC voted unanimously on February 27, 2014 to recommend that the City proceed with planning steps to enhance the public corridor along Camden Street; and

WHEREAS, having an engineer evaluate the identified potential improvements including resetting curbs, adding median strips, widening sidewalks, improving pedestrian crossings, adding bicycle lanes, and reconfiguring intersections is the next essential step; and

WHEREAS, to the extent the City hopes to make improvements in the public corridor along Camden Street, or to any subsurface utilities, that work needs to be done either ahead of or in tandem with Maine Department of Transportation repaving; and

WHEREAS, MeDOT has recently made available \$25,000 planning grants that can be utilized for engineering services on corridor projects that would enhance economic activity;

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

THAT, the City Council accepts EDAC's recommended priorities on which to focus in the public corridor along Camden Street and directs EDAC to continue its work with staff accordingly, and

THAT, Acting City Manager Luttrell is directed to apply for MeDOT PPI Grant funds to provide technical analysis and, subject to Council review, final designs for recommended options, and

THAT, Acting City Manager Luttrell is authorized up to expend up to \$25,000 in matching funds from the Undesignated Fund Balance Capital Improvement Account (#40000-02970) for this phase of the Camden Street project and to execute any documents needed to apply for this grant and execute this grant if awarded to the City.

Sponsor: Mayor Pritchett
Originator: EDAC

Economic Advisory Committee Recommendation To Council

Priorities For Camden Street Public Corridor (Unanimously Approved to 2/27/2014)

Pursuant to one charge to EDAC by Council from January 13th "...to work with City staff to promptly develop prioritized recommendations to Council for the public space along the Camden Street Corridor," the Committee presents the following actions to prepare for and effectuate comprehensive and coordinated improvements, either incrementally, or if possible, as a single project:

1. Conduct a detailed inventory and survey of physical features, constraints, and opportunities along the entire length of Camden Street, starting with the Maverick Street intersection, and leading to the Rockport line, and including connected elements (such as infrastructure) that extend beyond this length that would likely affect the design of improvements within the project.
2. Prepare a schematic design of improvements within the public way along the entire length of the project, presuming the participation (whether or not yet obtained) of abutters where needed to effect desired outcomes for the physical design. This schematic design would serve three primary purposes: the basis for proceeding with detailed design for the project (whether in phases, or comprehensively), generating funds for subsequent action, and guiding the City (especially of the Planning Board and the Public Works Department) and the State (especially of the MDOT and DEP) in their work at least not to impede future implementation of the project, and as possible, to achieve portions incrementally.
3. Prepare a detailed design of improvements that would locate all public elements needed to construct the project from the Maverick Street to the Waldo Avenue intersections (inclusive), and presuming roundabouts for both intersections and the relocation of overhead power lines to a less intrusive position (yet to be determined). These public elements should anticipate extensions by other private or public effort that would broadly enhance community value (including, for example, construction of structured parking, development of liner buildings, connection to open space networks and public trails, and comprehensive management of storm water treatment and disposal). This detailed design would serve primarily as the basis for three activities: to estimate cost to the public for the construction of the public improvements, to attract funds and other support needed to proceed, and to provide the basis both for the development of shovel-ready construction documents should opportunity for imminent construction arise, and to assist abutters to make real estate decisions with information.
4. Charge City staff to proceed expeditiously on the implementation of these tasks, identifying corollary activities, proposing appropriate points for public input, and budgeting time and expenditure, all for periodic Council review and approval.
5. Charge EDAC (or another committee yet to be formed) with oversight of the project to provide regular advice and direction, to facilitate Council in its duty to approve the project incrementally.

Planning Partnership Initiative (PPI) Pilot

The Planning Partnership Initiative Pilot (PPI) Pilot was developed in early 2014 in order to respond to time-sensitive locally initiated planning and feasibility studies in between MaineDOT's annual Work Plan cycle. This initiative is an innovative method to study, evaluate, plan and scope transportation projects on or adjacent to the state transportation system, with MaineDOT as a partner. While MaineDOT will continue to evaluate requests for planning studies and engineering assessments during its annual Work Plan process, it is MaineDOT's intention that the PPI program remain simple, flexible, and fast-moving. MaineDOT will respond to regional and local interests, economic opportunities, and safety needs whenever possible, while ensuring the public gets good value for its tax dollars. Unless waived by MaineDOT's Bureau of Planning Director, the state and federal share will be capped at \$25,000 and generally require a minimum 50% third party share. PPI funding is limited by available state and transportation funding. Municipalities, Regional Planning Organizations, other transportation stakeholders and private entities may request or apply for PPIs and depending upon size and scope of effort have the primary role in deciding which entity does the work effort. Since MaineDOT already provides discretionary transportation planning funds to MaineDOT's four Metropolitan Planning Organizations (MPO), PPIs will be directed outside MPO planning boundaries.

PPI Requirements

In order to be eligible, each PCA must meet the following requirements:

- **Federally Eligible Consultant Procurement and Project Administration** – Procurement efforts could vary based on scope, cost, entity applying for PPI, etc. MaineDOT will discuss potential procurement options upon receipt of individual proposals.
- **Clear Purpose and Need Statement** – The PPI must articulate a clear transportation problem to be solved or economic opportunities to be realized through the evaluation of transportation improvements.
- **Deliverability** – The PPI effort must have clear schedule parameters, generally four to nine months.
- **Public Involvement** – The municipality(ies) within the study area is(are) responsible to lead the public involvement process consistent with all federal and state laws, including Maine's Sensible Transportation Policy Act.
- **State-Municipal Agreement** --The municipality(ies) and all involved parties must be willing to enter into an agreement whereby the PCA Grant amount is capped, based on project estimates prior to study kick-off.
- **Location-Specific Evaluation** – PPIs are intended for planning, engineering and scoping to evaluate potential future capital improvements or land use changes that could avoid or reduce future capital projects costs.
- **Eligibility for Federal Surface Transportation Funding.**

PPI Project Selection

MaineDOT will continuously accept project applications, and eligible projects will be selected on a first-come, first-served basis based on factors including, but not limited to, the following:

- *Implementation Funding:* Likelihood of availability of local, private, state and/ or federal funding and/or local resources to implement any transportation improvements or land use changes that benefit the transportation system. The likelihood of potential future state and federal funding will be related to safety, Highway Corridor Priority and Economic Development.
- *Safety:* The PPI will evaluate direct safety need such as infrastructure improvements that address an area with a high crash history, inadequate facilities, or potential for hazardous conditions.
- *Economic Development and Job Creation:* Potential Job growth and the viability of economic development will be a basis of consideration.
- *Mobility:* The PPI will evaluate direct mobility needs such as infrastructure improvements that address an area with chronic congestion or insufficient capacity.
- *Degree of Betterment:* Projects that provide a potential for a greater infrastructure benefit than others, such as reducing maintenance costs, ride quality, or increasing safety or mobility, will be given a higher priority.
- *Percentage of Local Match:* The greater the percentage of non-state/non-federal funding, the greater the likelihood the project will be selected.
- *Customer Benefit:* Preference will be given to projects based on the amount and degree of benefit that transportation system users will realize.

Potential Project Examples

- Economic development, land use and transportation planning
- Transportation alternative feasibility analyses
- Build-out analyses and transportation impacts of undeveloped or underdeveloped land
- Multi-modal planning efforts to identify deficiencies in the transportation system, including maps, priorities, and strategies to address deficiencies.
- Conceptual rendering of transportation alternatives
- Cost estimating for potential future transportation improvements

Project Administration

Project administration will be project-specific and will be detailed in Cooperative Agreements. In general, projects are intended to be administered by a municipality, RPO or other entity, with MaineDOT reviewing work products at key milestones. The focus of MaineDOT's review will be ensuring that the project will achieve the benefits listed in the above bullets, maintain eligibility for federal funding and will not degrade safety. MaineDOT will reimburse entities once the work is complete to the satisfaction of MaineDOT. For large projects and subject to available funding, MaineDOT will consider partial payments, based on project progress.

Application Process

To apply for a PCA simply:

- Review the program criteria in this guide.
- Be prepared to discuss each item at some detail, and
- Contact the MaineDOT Scoping Division Director at 207-624-3300.

CITY OF ROCKLAND, MAINE

ORDER #33

IN CITY COUNCIL

May 12, 2014

ORDER Authorizing allocation and expenditure of funds from Fisher TIF Program to support economic development program.

WHEREAS, the City has amended its Tax Increment Financing (TIF) District and Development Program for Fisher Engineering; and

WHEREAS, the State Department of Economic and Community Development has approved said amendment; and

WHEREAS, the Fisher TIF Development Program allows for expenditure of municipal TIF funds for the purpose of supporting the City economic development program; and

WHEREAS, the Community Development Department (Department) has outlined and actively pursued a Community Economic Development Program; and

WHEREAS, the Economic Development Advisory Committee has reviewed and provided input to the Community Economic Development Program; and

WHEREAS, the Department has continued to implement portions of said Program to encourage expansion of existing business, attraction of new business and investment, and other projects to support those efforts; and

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City Manager is hereby authorized to expend up to \$11,000 funds from the Fisher TIF Municipal Program to continue the economic development program.

Sponsor: City Manager

Originator: Community Development Director

MEMO

To: Tom Luttrell, Acting City Manager; City Council
From: John Holden, Community Development Director
Date: May 1, 2014
Re: Fisher TIF funding request

As discussed, I am requesting Council approval and allocate \$11,000 from the Fisher TIF Development Program to support the City's Economic Development Program for the balance of the fiscal year 2014. This will help cover a number of projects and programs as part of the Community Economic Development Program. This includes contractual services for further design of portions of Harbor Park, Doing Business in Rockland bi-fold brochures, marketing and advertising, and support to further implement specific projects such as completing a signage plan under development by the Design Committee of Rockland Main Street.

I have worked with the Economic Development Advisory Committee and drafted a working document outlining the Community Economic Development Program. Funds from the Fisher TIF support portions of that program as well as previously Council approved and allocated projects (e.g., matching funds to successful grants for boat ramp at Snow Marine Park and the ADA acceptable ramp for the Public Pier). A copy of the Community Economic Development Program working document is attached.

CITY OF ROCKLAND, MAINE

ORDER #34

IN CITY COUNCIL

May 12, 2014

ORDER Authorizing Acceptance and Serving as Administrative Agent for Rockland Main Street, Inc., Healthy Maine Implementation Grant .

WHEREAS, the City is a partner and collaborates regularly with Rockland Main Street, Inc. as part of a comprehensive community economic development program; and

WHEREAS, the City has in the past served as fiscal and administrative agent on behalf of Rockland Main Street, Inc.; and

WHEREAS, Rockland Main Street, Inc. assists the City and its plans for the continued development of the Rockland Harbor Trail; and

WHEREAS, Rockland Main Street, Inc. has previously secured a Healthy Maine Partnership grant of \$5,000 to support the production of a Harbor Trail Map, additional trail signs, bike racks and other activities; and

WHEREAS, Rockland Main Street, Inc. has asked that the City serve as administrative and fiscal agent as it implements the activities in its Healthy Maine grant; and

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City accepts the role of fiscal and administrative agent on behalf of Rockland Main Street, Inc. for the implementation of its 2013-14 Healthy Maine Streets grant and the Community Development Department shall, with guidance from Rockland Main Street, Inc. assist and coordinate with the Ad Hoc Rockland Harbor Trail Committee to complete the projects outlined in its grant.

Sponsor: City Manager

Originator: Community Development Director

CITY OF ROCKLAND, MAINE

ORDER #35

IN CITY COUNCIL

May 12, 2014

ORDER Authorizing Reserve Fund Expenditure – Sewer Renewal & Replacement Reserve

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City Manager is hereby authorized to expend up to \$25,000 from the Sewer Renewal and Replacement Reserve Account (#10000-01668) to cover any unexpected costs associated with the GBT drain line and splitter box valve repair project.

Sponsor: City Manager

Originator: Pollution Control Director

CITY OF ROCKLAND, MAINE

ORDER #36

IN CITY COUNCIL

May 12, 2014

ORDER Authorizing Fee Waiver – Festival Corp. Use of City Parks

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the park rental fees for use of Harbor Park, Buoy Park and Mildred Merrill Park by the Rockland Festival Corporation to hold the 2014 Maine Lobster Festival are hereby waived as follows:

Setup – 7 days (1 day excused) @ \$250 per day	\$ 1,500.00
Lobster Festival – 5 days @ \$2,500 per day	\$12,500.00
Tear down – 2 days (1 day excused)@ \$250 per day	<u>\$ 250.00</u>
Total	\$14,250.00

The Rockland Festival Corporation shall be responsible for paying any real costs incurred by the City for service provided in support of the Lobster Festival.

Sponsor: Councilor Hebert
Originator: Rockland Festival Corp.

Mr. Thomas Luttrell, Manager
City of Rockland
271 Pleasant St.
Rockland, ME 04841

Dear Tom,

This is a request for a waiver of rental fees for the 2014 Maine Lobster Festival's use of Harbor Park, Buoy Park, and Merrill Park for the annual event which is scheduled for July 30 – August 3, 2014.

As you know, our Festival is presented by a not-for-profit corporation, the Rockland Festival Corp., which expends most of our proceeds on community projects, local charities, and worthy causes. Based on the margins from recent years, the cost of park rental could make the difference in the continued success of the Festival.

We greatly appreciate the City's consideration of this request.

Sincerely,

Chuck Kruger, President
Maine Lobster Festival
207-354-8928
207-596-3023 -cell
www.maine lobster festival.com

CITY OF ROCKLAND, MAINE

ORDER #37

IN CITY COUNCIL

May 12, 2014

ORDER Authorizing Funding for Engineering of Storm Water Separation and Disposal in Winter, Main, Elm, Oak, and Orient Streets, and of Streetscape Improvements for Winter Street

WHEREAS, on March 10, 2014, the City Council authorized an application to the Department of Economic & Community Development for a Community Development Block Grant (CDBG) Downtown Revitalization Program grant to fund storm water separation and streetscape improvements in downtown Rockland, and reserved Tillson Avenue Area (Downtown) TIF District funds to cover the City's match therefor; and

WHEREAS, while such grant application is pending, and in the event such application is not successful, the City nonetheless needs to proceed with engineering without further delay, including the retention of Wright-Pierce to study and design storm water separation and disposal in Winter, Main, Elm, Oak, and Orient Streets, and the retention of Gartley & Dorsky Engineering & Surveying to design streetscape improvements in Winter Street, and with construction (1) first of storm water separation and disposal in Winter Street, (2) second, streetscape improvements in Winter Street, and (3) third, storm water separation in Main, Elm, Oak, and/or Orient Streets,

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

THAT, the City hereby appropriates up to \$100,000 from the Tillson Avenue Area (Downtown) TIF Development Program (Account #10000-1899) from the FY 2014 Development Program, and \$95,000 from the FY 2014 Tillson Avenue Area (Downtown) TIF Development Program and \$105,142 from the FY 2015 Tillson Avenue Area (Downtown) TIF Development Program (Account #10000-1899) to fund the requisite engineering for the aforesaid storm water separation and disposal, and streetscape improvements, and for the construction of the same to the extent such project costs allow.

Sponsor: City Manager

Originator: Community Development Director

MEMORANDUM

To: Tom Luttrell, Acting City Manager
From: John Holden, Community Development Director
CC: Stuart Sylvester, City Clerk
Date: May 9, 2014
Re: Order #37; funding engineering, storm water, streetscape improvements Winter Street, Main, Elm, Oak, and Orient

The attached Order #37 clarifies the priority to proceed with engineering for storm water separation and streetscape improvements on Winter Street and other side streets in Downtown. This Order authorizes the same funds that have been authorized for the same project but that were authorized as match to the CDBG Downtown Program application. We expect to learn about the grant application by May 16.

As discussed, we wanted to be sure that we had these funds authorized regardless of the grant award as these projects are of high priority as outlined in the Capital Improvement Plan and our Downtown TIF Investment Schedule. The previous Order suggests that the funds are only authorized as match to the grant. This Order authorizes the funds, regardless of the grant award.

CITY OF ROCKLAND, MAINE

ORDER #38

IN CITY COUNCIL

May 12, 2014

ORDER Calling Election and Setting Times for Polls – June 10, 2014 RSU #13 Budget Validation Referendum Election

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT a Special Municipal Referendum Election shall be held on June 10, 2014, in conjunction with the State Primay Election, for the voters of the City of Rockland to cast their votes on the RSU #13 Budget Validation Referendum Question.

AND, it is further ordered that the polls at the Rockland Recreation Center/Community Building, 61 Limerock Street, Rockland, Maine, shall be opened at 8:00 a.m. and closed at 8:00 p.m. on June 10, 2012 for said Elections.

Sponsor: City Clerk
Originator: City Clerk