

CITY OF ROCKLAND, MAINE



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

CITY CLERK'S OFFICE

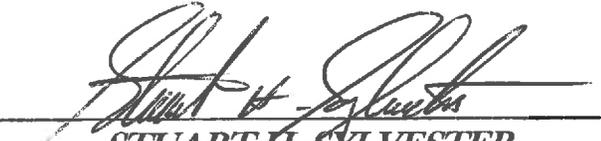
October 31, 2014

***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, NOVEMBER 3, 2014 AT 6:30 P.M. FOR
THE FOLLOWING PURPOSE(S):***

[Please Note Starting Time and Date]

Update: FEMA Flood Map Appeal
Work Session: Ordinance Amendment #24 Sewer Lateral Repair and Maintenance
Set Agenda for November 10, 2014 Regular Meeting

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


**STUART H. SYLVESTER
CITY CLERK**

ITEMS FOR NOVEMBER 10, 2014 REGULAR MEETING:

November 3, 2014

Communications:

- a. Letter from George Terrien – Resignation from EDAC

Resolves:

- #40 Accepting Donation – Coastal Opportunities
- #41 Appointment - EDAC

Ordinances in Final Reading and Public Hearing:

- #28 Ch. 19, Sec. 19-304 DT Zone 1st Floor Residential Uses (Postponed)
- #31 Ch. 11, Sec. 11-215 Second Hand Merchants; Pawn Brokers
- #32 Ch. 4, Secs. 4-201 & 4-202 Adopting Updated NFPA Codes
- #33 Ch. 8, Sec. 8-708 GA – Maximum Levels of Assurances

Ordinances in First Reading:

- #34 Reconveyance of 20 Acadia Drive
- #35 Reconveyance of 63 Warren Street
- #36 Ch. 19, Sec. 19-304 Commercial Corridor Overlay Zone
- #37 Zoning Map Amendment – Commercial Corridor Overlay Zone (Camden St.)
- #38 Ch. 19, Secs. 19-302 & 19-304 Regulation of Adult Entertainment Establishments
- #39 Ch. 11, Art. XII Licensing of Adult Entertainment Establishments

Orders:

- #86 Accepting 2014 CDBG Home Repair Network Grant
- #87 Accepting Forfeited Assets
- #88 Use of City Property/Fee Waiver – 2014 Holiday Celebrations – Festival of Lights
- #89 Authorizing RFP – Place Making Codes for Commercial Corridors
- #90 Authorizing Expenditure of Reserve Funds – Pump Station Repairs
- #91 Adopting FY 2015/2016 City Council Work Plan

From: George Terrien
Sent: Thursday, October 23, 2014 4:45 PM
To: Joanne Billington
Subject: REDAC: my resignation.

Joanne, I hereby submit to you my resignation as a member of REDAC. Though I would like it to be effective immediately, I do not want to cause you difficulty in conducting the Committee's business for lack of a quorum. Accordingly, if you need me to attend one more meeting (we did not set a date--the fourth Thursday of the month being Thanksgiving), I would be glad to try to attend. Otherwise, please accept my resignation, effective immediately.

I have appreciated the confidence you have place in me under your chairmanship, and I wish you and the other members of the Committee the best in your ongoing dutes.

And I do hope that Glen's procedure has gone well.

George

--

George B. Terrien, Architect
222 Broadway
Rockland, ME 04841-2608
207-594-1633

CITY OF ROCKLAND, MAINE

RESOLVE #40

IN CITY COUNCIL

November 10, 2014

RESOLVE Accepting Donation – Coastal Opportunities

BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City of Rockland gratefully accepts the donation from Coastal Opportunities of \$300.00 to help offset the cost of municipal services provided by the City.

AND that a letter of thanks be sent to Coastal Opportunities for its generous donation.

Sponsor: City Council
Originator: City Council



October 9, 2014

**City of Rockland
270 Pleasant Street
Rockland, ME 04841**

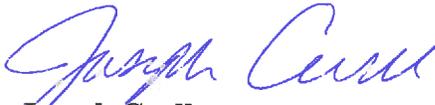
To Whom It May Concern:

At their meeting on September 30, 2014 the Board of Directors of Coastal Opportunities voted to make a one time contribution of \$300.00 for services provided to us in municipalities in which we own property.

Please understand that this is a one time contribution and is not a commitment for any future contribution.

Thank you for your support of our programs.

Sincerely,



**Joseph Curll
Executive Director**

JC/at

CITY OF ROCKLAND, MAINE

RESOLVE #41

IN CITY COUNCIL

November 10, 2014

RESOLVE Appointment to Economic Development Advisory Committee

BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

THAT the appointment by the Mayor of John Jeffers, 15 Tea Street, to the Economic Development Advisory Committee, to fill a vacancy on that Committee is hereby confirmed. Mr. Jeffers shall serve until that term expires in 2015.

Sponsor: Mayor Pritchett
Originator: Mayor Pritchett

CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT #28

IN CITY COUNCIL

September 8, 2014

ORDINANCE AMENDMENT: Authorizing Enhanced Residential Use
Options In The Downtown Zone

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 19, Zoning and Planning, ARTICLE III, Zoning Ordinance, SECTION 19-304, Zone Regulations, Subsection 19-304(14), Downtown Zone "DT" Regulations, BE AMENDED AS FOLLOWS:

14. Downtown Zone "DT" Regulations.

A. Purpose.

The purpose of the Downtown Zone is to preserve and promote a compact, historic commercial district to serve as the retail, office, institutional, financial, governmental, and cultural center of the community. This Zone should include mixed uses that are compatible with existing uses and architectural scale.

B. Use Regulations.

In a Downtown Zone "DT" no building or land shall be used, and no building shall hereafter be erected or structurally altered, unless otherwise provided for in this Article.

(1) Permitted Uses

(a) Congregate housing and other residential uses; ~~except provided, however, that on parcels abutting Main, Union, Limerock, Park, Pleasant, Winter, and Commercial Streets, Tillson Avenue, and Park Drive, new dwelling units are only allowed where at least seventy-five percent (75%) of the street level floor space shall be used primarily for those uses set forth in subparagraphs (1)(b) et seq., and~~ single-family dwellings may only be repaired or rebuilt as provided at Section 19-308;

- (b) Business services;
- (c) Churches;
- (d) Community and civic buildings and uses;
- (e) Eating and drinking places;
- (f) Financial services;
- (g) Home occupations, all levels of;
- (h) Human health services;

- (i) Light assembly
- (j) Lodging facilities: hotels, motels, bed & breakfasts;
- (k) Newspaper and job printing;
- (l) Office buildings;
- (m) Parking facilities, commercial;
- (n) Parks and playgrounds;
- (o) Personal services;
- (p) Professional services;
- (q) Quasi-public uses;
- (r) Research and development;
- (s) Retail or wholesale business, any generally recognized;
- (t) Schools and day care centers;
- (u) Social Services;
- (v) Studios;
- (w) Theaters, museums, art galleries and other places of entertainment and assembly;
- (x) Tradesmen's or craftsman's offices, shops, and showrooms;
- (y) Accessory uses; and

Sponsor: Councilor Isganitis

Originator: Community Development Director

Postponed prior to Public Hearing 10/15/14 to 11/20/14

First Reading 9/8/14

First Publication 9/18/14

Public Hearing 10/15/14

Final Passage _____

Second Publication _____

Effective Date _____



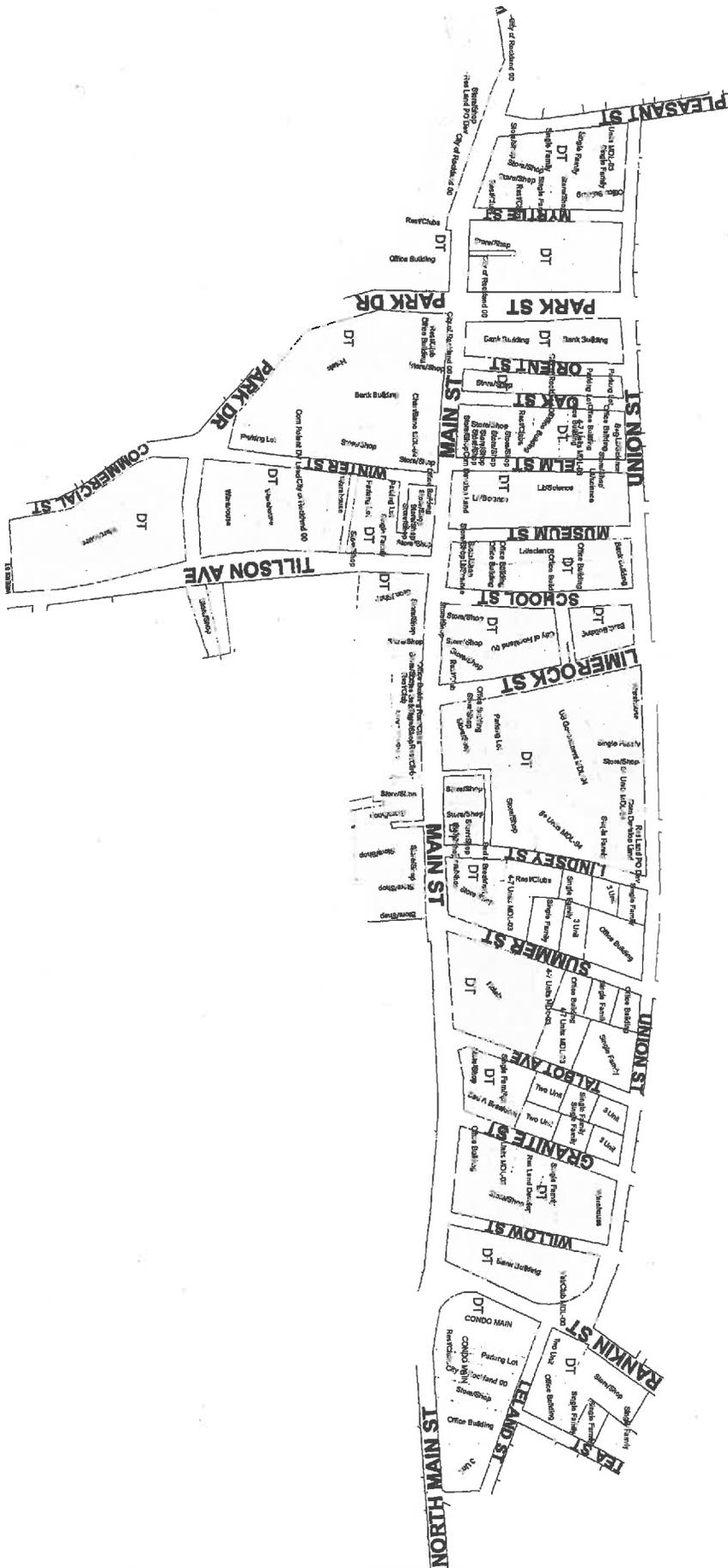
CITY OF
ROCKLAND
KNOX COUNTY
MAINE

Would permit residential on 1st floor in the DT Zone.
 Downtown Zone

Printed: 9/5/2014



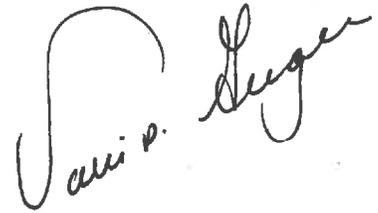
DISCLAIMER
Tax maps are compiled from aerial photography, existing surveys, deeds, and landowner's descriptions. They are to be used for assessment purposes only, and not for conveyance.



MEMORANDUM

To: Mayor Pritchett & City Council Members

From: Valli Geiger, Chair, Comprehensive Planning Commission



Date: September 23, 2014

Re: Recommendations for Ordinance Amendments #27 and #28

The Comprehensive Planning Commission met on September 11, 2014 to consider two ordinance changes as requested by the City Council. The first was:

Ordinance Amendment #27, Chapter 19, Sec. 19-304, Resident Zone "B" Regulations on Agricultural Markets, Old County Road

While there was discussion, this was an uncontroversial change to the ordinance and allows owners more freedom to use their property as they desire while still meeting design standards that serve the city.

There was concern expressed about the amount of traffic on the road and the poor state of repair and how that would impact people stopping at markets. But in the end, most were satisfied with this change given that it was part of the original vision of Rural Residential Zone 2.

ACTION: Member Morris made a motion, seconded by Member Pinto to recommend approval of Ordinance Amendment #27 as written. VOTE: 6-0-1 (Member Keedy abstained.)

Ordinance Amendment #28, Chapter 19, Sec. 19-304, DT Zone Regulations-Street Level Residential Uses

This ordinance amendment led to much more discussion and ultimately to a change to the ordinance amendment as submitted to us. How members feel about that change has much to do with each person's belief in what makes a city thrive. For much of Rockland's history, commercial, industrial and residential areas were mixed together. It made for a busy, noisy, thriving and sometimes, dirty city with small shops mixed among residential and commercial areas and residential housing present through out the city. The 20th century created the concept of zones to separate commercial, residential and industrial from each other, with an emphasis on the use of a car to travel to commercial districts, which were now too far from residential neighborhoods to walk to.

The Comprehensive Planning Commission felt that this strict separation of uses has not stood the test of time, that cities are swinging back to an emphasis on walkable, mixed use neighborhoods. There was a sense that many people moving into the area are looking for in-town properties and increased density. That while you want to protect residential neighborhoods from commercial and industrial encroachment, a city thrives when residential spaces are scattered throughout a commercial area, allowing for more vibrant night life, and supporting smaller shops and services throughout.

To that end, the Commission chose to recommend that the City Council strike the restrictions to residential building in all but Main Street, instead promoting and encouraging mixed use. The commission believes this will increase pedestrian traffic downtown, encourage use of space with existing infrastructure like sidewalks, sewers and water systems and increase the number of residents living within the city limits.

The final ordinance amendment recommendation stated:

“(a) Residential uses, including single-family and multi-family dwelling units; provided, however, that on parcels abutting Main Street, new dwelling units are only allowed where at least seventy-five percent (75%) of the street level floor space shall be used primarily for those uses set forth in subparagraphs (1) (b) et seq., and single-family dwellings may only be repaired or rebuilt as provided at Section 19-308;”

VOTE: 7-0-0 Passed unanimously

Thank you for the opportunity to serve the city of Rockland. The Commission looks forward to the joint meeting with the City Council, REDAC and Planning to discuss the DT and TAAOZ district standards.

CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT #31

IN CITY COUNCIL

October 15, 2014

ORDINANCE AMENDMENT – Second-Hand Merchants

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 11, Licenses, Permits and Franchises, ARTICLE II, Licenses, BE AMENDED AS FOLLOWS:

Sec. 11-215 Second-Hand Merchants; Pawnbrokers

1. License Required. No person shall engage ~~principally~~ in the business or occupation of dealing in second-hand or used personal property, or in the business of a pawnbroker ~~(collectively, a “second-hand dealer” as hereinafter defined)~~, without first obtaining a license therefor. ~~No such licenses shall be granted except upon certification of the Police Chief and the Fire Chief. No licensee shall purchase or receive any article (a) from any person under the age of seventeen (17) years, without the written consent of parent or guardian, or (b) from any person known or suspected to be a thief or a receiver of stolen property. Every licensee shall keep a record of all persons with whom he does business and of all property coming into his possession together with a record of the disposition of each article, which record shall be kept available for examination by any City official.~~

2. Definitions. The following words and phrases shall have the assigned meaning(s) for the purposes of this section; words and phrases not herein or in applicable state law shall have their common and ordinary meanings.

A. Pawnbroker. “Pawnbroker” means a person who engages in pawn transactions.

B. Pawn transaction. “Pawn Transaction” means the lending of money on the security of pledged tangible personal property that is delivered to and/or held by a pawnbroker, including the purchase of tangible personal property on the condition that it may be repurchased by the seller for a fixed price within a fixed period of time.

C. Second-Hand Dealer. “Second-Hand Dealer” means and includes any person, partnership, firm, or corporation whose business includes buying, selling, trading, taking in pawn, accepting for sale on consignment, accepting for auctioning, or auctioning secondhand tangible personal property, but does not mean or include a coin dealer, participants at gun shows or events as defined in of Title 27, Code of Federal Regulations, Section 478.100, as amended who are not gun show traders, any person who performs the services of an auctioneer for a fee or salary.

D. Tangible personal property. "Tangible personal property" means personal property that may be seen, weighed, measured, felt, touched or in any other manner perceived by the senses, including computer software that is not a custom computer software program, and motor vehicles. "Tangible personal property" does not include checks, draughts, or similar financial instruments; rights and credits, insurance policies, bills of exchange, stocks and bonds and similar evidences of indebtedness or ownership; or real estate.

3. Application. Application for such license shall be made upon a form provided by the City Clerk which, among other information, shall elicit the applicant's name, business and home addressed, phone numbers, e-mail address, and date of birth. Where the applicant is a business entity, the same information shall be required for each principal of said entity. The fee for such application shall be established by Order of the City Council, is due at the time of application, and may not be refunded if denied. If granted, such license shall expire one (1) year from the date of issuance.

4. Review. No license shall be granted by the City Clerk under this Section until and unless the Police Chief and Fire Chief shall have investigated the applicant in accordance with the requirements of State law. The Police Chief shall determine whether or not the applicant or principals of the applicant have any criminal record, and may condition or disapprove the grant of a license to such applicant on the basis of such investigation and the extent to which such prior criminal conduct included any theft, robbery, or receipt of stolen goods; endangered public safety; and/or involved dishonesty or other disregard for the truth.

5. Records of Sales. Pursuant to 30-A M.R.S. § 3971, every second-hand dealer, upon acquisition of any second-hand or used article either by purchase or exchange, shall complete a record of the transaction, on a form furnished or approved by the Police Chief, stating the full name and address of the seller, the month, date and year on which the transaction took place, and a full and detailed description of each article(s) purchased or exchanged, and the price(s) paid therefor, and shall cause such record to be signed by the seller in person. Before recording this information, the secondhand dealer shall require reasonable written proof of the seller's identification in the form of a motor vehicle operator's license, military identification, adult liquor identification or similar item. The relevant information in the record shall be electronically or otherwise reported to the Police Chief or his/her designee within forty-eight (48) hours thereafter, unless earlier electronically reported to a duly authorized police officer upon request. The second-hand dealer shall retain the record in his or her possession for a period of not less than two (2) years, during which time the record may be inspected at any and all reasonable times by any police officer.

6. Hold Period. No second-hand or used article acquired by a second-hand dealer may be re-sold or otherwise disposed of, or changed or altered in its appearance or otherwise, within fifteen (15) days after its purchase, except with the prior, written consent of the Police Chief or his/her designee; provided, however, that this fifteen (15) day hold period shall not apply to

bullion oriented gold, silver, platinum or palladium coins or bars. The Police Chief may impose reasonable conditions upon granting such consent.

7. Minors. No second-hand dealer may directly or indirectly purchase or receive by way of barter or exchange any goods or articles from any person such dealer knows or has reason to believe to be under the age of 18, unless the minor is accompanied by his or her parent or guardian.

8. Compliance With State Law. In addition to the requirements set forth in this Section, second-hand dealers and pawnbrokers shall fully comply with the requirements set forth in Title 30-A, Maine Revised Statutes, Section 3971, as may be amended.

Sponsor: Mayor Pritchett
Originator: Police Chief

First Reading 10/15/14
First Publication 10/23/14
Public Hearing 11/10/14
Final Passage _____
Second Publication _____
Effective Date _____

**CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #32
IN CITY COUNCIL**

October 15, 2014

ORDINANCE AMENDMENT Adopting Updated NFPA Codes

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 4, Buildings, Inspections and Enforcement, ARTICLE II, Fire Prevention and Life Safety, SECTION 4-201, Adopting of Fire Prevention Code; Amendments, AND SECTION 4-202, Adoption of Life Safety Code; Amendments, BE AMENDED AS FOLLOWS:

ARTICLE II Fire Prevention & Life Safety

Sec. 4-201 Adoption of Fire Prevention Code; Amendments

1. **Adoption.** Pursuant to Title 30-A, Maine Revised Statutes, Section 3003, as amended, and subject to the limitations set forth in Section 4-302(B) below, the National Fire Protection Association (“NFPA”) 1, ~~2009~~ 2012 Edition, is hereby referred to and adopted as the Fire Prevention Code of the City of Rockland, Maine, establishing the minimum standards for the conditions and equipment in buildings that affect fire prevention and suppression measures; and each and all of the regulations of the NFPA 1 Fire Prevention Code, ~~2006~~ 2012 Edition, and other regulations NFPA 1 incorporates, are hereby referred to, adopted, and made a part hereof, as if fully set out in this Article. One copy of the Fire Prevention Code shall be on file and available to the public for its use, inspection, and examination in the offices of the Fire Chief and Code Enforcement Officer of the City of Rockland.
State Law References: 30-A M.R.S. § 3003; 25 M.R.S. §§ 2351, et seq.

2. **Amendments.** The Rockland Fire Prevention Code is amended as set forth in the regulations of the Department of Public Safety, Title 16, Code of Maine Regulations, Part 219 – Office of the State Fire Marshal, Chapter 3 – Fire Prevention Code.

Sec. 4-202 Adoption of Life Safety Code; Amendments

A. **Adoption.** Pursuant to Title 30-A, Maine Revised Statutes, Section 3003, as amended, and subject to the limitations set forth in Section 4-402(B) below, the National Fire Protection Association (“NFPA”) 101, ~~2009~~ 2012 Edition, is hereby referred to and adopted as the Life Safety Code of the City of Rockland, Maine, establishing the minimum standards for the conditions and equipment in buildings, except one- and two-family dwellings, that protect the safety of inhabitants and firefighters in the event of a fire; and each and all of the regulations of the NFPA 101 Life Safety Code, ~~2009~~ 2012 Edition, are hereby referred to, adopted, and made a part hereof, as if fully set out in this Article. One copy of the Life Safety Code shall be on file and available to the public for its use, inspection, and examination in the offices of the Fire Chief and Code Enforcement Officer of the City of Rockland.
State Law References: 30-A M.R.S. § 3003; 25 M.R.S. §§ 2351, et seq.

First Reading 10/15/14
First Publication 10/23/14
Public Hearing 11/10/14
Final Passage _____
Second Publication _____
Effective Date _____

Sponsor: Councilor Isganitis
Originator: Acting Fire Chief Miceli

**CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #33
IN CITY COUNCIL**

October 15, 2014

ORDINANCE AMENDMENT: General Assistance – Maximum Levels of Assistance

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 8, General Assistance, SECTION 8-708, Maximum Levels of Assistance, BE AMENDED AS FOLLOWS:

Section 8-708—Basic Necessities; Maximum Levels of Assistance

Housing Maximums. The maximum levels of housing assistance contained in this ordinance have been derived either from a locally accomplished fair market rental survey or the fair market rental values developed by the United States Department of Housing and Urban Development (HUD). If the maximum levels of housing are derived from the HUD values made effective as of every October 1, and adjusted to disregard the current and averaged utility allowances as developed by the Maine State Housing Authority, those levels are hereby incorporated by reference. If and when the maximum levels of housing contained in this ordinance are derived from a locally developed fair market rental survey, a record of that survey will be submitted to the Department of Human Services, General Assistance Unit, and the maximum levels of housing assistance will be incorporated into this ordinance pursuant to the ordinance adoption and amendment procedures found at 22 M.R.S. § 4305.

The maximum amounts allowed for housing are:

Number of Bedrooms	<u>Unheated</u>		<u>Heated</u>	
	Weekly	Monthly	Weekly	Monthly
0	\$128	\$552	\$150 <u>\$151</u>	\$647 <u>\$649</u>
1	\$128	\$552	\$150 <u>\$151</u>	\$643 <u>\$649</u>
2	\$150	\$645	\$186	\$798 <u>\$799</u>
3	\$197	\$846	\$240 <u>\$204</u>	\$1032
4	\$209	\$899	\$252 <u>\$272</u>	\$1083 <u>1168</u>

* * * * *

Electricity Maximums for Households Without Electric Hot Water. The maximum amounts allowed for utilities for lights, cooking, and other electric uses, excluding electric hot water are:

<u>Number in Household</u>	<u>Weekly</u>	<u>Monthly</u>
1	\$14.00	\$60.00
2	\$15.70	\$67.50
3	\$17.45	\$75.00
4	\$19.20	\$82.50 <u>\$86.00</u>
5	\$21.00 <u>\$23.10</u>	\$90.00 <u>\$99.00</u>
6	\$22.70 <u>\$25.00</u>	\$97.50 <u>\$107.00</u>

*Add \$7.50 a month for each additional family member.

Electricity Maximums for Households that Use Electrically Heated Hot Water. The maximum amount allowed for electric utilities for dwelling units that have electrically heated hot water shall be \$70 per month for the first member of the household, with an additional \$10 per month for each additional household member.

<u>Number in Household</u>	<u>Weekly</u>		<u>Monthly</u>	
1	\$16.30	\$19.10	\$70.00	\$82.00
2	\$18.60	\$23.75	\$80.00	\$102.00
3	\$21.00	\$27.70	\$90.00	\$119.00
4	\$23.30	\$32.25	\$100.00	\$139.00
5	\$25.60	\$37.30	\$110.00	\$160.00
6	\$27.90	\$41.00	\$120.00	\$176.00

*Add \$10.00 for each additional family member.

Note: For electrically heated households, the maximum amount allowed for electrical utilities per month shall be the sum of the appropriate maximum amount under this subsection and the appropriate maximum amount for fuel as provided below.

Sponsor: City Council
 Originator: General Assistance Director

First Reading 10/15/14
 First Publication 10/23/14
 Public Hearing 11/10/14
 Final Passage _____
 Second Publication _____
 Effective Date _____

**CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #34
IN CITY COUNCIL**

November 10, 2014

ORDINANCE AMENDMENT Authorizing a Municipal Quitclaim Deed – 20 Katahdin Ave.

THE CITY OF ROCKLAND HEREBY ORDAINS AS FOLLOWS:

THAT the City Manager is hereby authorized, on behalf of the City, to issue a municipal quitclaim deed to JPMorgan Chase Bank, National Association for property located at 20 Katahdin Avenue, as shown on Rockland Tax Map #71-C-9, in substantial conformance with the terms, conditions and provisions of the Reconveyance Agreement incorporated herein by reference. If JPMorgan Chase Bank, National Association fails to sign the Reconveyance Agreement and comply with its requirements by March 6, 2015, the City Manager is authorized to solicit bids for the sale of said property.

Sponsor:
Originator: City Manager

RECONVEYANCE AGREEMENT
20 Katahdin Avenue (Tax Map 71-C-9)

The City of Rockland (the "City") and **JPMorgan Chase Bank, National Association** (the "Grantee") hereby agree to the City's reconveyance of real property and fixtures located at **20 Katahdin Avenue** in the City of Rockland, County of Knox, and State of Maine, Rockland Tax Map 71, Block C, Lot 9 (the "Premises"), pursuant to the City of Rockland Code of Ordinances ("Rockland Code"), Chapter 2, Article V, Section 2-509(15) as follows:

WHEREAS, on February 15, 2013, the City filed a Certificate of Sewer Lien on the Knox County Registry of Deeds in Book 4630, Page 173, to secure the payment of overdue sewer charges, pursuant to 30-A M.R.S. § 5405(2) and 38 M.R.S. § 1208;

WHEREAS, on August 15, 2014, any equitable right the Grantee or its predecessor(s) in title may have had to redeem title to the Premises by paying the overdue sewer charges expired, and title to the Premises passed to the City of Rockland pursuant to 38 M.R.S. § 1208;

WHEREAS, Maine law and Section 2-509(15) of the Rockland Code authorizes the City Council to convey property acquired by statutory lien foreclosure; and

WHEREAS, on December 8, 2014, the City Council authorized the City Manager to enter into this Reconveyance Agreement and, upon the effective date of Ordinance Amendment #2014-34, to issue a quitclaim deed to the Grantee or its assign for the Premises;

NOW, THEREFORE, in consideration of the mutual promises, covenants, and agreements herein, the parties hereto agree as follows:

1. Payment of Delinquent And New Sewer Charges. Pursuant to Rockland Code, Chapter 2, Article V, Section 2-509(15)(F)(1), the Grantee shall, by no later than **March 6, 2015** (the "Closing Date") pay or cause to be paid to the City of Rockland all delinquent water and sewer charges for the Premises, and associated lien and service costs, and all water and sewer charges incurred by the City for the Premises, in the amount of **\$799.29 (as of September 15, 2014)**, together with interest accrued on unpaid charges thereafter, at the rate of *7% per annum*, and together with any and all additional charges incurred or billed on or after September 15, 2014, through the Closing Date;

2. Payment of Delinquent Real Estate Taxes. Pursuant to Rockland Code, Chapter 2, Article V, Section 2-509(15)(F)(1), the Grantee shall, no later than the Closing Date pay to the City of Rockland all delinquent real estate taxes on the Premises, as follows:

FY 2014: \$1,608.77

3. Insurance. The Grantee shall pay or cause to be paid to the City the actual cost to insure the Premises during the period of its ownership, in the amount of \$ _____, on or before the Closing Date;

4. Document Preparation Fee. The Grantee shall pay or cause to be paid to the City the \$150 document preparation fee imposed by Rockland Code, Ch. 2, Art. V, Sec. 2-509(17) on or before the Closing Date;

5. Registry Filing Fee. Grantee shall pay to the City the actual cost to the City for all filing fees imposed by the Knox County Registry of Deeds, if any, for the filing of the Quit Claim Deed issued by the City upon full compliance by the Grantee with the requirements of this Reconveyance Agreement, and of any other document or discharge triggered thereby;

6. Repairs. Pursuant to Rockland Code, Chapter 2, Article V, Section 2-509(15)(F)(4), the Former Owner shall effect the following repairs of Property Maintenance or other Code violations at the Premises, on or before the Closing Date unless otherwise stated below:

- A. Replace roof shingles and any deteriorated sheathing;
- B. Retain a qualified professional to inspect the premises for mold, and remediate as recommended;
- C. Repair and render the heating system functional; and
- D. Submit a compliance agreement acceptable to the City for the repair and/or correction of all remaining code deficiencies at the premises, whether identified by the Code Enforcement Officer in the Inspection Report attached and incorporated herein as Exhibit A, or otherwise.

Grantee may make said repairs after the Closing Date, provided, however, that prior to the Closing Date, Grantee shall submit evidence acceptable to the City that Grantee has sufficient capacity to perform the repairs required under this paragraph, and a performance guarantee in an amount and in a form acceptable to the City Manager to guarantee performance of the repairs identified in paragraphs 6(A), (B), and (C) prior to Grantee's sale or other disposition of the premises.

All repairs undertaken in compliance with this paragraph and applicable codes shall be performed by qualified personnel, who have sufficient liability insurance and/or other security to protect the value of the Property, and to compensate the owner in the event of, damage during the course of description. All such repairs are subject to inspection and approval by the Code Enforcement Officer. Neither this Agreement, nor compliance with this paragraph, shall relieve the Grantee and/or any subsequent owner of the obligation to repair all code issues identified by the Code Enforcement Officer upon inspection, including subsequent inspections, and to fully comply with the Property Maintenance Code and other codes as may be applicable following the reconveyance of the Premises;

7. Reconveyance. The City shall release to the Grantee or its assign the City's right, title, and interest in the Premises, without warranty or covenant, upon the payment and/or performance of the charges, fees, interest, other payments, and repairs required by this Agreement within the applicable deadline(s);

8. Extension. The City Manager may extend the Closing Date, for cause, but for no longer than sixty (60) days and/or later than March 31, 2015, whichever first occurs;

9. Representations; Indemnification. The undersigned represents that it is a mortgage lien holder encumbering the Premises, and that it is authorized to perform the undertakings set forth in this Agreement and to accept the City's release deed to the Premises. The Grantee shall defend, indemnify, and hold the City of Rockland harmless from any and all liabilities, losses, claims, demands, judgments, costs, and expenses (including reasonable attorney's fees) of any nature arising from or in connection with the occupancy, maintenance, and repair of the Premises by the Grantee's guest(s), invitee(s), or permittee(s), or by any trespasser(s), during the period of the City's ownership of the Premises;

10. Remedies.

A. City of Rockland's Remedies. In the event that the Grantee shall fail to perform any term, condition, or obligation set forth in this Agreement within the deadline imposed therefor, the City shall not be obligated to reconvey the Premises to the Grantee, may sell and convey the Premises to another party, and shall not be obligated to repay any payment or partial payment made by or on behalf of the Grantee to the City; provided, however, that if the City shall sell the Premises within one year of the effective date of this Agreement, the City shall repay to Grantee any payment by or on behalf of the Grantee to the City for taxes, sewer charges, finance charges, insurance coverage, or document preparation to the extent the proceeds of such sale of the Premises, less any real estate broker or agent fee or charge, transaction costs, and additional carrying costs incurred by the City, permit.

B. Grantee's Remedies. In the event that the Grantee shall sign this Agreement and fully perform all obligations imposed herein, and the City of Rockland shall have authorized the reconveyance but fail to release its interest in the Premises for reasons other than a breach of this Agreement by the Grantee, or the destruction of the Premises, the City shall either reconvey the Premises to the Grantee, or pay to the Grantee any sums realized from the sale of the Premises, less any amounts owed to the City pursuant to this Agreement and/or incurred by the City with respect to the Premises. Notwithstanding anything to the contrary in this Agreement or in the ordinance amendment authorizing the reconveyance, the City shall not be obligated to reconvey the Premises to the Grantee in the event she and/or her guest(s) engage in any criminal activity at the Premises during the period of the City's ownership.

**CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #35
IN CITY COUNCIL**

November 10, 2014

ORDINANCE AMENDMENT Authorizing a Municipal Quitclaim Deed – 63 Warren Street

THE CITY OF ROCKLAND HEREBY ORDAINS AS FOLLOWS:

THAT the City Manager is hereby authorized, on behalf of the City, to issue a municipal quitclaim deed to _____, the Personal Representative of the Estate of Robert Richardson for property located at 63 Warren Street, as shown on Rockland Tax Map #25-A-15, in substantial conformance with the terms, conditions and provisions of the Reconveyance Agreement incorporated herein by reference. If _____ fail to sign the Reconveyance Agreement and comply with its requirements by March 6, 2015, the City Manager is authorized to solicit bids for the sale of said property.

Sponsor:
Originator: City Manager

RECONVEYANCE AGREEMENT
63 Warren Street (Tax Map 25-A-15)

The City of Rockland (the "City") and _____, in his/her capacity as **Personal Representative of the Estate of Robert W. Richardson** (the "Grantee") hereby agree to the City's reconveyance of real property and fixtures located at **63 Warren Street** in the City of Rockland, County of Knox, and State of Maine, Rockland Tax Map 25, Block A, Lot 15 (the "Premises"), pursuant to the City of Rockland Code of Ordinances ("Rockland Code"), Chapter 2, Article V, Section 2-509(15) as follows:

WHEREAS, on February 15, 2013, the City filed a Certificate of Sewer Lien on the Knox County Registry of Deeds in Book 4630, Page 201, to secure the payment of overdue sewer charges, pursuant to 30-A M.R.S. § 5405(2) and 38 M.R.S. § 1208;

WHEREAS, on August 15, 2014, any equitable right the Grantee may have had to redeem title to the Premises by paying the overdue sewer charges expired, and title to the Premises passed to the City of Rockland pursuant to 38 M.R.S. § 1208;

WHEREAS, Maine law and Section 2-509(15) of the Rockland Code authorizes the City Council to convey property acquired by statutory lien foreclosure; and

WHEREAS, on December 8, 2014, the City Council authorized the City Manager to enter into this Reconveyance Agreement and, upon the effective date of Ordinance Amendment #2014-35, to issue a quitclaim deed to the Grantee or its assign for the Premises;

NOW, THEREFORE, in consideration of the mutual promises, covenants, and agreements herein, the parties hereto agree as follows:

11. Payment of Delinquent And New Sewer Charges. Pursuant to Rockland Code, Chapter 2, Article V, Section 2-509(15)(F)(1), the Grantee shall, by no later than **March 6, 2015** (the "Closing Date") pay or cause to be paid to the City of Rockland all delinquent water and sewer charges for the Premises, and associated lien and service costs, and all water and sewer charges incurred by the City for the Premises, in the amount of **\$1,705.94 (as of September 15, 2014)**, together with interest accrued on unpaid charges thereafter, at the rate of *7% per annum*, and together with any and all additional charges incurred or billed on or after September 15, 2014, through the Closing Date;

12. Payment of Delinquent Real Estate Taxes. Pursuant to Rockland Code, Chapter 2, Article V, Section 2-509(15)(F)(1), the Grantee shall, no later than the Closing Date pay to the City of Rockland all delinquent real estate taxes on the Premises, as follows:

FY 2014: \$1,289.23

13. Insurance. The Grantee shall pay or cause to be paid to the City the actual cost to insure the Premises during the period of its ownership, in the amount of **\$100**, on or before the Closing Date;

14. Document Preparation Fee. The Grantee shall pay or cause to be paid to the City the \$150 document preparation fee imposed by Rockland Code, Ch. 2, Art. V, Sec. 2-509(17) on or before the Closing Date;

15. Registry Filing Fee. Grantee shall pay to the City the actual cost to the City for all filing fees imposed by the Knox County Registry of Deeds, if any, for the filing of the Quit Claim Deed issued by the City upon full compliance by the Grantee with the requirements of this Reconveyance Agreement, and of any other document or discharge triggered thereby;

16. Repairs. Pursuant to Rockland Code, Chapter 2, Article V, Section 2-509(15)(F)(4), the Former Owner shall effect the following repairs of Property Maintenance or other Code violations at the Premises, on or before the Closing Date unless otherwise stated below:

- A. remove and properly dispose of accumulated junk / personal belongings throughout the two-unit home and garage
- B. Submit a compliance agreement acceptable to the City for the repair and/or correction of all remaining code deficiencies at the premises, whether identified by the Code Enforcement Officer in the Inspection Report attached and incorporated herein as Exhibit A, or otherwise.

All repairs undertaken in compliance with this paragraph and applicable codes shall be performed by qualified personnel, who have sufficient liability insurance and/or other security to protect the value of the Premises, and to compensate the owner in the event of, damage during the course of description. All such repairs are subject to inspection and approval by the Code Enforcement Officer. Neither this Agreement, nor compliance with this paragraph, shall relieve the Grantee and/or any subsequent owner of the obligation to repair all code issues identified by the Code Enforcement Officer upon inspection, including subsequent inspections, and to fully comply with the Property Maintenance Code and other codes as may be applicable following the reconveyance of the Premises;

17. Reconveyance. The City shall release to the Grantee or its assign the City's right, title, and interest in the Premises, without warranty or covenant, upon the payment and/or performance of the charges, fees, interest, other payments, and repairs required by this Agreement within the applicable deadline(s);

18. Extension. The City Manager may extend the Closing Date, for cause, but for no longer than sixty (60) days and/or later than March 31, 2015, whichever first occurs;

19. Representations; Indemnification. The undersigned represents that it is a mortgage lien holder encumbering the Premises, and that it is authorized to perform the undertakings set forth in this Agreement and to accept the City's release deed to the Premises. The Grantee shall defend, indemnify, and hold the City of Rockland harmless from any and all liabilities, losses, claims, demands, judgments, costs, and expenses (including reasonable attorney's fees) of any nature arising from or in connection with the occupancy, maintenance,

and repair of the Premises by the Grantee's guest(s), invitee(s), or permittee(s), or by any trespasser(s), during the period of the City's ownership of the Premises;

20. Remedies.

A. City of Rockland's Remedies. In the event that the Grantee shall fail to perform any term, condition, or obligation set forth in this Agreement within the deadline imposed therefor, the City shall not be obligated to reconvey the Premises to the Grantee, may sell and convey the Premises to another party, and shall not be obligated to repay any payment or partial payment made by or on behalf of the Grantee to the City; provided, however, that if the City shall sell the Premises within one year of the effective date of this Agreement, the City shall repay to Grantee any payment by or on behalf of the Grantee to the City for taxes, sewer charges, finance charges, insurance coverage, or document preparation to the extent the proceeds of such sale of the Premises, less any real estate broker or agent fee or charge, transaction costs, and additional carrying costs incurred by the City, permit.

B. Grantee's Remedies. In the event that the Grantee shall sign this Agreement and fully perform all obligations imposed herein, and the City of Rockland shall have authorized the reconveyance but fail to release its interest in the Premises for reasons other than a breach of this Agreement by the Grantee, or the destruction of the Premises, the City shall either reconvey the Premises to the Grantee, or pay to the Grantee any sums realized from the sale of the Premises, less any amounts owed to the City pursuant to this Agreement and/or incurred by the City with respect to the Premises. Notwithstanding anything to the contrary in this Agreement or in the ordinance amendment authorizing the reconveyance, the City shall not be obligated to reconvey the Premises to the Grantee in the event she and/or her guest(s) engage in any criminal activity at the Premises during the period of the City's ownership.

**CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #36
IN CITY COUNCIL**

November 10, 2014

ORDINANCE AMENDMENT Establishing the Commercial Corridor Overlay Zone

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 19, Zoning and Planning, ARTICLE III, Zoning Ordinance, SECTION 19-301, Zones Authorized, Bounded, and Defined; Rules of Construction, and SECTION 19-304, Zone Regulations, BE AMENDED AS FOLLOWS:

Sec. 19-301 Zones Authorized, Bounded, And Defined; Rules of Construction

1. Short Title. This Article shall be known and may be cited as the "Zoning Ordinance"; it shall be, and be cited as, Chapter 19, Article III of the Revised Ordinances of the City of Rockland (1983), and be included as such in the "General Code".

2. Zone Divisions.

In accordance with the laws of the State of Maine and for the purpose of promoting the health, comfort, safety, and general welfare of the community, the City of Rockland is hereby divided into the following classes of zones:

- (1) Residential A Zone
- (2) Residential AA Zone
- (3) Residential B Zone
- (4) Elderly Residential B-1 Zone
- (5) Rural Residential Zone 1 RR1 Zone
- (5A) Rural Residential Zone 2 RR2 Zone
- (6) Transitional Business 1 TB1 Zone
- (7) Transitional Business 2 TB2 Zone
- (8) Transitional Business 3 TB3 Zone
- (8A) Transitional Business 4 TB4 Zone
- (9) Resort RT Zone
- (10) Commercial C1 Zone
- (11) Commercial C2 Zone
- (12) Commercial C3 Zone
- (13) Plaza Commercial PC Zone

- (14) Downtown DT Zone
- (15) Neighborhood Commercial NC Zone
- (16) Business Park BP Zone
- (17) Industrial I Zone
- (18) Woodland & Wildlife G Zone
- (19) Recreation R Zone
- (20) Shoreland Zone
- (21) Chickawaukie Watershed Regulations
- (22) Waterfront Zones (7/11/90)
- (23) Tillson Avenue Area Overlay Zone
- (24) Commercial Corridor Overlay Zone

* * *

Sec. 19-304 Zone Regulations

* * *

24. COMMERCIAL CORRIDOR OVERLAY ZONE (“CCOZ”)

A. Purpose.

The purpose of the Commercial Corridor Overlay Zone is to implement – on parcels abutting the City’s major commercial corridors like Route 1 outside the Downtown – land use principles intended to stem sprawl and encourage aesthetically pleasing, mixed-use development along said corridors. The City Council, in adopting the Commercial Corridor Overlay Zone, finds that enhanced streetscapes, achieved through investments in the public right-of-way and in-fill development on private property, will enhance the economic well-being of the community and the public health, welfare, and safety. Creating safe and accessible streetscapes will draw customers for businesses and occupants for multi-dwelling housing complexes, utilizing varied modes of transportation, and bringing renewed vitality and economic activity to under-utilized areas on the City’s arterials outside the Downtown.

B. Compatibility With Underlying Zones.

The requirements and standards set forth in this Commercial Corridor Overlay Zone shall prevail to the extent they conflict with the regulations for zones in which parcels subject to this Overlay Zone are located. Except as provided in this Commercial Corridor Overlay Zone, the regulations for the underlying zone applicable to particular parcels apply to said parcels.

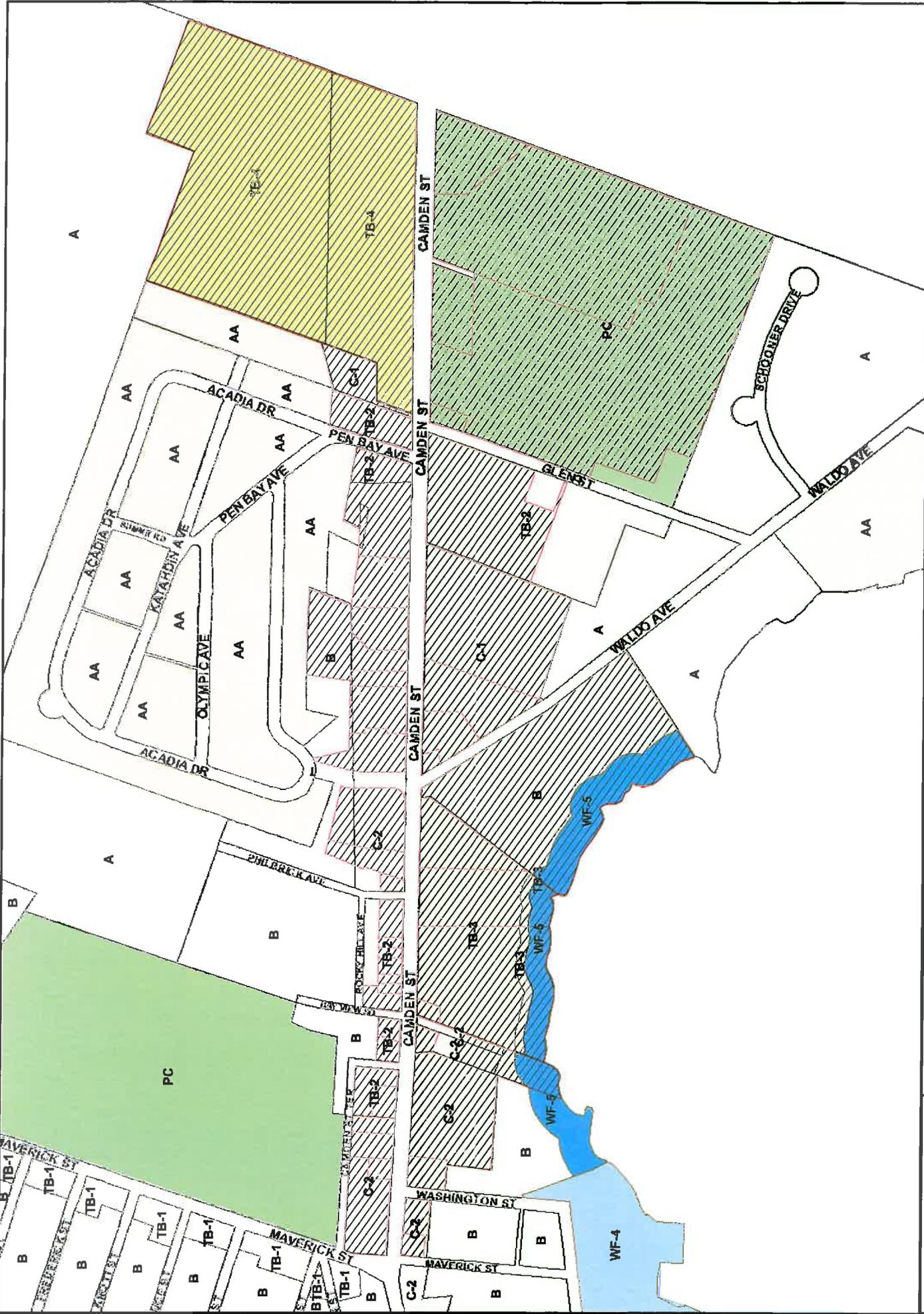
C. Standards.

The following space and bulk standards shall apply to all lots and/or parcels of land in the Commercial Corridor Overlay Zone:

<u>COMMERCIAL CORRIDOR OVERLAY ZONE “CCOZ” STANDARDS</u>	
<u>Maximum Building Coverage</u>	<u>85%</u>
<u>Maximum Lot Coverage</u>	<u>85%</u>
<u>Minimum Floor Area Ratio</u>	<u>None</u>
<u>Minimum Front Setback</u>	<u>None; provided, however, that in the event the public right-of-way upon which the parcel fronts cannot fully accommodate an esplanade and sidewalk between the proposed structure or addition and the outer edge of the existing paved roadway or – if the City Council has adopted a master plan for alterations to the right-of-way – the outer edge of the proposed alteration of the paved roadway, then any new structure or addition shall be set back the lesser of ten feet or such distance as may be needed to accommodate such sidewalk and esplanade within the parcel.</u>
<u>Maximum Front Setback</u>	<u>Ten feet; provided, however, that in the event a minimum front setback is imposed under these overlay standards, the maximum front setback shall be measured from the outer edge of the sidewalk and esplanade.</u>
<u>Minimum Landscaped Front Setback for Surface Parking Areas</u>	<u>Forty feet</u>
<u>Minimum Side Setback</u>	<u>Ten feet</u>

<u>Minimum Principal Building Height</u>	<u>Two functional stories</u>
<u>Surface Parking Lots</u>	<u>Areas for surface parking may not be located between a building and a street, except to provide handicap parking.</u>
<u>Parking</u>	<u>Pursuant to Sec. 19-307(8), the parking permitting authority may allow deviations from the parking requirements set forth in Sec. 19-307(6)(E) where the applicant submits a parking management plan acceptable to such authority that incorporates shared parking, provisions for one or more mass transit stops and shelters, short term parking limitations for commercial uses, and/or other parking solutions that reduce the anticipated on-site parking needs for the development.</u>
<u>View Corridors</u>	<u>Buildings shall be so situated so that existing water views from public streets shall be maintained by providing – notwithstanding anything to the contrary in this or the underlying zones – a minimum building side setback of twenty (20) feet; provided, however that the Planning Board may permit the substitution of a view corridor between buildings within a lot for the side setback.</u>

Sponsor:
Originator: Comprehensive Planning Commission



**CITY OF
ROCKLAND
KNOX COUNTY
MAINE**

Printed: 10/23/2014
0 125 250 500 750 Feet
1 inch = 500 feet



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

**CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #37
IN CITY COUNCIL**

November 10, 2014

ORDINANCE AMENDMENT Authorizing Zoning Map Amendment

THE CITY OF ROCKLAND HEREBY ORDAINS THAT THE OFFICIAL ZONING MAP OF THE CITY OF ROCKLAND BE AMENDED AS FOLLOWS:

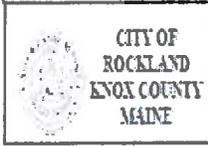
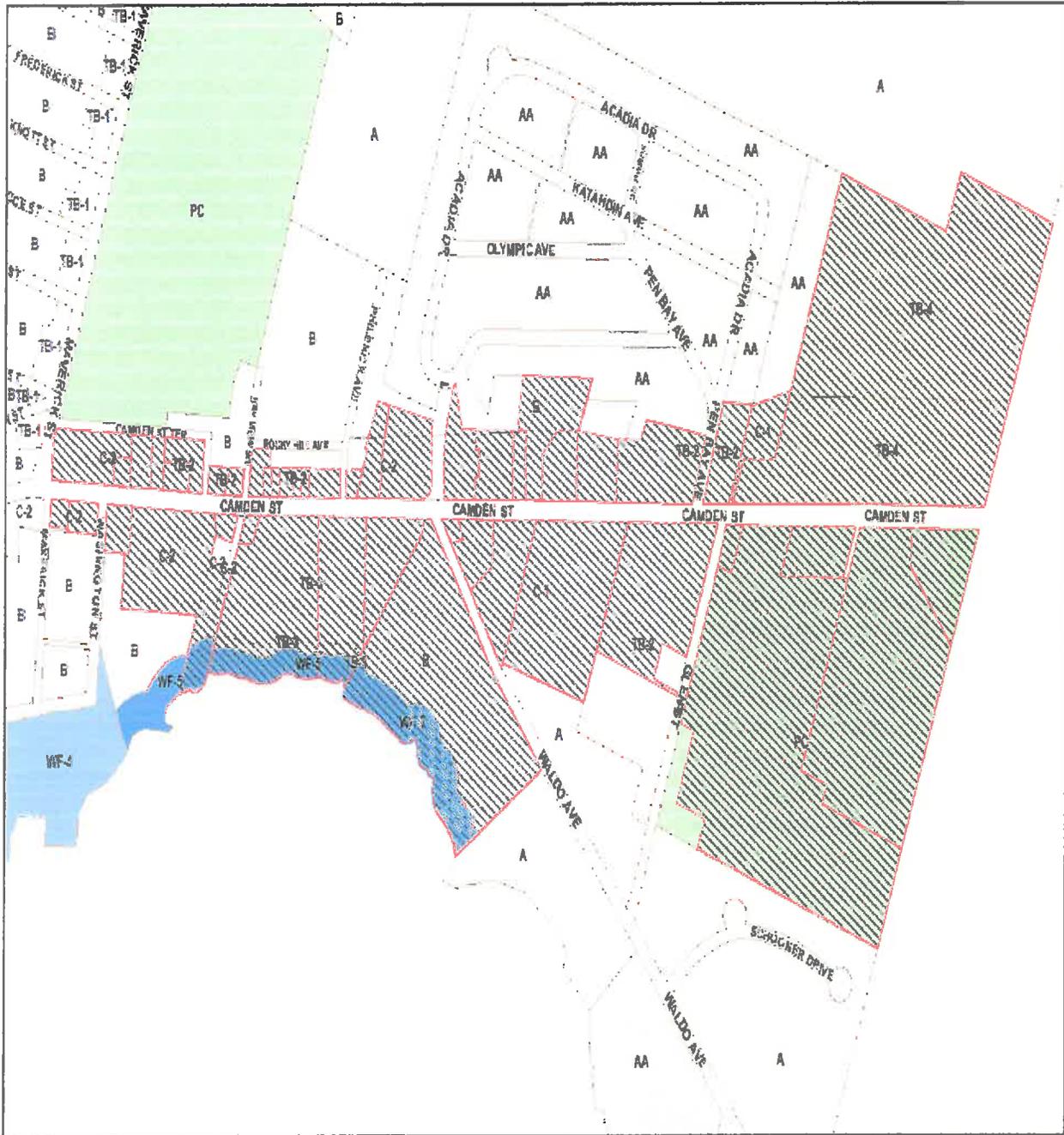
THAT the Commercial Corridor Overlay Zone, adopted by the City Council pursuant to Ordinance Amendment #36 which became effective on _____, shall encompass the area defined by the listed parcels (see attached list of parcels and map).

Sponsor:

Originator: Comprehensive Planning Commission

Tax Map #**Street Address**

29C3	131 CAMDEN STREET
35A8	270 CAMDEN STREET
36A5	200 CAMDEN STREET
36A2	9 BELYEA AVENUE
28C10	104 CAMDEN STREET
28C9	106 CAMDEN STREET
28C8	108 CAMDEN STREET
15B1	65 CAMDEN STREET
15B15	59 CAMDEN STREET
15A4	73 CAMDEN STREET
15A1	91 CAMDEN STREET
28D9	99 CAMDEN STREET
28D2	107 CAMDEN STREET
28D3	103 CAMDEN STREET
29C3-1	137 CAMDEN STREET
29C1	1 WALDO AVENUE
34A3	245 CAMDEN STREET
34A1	265 CAMDEN STREET
34A1-2	273 CAMDEN STREET
34A7	3 GLEN STREET
36B1	201 CAMDEN STREET
36B3	179 CAMDEN STREET
29B2	145 CAMDEN STREET
29B3	143 CAMDEN STREET
29B1	169 CAMDEN STREET
36A8	190 CAMDEN STREET
36A3	220 CAMDEN STREET
29A2	172 CAMDEN STREET
28C7	110 CAMDEN STREET
28C4	116 CAMDEN STREET
28C3	118 CAMDEN STREET
28C2	124 CAMDEN STREET
28A6	130 CAMDEN STREET
29A1	182 CAMDEN STREET
29A3	170 CAMDEN STREET
29A10	136 CAMDEN STREET
29A11	132 CAMDEN STREET
27A7	96 CAMDEN STREET
27A6	98A CAMDEN STREET
27B6	60 CAMDEN STREET
27B5	74 CAMDEN STREET
27B4	80 CAMDEN STREET
27B3	82 CAMDEN STREET
27B2	88 CAMDEN STREET
27B1	92 CAMDEN STREET
34A2	235 CAMDEN STREET
29A4-2	168 CAMDEN STREET
29A4	166 CAMDEN STREET



Printed: 10/23/2014
 0 125 250 500 750
 Feet
 1 inch = 500 Feet

DISCLAIMER
 The 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 construction.

NOTE: Ordinance Amendment #38, an amendment to the City's Zoning Ordinance to regulate adult entertainment establishments, and Ordinance Amendment #39, an amendment to the City's Licensing Ordinance establishing a license procedure for such adult entertainment establishments, are being drafted.

CITY OF ROCKLAND, MAINE

ORDER #86

IN CITY COUNCIL

November 10, 2014

ORDER Authorizing the Acceptance of a Community Development Block Grant (CDBG) for the 2014 Statewide Home Repair Network Program in the amount of \$1,700,000, and for the City of Rockland to act as the lead community in distributing these funds to certain Community Action Agencies.

THAT, WHEREAS, the City of Rockland has served as the lead community for the 2003 through 2013 Home Repair Network Programs; and

WHEREAS, 2014 Home Repair Network Program funds in the amount of \$1,700,000 will be distributed through a set aside of CDBG funds provided to the City of Rockland as the lead community; and

WHEREAS, the City of Rockland as the lead community has establish a legally binding contract with each of the participating Maine Community Action Agencies or other approved entity identified for the Home Repair Network delivery system as approved by the Maine Department of Economic and Community Development's Office of Community Development; and

WHEREAS, the City of Rockland will receive \$5,000 in administrative funding as lead community for this program.

NOW THEREFORE, it is hereby Ordered by the City Council of the City of Rockland, Maine, that the City Manager;

(1) is authorized to accept on behalf of the City a grant from the Maine Department of Economic and Community Development to be used for the purpose and in the manner stated in the State of Maine's 2014 CDBG Program Statement as pertains to the Home Repair Network; and

(2) is authorized and directed, upon the acceptance of said funds, to carry out the duties and responsibilities for implementing said program consistent with the City Charter and the laws and regulations governing the planning and implementation of community development programs in the State of Maine.

Sponsor: City Manager

Originator: Community Development Director

CITY OF ROCKLAND, MAINE

ORDER #87

IN CITY COUNCIL

November 10, 2014

ORDER Accepting Forfeited Assets – MacDonald/Williams

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT, pursuant to 15 M.R.S. §§ 5824(3) and 5826(6), the City of Rockland hereby grants approval of the transfer of the Defendants *in Rem* listed below, or any portion thereof, on the ground that the Rockland Police Department did make a substantial contribution to the investigation of the cases:

- \$5,838.00 U. S. Currency, State of Maine v. Daeshawn MacDonald, Superior Court Docket #CR-14-232;
- \$4,592.00 U. S. Currency, State of Maine v. Daniel Williams, Superior Court Docket #CR-14-235.

Sponsor: City Manager

Originator: Police Department

CITY OF ROCKLAND, MAINE

ORDER #88

IN CITY COUNCIL

November 10, 2014

ORDER Use of City Property – Holiday Season

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT Rockland Main Street, Inc. is hereby authorized to utilize City properties and rights of way to mark the beginning of the 2014 Holiday Season, in substantial compliance with the schedule outlined in the letter from Rockland Main Street, Inc., attached hereto, as follows:

- Hanging of decorations on Park and Main Streets on Tuesday, November 18, 2014, and hang a banner across Main Street promoting the Festival of Lights;
- Installation of “Santa’s Workshop” in Winslow Holbrook Memorial Park on November 24, 2014;
- Main, Union and Park Streets at or after 12:00 p.m. on Friday, November 28, 2014, for a brief ceremony and procession marking the arrival of “Santa” and the opening of the Holiday Season on Main Street, which shall not require the closing of Main Street, and Mildred Merrill Park for the lighting of the “Lobster Trap Tree” at 6:00 p.m. (construction of the “tree” may begin on November 19, 2014);
- Main Street, between the entrance to the Maine State Ferry Terminal and the entrance to Harbor Park, on Saturday, November 29, 2014, from 5:00 p.m. to 8:00 p.m. for the annual Festival of Lights Parade (Main Street to be closed to vehicular traffic and parking on Main Street prohibited beginning at 4:00 p.m.).

The organizer of these events shall be responsible for setting up for and cleaning up after the events, shall provide proof of liability insurance to the City prior to holding the events, and shall coordinate with the Rockland Police and Fire & EMS Departments for any necessary traffic control and/or public safety measures. Any fees associated with these activities are hereby waived.

Sponsor: City Council

Originator: Rockland Main Street, Inc.



Rockland Main Street, Inc.

17 October 2014

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

Dear Council Members:

Rockland Main Street, Inc., is preparing for the annual Festival Of Lights Celebration, scheduled for Thanksgiving weekend. It has been the tradition for this seasonal event to utilize the space at Mildred Merrill Park to construct the Lobster Trap Christmas Tree, and to install a shed to serve as Santa's workshop to receive children and their families.

It has also been the tradition to orchestrate an after-dark parade that features dozens of lighted floats that will circle the downtown district before coming to rest on Main Street. The parade activity includes the closure of Main Street for a few hours, from approximately 5:00 PM through 9:00 PM, during which hundreds of families from all over the midcoast region attend and spend time in the shopping district.

The schedule for this year's events are as follows:

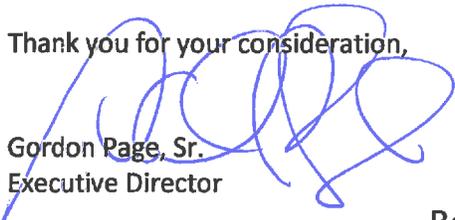
- 18 NOVEMBER - HANG UP REASINS / REMOVE U.S. FLAGS
- 19 November – Build Lobster Trap Tree
- 24 November – Install Santa's workshop
- 28 November – Noon - Santa arrives at Middle Pier via Coast Guard vessel
- 28 November – 6:00 PM - Lighting of the Lobster Trap Tree
- 29 November – 6:00 PM - Festival of Lights Parade
- 30 November – Breakfast with Santa at Chowder House/Trade Winds

Attached are the appropriate application documents for Special Events.

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

I will make myself available to answer any questions you may have. As it is my intent to attend the council meeting that will handle this 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.

"Working to Keep Downtown the Heart of the Community"

PO Box 402, Rockland Maine 04841

Located at 417 Main Street # 203 ~ 207.593.6093 ~ rocklanddowntown@gmail.com

Rockland, Maine is a U. S. Coast Guard City and was named a Distinctive Destination in 2010

Member Maine Downtown Center and Maine Development Foundation

501 (-)/2)

CITY OF ROCKLAND, MAINE

ORDER #89

IN CITY COUNCIL

November 10, 2014

ORDER Authorizing Request for Proposals for Phased Place-Making Code Consultant

WHEREAS, the City of Rockland Economic Development Advisory Committee (“EDAC”) worked for eighteen months with Friends of Midcoast Maine to establish a community vision and development recommendations to enhance economic activity along the Camden Street Route 1 Corridor in a manner reflective of Rockland’s community values and strengths; and

WHEREAS, EDAC and its consultants documented their work and resulting recommendations in a November 26, 2013, “Rockland Rockport Commercial Corridor Design Study” (prepared by Terrence J. DeWan & Associates and HNTB Traffic & Transportation Planning) and December 2013 “Design Principles Summary” (prepared by Friends of Midcoast Maine) (collectively, the “Camden Street Study;” and

WHEREAS, on January 13, 2014, in Order #4, the City Council formally accepted the Camden Street Study, and directed EDAC and the Comprehensive Planning Commission (COMPS) jointly to develop for Council review a list of recommended land use ordinance changes to foster the development of Camden Street in a manner consistent with the Camden Street Study; and

WHEREAS, on August 28, 2014, COMPS and EDAC jointly recommended to the City Council that the City Council fund a study purposed to implement form-based codes (a/k/a “place-making codes) in the Camden Street Corridor,

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

THAT, the City Council authorizes the City Manager to solicit proposals for professional planning services to assist COMPS (1) evaluate the suitability of place-making codes for both the Camden Street and Park/Payne Route 1 Corridors; (2) engage the community in exploring place-making code options for the commercial corridor segments identified in the recommendations from COMPS and REDAC; and (3) develop possible zoning amendments for Council consideration; and

THAT, said consultant services be funded from the _____ account(s).

Sponsor: City Council

Originator: Economic Development Advisory Committee
and Comprehensive Planning Commission

CITY OF ROCKLAND, MAINE

ORDER #90

IN CITY COUNCIL

November 10, 2014

ORDER Authorizing Expenditure of Reserve Funds – Pump Station Repairs

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the City Manager is hereby authorized to expend up to \$18,000 from the Sewer Renew and Replacement Reserve Account (#70000-01668) to replace an underground control valve at the Glenwood Avenue pump station.

Sponsor: City Manager
Originator: City Manager

CITY OF ROCKLAND, MAINE

ORDER #91

IN CITY COUNCIL

November 10, 2014

ORDER Adopting FY15/FY16 Work Plan

WHEREAS, the Council seeks to identify those areas within City government where changes may be needed for the City to meet the challenges and capitalize on opportunities in a changing community; and

WHEREAS, the Council seeks to work with the Manager to develop and support a culture within City government that is focused on efficiency and quality and safety in the delivery of City services; and

WHEREAS, the Council and Manager desire to identify those areas within the City Budget for which potentially significant changes might be warranted well ahead of the budgeting process; and

WHEREAS, the Council held three work sessions to develop a Work Plan for FY15 and FY 16 and the Manager solicited questions and ideas from all department heads and met individually with each department head to review and refine possible priority projects;

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

THAT, the City Council adopts the FY15/FY16 Work Plan dated November 10, 2014 and included herein by reference as roadmap for Council work sessions and action items for the next six to eighteen months and as priority projects for the City Manager to develop and bring back before Council, or implement, as appropriate; and

THAT, the City Council directs the City Manager to report back to the Council on the status of Work Plan items at least quarterly and to include in the City Manager's Report routine status updates on projects and questions identified in the FY14/FY15 Work Plan

Sponsor: City Council
Originator: City Council