

## SPECIAL MEETING

## AGENDA

February 2, 2015

Set Agenda for February 9, 2015 Regular Meeting

(NOTE: This meeting was postponed until February 4, 2014 at 6:30 p.m. due to a snowstorm)

The meeting was called to order by the Mayor (on February 4, 2015) at 6:30 p.m. with the following members answering the roll call: Mayor Frank Isganitis, Louise MacLellan-Ruf, William Clayton, Larry Pritchett, Valli Geiger, City Manager Luttrell, and City Attorney Beal.

**Pledge of Allegiance to the Flag:** All present joined in the Pledge of Allegiance to the Flag:

**Public Forum:** During the public forum, the following persons spoke on the following issues:

- John Grondin, 1 Rankin Street, spoke representing St. Peter's Episcopal Church, informing the public for the 4<sup>th</sup> Annual "Share the Love" Community Auction to be held at the Church (11 White Street) on Saturday, February 7, 2015 beginning at 5:00 p.m. He also thanked the Council members for their support in the past.

- Marty Rogers, a resident of Camden, also spoke concerning the "Share the Love" Community Auction, saying that this is the fourth year for hold the auction and all of the proceeds go toward assisting area people in immediate need of food, heat and health assistance through the Knox County Health Clinic, New Hope for Women, the Knox County Homeless Coalition, and the Camden Christian Food Pantry.

Hearing no other speakers, the public forum was closed.

**Set Agenda for February 9, 2015 Regular Meeting:** The Council then went into informal session to set the agenda for the February 9, 2015 Regular Meeting. The following communications were addressed:

a. Letter from Audra Caler-Bell – Resignation from Comprehensive Planning Commission. The resignation was accepted, and Ms. Caler-Bell was welcomed to the City's employee as the Economic and Community Development Director.

b. Letter from Malcolm von Saltza – Zone Change Request (Farwell Drive). The Council directed that staff come back to the Council with a proposed zone change as requested by Mr. von Saltza.

With the agenda set, and with no further business to come before the City Council, Councilor Pritchett moved to adjourn.  
Special Meeting continued: February 4, 2015

Without objection from the Council, the meeting was adjourned at 7:55 p.m.

A TRUE COPY.

ATTESTED: \_\_\_\_\_ City Clerk

## REGULAR MEETING

## AGENDA

February 9, 2015

1. Roll Call
2. Pledge of Allegiance to the Flag
3. Public Forum of no more than 30 minutes (3 minute 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 License – Chen’s China Coast Restaurant
- b. Liquor License – Rustica Cucina Italiana Restaurant
- c. Liquor License – Clan MacLaren
- d. Liquor License – 3 Crow
- e. Bottle Club License – Penobscot School

8. Resolves:

- # 8 Commendation – Wallace M. Tower, Jr. City Council
- # 9 Appointments to Condominium Association Board Mayor Isganitis
- #10 Accepting Donations – Library City Manager
- #11 Re-Establishing Harbor Park Re-Design Committee Mayor Isganitis
- #12 Appointment - Warden & Ward Clerk/Poll Times 03/10/15 Election Mayor Isganitis
- #13 Appointments – COMPS Commission Mayor Isganitis

9. Ordinances in Final Reading and Public Hearing:

- #10 Chapter 19, Article III Container Restaurants & Food Wagons Councilor MacLellan-Ruf
- #16 Chapter 19, Section 19-304 DT Zone Height Regs (Post. 7/14/14) Fmr. Councilor Dickerson
- #22 Chapter 17, Section 17-802 Tillson Ave Parking (Post. 1/12/15) Mayor Isganitis
- #36 Chapter 19, Article III Commercial Corridor Overlay Zone Mayor Isganitis
- #37 Zoning Map Amendment – CCOZ Camden Street (Post. 1/12/15) Mayor Isganitis
- # 1 Chapter 19, Article III Bed & Breakfast Regulations Councilor Clayton

10. Ordinances in First Reading:

- # 2 Chapter 2, Articles III & XIV Department of Public Services Councilor Pritchett

11. Orders:

- # 6 Accepting Grant Funds – Wellness Program Grant City Manager
- # 7 Authorizing Grant Submission & Acceptance – Sidewalks City Manager
- # 8 Authorizing Bond Anticipation Notes – Old County Rd. Project City Manager
- # 9 Directing Parking Advisory Committee Review Mayor Isganitis
- #10 Authorizing Reserve Funds – Audio/Visual Equip Repairs City Manager
- #11 Authorizing Public Comment & RFPs – Cable TV Service City Manager

12. Adjournment.

The meeting was called to order by the Mayor at 7:00 p.m. with the following members answering the roll call: Mayor Frank Isganitis, Louise MacLellan-Ruf, William Clayton, Larry Pritchett, Valli Geiger, City Manager Luttrell, and City Attorney Beal.

**Pledge of Allegiance to the Flag:** All present joined in the Pledge of Allegiance to the Flag.

**Public Forum:** During the public forum, the following persons spoke on the following issues:

- David Myslabodski, 56 Broad Street, spoke concerning what he termed as discrimination and censorship of people trying to speak at City Council meetings. He said that the people of Rockland do not support the attempts to limit what people can say or show at City Council meeting.

He commented on Order #7, saying that the City is proposing to spend another \$600,000 plus on another downtown project.

He also commented on Ordinance Amendment #16 (Downtown Zone Height Regulations), saying that the Council is attempt to increase the allowable height in the Downtown Zone from Park Street to Cottage Street to 65 feet.

Councilor Pritchett corrected Mr. Myslabodski, saying that Ordinance Amendment #16 does not change the existing height regulations in the Downtown Zone north of Park Street. He said it only proposed to limit height to 50 feet in that area of the Downtown Zone to the south of the Park Street/Park Drive intersection.

Hearing no other speakers, the public comment session was closed.

Regular Meeting continued:

February 9, 2015

**Meeting Notice:** It was noted that this meeting had been given proper notice.

**Reading of the Record:** Reading of the Record was waived, and the Record of previous Council meetings deemed approved, without objection from the Council. Anyone wishing to review the Record may do so at the City Clerk's Office at Rockland City Hall during regular business hours.

At this time, Councilor Clayton moved to take Resolve #8, Commendation for Wallace M. Tower, Jr., out of order. Without objection from the Council, it was so ordered.

**Resolve #8 Commendation – Wallace M. Tower, Jr.**

**BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:**

**THAT** Wallace M. Tower, Jr. is hereby commended and congratulated for more than 27 years of dedicated service to the City of Rockland with the Rockland Police Department.

**AND**, be it further Resolved that a Plaque and Certificate of Commendation be presented to Deputy Chief Tower 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

Councilor Clayton moved passage and thanked Deputy Chief Tower for his service to the City. He added that it is not often that police officers get the recognition that they deserve.

Councilors MacLellan-Ruf and Pritchett also thanked Deputy Chief Tower for his service, as did City Manager Luttrell.

Vote: 5 for.

Mayor Isganitis presented Deputy Chief Tower with a Plaque and a Certificate of Commendation as a token of the City's appreciation for his service.

The order of the agenda was then resumed.

**Reports:**

a. City Manager's Report: The City Manager reported on the following issues:

- Being his last report as Interim City Manager, City Manager Luttrell thanked the Council for the opportunity to act as interim City Manager for the past 14 months. He also thanked the City staff for the support and dedication that they have shown over his tenure as interim City Manager, saying that the City truly have an A+ staff. He said that the new City Manager, Jim Chaousis, will begin his duties on March 2, 2015, and that he looks forward to working with him to move the City forward. Mr. Luttrell then gave a brief update of the on-going projects that the City is working on.

Mayor Isganitis, on behalf of the City Council, thanked Mr. Luttrell for his service as interim City Manager, keeping a firm grip on the helm and moving the City forward over the past 14 months. He added that Mr. Luttrell has been doing two jobs for more than a year, and has been doing both jobs extremely well.

b. City Attorney's Report: The City Attorney said that other than matters already communicated to Council, he had nothing further to report. However, the City Attorney added his thanks to Mr. Luttrell for his service as interim City Manager, noting that the past 14 months have been very productive under his leadership.

Mayor Isganitis, noting that Mr. Luttrell had mentioned the Sand and Salt Shed as one of the ongoing project, asked if the property issues surround that project have been settled.

The City Attorney said that they are still working to resolve the final disposition of the properties in questions. He said once they have been resolved, the properties will be added to the parcel on which the Sand and Salt Shed is to be built.

c. Other Official's Report: None.

d. Mayor's Report: Mayor Isganitis reported that the annual Pies on Parade fundraiser was a huge success, raising \$25,695 for the AIO Food Pantry and heating assistance program. He thanked all involved and all who attended and made donations. He added that over the 10+ years that Pies on Parade has been going on, they have raised over \$100,000.

**Licenses and Permits:**

- a. Liquor License – Chen's China Coast Restaurant
- b. Liquor License – Rustica Cucina Italiana Restaurant
- c. Liquor License – Clan MacLaren
- d. Liquor License – 3 Crow Restaurant
- e. Bottle Club License – Penobscot School

A public hearing was opened with Dennis Healy, president of the Penobscot School speaking in favor of the Bottle Club License for the school, saying that they were applying for this license to make sure that the school is in compliance with all Federal, State and local laws.

Theodore Berry, 59 Crescent Street, spoke in support of the issuance of the Liquor License for Rustica Cucina Italiana Restaurant.

Hearing no other speakers, the public hearing was closed.

Councilor Pritchett moved to grant the licenses.

The City Manager said that because the Penobscot School is a non-profit educational institution they are exempt from the City's Bottle Club License requirement, meaning that the City has not conducted any inspections of this property. He said that the Code Office would like direction from the Council as to whether the Council wanted inspections performed prior to taking action on this application.

After some discussion and clarification that the application being considered by the Council was for a State of Maine Bottle Club license, which required approval from the municipal officers before the State would issue the license, it was decided that the Council would proceed with no further information required. It was also mentioned that the State recommended that the Penobscot School obtain the Bottle Club License so that its activities would comply with State laws.

Vote: 5 for.

**Resolves:**

- #9 Appointments to Condominium Association Board

**BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:**

**THAT** the City Manager (or designee) and the Deputy Police Chief shall be the City's representatives on the One Park Drive Condominium Association Board of Directors.

Sponsor: Mayor Isganitis  
Originator: Mayor Isganitis

Councilor MacLellan-Ruf moved passage.

Vote: 5 for.

- #10 Accepting Donations – Library

**BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:**

**WHEREAS**, the Friends of the Rockland Public Library donated \$1,060.48 for 96 children's titles to be added to the children's collection, 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**, Steven and Mary Gifford, Brewer, Maine, donated \$25 in memory of Ruth Small, 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 the donations and directs that letters of thanks be sent to each donor in recognition of their generous donations.

Sponsor: City Manager  
Originator: City Manager

Councilor Geiger moved passage.

Vote: 5 for.

#11 Re-Establishing Harbor Park Re-Design Committee

**WHEREAS**, on September 9, 2002, pursuant to Resolve #34, the City Council established the Harbor Park Redesign Committee and directed it to propose improvements to Harbor Park, to estimate costs of such improvements, and to recommend fees for the future use of Harbor Park; and

**WHEREAS**, said ad hoc Harbor Park Redesign Committee did propose a plan of improvements to Harbor Park, together with preliminary cost estimates, which plan was accepted by the City Council on March 14, 2011; and

**WHEREAS**, the City Council seeks the continued assistance and guidance of the redevelopment of Harbor Park from a re-established ad hoc Harbor Park Redesign Committee,

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

**THAT**, the Harbor Park Redesign Committee is hereby re-established and reconstituted, for the purposes of initiating and advising the City Council and City Manager regarding the prioritization of redevelopment projects that comprise the approved concept plan; the solicitation of funding for the same; the identification and selection of competent engineers and contractors to finalize the plans for and to construct such improvements; and the public education and outreach with other City committees, community organizations, and the general public regarding the need for and elements of the redevelopment of Harbor Park; and

**THAT**, the said reconstituted Harbor Park Redesign Committee shall consist of the following members:

- \* one City Councilor;
- \* the Harbormaster;
- \* two Citizens at Large;
- \* one representative of the Economic Development Advisory Committee;
- \* one representative of the Harbor Management Commission;
- \* one representative of the Parks Commission; and
- \* one representative of the Harbor Trail Committee; and

**THAT**, the Harbor Park Redesign Committee shall regularly communicate with and elicit input from other organizations having an interest in the condition and/or use of Harbor Park, including the North Atlantic Blues Festival, Maine Boats, Homes & Harbors, Inc., Rockland Festival Corp., and Rockland Main Street, Inc.; and

**THAT**, the Mayor’s appointment of the following individuals to the Harbor Park Redesign Committee, in their stated capacity(ies), are hereby confirmed:

Member:

Louise McLellan-Ruf  
Eric Hebert  
Celia Knight

Representative Capacity:

City Councilor  
Citizen at Large  
Citizen at Large

Sponsor: Mayor Isganitis  
Originator: Harbor Park Redesign Committee

Councilor Pritchett moved passage.

Vote: 5 for.

#12 Appointment of Acting Election Warden and Ward Clerk/Setting Poll Times – 3/10/15 Special Election

**BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:**

**THAT** Chelsea Avirett, 10 Fulton Street, is hereby appointed as the acting Election Warden for the March 10, 2015 Special Election; and

**THAT** Hannah Woodman, 42 Crescent Street, is hereby appointed as the acting Ward Clerk for the March 10, 2015 Special Election; and

**THAT** the polls at the Rockland Recreation Center/Community Building shall be opened at 8:00 a.m. and closed at 8:00 p.m. for the March 10, 2015 Special Election.

Sponsor: Mayor Isganitis  
Originator: City Clerk

Councilor Clayton moved passage.

Vote: 5 for.

#13 Appointment to Comprehensive Planning Commission

**BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:**

**THAT** the Mayor’s appointments of the following persons to the Comprehensive Planning Commission for the positions and terms specified are hereby confirmed:

Jesse Butler, 49 Acadia Drive, is hereby appointed as a full member of the Commission to fill a vacancy on the Commission, and shall serve until that term expires in 2015.

Michelle Gifford, 57 Pacific Street, is hereby appointed as an Alternate member of the Commission to fill a vacancy on the Commission, and shall serve until that term expires in 2015.

Sponsor: Mayor Isganitis  
Originator: Mayor Isganitis

Councilor Geiger moved passage.

Vote: 5 for.

**Ordinances in Final Reading and Public Hearing:**

#10 Chapter 19, Article III Container Restaurants and Food Wagons

(See pages 26-28 for text, as amended)

Reading of the amendment was waived, without objection from the Council, and the amendment was paraphrased by the City Attorney.

A public hearing was opened. Hearing no speakers for or against, the public hearing was closed.

Councilor Pritchett moved passage and moved to amend Ordinance Amendment #10 as follows:

(NOTE: The amendment is signified by the highlighted text)

At subparagraph (15): Container restaurants and food wagons permitted under this provision may not operate more than 8 months of the year. Hours of operation shall be limited to 6 AM to 9 PM Monday through Thursday and 6 AM to 10 PM on Friday and Saturday and 7 AM to 9 PM on Sunday;

Vote on amendment: 5 for.

Councilor Pritchett then moved to further amend Ordinance Amendment #10 as follows:

(NOTE: The amendment is signified by the highlighted text)

At subparagraph (17): Except for food trucks or food wagons on locations for less than six days as part of a permitted festival or event, container restaurants and food wagons in any City park or parking area are subject to periodic inspections and enforcement by the Code Office, Planning Board review and the provisions of this section, the operators' permits, and plus any additional standards imposed by the Council or by the Harbor Management Commission as a condition of the use agreement. Container Restaurants and Food Wagons located on a Municipal property that includes parking are exempt from any additional specific parking requirements. Vote on amendment: 5 for.

Councilor Pritchett then moved to further amend Ordinance Amendment #10 as follows:  
(NOTE: The amendment is signified by the highlighted text)

At subparagraph (18): Container Restaurants and Food Wagons having ~~total a floor areas~~ for the principal structure of ~~350~~ 250 sq. ft. or more, and/or that are operational utilized for ~~six~~ more than ~~eight nine~~ months or more and permanent restaurants are subject to full site plan review and approval pursuant to Chapter 16, Article II. Vote on amendment: 5 for.

Councilor Clayton said that all three of these amendments were recommendations from the Comprehensive Planning Commission.

Councilor MacLellan-Ruf thanked Code Enforcement Officer John Root for all of his help in crafting this Ordinance Amendment.

Councilor Geiger said that the Commission struggled with this amendment. She said that they wanted to make sure that there was an affordable dining option on the Rockland waterfront.

Councilor Pritchett thanked Councilor MacLellan-Ruf for bringing this proposal forward.

Vote as amended: 5 for.

Ordinance Amendment #10, as amended, will become effective March 11, 2015.

Ordinance Amendment #10, as amended, reads and follows:

**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 ~~type container structure that has either been~~ converted for use as, ~~or built for use as,~~ a take-out ~~or eat in~~ restaurant. Container Restaurants do not have wheels or axles attached but are built on skids or a frame and are not affixed to the ground.

**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 areas of the City outside the~~ Downtown and Tillson Avenue Area Overlay Zones ~~where applicable zoning standards permit Eating and Drinking establishments,~~ Container Restaurants and Food Wagons having ~~total a floor areas for the principal structure of fewer less than 350 250 sq. ft. and utilized for less than six months / calendar year~~ shall be exempt from the following standards, where applicable, ~~so long as all criteria under subpart B below for Planning Board review are met and the Container Restaurant or Food Wagon is operated accordingly:~~

- (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.

(+) 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:

(1) The Container Restaurant or Food Wagon shall be a trailer or container, or any similar rectangular structure made out of metal, composite or wood and must have rigid walls and a rigid top;

(2) The length of the enclosed structure of a Container Restaurant shall not exceed 30 feet, and the length of a Food Wagon shall not exceed 20 feet. The width of the enclosed structure of a Container Restaurant or Food Wagon shall not exceed 8 feet, and the height of the side to a flat roof, or the lowest side below a pitched roof, shall not exceed 9 feet 6 inches;

(3) The exterior finish shall be of high quality materials and in good condition. Decorative color schemes and full wall murals on the exterior walls are permitted and may incorporate the logo for the specific Container Restaurant or Food Wagon business at the site so long as the lettering in the logo does not exceed the maximum allowed for signs under 19-315 Signs;

(4) Projections such as decks, roll out or flip up awnings, or fold down seating areas shall not extend a greater horizontal distance from the Container Restaurant or Food Wagon than the vertical wall height of the Container Restaurant or Food Wagon;

(5) Unless located in a fully screened enclosure shared with another building or user at the site, all onsite fuel storage tanks, bulk waste storage containers and similar accessory equipment shall be located in a fully screened area that shall not exceed a greater horizontal distance from the Container Restaurant or Food Wagon than the vertical wall height of the Container Restaurant or Food Wagon;

(6) Except for plantings and/or fencing installed to provide screening from abutters, and except for plantings, fencing or curbing installed to aid vehicular or pedestrian circulation, and except for movable accessory items like tables,

benches and chairs for patron use, all other accessory items shall be located adjacent to the primary structure and shall not extend a greater horizontal distance from the Container Restaurant or Food Wagon than the vertical wall height of the Container Restaurant or Food Wagon;

(7) No accessory buildings may be permitted for container restaurants or food wagons under this section;

(a) (8) Provisions for parking and vehicular and pedestrian circulation, except in the Downtown Parking District shall conform to the standards in 19-307 Off-Street Parking. Where the Container Restaurant or Food Wagon is located in a parking area, or the temporary seating is in a parking area, the Planning Board may impose specific requirements for vehicular and pedestrian circulation to ensure pedestrian patron and employee safety;

(b)(9) Lighting standards;

(c)(10) On site restrooms for customers of restaurants with inside seating, and Restroom availability for all employees;

(d)(11) Water supply and wastewater disposal;

(e)(12) 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)(13) The use of exterior speakers or other audible devices to play music, communicate with customers, or other purposes shall be strictly prohibited.

(14) The operator shall clean the site and surrounding area at least daily to remove any visible waste from the food service and take all reasonable efforts to keep food service related items off of abutting property and out of adjacent public ways. All trash receptacles for patron use shall be emptied and secured at the end of each business day;

(15) Container restaurants and food wagons permitted under this provision may not operate more than 8 months of the year. Hours of operation shall be limited to 6 AM to 9 PM Monday through Thursday and 6 AM to 10 PM on Friday and Saturday and 7 AM to 9 PM on Sunday;

(16) Container restaurants and food wagons permitted under this provision may remain at the permitted location year round so long as all temporary items such as, but not limited to, tables, chairs food service items, and trash cans are removed from the site, stored in the primary structure, or stored in the screened area used for bulk waste and fuel containers when the business is operating;

(17) Except for food trucks or food wagons on locations for less than six days as part of a permitted festival or event, container restaurants and food wagons in any City park or parking area are subject to periodic inspections and enforcement by the Code Office, Planning Board review and the provisions of this section, the operators' permits, and plus any additional standards imposed by the Council or by the Harbor Management Commission as a condition of the use agreement. Container Restaurants and Food Wagons located on a Municipal property that includes parking are exempt from any additional specific parking requirements.

(18) Container Restaurants and Food Wagons having total a floor areas for the principal structure of 350 250 sq. ft. or more, and/or that are operational utilized for six more than eight nine months or more and permanent restaurants 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.~~

#16 Chapter 19, Section 19-304 Downtown Zone Height Regulations (Postponed from 07/14/14)

(See Book 40, Page 164 for text)

It was noted that this Ordinance Amendment was postponed after public hearing being held and receiving a motion for passage.

Councilor Geiger said that COMPS is currently working on a more comprehensive ordinance dealing with building heights in the entire Downtown Zone that should be ready for Council consideration at the March 9, 2015 Regular Meeting. She also noted that the moratorium on accepting applications for buildings more than 50 feet in height in the area of the Downtown Zone south of Park Street/Park Drive will expire on March 10, 2015. Therefore, she moved to postpone Ordinance Amendment #16 until the March 9, 2015 Regular Meeting.

Councilor Clayton asked if the changes that COMPS would be proposing to this Ordinance would be of a substantive nature sending this proposal back to first reading.

The City Attorney said that the proposal from COMPS would most likely be a separate and new Ordinance Amendment.

Vote: 5 for.

Ordinance Amendment #16 was postponed until the March 9, 2015 Regular Meeting.

#22 Chapter 17, Section 17-802 Parking Time Limits – Tillson Avenue

(See Book 40, Page 221 for text)

It was noted that this Ordinance Amendment was postponed after public hearing being held and receiving a motion for passage.

Councilor MacLellan-Ruf said that the Parking Advisory Committee has requested that the Council defeat this proposal as they are working on an alternate proposal that will be presented to the Council in March.

Vote: 0 for, 5 opposed.

Motion Defeated

#36 Chapter 19, Article III Commercial Corridor Overlay Zone

(See pages 28-31 for text, as amended)

A public hearing was opened. Hearing no speakers for or against, the public hearing was closed.

Councilor MacLellan-Ruf moved passage.

Councilor Pritchett asked Councilor Geiger, as Chair of COMPS, if the version before Council incorporated all of the changes proposed by the Commission.

Councilor Geiger said that it did, and added that she was pleased to see this going into effect after all of the hard work of some many people over the past few years.

Vote: 5 for.

Ordinance Amendment #36 will become effective March 11, 2015.

#37 Zoning Map Amendment – Commercial Corridor Overlay Zone – Camden Street (Postponed from 1/12/15)

(See pages 31-32 for text, as amended)

It was noted that this Ordinance Amendment was postponed after public hearing being held and receiving a motion for passage.

Vote: 5 for.

Ordinance Amendment #37 will become effective March 11, 2015.

#1 Chapter 19, Article III Bend and Breakfast Establishment Regulations

(See pages 22-23 for text)

A public hearing was opened. Hearing no speakers for or against, the public hearing was closed.

Councilor Clayton moved passage and moved to amend Ordinance Amendment #1 as follows:

Amend (b) as follows: (b) Owner Occupancy. Notwithstanding anything to the contrary in Sec. 19-302, the owner of the an existing Bed and Breakfast Establishment may be authorized by the Planning Board Code Enforcement Officer to reside in a residence on a parcel that is immediately contiguous to the Bed and Breakfast Establishment parcel where the property line separating the parcels is uninterrupted and intersects with the boundaries of two streets separated by the subject parcels. The

owner of a new Bed and Breakfast Establishment may be authorized by the Planning Board to reside in a residence on a parcel that is immediately contiguous to the Bed and Breakfast Establishment parcel where the property line separating the parcels is uninterrupted.

Councilor Clayton said that this amendment was drafted to address a specific circumstance that currently exists. Councilor Geiger asked if the amendment would protect against a single owner buying up adjacent properties all along a street and turning them into 8 room inns.

Councilor Clayton said that this amendment should protect against that sort of situation.

Councilor Pritchett asked if this amendment would apply to any Bed and Breakfast establishments in the City.

The City Attorney said that this provision applies to only Bed and Breakfast establishments in the Residential A Zone. He also said that the proposed amendment was the recommendation of the Comprehensive Planning Commission from its January 15, 2015 meeting.

Vote on amendment: 5 for.

Mayor Isganitis asked Councilor Pritchett to take the Chair so that he could comment on this matter.

Mayor Isganitis asked the Council for permission to abstain from voting on this proposal as it could affect his business.

Councilor Clayton said that he did not believe that it was necessary for Mayor Isganitis to abstain since this amendment would only affect a single situation.

When it was pointed out that the proposal as amended would not apply to any Bed and Breakfast establishment in the Residential A Zone, Councilor Clayton asked for a 5 minute recess so that he could clarify the proposal. Without objection from the Council, a 5 minute recess was called at 8:15 p.m.

The Council reconvened at 8:20 p.m. with Councilor Clayton apologizing for his confusion, and stating that he now understood the amendment and was in full support of it.

Without objection from the Council, Mayor Isganitis was allowed to abstain from voting on this measure.

Vote as amended: 4 for, 0 opposed, 1 abstention (Isganitis)

Ordinance Amendment #1, as amended, will become effective March 11, 2015.

Councilor Pritchett returned the Chair to Mayor Isganitis.

**Ordinances in First Reading:**

#2 Chapter 2, Articles III & XIV Department of Public Services

**THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 2, Administration, ARTICLE III, City Manager, and ARTICLE XIV, Department of Public Works, BE AMENDED AS FOLLOWS:**

**CHAPTER 2 ADMINISTRATION**

**ARTICLE III City Manager**

\* \* \*

**Sec. 2-304 Division of Administrative Service**

The administrative service of the City shall be divided, under the City Manager, into the following ~~thirteen~~ sixteen (16) departments:

Department

Head

Code Enforcement Office

Code Enforcement Officer Eff: 11/28/85

Finance Department

Finance Director

Economic & Community Development Dept.

Community Development Director

Fire Department

Fire Chief

Fish Pier Department

Fish Pier Director

Harbor and Waterfront Department	Harbor Master
Health Department	Health Officer
Legal Department	City Attorney
Library Department	Library Director
Personnel Department	Personnel Director
Police Department	Police Chief
<del>Public Works Department</del>	<del>Public Works Director</del>
<del>Department of Public Services</del>	<del>Director of Public Services</del>
Records Department	City Clerk
Recreation Department	Recreation Director
Water Pollution Control Department	Water Pollution Control Director
Welfare Department	Director of Public Welfare

\* \* \* \*

**ARTICLE XIV Department of Public ~~Services~~Works**

**Sec. 2-1401 Establishment**

There shall be a Department of Public ~~Services~~Works, the head of which shall be the ~~Director of~~ Public ~~Services~~Works ~~Director~~ who shall be, or be appointed by, the City Manager.

**Sec. 2-1402 Duties**

The Director of Public ~~Services~~Works shall, ~~subject to and in consultation with the City Manager, be responsible for:~~

~~\_\_\_\_\_ 1. City Property. Be responsible for all matters pertaining to The construction, management, maintenance, and operation of the physical properties of the City's infrastructure under the administrative direction of the City Manager, including streets, sidewalks, sanitary and storm sewers, parking areas, parks, and public landings, except as otherwise provided by the City charter, other ordinances, or instructions by the City Manager;~~

~~\_\_\_\_\_ 2. Planning. Be responsible for all planning in connection with such changes or improvements to the physical properties as are essential or desirable for the future growth of the City.~~

2. Solid Waste. Be responsible for and serve as Director of the Solid Waste Facility;

~~\_\_\_\_\_ 3. Department PropertyResources. Be responsible for The direction and management of Department of Public Services and Solid Waste Facility employees, and the care and maintenance of all real and personal property occupied or used by the Department.~~

~~\_\_\_\_\_ 4. Enforcement on City Property. Seeing that no encroachments are made upon any street, public landing, place, square, land or ground of the City, by fences, buildings or otherwise, and whenever any encroachments shall hereafter be made upon the same, and the party making such encroachment shall neglect or refuse after notification to remove the same, to report the facts at once to the Police Chief and cooperate to the end that the person so offending shall be prosecuted and the nuisance abated.~~

~~\_\_\_\_\_ 5. Contracts. In consultation with the City Attorney, prepare or cause to be prepared all contracts and specifications that may be required for public servicesworks and solid waste management.~~

~~\_\_\_\_\_ 6. Sewer Construction. Have general management and supervisionIn consultation with the Water Pollution Control Director, perform or cause to be performed the construction, maintenance, repair, and replacement of the public sanitary, storm, and combined sewer systems, and all appurtenances thereto, including the and shall enforcement of all ordinances, rules and regulations relative thereto, keepinging an accurate record of the location and the expense of constructing and completing each public drain or common sewer hereafter built, and-shall, after the same is completed, furnish-ing to the City Assessor a detailed~~

statement of such expense and all necessary information to enable the City Assessor to make an assessment upon the lots or parcels of land benefited by such public drain or common sewer.

7. Property Schedule. Annually preparing and submitting a capital improvement program, surveying the condition, useful life, and repair or replacement of the equipment, ~~include a schedule of the~~ machinery, tools and other City property in ~~his~~the Director's charge.

8. Maintenance. ~~Have charge of~~The operation and maintenance of ~~the City sewerage system and all appurtenances thereto; maintenance of~~all streets, sidewalks, and other public lands, grounds and buildings; street cleaning ~~and sprinkling~~; and snow removal, except as may otherwise directed by the City Manager.

9. Technical Standards. Preparing and keeping current a manual of standards and specifications governing the construction, reconstruction, repair, backfilling, compaction, paving, and repaving, as applicable, of City streets, sidewalks, culverts, sewers, and other infrastructure. Such Technical Standards Manual may also include sewer construction specifications provided or identified by the Water Pollution Control Director. The Director of Public Services shall submit the Technical Standards Manual, and supplements and amendments thereof, to the City Manager for review and adoption as an Administrative Policy of the City. The Director shall cause copies of the adopted Technical Standards Manual to be made available to the public at the Department of Public Services, Water Pollution Control Facility, and Code Enforcement Office, and on the City's website. The Director shall assure adherence with the Technical Standards Manual by the Department and by the public.

10. Plans; Public Records. Collect, maintain, and update all plans, estimates, profiles, records and surveys of street bounds, streets, sidewalks, sewers, and other public infrastructure.

**~~Sec. 2-1403 Public Works Advisory Committee~~**

~~A Public Works Advisory Committee is hereby created. It shall consist of five (5) members appointed by the Mayor and confirmed by the City Council for a term of three (3) years, except that of the first five (5) members first appointed, of which one (1) shall be appointed for a term of one (1) year, two (2) for two (2) years, and two (2) for three (3) years. The committee shall elect a chairman and secretary from its membership annually and adopt its own rules of procedure. The Director of Public Works, or designee, shall be an ex officio non voting member of the Committee. The Committee shall advise the City Council in matters of policy and planning in the areas of operation, maintenance, repair, acquisition and disposition of public buildings, equipment, cemeteries, solid waste, wastewater and sewer issues, streets, roads and public parks, while maintaining close cooperation with the Planning Board, the Comprehensive Planning Commission, the Economic Development Advisory Committee, the Recreation Advisory Committee, and the Parks Commission.~~

Sponsor: Councilor Pritchett  
Originator: Councilor Pritchett  
Councilor MacLellan-Ruf  
Councilor Clayton

Councilor Pritchett moved passage and said this proposal borrows somewhat from the City of Portland, which did this some years ago. He said it makes sense at this time to integrate these services into one department.

Councilor Geiger said that it may also be time to take a broader look at the organization of the city. She said current labor philosophy says that a manager cannot be successful if asked to supervisor more than seven employees, but the City has sixteen departments. She said they may want to take a look at that number in the future.

Vote: 5 for.

A public hearing was set for March 9, 2015 at 7:00 p.m.

**Orders:**

#6 Accepting Grant Funds – Wellness Grant

**IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:**

**THAT** the City hereby accepts from the Maine Municipal Association a Wellness Program Grant in the amount of \$1,480, receipted into the Wellness Program Grant Account (#60401-03704) and the same expended from the Miscellaneous Supplies Account (#60401-06006) for the purchase of ergonomic office equipment as part of the City's Ergonomic Compliance Program.

Sponsor: City Manager  
Originator: City Manager

Councilor Clayton moved passage.

Vote: 5 for.

#7 Authorizing Grant Submission & Acceptance – CDBG Downtown Revitalization Grant (Sidewalks)

**IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:**

**THAT** the City Council authorizes the City Manager to apply for a CDBG Downtown Revitalization Program grant in the amount of \$400,000 to fund improvements to City sidewalks and related infrastructure on Elm Street, Museum Street and School Street; and

**THAT**, the City hereby appropriates up to \$170,000 from the Downtown TIF Development Program Account (#10000-1899) for the City's match for such grant, with up to \$85,000 being appropriate from the FY 2016 Downtown TIF Development Program and up to \$85,000 being appropriated from the FY 2017 Downtown TIF Development Program; and

**THAT**, in the event the City is awarded such CDBG Downtown Revitalization Program grant, the City Manager is hereby authorized to expend such grant and matching funds, and to execute any such contracts or instruments as may reasonably be required to effectuate the purposes of this Order.

Sponsor: City Manager  
Originator: Community Development Director

Councilor Pritchett moved passage.

Vote: 5 for.

#8 Authorizing Bond Anticipation Borrowing – Old County Road Repairs

**ORDER PURSUANT TO SECTIONS 211 AND 513 OF THE CITY CHARTER  
DETERMINING DETAILS OF A BORROWING  
AUTHORIZED BY BOND ORDINANCE AMENDMENT #9**

**WHEREAS**, on August 25, 2014, the City Council of the City of Rockland, Maine (the "City"), pursuant to applicable provisions of the City Charter, appropriated (in the aggregate) \$1,600,000, plus an amount not to exceed 2% for payment of issuance costs, as matching funds to finance the costs to improve Old County Road (the "Projects") and finally passed and enacted Bond Ordinance Amendment #9 authorizing the aggregate amount of up to \$1,600,000, plus an amount not to exceed 2% for payment of issuance costs, principal amount of bonds or notes in anticipation thereof (the "Bonds") to finance such appropriations; and

**WHEREAS**, the voters of the City of Rockland approved adopted of said Ordinance Amendment #9 at a municipal referendum election duly called and held on November 4, 2014; and

**WHEREAS**, Section 211 and 513 of the City Charter, as amended, provides in substance that all matters in connection with the authorization, sale and issuance of bonds not specifically required to be provided in a Bond Ordinance may be determined or provided by orders or resolutions adopted after final passage of a Bond Ordinance by the affirmative votes of at least a majority of the members of the City Council.

**NOW, THEREFORE**, it is hereby

**ORDERED:** That, pursuant to Section 513 of the City Charter, as amended, and the aforesaid Bond Ordinance, the City shall borrow up to \$1,600,000 by the issuance and sale of the City's general obligation bonds and that the Director of Finance shall determine the date, form, interest rate or rates, maturities (not to exceed the maximum term permitted by law), denominations, and all other details of the bonds, including the form and manner of their sale and award, subject to the provisions of law, the City Charter and these Orders (collectively, the "Bonds").

**ORDERED:** That the Director of Finance be and hereby is authorized to borrow money in anticipation of said Bonds by the issuance and sale of notes or renewal notes in anticipation of said Bonds ("notes") and that the Director of Finance shall determine the date, form, interest rate or rates, maturities (not to exceed 14 months of the issue date) and all other details of the notes, including the form and manner of their sale and award, subject to the provisions of the law, the City Charter and these Orders.

**ORDERED:** That the Director of Finance be and hereby is authorized to provide that the Bonds and notes hereinbefore authorized be made callable, with or without premium, prior to their stated dates of maturity.

**ORDERED:** That the Director of Finance, to the extent he deems necessary and appropriate, is authorized to designate the Bonds and notes as qualified tax-exempt obligations for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended.

**ORDERED:** That the Bonds and notes shall be executed in the name and on behalf of the City of Rockland by its Director of Finance, shall be countersigned by the Mayor, either or both of whose signatures may be by facsimile to the extent permitted by law, and shall bear the corporate seal of the City of Rockland, Maine attested by its Clerk.

**ORDERED:** That the Director of Finance be and hereby is authorized to negotiate, execute, and deliver, in the name of and on behalf of the City such contracts, agreements, and other documents, including instruments and certificates as may be necessary or appropriate as determined and approved by the Director of Finance in connection with the financing of the Project, which documents shall be in such form and contain such terms and conditions, not inconsistent herewith, as may be approved by the Director of Finance, such approval to be conclusively evidenced by his execution thereof.

**ORDERED:** That the Bonds and notes shall be transferable only on the registration books of the City kept by the transfer agent, and said principal amount of the bonds of the same maturity (but not of other maturity) in such minimum denomination as the Director of Finance shall approve upon surrender thereof at the principal office of the transfer agent, with a written instrument of transfer satisfactory to the transfer agent duly executed by the registered owner or his attorney duly authorized in writing. Upon each exchange or transfer of a bond the City and the Transfer Agent shall make a charge sufficient to cover any tax, fee or any other governmental charge required to be payable with respect to such exchange or transfer, and with respect to such exchange or transfer, and subsequent to the first exchange or transfer, the cost of preparing new bonds and notes, upon exchanges or transfer thereof to be paid by the person requesting the same.

**ORDERED:** That the Director of Finance and Mayor from time to time shall execute such bonds or notes as may be required to provide for exchanges or transfers of Bonds or notes as heretofore authorized, all such bonds or notes to be executed consistent with the authorized execution of the Bonds and notes.

**ORDERED:** That the Director of Finance be and hereby is authorized and directed to covenant and certify on behalf of the City that no part of the proceeds of the issue and sale of the Bonds authorized to be issued hereunder shall be used directly or indirectly to acquire any securities or obligations, the acquisition of which would cause such notes to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 141 and 148 of the Internal Revenue Code of 1986, as amended.

**ORDERED:** That the Director of Finance be and hereby is authorized to covenant and agree, on behalf of the City, for the benefit of the holders of such Bonds and notes, that the City will file any required reports and take any other action that may be necessary to insure that interest on the Bonds and notes will remain exempt from federal income taxation, and that the City will refrain from any action that would cause interest on the Bonds and notes to be subject to federal income taxation.

**ORDERED:** That the Director of Finance be and hereby is authorized to covenant, certify and agree, on behalf of the City, for the benefit of the holders of such Bonds and notes, that the City will file any required reports, make any annual financial or material event disclosure, and take any other action that may be necessary to insure that the disclosure requirements imposed by Rule 15c2-12 of the Securities and Exchange Commission, if applicable, are met.

**ORDERED:** That the term “cost” or “costs” as used herein and applied to the Projects, or any portion thereof, includes, but is not limited to (1) the purchase price or acquisition cost of all or any portion of the Project; (2) the cost of construction, building, alteration, enlargement, reconstruction, renovation, improvement, and equipping of the Project; (3) the cost of all appurtenances and other facilities either on, above, or under the ground which are used or usable in connection with the Project; (4) the cost of landscaping, site preparation and remodeling of any improvements or facilities; (5) the costs of all labor, materials, building systems, machinery and equipment; (6) the cost of land, structures, real property interests, rights, easements, and franchises acquired in connection with the Project; (7) the cost of all utility extensions and site improvements and development; (8) the cost of planning, developing, preparation of specifications, surveys, engineering, feasibility studies, legal and other professional services associated with the Project; (9) the cost of environmental studies and assessments; (10) the cost of financing charges and issuance costs, including premiums for insurance, interest prior to and during a period ending three years from the date of issuance, underwriters' fees and costs, legal and accounting fees and costs, application fees, and other fees and expenses relating to the financing transaction; and (11) the cost of all other financing authorized hereunder, whether related or unrelated to the foregoing.

**ORDERED:** That in each year during which the Bonds issued hereunder are outstanding, there shall be levied a tax in an amount which, with other revenues, if any, available for that purpose, shall be sufficient to pay the interest on said Bonds, payable in such year, and the principal of such Bonds maturing in such year.

**ORDERED:** That the investment earnings on the proceeds of the Bonds or notes, if any, and the excess proceeds of the Bonds or notes, if any, be and hereby are appropriated to pay costs of the Project, to pay interest on the Bonds and notes, to pay issuance costs for the Bonds or, at the discretion of the Director of Finance, to be deposited into the City's General Fund to be used for other municipal purposes.

**ORDERED:** That the Director of Finance and Mayor be and hereby are individually authorized and empowered to do all such acts and things, and to execute, deliver, file, approve, and record all such financing documents, contracts, assignments, certificates, and other documents as may be necessary or advisable, with the advice of counsel for the City, to carry out the provisions of these Orders in connection with the Project, the issuance, execution, sale, and delivery by the City of the Bonds and the notes.

**ORDERED:** That if any of the officers or officials of the City who have signed or sealed the Bonds or notes shall cease to be such officers or officials before the Bonds or notes so signed and sealed shall have been actually authenticated or delivered by the City, such Bonds or notes nevertheless may be authenticated, issued, and delivered with the same force and effect as though the person or persons who signed or sealed such Bonds or notes had not ceased to be such officer or official; and also any such Bonds or notes may be signed and sealed on behalf of the City by those persons who, at the actual date of the execution of such Bonds or notes, shall be the proper officers and officials of the City, although at the nominal date of such Bonds or notes any such person shall not have been such officer or official.

**ORDERED:** That if any of the officers or officials of the City authorized to sign or seal the Bonds or notes are for any reason unavailable to approve and execute the Bonds or notes or any of the financing documents, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had herself performed such act.

**ORDERED:** That during the term any of the Bonds (or bonds issued to refund such Bonds) are outstanding, the Director of Finance be and hereby is authorized to issue and deliver refunding bonds to refund on either a current or advance refunding basis some or all of the Bonds then outstanding, and to determine the date, form, interest rate, maturities and all other details of such refunding bonds, including the form and manner of their sale and award. The Director of Finance be and hereby is further authorized to provide that any of such refunding bonds hereinbefore authorized be made callable, with or without premium, prior to their stated date(s) of maturity, and each refunding bond issued hereunder shall be signed in the

name and on behalf of the City of Rockland by its Director of Finance, shall be countersigned by the Mayor, either or both of whose signatures may be by facsimile to the extent permitted by law, and shall bear the corporate seal of the City of Rockland, Maine attested by its Clerk, and shall be in such form and contain such terms and provisions not inconsistent herewith as they may approve, their approval to be conclusively evidenced by their execution thereof.

Sponsor: City Manager  
Originator: City Manager

Councilor Pritchett moved passage and said that this is a procedural matter. He said the borrowing was approved by the voters at the November election. Vote: 5 for.

#9 Directing Parking Advisory Committee Review

**IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:**

**THAT** the Parking Advisory Committee is hereby directed to review and report its findings and recommendations to the City Council on the following parking issues:

- The impact of overflow Ferry Terminal Parking on the residential areas to the west, including possible solutions;
- Downtown parking in general, including overnight parking and employee/business owner parking;
- Long-term parking at Harbor Park and Snow Marine Park, possible fees for such parking, in conjunction with the Harbor Management Commission.

Sponsor: Mayor Isganitis  
Originator: Mayor Isganitis

Councilor MacLellan-Ruf moved passage. Vote: 5 for.

#10 Authorizing Reserve Funds – Audio/Visual Equipment Repairs

**IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:**

**THAT** the City Manager is hereby authorized to expend up to \$1,100 from the Audio Visual Reserve Account (#70000-01771) for the following audio visual equipment repairs and/or upgrades:

- Three pan/tilt controllers
- Used Mackie audio mixer
- Two long goose neck microphones
- Repair/replace microphone cable/connection at Mayor's desk

Sponsor: City Manager  
Originator: City Clerk

Councilor Pritchett moved passage and then moved to postpone Order #10 until the March 9, 2015 Regular Meeting. He said that the City Manager is currently working on a more comprehensive upgrade to the City's audio/visual capabilities and wanted to make sure that any funds spent on equipment would be compatible with future upgrades.

Councilor Clayton agreed, saying that there was no sense in doing this in a patchwork fashion. He said he did not want the City to spend good money after bad. Vote: 5 for.

Order #10 was postponed until the March 9, 2015 Regular Meeting.

#11 Authorizing Public Comment and RFP's – Cable Television Service

**IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:**

**THAT**, pursuant to Chapter 11, Section 11-221 of the City Code, the City Manager is hereby authorized to seek public comment, for a period of 90 days, to determine the needs and interests of the people of Rockland with respect to cable television service, the quality of the present service provided, and suggestions on how new terms in a franchise agreement might improve said services. After said 90 day public comment periods, the City Manager shall negotiate a proposed franchise agreement, for  
Regular Meeting, Order #11 continued: February 9, 2015

City Council approval, via a request for proposals from cable television service providers, and/or negotiations with the current provider, taking into account the comments received from the public as well as the City's identified equipment and network needs. Said proposal shall be open for public comment for an addition 90 days, after which period the City Council will decided to whom to grant the Cable Television Franchise Agreement.

Sponsor: City Manager  
Originator: City Manager

Councilor Pritchett moved passage.

Councilor Clayton said that the City needs to establish a method to get as much input from the public as possible, suggesting that some sort of survey be sent out to all residents. Vote: 5 for.

With no further business to come before the City Council, Councilor Pritchett moved to adjourn. Without objection from the Council, the meeting was adjourned at 8:35 p.m.

A TRUE COPY.

ATTESTED: \_\_\_\_\_ City Clerk