

CITY OF ROCKLAND, MAINE



*270 Pleasant Street
Rockland, Maine 04841*

CITY CLERK'S OFFICE

March 6, 2015

***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, MARCH 9, 2015 AT 4:30 P.M. FOR
THE FOLLOWING PURPOSE(S):***

[Please Note Starting Time and Date]

**Presentation by Wright Pierce Engineers - Sewer/Storm Water
Collection System Study Update**

**Executive Session pursuant to Title 1, M.R.S. § 405(6)(C)
which allows for the discussion disposition of and/or interest in real property
when premature disclosure of information could prejudice the competitive or
bargaining position of the City.**

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



**STUART H. SYLVESTER
CITY CLERK**

REGULAR MEETING

AGENDA

March 9, 2015

1. Roll Call
2. Pledge of Allegiance to the Flag
3. Public Forum (of not more than 30 minutes - 3 min. limit each speaker)
4. Meeting Notice
5. Reading of the Record
6. Reports:
 - a. City Manager's Report
 - b. City Attorney's Report
 - c. Other Official's Report
 - d. Mayor's Report
7. Licenses and Permits:
 - a. Liquor & Entertainment Licenses – Comida (New)
 - b. Liquor & Entertainment Licenses – Sandbaggers Café
 - c. Liquor License – Roselyn Thai Fine Cuisine
 - d. Liquor & Entertainment Licenses – Trackside Station Restaurant
 - e. Liquor License – Home Kitchen Café
 - f. Liquor & Entertainment Licenses – The Landings Restaurant
 - g. Liquor & Entertainment Licenses – Eclipse Restaurant & Speakeasy
 - h. Liquor License – Primo Restaurant
 - i. Lodging House License – Ripple Inn at the Harbor
 - j. Lodging House License – Captain Lindsey House
8. Resolves:
 - #14 Appointment to ZBA – T. Berry
 - #15 Accepting Donations

Mayor Isganitis
City Manager
9. Ordinances in Final Reading and Public Hearing:
 - #16 Chapter 19, Section 19-304 DT Zone Height Regs (Post. 2/9/15)
 - # 2 Chapter, 2, Articles III & XIV Dept. of Public Services

Frm. Councilor Dickerson
Councilor Pritchett
10. Ordinances in First Reading:
 - # 3 Chapter 7, Section 7-107 Sprinkler System Alarms

Councilor MacLellan-Ruf
11. Orders:
 - #96 Amending Solid Waste Facility Fees (Postponed 12/08/14)
 - #10 Authorizing Reserve Funds – Audio/Video Repairs (Postponed 2/9/15)
 - #12 Accepting Wellness Grant
 - #13 Authorizing Grant Application – Fish Pier Improvement
 - #14 Authorizing High Speed Internet Study
 - #15 Adopting Credit Enhancement Agreement – 435 Main Street LLC
 - #16 Authorizing Street Closure & Fee Waiver – Lobster Festival Parade
 - #17 Authorizing Review – 1 Park Drive Options

City Manager
City Manager
City Manager
City Manager
Councilor Pritchett
Councilor Pritchett
City Manager
Councilor Pritchett
12. Adjournment.

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

Name of Applicant Lisa Laurita-Spanglet Phone (207) 542-4258

Address of Applicant 15 Holmes St.
Rockland, ME 04841

Name of Business Pura Vida Inc. DBA Comida Phone (207) 542-5758

Address of Business 421 Main St.
Rockland, ME 04841

Name of Property Owner (if different) Peter Mason Peters

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

Type of Business Restaurant

Expiration of Current License N/A

Fee(s) Paid \$150.00 Date 2/3/15

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

Applicant's Signature Lisa Laurita-Spanglet Date 1/27/15

Approved By: _____ License # _____

[Signature] Code Officer 2/27/15 Date
 Approved Inspected; See Report

[Signature] Fire Inspector _____ Date
 Approved Inspected; See Report

[Signature] Police Chief 2/2/15 Date

[Signature] City Clerk 3/3/15 Date

APPLICATION FOR CITY LICENSE
CITY OF ROCKLAND, MAINE

270 Pleasant Street
Rockland, Maine 04841

Name of Applicant MARCIA L. FLANAGAN Phone 975-3167

Address of Applicant 606 OLD COUNTY ROAD
P.O. BOX 507 ROCKLAND, MAINE 04841

Name of Business SANDBAGGER'S CAFE Phone 594-9022

Address of Business SAME AS ABOVE

Name of Property Owner (if different) ROCKLAND GOLF CLUB

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

Type of Business GOLF COURSE

Expiration of Current License 3/28/2015

Fee(s) Paid \$300.00 Date _____

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

Applicant's Signature Marcia L. Flanagan Date 2/20/15

Approved By: _____ License # 7494

MA Code Officer 2/27/15 Date

 Approved Inspected; See Report

MA Fire Inspector 2/27/15 Date

 Approved Inspected; See Report

SB Police Chief 2/24/15 Date

Shant & J. Grant City Clerk 3/2/15 Date

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

Name of Applicant CHAUNCHOM SUNGKAMANE Phone (207) 596-7348

Address of Applicant 80 CAMDEN ST
ROCKLAND ME 04841

Name of Business ROSELYN THAI FINE COUSINE Phone (207) 596-7348

Address of Business 80 CAMDEN ST ROCKLAND ME 04841

Name of Property Owner (if different) _____

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

Type of Business RESTAURANT

Expiration of Current License 03/30/2015

Fee(s) Paid \$150.00 Date _____

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Applicant's Signature _____ Date _____

Approved By: _____ License # _____

[Signature] Code Officer 3/4/15 Date
Approved Inspected; See Report

[Signature] Fire Inspector 3/4/15 Date
Approved Inspected; See Report

[Signature] Police Chief 3/4/15 Date

[Signature] City Clerk 3/4/15 Date

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

Name of Applicant DMM Inc. dba Tracside Station Phone 594-7500

Address of Applicant PO Box 946 (4 Union St.)
Rockland, ME

Name of Business Tracside Station Phone 594-7500

Address of Business 4 Union St.

Name of Property Owner (if different) Dpt. of Transportation

Type of License(s): Liquor Victualer Entertainment
 Lodging House Commercial Hauler Landscape Contractor

Billiard Room Second Hand Merchant Other (Specify) _____

Type of Business Restaurant w/ lounge

Expiration of Current License 3/30/15

Fee(s) Paid \$300.00 Date 2/13/15

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

Applicant's Signature Kelly Woods Date 2/13/15

Approved By: _____ License # _____

[Signature] Code Officer 2/27/15 Date
 Approved Inspected; See Report

[Signature] Fire Inspector 2/27/15 Date
 Approved Inspected; See Report

[Signature] Police Chief 2/24/15 Date

[Signature] City Clerk 3/2/15 Date

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

Name of Applicant James Hatch Phone 691-9540

Address of Applicant 125 Limerock St.
Rockland, ME 04841

Name of Business Home Kitchen Cafe Phone 596-2449

Address of Business 650 Main St.
Rockland, ME 04841

Name of Property Owner (if different) _____

Type of License(s): Liquor Victualer Entertainment

Lodging House Commercial Hauler Landscape Contractor

Billiard Room Second Hand Merchant Other (Specify) _____

Type of Business Restaurant

Expiration of Current License 3/31/15

Fee(s) Paid \$150.00 Date _____

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

Applicant's Signature [Signature] Date 2/25/14

Approved By: [Signature] License # ~~2413~~ 5617

Approved Inspected; See Report Code Officer 3/2/15 Date

Approved Inspected; See Report Fire Inspector 3/2/15 Date

[Signature] Police Chief 3/2/15 Date

[Signature] City Clerk 3/3/15 Date

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

Name of Applicant Michael R Miller Phone 542-1364

Address of Applicant 27 Highland St. Rockland.

Name of Business The Landings (Eat. Inc.) Phone 594-3011

Address of Business 1 Commercial St.

Name of Property Owner (if different) Stendorian Mgmt. (Kevin Taylor)

Type of License(s): Liquor Victualer Entertainment
 Lodging House Commercial Hauler Landscape Contractor

Billiard Room Second Hand Dealer Other (Specify) _____

Type of Business Restaurant.

Expiration of Current License 3/31/15

Fee(s) Paid 300⁰⁰ Date _____

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

Applicant's Signature [Signature] Date 2/23/15

Approved By: _____ License # _____

Approved [Signature] Code Officer 2/27/15 Date
 Inspected; See Report

Approved [Signature] Fire Inspector 2/27/15 Date
 Inspected; See Report

Approved [Signature] Police Chief 2/24/15 Date
 Inspected; See Report

Approved [Signature] City Clerk 3/2/15 Date
 Inspected; See Report

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

Name of Applicant LaBore Enterprises, LLC Phone 207 975-2422

Address of Applicant 2 Park Drive
Rockland Maine

Name of Business The Chandeliers, Speakeasy / Eclipse Speakeasy Phone 207 596-6601
EXT 6010

Address of Business 2 Park Drive
Rockland Maine

Name of Property Owner (if different) The Tradewinds, INC.

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

Type of Business Restaurant

Expiration of Current License 5-9-15

Fee(s) Paid \$300.00 Date 2/27/15

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

Applicant's Signature [Signature] Date 2/27/15

Approved By: _____ License # 4311

[Signature] Code Officer 2/27/15 Date
 Approved Inspected; See Report

[Signature] Fire Inspector 2/27/15 Date
 Approved Inspected; See Report

[Signature] Police Chief 3/2/15 Date

[Signature] City Clerk 3/3/15 Date

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

Name of Applicant Price Kushner / Melissa Kelly Phone 207-691-3903

Address of Applicant 2 Main St Rockland ME 04841

Name of Business Primo Restaurant Phone 207-596-0770

Address of Business 2 Main St Rockland ME 04841

Name of Property Owner (if different) _____

Type of License(s): Liquor Victualer Entertainment

Lodging House Commercial Hauler Landscape Contractor

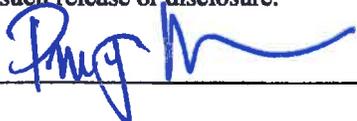
Billiard Room Second Hand Merchant Other (Specify) _____

Type of Business Restaurant

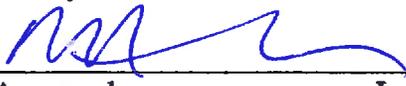
Expiration of Current License April 2015

Fee(s) Paid \$150.00 Date 2-22-15

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

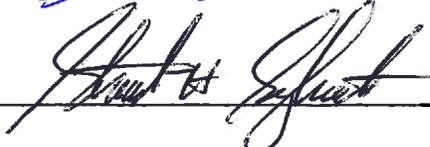
Applicant's Signature  Date 2-22-15

Approved By: _____ License # _____

 Code Officer 2/27/15 Date
 Approved Inspected; See Report

 Fire Inspector 2/27/15 Date
 Approved Inspected; See Report

 Police Chief 2/24/15 Date

 City Clerk 3/2/15 Date

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

Name of Applicant Sandra Dillon Phone 594-5771

Address of Applicant 16 Pleasant St.
Rockland, Me

Name of Business Ripples Inn at the Harbor Phone 207 594 5771

Address of Business 16 Pleasant St.
Rockland, Me

Name of Property Owner (if different) Same

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

Type of Business Bed + Breakfast

Expiration of Current License Apr. 9, 2015

Fee(s) Paid \$100.00 Date 2/13/14

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

Applicant's Signature Sandra Dillon Date 2/13/14

Approved By: _____ License # _____

[Signature] Code Officer 2/27/15 Date
 Approved Inspected; See Report

[Signature] Fire Inspector 3/2/15 Date
 Approved Inspected; See Report

[Signature] Police Chief 2/24/15 Date

[Signature] City Clerk 3/2/15 Date

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

Name of Applicant Kimberly Swan Phone 207-266-5818

Address of Applicant P.O. Box 46
Bar Harbor ME 04609

Name of Business Capt. Lindsey House Inn Phone 596-7950

Address of Business 5 Lindsey Street
Rockland ME 04841

Name of Property Owner (if different) Hotel Lindsey LLC

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

Type of Business Inn

Expiration of Current License 4/14/15

Fee(s) Paid \$100.00 Date 2-25-15

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

Applicant's Signature Kimberly Swan Date 2-25-15

Approved By: (Signature) License # _____

(Signature) Code Officer 2/27/15 Date
 Approved Inspected; See Report

(Signature) Fire Inspector 3/2/15 Date
 Approved Inspected; See Report

(Signature) Police Chief 3/2/15 Date

(Signature) City Clerk 3/3/15 Date

CITY OF ROCKLAND, MAINE

RESOLVE #14

IN CITY COUNCIL

March 9, 2015

RESOLVE Appointment to Zoning Board of Appeals – T. Berry

BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

THAT the Mayor's appointments of Theodore Berry, 59 Crescent Street, to the Zoning Board of Appeals to fill a vacancy on that Board is hereby confirmed. Mr. Berry shall serve until that term expires in 2016.

Sponsor: Mayor Isganitis
Originator: Mayor Isganitis

CITY OF ROCKLAND, MAINE

RESOLVE #15

IN CITY COUNCIL

March 9, 2015

RESOLVE Accepting Donations

BE IT HEREBY RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

WHEREAS, the Friends of the Rockland Public Library donated \$488.07 for 43 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, the Rockland Public Library Endowment Association donated \$80.96 to the Library for YA games, to be receipted into the Library Revenue Donations account (#10062-03147) and the same expended from the Library Restricted Donations Expenditure account (#10062-07003); and

WHEREAS, the First Universalist Church in Rockland donated \$486 to the City to help offset the costs of services provided by the City, said funds to be receipted into the City's Payment in Lieu of Taxes Account (#10008-03102);

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

CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT #16

IN CITY COUNCIL

June 9, 2014

ORDINANCE AMENDMENT: Amending the Maximum Height in the Downtown Zone

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 19, Zoning and Planning, BE AMENDED AS FOLLOWS:

Sec. 19-304 Zone Regulations

14. Downtown Zone "DT" Regulations.

* * *

C. Standards.

- (1) The standards of Section 19-316 shall be observed.
- (2) The following space and bulk standards shall apply to all lots and/or parcels of land:

Table 304-14

"DT" ZONE

	COMMERCIAL AND MIXED USE
MINIMUM FLOOR AREA PER DWELLING	200 sq. ft. per dwelling
MAXIMUM BUILDING HEIGHT	Either 65 feet or 5 stories <u>north of the center line of Park Street and Park Drive; either 50 feet or 4 stories south of the center line of Park Street and Park Drive to Central Park.</u>

First Reading 6/9/14
 First Publication 6/19/14
 Public Hearing 7/14/14
 Final Passage _____
 Second Publication _____
 Effective Date _____

Sponsor: Councilor Dickerson
 Originator: Councilor Dickerson
 Postponed 7/14/14 to 2/9/15
 Postponed 2/9/15 to 3/4/15



CITY OF
ROCKLAND
KNOX COUNTY
MAINE

DT Zone Height Proposal

-  4 stories 50'
-  5 stories 65'

Printed: 6/3/2014



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.



Excerpt from Comprehensive Planning Commission Minutes from 01/15/15:

Downtown Zone Building Height Regulations-180 Day Moratorium

Chair Geiger said the moratorium ends on March 10, 2015.

Member Files spoke about areas where she thought reduced heights may be appropriate. These included south of Park Street and Park Drive, some of the areas north of Summer Street that are predominantly residential, and the area behind Rankin block and Leland Street. Member Keedy mentioned the Knox County Court House is the tallest building in the city, but the building is not right up to the road, there is plenty of space around it. There should be relational proportion between the street size and the building height.

Asst. CEO Kalloch said that he will be documenting the number of stories of buildings in the Downtown area for next meeting.

Member Morris asked about using Route 1 from Main Street to Union Street as the boundary as to where 5-story buildings can be. (The area inside the rotary.) Chair Geiger asked members to walk the area for the next meeting.

CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT #2

IN CITY COUNCIL

February 9, 2015

ORDINANCE AMENDMENT: Establishing the 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 ~~sixteen (16)~~ thirteen (13) departments:

<u>Department</u>	<u>Head</u>
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
Public Works Department	Public Works Director
<u>Department of Public Services</u>	<u>Director of Public Services</u>
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 ServicesWorks

Sec. 2-1401 Establishment

There shall be a Department of Public ServicesWorks, 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 Property Resources. 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, keeping 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, furnishing 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.~~

First Reading 2/9/15
First Publication 2/19/15
Public Hearing 3/9/15
Final Passage _____
Final Publication _____
Effective Date _____

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

PROPOSED AMENDMENTS

**CITY OF ROCKLAND, MAINE
ORDINANCE AMENDMENT #2
IN CITY COUNCIL**

February 9, 2015

ORDINANCE AMENDMENT: Establishing the 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 sixteen (16) ~~thirteen (13)~~ departments:

<u>Department</u>	<u>Head</u>
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
Public Works Department	Public Works Director
<u>Department of Public Services</u>	<u>Director of Public Services</u>
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 either shall be the City Manager, or shall be appointed by the City Manager, and confirmed by Council.

LP Note: Charter requires confirmation by Council of the Public Works Director (Sec 403). Revision would clarify that.

Sec. 2-1402 Duties

The Director of Public ~~Services~~Works shall, subject to and in consultation with the City Manager, be responsible for the organization, financial management, general administration and efficient operation of the Department as well as the supervision of Department employees. The duties of the Director of Public Services shall include all duties heretofore assigned to either the Public Works Superintendent/Director, or the Solid Waste Director, under the City Charter, Code of Ordinances, and/or applicable law. Specific duties of the City's Department of Public Services shall include:

LP Note: This could just be included in the first paragraph as proposed above. 1.—Public Works. All duties heretofore assigned to the Public Works Superintendent / Director under the City Charter, Code of Ordinances, and/or applicable law;

LP Note: The 10 points under the first paragraph in 2-1402 are in theory the duties of the DPS. But the old language, and some of the new, toggles between duties of the Director and duties of the Department. Small tweaks are included below to make all of these duties of the Department.

21. 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.~~

32. Solid Waste. All solid waste, recycling, composting and similar services provided either directly by the City or by other parties under contract to the City including waste reuse and reduction programs, the marketing of reusable and reclaimable materials and responsible disposal of actual waste materials. Solid waste programs shall be operated as fee based services. Be responsible for and serve as Director of the Solid Waste Facility;

LP Note: This revision to the Solid Waste description would make it more about providing a service than just operating a facility.

43. Department Property Resources. Operate and maintain all DPS equipment, machinery,

tools and facilities in a manner that maximizes the useful life of the asset to the City. Keep maintenance and use logs for all machinery. Keep an up to date capital improvement/replacement cycle analysis of all Department equipment and based on that analysis provide an annual capital improvement plan update for Department equipment to the City Manager and the Finance Director. 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.

LP Note: Moving supervision of employees to the first paragraph in 2-1402 helps make the points below that first paragraph consistently about the duties of DPS. This point becomes just about DPS equipment.

54. 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.

65. 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.

76. Sewer Construction. ~~Have general management and supervision~~In 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, keeping 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, furnishing 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.

87. City Infrastructure Property Schedule. Maintain an up to date written assessment of the condition of streets, sidewalks, culverts, parks and other public infrastructure that is the Department's responsibility and based on that assessment provide an annual public infrastructure capital improvement plan update to the Manager and the Finance Director. ~~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 histhe Director's charge.

LP Note: In its current form the amendment as past last month leaves the narrative focus on DPS equipment. The revision would specify DPS's primary responsibility for CIP planning for the City's public infrastructure.

98. 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, and grounds and ~~buildings~~; street cleaning ~~and sprinkling~~; and snow removal, except as may otherwise directed by the City Manager. Assist other departments with facility maintenance as directed by the City Manager

LP Note: To the best of my knowledge DPW has never been the lead for maintaining City

buildings. This had typically been done by the respective Department Head with DPW assistance when useful and appropriate.

109. 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, and, in conjunction with the Water Pollution Control Department, City sewers. 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 tThe Technical Standards Manual, and supplements and amendments thereof, shall be submitted to the City Manager for review and adoption as an Administrative Policy of the City and made readily available to the public. 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 of Public Services shall assure adherence with the Technical Standards Manual by the Department and by the public.
LP Note: "Technical Standards" section could probably be shortened along the lines of the highlights above and still get at the same point.

1140. 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 Clayton
Councilor MacLellan-Ruf

(Ordinance Amendment #2 would read as follows if proposed amendments are adopted)

CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT #2

IN CITY COUNCIL

February 9, 2015

ORDINANCE AMENDMENT: Establishing the 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 sixteen (16) ~~thirteen (13)~~ departments:

<u>Department</u>	<u>Head</u>	
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	
Public Works Department	Public Works Director	
<u>Department of Public Services</u>	<u>Director of Public Services</u>	
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 ServicesWorks

Sec. 2-1401 Establishment

There shall be a Department of Public ServicesWorks, the head of which shall be the Director of Public ServicesWorks ~~Director~~ who either shall be the City Manager, or shall be appointed by; the City Manager and confirmed by Council.

Sec. 2-1402 Duties

The Director of Public ServicesWorks shall, subject to and in consultation with the City Manager, be responsible for the organization, financial management, general administration and efficient operation of the Department as well as the supervision of Department employees. The duties of the Director of Public Services shall include all duties heretofore assigned to either the Public Works Superintendent/Director or the Solid Waste Director under City Charter, Code of Ordinances, and/or applicable law. Specific duties of the City's Department of Public Services shall include:

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, 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. All solid waste, recycling, composting and similar services provided either directly by the City or by other parties under contract to the City including waste reuse and reduction programs, the marketing of reusable and reclaimable materials and responsible disposal of actual waste materials. Solid waste programs shall be operated as fee based services.

3. Department PropertyResources. Operate and maintain all DPS equipment, machinery, tools and facilities in a manner that maximizes the useful life of the asset to the City. Keep maintenance and use logs for all machinery. Keep an up to date capital improvement/replacement cycle analysis of all Department equipment and based on that analysis provide an annual capital improvement plan update for Department equipment to the City Manager and the Finance Director. Be responsible for the care and maintenance of all property 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 supervision~~In 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, keeping 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, furnishing 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. ~~City Infrastructure~~Property Schedule. Maintain an up to date written assessment of the condition of streets, sidewalks, culverts and other public infrastructure that is the Department's responsibility and based on that assessment provide and annual public infrastructure capital improvement plan update to the Manager and the Finance Director.~~Include a schedule of the machinery, tools and other City property in his charge, and a statement of their condition, in his annual report.~~

8. Maintenance. ~~Have charge of operation and m~~Maintainance of the City sewerage system and all appurtenances thereto; maintenance of all streets, sidewalks, culverts, storm drains, ditches and other public lands, and grounds and buildings; as well as provide street cleaning and sprinkling; and snow removal, except as may otherwise directed by the City Manager. Assist other departments with facility maintenance as 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, and, in conjunction with the Water Pollution Control Department, City Sewers. The Technical Standards Manual, and supplements and amendments thereof, shall be submitted to the City Manager for review and adoption as an Administrative Policy of the City and made readily available to the public. The Director of Public Services 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 MacLellan-Ruf
Councilor Clayton

Date: March 8, 2015
To: Mayor Isganitis
Councilor Clayton, Councilor MacLellan-Ruf, Councilor Geiger, & Manager Chaousis

From: Councilor Pritchett

Re: Ordinance Amendment #2 Department of Public Services

On Monday I will be offering an amendment by substitution for OA #2. It was always the desire of the originators and the sponsor to review these revisions with Manager Chaousis before it was adopted in final reading. And, as noted at the Agenda Setting meeting the City Attorney identified an additional revision to make this amendment more fully consistent with the City's Charter and other sections of the City's Ordinance. Also, it was the intent of the order passed in January on creation of the Department of Public Services, to use this change as an opportunity to clarify (& improve) the duties assigned to the new DPS and not have this be just a merging of solid waste and public works responsibilities as each are currently described. In reviews this week of the amendment as passed in first reading several small potential changes were identified and are summarized below.

Overall Description of the Duties Of the Department of Public Services Director Added

The first paragraph under Sec 2-1402 of the amendment by substitution adds an overall description of duties of the Director of the Department of Public Services.

Duties of Department Language Clarified

Ten duties are specified in 2-1402. Current code language goes back and forth between duties of the director and duties of the department. This language is revised in proposed substitute amendment to make these the duties of the Department with the Director responsible for the Department.

Solid Waste: Providing a Service, Not Just Running a Facility

As passed in first reading, the amendment refers to "operating the Solid Waste Facility." Revised language is expanded to solid waste and recycling services provided by the City to the community.

Responsibility for Public Infrastructure CIP Planning Clarified

Revised language in amendment by substitution makes clear DPS's responsibility for overall CIP planning (roads, sidewalks, drainage, etc.) not just CIP planning for DPS equipment.

Assist Other Departments With Facilities Management

Language in the proposed amendment by substitution clarifies that DPS assists other departments with facilities maintenance as request by the City Manager.

Two Charter Related Revisions

Language is added to the first paragraph clarifying that any Charter references (or other references elsewhere in City Ordinance) to Public Works Director/Superintendent would be the responsibility of the DPS Director. Also, the "Public Works Superintendent" is one five positions that require confirmation by Council and this revision keeps that for DPS to be consistent with the Charter.

CITY OF ROCKLAND, MAINE

ORDINANCE AMENDMENT #3

IN CITY COUNCIL

March 9, 2015

ORDINANCE AMENDMENT: Accepting Alternative Sprinkler System Alarms

THE CITY OF ROCKLAND HEREBY ORDAINS THAT CHAPTER 7, Fire Prevention And Suppression, ARTICLE I, Fire & Emergency Medical Services Department, SECTION 7-107, Alarm Systems, BE AMENDED AS FOLLOWS:

Sec. 7-107 Alarm Systems

1. Purpose. In order to protect public safety and welfare and to assure that fire suppression systems for the protection of life and property are fully operational, it is necessary to require that such systems be correctly designed, installed, and maintained.

* * *

4. System Requirements. Alarm Systems in Rockland shall include the following, in addition to requirements imposed by applicable codes and regulations:

* * *

E. Sprinkler System Alarms. Any alarm bell which shall make local, external notification of a sprinkler system flow shall be of the hydraulically-operated water motor gong type, or an effective substitute acceptable to the Fire Chief in his sole discretion. An electric bell shall not be allowed as a substitute.

* * *

Sponsor: Councilor MacLellan-Ruf
Originator: Acting Fire Chief

CITY OF ROCKLAND, MAINE

ORDER #96

IN CITY COUNCIL

December 8, 2014

ORDER Amending Solid Waste Disposal Facility Fee Schedule

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT, the fee schedule for the City's Solid Waste Disposal Facility, as amended 06/30/14, be further amended as follows:

* * * *

PERMIT AND LICENSE FEES

Resident Permit	\$135.00 per year if purchased on or before 04/30/15, which fee shall permit MSW disposals through 05/01/15; no fee thereafter
Commercial Permit	\$ no fee (<u>Disposal Fee: \$115 per ton through 05/01/2015, then \$125 per ton from 05/01/2015 on</u>).
Recycling Permit	\$0 per year (to be discontinued on 05/01/15)
Seasonal Permit	\$135.00 per year if purchased on or before 04/30/15, which fee shall permit MSW disposals through 05/01/15; no fee thereafter
Commercial Hauler License Fee	\$250.00 per year
Non-Resident Contractor Permit (each job)	\$20.00 per job
Non-Resident Landscape Contractor Permit	\$72.00 per year
Temporary General Permit	no fee

Sponsor: City Manager
Originator: City Manager

Postponed 12/8/14 to 3/9/15

CITY OF ROCKLAND, MAINE

ORDER #10

IN CITY COUNCIL

February 9, 2015

ORDER Authorizing Reserve Fund Expenditure – Audio/Visual Equipment

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

Postponed 2/9/15 to 3/9/15

CITY OF ROCKLAND, MAINE

ORDER #12

IN CITY COUNCIL

March 9, 2015

ORDER Accepting Grant Funds – MMA 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) to support the City's Wellness Program.

Sponsor: City Manager

Originator: City Manager

CITY OF ROCKLAND, MAINE

ORDER #13

IN CITY COUNCIL

March 9, 2015

ORDER Authorizing application and matching funds for, and expenditure of, an Economic Development Administration Grant and Maine Department of Transportation Grant for capital improvements to the Municipal Fish Pier.

WHEREAS, the City owns and manages the Rockland Municipal Fish Pier; and

WHEREAS, the City is seeking state and federal support for critical repairs and improvements to the Rockland Municipal Fish Pier totaling approximately \$1.0 million;

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

THAT the City Council authorizes the City Manager to apply for an Economic Development Administration Grant and Maine Department of Transportation Grant to fund capital improvements to the Rockland Municipal Fish Pier; and

THAT the City hereby appropriates \$100,000 from the Fish Pier Improvement Reserve Account (#70000-01776) for the City's match for such grants.

Sponsor: City Manager

Originator: Community Development Director &
Fish Pier Manager

CITY OF ROCKLAND, MAINE

ORDER #14

IN CITY COUNCIL

March 9, 2015

ORDER Authorizing Participation in and Expenditure of Funds for a Regional High Speed Internet Access Planning Study.

WHEREAS, the City recognizes the importance of exploring opportunities for increasing high speed access to the internet for economic development; and

WHEREAS, the City is initiating a regional high speed internet planning study to be undertaken in partnership with communities in Knox County and Waldo County,

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

THAT the City Manager or his designee is hereby authorized to enter into an agreement with a professional services consultant and other area municipalities to undertake a regional high speed internet access planning study; and

THAT the City Manager or his designee is hereby authorized to negotiate such municipalities' respective funding obligations for the regional high speed internet access planning study and disburse funds for the study not to exceed \$25,000; and

THAT the City Manager or his designee is hereby authorized to execute any other necessary documents to conduct the regional high speed internet access planning study.

Sponsor: Councilor Pritchett

Originator: Community Development Director

CITY OF ROCKLAND, MAINE

ORDER #15

IN CITY COUNCIL

March 9, 2015

ORDER Authorizing Credit Enhancement Agreement for 435 Main Street, LLC

WHEREAS, 435 Main Street LLC (“435 Main”) has requested that the City enter into a Credit Enhancement Agreement with 435 Main to support its continued investment in the historic brick structure located at 435 Main Street in Rockland (the “Premises”); and

WHEREAS, the City Council wishes to support the investment in and rehabilitation of historic structures in the Downtown as a mechanism for preserving Rockland’s architectural heritage and promoting economic development; and

WHEREAS, the City and 435 Main have reached agreement as to an appropriate disposition of incremental real property tax revenue increases that are anticipated to be generated by 435 Main’s investments in and rehabilitation of the Premises during the first twelve fiscal years following the adoption of this agreement,

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

THAT, the City Manager is authorized to enter into a Credit Enhancement Agreement with 435 Main Street, LLC providing for the allocation of incremental increases in real property tax revenues generated by the rehabilitation of 435 Main Street, in substantial conformance with the following proposed agreement:

CREDIT ENHANCEMENT AGREEMENT

This **CREDIT ENHANCEMENT AGREEMENT** (the “Agreement”) is entered into and effective as of February 10, 2015, by and between the **CITY OF ROCKLAND, MAINE**, a municipality organized and existing under and by virtue of the laws of the State of Maine, located in the County of Knox and State of Maine (hereinafter “Rockland” or the “City”), and **435 MAIN STREET, LLC**, a Maine limited liability company with its principal place of business at 435 Main Street in the City of Rockland, County of Knox, and State of Maine (hereinafter “435 Main”).

WITNESSETH THAT:

WHEREAS, on February 27, 2008, pursuant to Title 30-A, Maine Revised Statutes, Chapter 206, the City established the City of Rockland Downtown and Waterfront Tax Increment Financing District (the “Downtown TIF District”), a downtown designated TIF District (as amended by vote of the City Council on November 13, 2013) and adopted a Development Program and Financial Plan for the Downtown TIF District (the “Development Program”); and

WHEREAS, the Development Program contemplated and authorized the City Council to approve Credit Enhancement Agreements between the City and owners of property within the Downtown TIF District, as contemplated herein, in further conformance with the City's TIF Policy as amended; and

WHEREAS, 435 Main is the owner of real property located at 435 Main Street in Rockland (Tax Map 4-B-12) (the "Premises"), a four story brick building located within the Downtown TIF District; and

WHEREAS, 435 Main has secured approval for and has commenced redevelopment of said Premises at an approximate cost to date of \$1.325 million, and contemplates making additional investments to rehabilitate the Premises, including its upper stories, at an anticipated cost of approximately \$2 million; and

WHEREAS, 435 Main has requested this Credit Enhancement Agreement to support continued investment in the Premises; and

WHEREAS, Rockland and an affiliate of 435 Main have, under separate agreements, jointly participated in funding public improvements to the parking area and pedestrian amenities located east of the Premises, known as the Thorndike Parking Lot; and

WHEREAS, Rockland and 435 Main seek to memorialize their agreement to the disposition of incremental real property tax revenues that are anticipated to be generated by 435 Main's investments in and improvements to the Premises during the first twelve fiscal years following the adoption of this Agreement,

NOW, THEREFORE, in consideration of the foregoing and the mutual promises and covenants set forth herein, the City of Rockland, Maine and 435 Main Street, LLC agree as follows:

ARTICLE I – DOWNTOWN TIF DISTRICT

SECTION 1.1. AUTHORITY.

Under the City of Rockland Downtown and Waterfront Tax Increment Financing District and associated Development Program, as approved by the State of Maine Department of Economic & Community Development ("DECD"), the City has authority to enter into this Credit Enhancement Agreement. When executed, a copy of this Agreement shall be submitted to DECD for its records, but is not subject to DECD review or approval.

The Downtown TIF District provides for the disposition of the amount of real property tax assessed on real property in the District by the City in each of Fiscal Years 2014 through 2038, less the tax attributable to the Original Assessed Value of the District, established in the City's original Development Program and reconfirmed in its amended Development Program. The Premises at 435 Main Street in Rockland is included in the Downtown TIF District, and the assessed value of the Premises is included in the Original Assessed Value of the District.

For the purposes of this Agreement, the Premises Original Assessed Value (“Premises OAV”) shall be the value of the Premises as assessed by the City of Rockland on April 1, 2013. Said Premises OAV and all taxes due and generated by the Premises based on that Premises OAV shall be allocated to the City’s General Fund, in part, and retained within the Downtown TIF District, in part, in conformance with the Development Program (the “Premises Retained Tax Increment Revenue” or “PRTIR”). Any taxes generated from increases in the assessed value of the Premises above the Premises OAV shall be allocated to the City and 435 Main in conformance with this Agreement, and subject to all other terms and conditions set forth herein.

ARTICLE II – DEVELOPMENT PROGRAM FUND

SECTION 2.1. CREATION OF THE 435 MAIN DEVELOPMENT PROGRAM FUND.

The City shall establish a segregated fund pursuant to and in accordance with Title 30-A, Maine Revised Statutes (“M.R.S.”), Section 5227(3) (the “435 Main Development Program Fund”). The 435 Main Development Program Fund shall account for the New Tax Increment Revenue (“NTIR”) generated on property value above and beyond the Premises OAV, and shall include one or more separate sub-accounts to reflect that portion of the NTIR that is to be paid to 435 Main to defray its project costs, as provided in 30-A M.R.S. § 5227(3)(a)(1) and as further defined as follows (the “Project Costs”):

- A. Phase I Project Costs shall include all structural, utility installation, engineering, and other soft costs to secure the future build out of the property and to create usable space for one or more Main Street businesses (including the Main Street and basement levels of such business(es)). Phase I shall also include the build out and equipping of all of the Main Street level;
- B. Phase II Project Costs shall include finishing out and installation of all equipment for the basement levels of the Main Street business(es), which are also accessible from Kimball Lane at the rear of the building;
- C. Phase III Project Costs shall include installation of elevator and a minimum of 15 residential units on upper floors (above the Main Street level);
- D. Phase IV Project Costs shall include any inner access to adjoining properties on the upper floors.

Such 435 Main Development Program Fund shall also account for that portion of New Tax Increment Revenue that is to be utilized by the City for authorized economic development expenses (the “Economic Development Expenses, Table One”) as defined in the Downtown TIF District Development Program, as Amended. Rockland shall hold all monies properly accounted for in the Project Costs sub-account for the benefit of and to be paid to 435 Main as provided in this Agreement.

ARTICLE III – PAYMENT OBLIGATIONS

SECTION 3.1. PAYMENTS TO DEVELOPER.

A. For each Fiscal Year that this Agreement remains in effect, Rockland shall, upon its receipt of a payment by 435 Main of its New Tax Increment Revenue, deposit in the 435 Main Development Expenses sub-account all or part of such payment as follows (“Rockland’s Share”), until such share shall be paid in full for that fiscal year:

CEA YEAR	CITY FISCAL YEAR	ROCKLAND’S SHARE OF NTIR	435 MAIN’ SHARE OF NTIR
1	2016	25%	75%
2	2017	25%	75%
3	2018	25%	75%
4	2019	25%	75%
5	2020	50%	50%
6	2021	50%	50%
7	2022	50%	50%
8	2023	50%	50%
9	2024	75%	25%
10	2025	75%	25%
11	2026	75%	25%
12	2027	75%	25%

- NTIR is New Tax Increment Revenue -

B. Rockland shall deposit the balance of 435 Main’ tax payment(s) for each fiscal year that this Agreement remains in effect in the Project Costs sub-account, also as set forth in the preceding table (“435 Main’s Share”).

C. Within thirty (30) days following Rockland’s receipt of tax payment(s) in excess of Rockland’s Share for that fiscal year, Rockland shall pay to 435 Main all amounts then on deposit in the Project Costs sub-account, for the purpose of defraying 435 Main’s Project Costs, less an annual \$1,000 administrative fee retained by the City pursuant to the City of Rockland Tax Increment Financing Policy, as amended, to defray the cost of administering this Agreement.

D. If 435 Main fails to pay any portion of the real property tax assessed by the City on the Premises, the taxes actually paid shall be applied first to the tax due on account of the Premises Original Assessed Value; second, to payment of Rockland’s Share of the Retained Tax Increment Revenues; and third, to payment of 435 Main’s Share.

E. Rockland’s payment obligations hereunder shall be a limited obligation of the City payable solely from monies actually on deposit and available in the Retained Tax Increment Revenues Project Costs sub-account. Rockland’s payment obligations shall not constitute a general debt or obligation on the part of the City or a general obligation or charge against or pledge of the faith and credit or taxing power of the City of Rockland, the State of Maine, or any political subdivision thereof. This Agreement shall not directly or indirectly or contingently obligate the City, the State of Maine, or any other municipality or political subdivision to levy or

to pledge any form of taxation whatever therefor, or to make any appropriation for their payment, excepting the City's obligation to levy property taxes upon taxable property in the Downtown TIF District.

SECTION 3.2. INCENTIVE PAYMENTS TO DEVELOPER

A. The Rockland and 435 Main Shares set forth in Section 3.1(A), *infra*, for Fiscal Years 2020 – 2027 shall be replaced with the following shares, in the identified Fiscal Year, upon and only in the event of 435 Main's substantial completion of Phases II and III of the Project, as defined in Section 2.1:

CEA YEAR	CITY FISCAL YEAR	ROCKLAND'S SHARE	435 MAIN' SHARE
5	2020	25%	75%
6	2021	30%	70%
7	2022	40%	60%
8	2023	50%	50%
9	2024	50%	50%
10	2025	75%	25%
11	2026	75%	25%
12	2027	75%	25%

ARTICLE IV – EFFECTIVE DATE; TERM

SECTION 4.1. COMMENCEMENT DATE AND TERM.

The obligations of the parties under this Agreement shall commence as of the date of the substantial completion of Phase I of the rehabilitation of the Premises as defined in Section 2.1 (the "Commencement Date"), and shall remain in full force and effect until the occurrence of either (A) 435 Main's payment of all tax assessed on the Premises and owed to the City for all fiscal years up to and including Fiscal Year 2027 and the City's payment to 435 Main, within the applicable deadline(s), of all amounts due hereunder, or (B) the termination of this Agreement as set forth in Section 4.2.

ARTICLE IV – CONDITIONS

SECTION 4.1 CONDITIONS.

The City's payment obligations set forth in Article III are subject to and conditioned upon 435 Main's performance of the following conditions, and the City shall have no obligation to make any payment set forth in Article III upon 435 Main's failure to perform any one or more of said conditions:

- A. 435 Main shall make improvements to the Premises that encourage a mix of uses;
- B. 435 Main shall make improvements to the Premises that facilitate a greater level of public

access;

- C. 435 Main shall install an elevator shaft providing access to units on the upper floors;
- D. 435 Main shall acquire, install, and operate surveillance equipment mounted on the Premises for the purpose of providing 24-hour video surveillance of Thorndike Parking Lot; and
- E. Where practicable, 435 Main shall make improvements to the structure consistent with the Downtown Zone's design standards.

ARTICLE V – DEFAULT; TERMINATION; REMEDIES

SECTION 5.1. DEFAULT.

Each of the following events shall constitute and be referred to in this Agreement as an "Event of Default":

- A. 435 Main shall fail to satisfy one or more of the conditions set forth in Article IV when, or for as long as is, required;
- B. 435 Main shall fail to pay when due and in full all real and personal property taxes lawfully assessed by the City on the Premises, subject to 435 Main's statutory right to request an abatement pursuant to 36 M.R.S. § 843 and to appeal a denial of the same;
- C. The City shall fail to pay any amounts due to 435 Main under this Agreement, when the same shall become due and payable, and shall fail to cure the same within thirty (30) days of written notice thereof; or
- D. The City or 435 Main shall fail to observe or perform any other material term or condition of this Agreement, and shall fail to cure the same within thirty (30) days of written notice thereof.

SECTION 5.2. REMEDIES UPON DEFAULT.

Whenever any Event of Default described in Section 5.1 hereof shall have occurred and be continuing, the non-defaulting party, following any applicable cure period, shall have the right to seek specific performance of the terms and conditions of this Agreement, and actual damages consisting of and limited to any payment not made when due. No party shall have, and each party hereby waives, any claim for incidental, consequential, or punitive damages, and any tort remedy other than for an intentional or negligent misrepresentation. Nothing in the foregoing or elsewhere in this Agreement waives Rockland's statutory or other remedies and lien authority for non-payment of real or personal property taxes. Delay or omission to exercise any right or power accruing upon any Events of Default, to immediately insist upon the strict performance of any of the covenants and agreements herein set forth, or to exercise any rights or remedies upon the occurrence of an Event of Default shall not impair any such right or power or be considered

or taken as a waiver or relinquishment for the future of the rights to insist upon and to enforce, from time to time and as often as may be deemed expedient, by the appropriate legal or equitable remedy set forth herein, strict compliance by the parties with all of the covenants and conditions hereof, or of the rights to exercise any such rights or remedies, if such Events of Default be continued or repeated.

ARTICLE VI – MISCELLANEOUS

SECTION 6.1. SUCCESSORS.

In the event of the merger or consolidation of 435 Main, the terms and conditions of this Agreement shall bind or inure to the benefit of the successor corporation or other business entity, individual, or board to whom or to which any power or duty of 435 Main shall be transferred.

SECTION 6.2. ASSIGNMENT.

435 Main shall not pledge or assign any of its right(s) or obligations hereunder to any third party, other than a successor by merger or consolidation, without the prior written consent of the City, through its City Manager, in the City's sole discretion, which consent shall not unreasonably be withheld. Notwithstanding the City's written consent, no pledge or assignment of this Agreement shall be effective as against the City until thirty (30) days after a written notice thereof has been delivered to and received by the City, from 435 Main. Following receipt of any such notice, the City shall have no liability to 435 Main for any payment made by the City in good faith directly to any such pledgee or assignee pursuant to the terms of such pledge or assignment, including any purported exercise of rights thereunder by the pledgee or assignee, whether or not such direct payment is erroneously made. The City's consent to any such pledge or assignment shall not obligate the City to make payment to such pledgee or assignee in circumstances where 435 Main, by reason of an uncured breach of an obligation under this Agreement, would not be entitled to receive such payment directly from the City. The City may also condition any payments under this Agreement to such pledgee or assignee upon execution of a prior express written assumption of 435 Main's obligations under this Agreement by such pledgee or assignee.

SECTION 6.3. PARTIES IN INTEREST.

Except as herein otherwise specifically provided with respect to successors, pledgees, and assignees, nothing in this Agreement expressed or implied is intended nor shall be construed to confer upon any person, firm, or corporation other than the parties hereto any right, remedy or claim under or by reason of this Agreement, it being intended that this Agreement shall be for the sole and exclusive benefit of the parties and their respective, authorized successors and assigns.

SECTION 6.4. SEVERABILITY.

In the event that any one or more of the provisions of the Agreement shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Agreement and this Agreement shall be construed and enforced as if such illegal or invalid

provision had not been contained herein.

SECTION 6.5. NO PERSONAL LIABILITY OF OFFICIALS OF THE CITY.

No term, condition, or obligation of any kind whatsoever of the City contained herein shall be deemed to be an obligation of any present or future elected or appointed official, officer, agent, servant or employee of the City in his individual capacity and neither the members of the City Council of the City nor any official, officer, employee or agent of the City shall be liable personally with respect to this Agreement or be subject to any personal liability or accountability by reason hereof.

SECTION 6.6. GOVERNING LAW; VENUE FOR SUITS.

The laws of the State of Maine shall govern the construction and enforcement of this Agreement. Any action by either party to construe or enforce any of the terms, conditions, covenants or obligations of this Agreement shall be brought, if at all, in the District or Superior Court in Rockland, Maine, and otherwise shall be barred.

SECTION 6.7. NOTICES.

All notices, certificates, requests, requisitions or other communications required to be given by the City or 435 Main under this Agreement shall be in writing and shall be sufficiently given and shall be deemed given when mailed by first class mail, postage prepaid, to the following addresses:

If to the City: City Manager
 City of Rockland
 270 Pleasant Street
 Rockland, ME 04841

If to the Developer: 435 Main Street, LLC
 435 Main Street
 Rockland, ME 04841

Either party may, by notice given to the other in the manner provided in this Section, designate any further or different addresses to which subsequent notices, certificates, requests or other communications shall be sent hereunder.

SECTION 6.8. AMENDMENTS.

This Agreement may be amended only in a writing authorized and executed by both of the parties hereto.

SECTION 6.9. NO JOINT VENTURE.

Nothing in this Agreement shall be deemed to create a joint venture, partnership, or

similar association between the City and 435 Main, or to impose any shared liabilities for legal claims beyond those existing by law.

SECTION 6.10. NO WAIVER OF IMMUNITIES.

Nothing in this agreement shall be deemed in any manner or for any purpose to limit, waive or impair any immunity from judgment or suit or limitation on damages presently enjoyed by the City in its governmental capacity under provisions of the Maine Tort Claims Act, 14 M.R.S. §§ 8101 *et seq.*, or other provisions of law.

SECTION 6.11. ENTIRE AGREEMENT.

This Agreement completely and fully supersedes all other prior or contemporaneous understandings or agreements, both written and oral, between Rockland and 435 Main relating to the subject matter of this Agreement and the transactions contemplated hereby.

SECTION 6.12. TAX LAW AND VALUATION CHANGES.

The parties acknowledge that all laws of the State of Maine now in effect or hereafter enacted with respect to taxation of property shall be applicable and that the City, by entering into this Agreement, is not excusing any non-payment of taxes by 435 Main. Without limiting the foregoing, the parties shall always be entitled to exercise all rights and remedies regarding assessment, collection and payment of taxes assessed on the Premises. In addition, the Development Program makes certain assumptions and estimates regarding valuation, tax rates and estimated costs. The parties agree that the assumptions, estimates, analysis and results set forth in the Development Program shall in no way (a) prejudice the rights of any party or be used, in any way, by any party in either presenting evidence or making argument in any dispute which may arise in connection with valuation of or abatement proceedings relating to the Premises for purposes of ad valorem property taxation, or (b) vary the terms of this Agreement even if the actual results differ substantially from the estimates, assumptions or analysis.

The parties further acknowledge that the projected reimbursement amounts to be paid by the City to 435 Main under this Agreement and the Development Program are based on property tax laws of the State of Maine in force as of the date of this Agreement. The City shall have no obligation to supplementally appropriate or otherwise supply any shortfall in the reimbursement amounts actually paid from the projected reimbursement figures, resulting from any future changes in State of Maine property tax laws, property assessments, State of Maine funding formulas, or other causes. In all cases, the City's reimbursement obligations under this Agreement shall be limited to a maximum of the Retained Tax Increment Revenues required by this Agreement to be accounted for in the Project Costs sub-account.

IN WITNESS WHEREOF, the City of Rockland, Maine and 435 Main Street, LLC have caused this Agreement to be executed in their respective corporate names and their respective corporate seals to be hereunto affixed and attested by the duly authorized officers, all as of the date first above written.

WITNESS:

CITY OF ROCKLAND, MAINE:

Stuart H. Sylvester, City Clerk

by: _____
its: City Manager

AS TO FORM:

Kevin J. Beal, City Attorney

WITNESS:

435 MAIN STREET, LLC:

print: _____

by: _____
its: _____

Sponsor: Councilor Pritchett
Originator: Community Development Director

CITY OF ROCKLAND, MAINE

ORDER #16

IN CITY COUNCIL

March 9, 2015

ORDER Authorizing Use of Main Street & Fee Waiver - Lobster Festival Parade

IT IS HEREBY ORDERED BY THE CITY COUNCIL AS FOLLOWS:

THAT the Rockland Festival Corporation is hereby authorized to close Main Street on Saturday, August 1, 2015 to hold the Annual Maine Lobster Festival Parade. The Festival Corporation shall be responsible for setting up for and cleaning up after this event, coordinating with the Rockland Fire and Police Departments for any necessary public safety and/or traffic control measures, and shall provide proof of liability insurance to the City prior to holding this event. Any fees associated with this event are hereby waived.

Sponsor: City Manager

Originator: Rockland Festival Corporation

City of Rockland Special Events Application

Date of Event: 8/11/15
Start Time: 10am
Completion Time: 12 pm
Rain Date: NA

Type of Event: Parade
Foot Race
Demonstration
Participants: 100 +/-

Walk
Bike Race
Other

SECTION I. APPLICANT

Title of Event: MLF Parade Name of Applicant Organization: Maine Lobster Festival
Address: PO Box 552, Rockland ME 04841
Telephone: 800-576-7512 Type of Organization: for profit / non-profit / other: _____

Representative of the Organization (at least one name required - must be the applicant):

Name: Jan Chapman Position: Director Telephone: 449-5658 Business: 354-8777

SECTION II. CITY PROPERTY

Proposed Use of City Owned Property (specify whether admission to be charged, and how much)
Building / Park / Street Closure / Use of Public Way / Other City Owned property

(City Council or Harbor Management Commission approval required for street/sidewalk closure or exclusive use of park)

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

Parking: Yes Location(s): Broadway, Birch, Lawn Ave, North
Main, Main, Cedar + Lower Cedar St.

Liquor Service? _____ (license required) Type of License (attach copy): _____

Food Service? _____ (attach copy of state license) Describe arrangements for food
storage, preparation, and type and storage of cooking fuels: _____

Sanitary facilities: Type: _____ # Available: _____

Contractor / Contact Info: _____

Signage? Location(s): VARIOUS STREETS Number: _____

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

Electrical Installations? Type: _____ Location(s): _____ Contractor: _____

Tents? Number: _____ Location(s): _____ Contractor: _____ Dates: _____

Insurance: Agent: _____ Contact: _____ Limits: _____

(Attach copy of insurance rider / declaration page)

SECTION IV. EVENT INFORMATION

A. Assembly Area Prior to Event: 7 AM line up, 9 AM road closures

B. Will the Event Disrupt Traffic Patterns? Yes YES No _____

C. Traffic Detours Needed? Yes YES No _____

D. Are Street Closures Necessary? Yes YES No _____

E. Traffic Control Equipment (signs, barricades, etc.) Needed? Yes YES No _____

F. Who Will Provide Traffic Control? RPID + MLF

G. Will the Event Disrupt Retail Businesses? Yes _____ No _____

(If yes, you must notify those affected businesses)

H. Type of Crowd Expected to Attend? Entire Community!

SECTION V. CITY SERVICES REQUESTED and / or REQUIRED

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

POLICE DEPARTMENT SUPPORT
(Contact (207) 594-0317)

Yes No

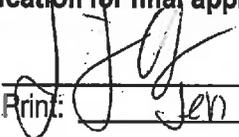
FIRE DEPARTMENT / EMS SUPPORT
(Contact (207) 594-0318)

Yes No

DEPARTMENT OF PUBLIC WORKS SUPPORT
(Contact (207) 594-0320)

Yes No

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

Signature of authorized representative: 

Date: 2/24/15

Print: Jen Chapman

SECTION VI. CITY OF ROCKLAND USE ONLY

POLICE:

Approved as submitted: 
Chief of Police / Designee

Approved with conditions: _____
Chief of Police / Designee

Conditions: _____

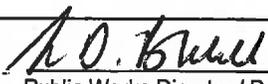
FIRE:

Approved as submitted: 
Fire Chief / Designee

Approved with conditions: _____
Fire Chief / Designee

Conditions: _____

PUBLIC WORKS:

Approved as submitted: 
Public Works Director / Designee

Approved with conditions: _____
Public Works / Designee

Conditions: _____

HARBOR & WATERFRONT

(for Buoy, Harbor, or Snow Marine Park)

Approved as submitted: N/A
Harbor Master

Approved with conditions: _____
Harbor Master

Conditions: _____

Mr. James D. Chaousis
City Manager
City of Rockland



February 27th, 2015

Sir,

On behalf of the Rockland Festival Corporation, please accept this request for a waiver of fees associated with the 2015 Maine Lobster Festival Parade to be held on Saturday August 1st, 2015.

The 68th Maine Lobster Festival Parade is an annual event held in Rockland that draws an estimated 10,000 – 20,000 visitors to the Mid-Coast area each summer. Each year the Parade Committee looks to improve the quality of the event by attracting groups and organizations with links to the lobster and fishing industries as well as ties to the Mid-Coast. The success of this event each year continues to grow as evidenced by the numbers of spectators who arrive early on the streets of Rockland to secure prime viewing sites!

We are asking that the estimated \$1,700.00 in Police coverage for this event be waived, as has been done in past years. The Lobster Festival takes the responsibility of setting up the barricades prior to the parade and for post parade cleanup as well.

Sincerely,

A handwritten signature in black ink that reads "Brian Plourde". The signature is written in a cursive style and is followed by a long horizontal line.

Brian Plourde
President - MLF

CITY OF ROCKLAND, MAINE

ORDER #17

IN CITY COUNCIL

March 9, 2015

ORDER Authorizing Review of City's Options For One Park Drive & Coast Guard Collection

WHEREAS, the City of Rockland, the Rockland Festival Corporation and the Maine Lighthouse Museum jointly developed the three unit One Park Drive Condominium Association to enable each party to separately purchase the space each was then leasing when 1 Park Drive was offered for sale in 2007; and

WHEREAS, the Rockland Police Department has occupied Unit 2 as City owned property since 2007 and the City has paid all debt incurred for this acquisition; and

WHEREAS, since the 1970's the City of Rockland, under an agreement with the United States Coast Guard, has been the steward of the largest known collection of historical Light House and Coast Guard artifacts; and

WHEREAS, the City of Rockland loaned this valuable collection, plus additional City owned historical items of local significance, to the Maine Light Museum for preservation and public display in Unit 1 of One Park Drive; and

WHEREAS, the financial condition of the Maine Lighthouse Museum has deteriorated to the point that the museum is no longer able to pay insurance on the collection on loan from the City to the Museum; and

WHEREAS, despite hard work by many, the Maine Lighthouse Museum has not proved to be financially viable and owes the One Park Drive Condominium Association more than \$150,000 in unpaid dues for the operation and maintenance of One Park Drive; and;

WHEREAS, the inability of the Light House Museum to pay its share of Condominium dues has meant essential maintenance and upgrades to the HVAC systems at One Park Drive could not be performed and the system has degraded to the point that operation costs are exorbitant and working conditions in the Unit occupied by the Rockland Police Department are poor; and

WHEREAS, the One Park Drive is a harbor view facility that initially many community organization envisioned as a Gateway Center to Rockland and Penobscot Bay and that has significant community value for this and potentially other uses,

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

THAT, the City Manager is directed to take all appropriate steps to promptly fully secure the collection; and

THAT, the City Manager is authorized to pay the insurance coverage for the artifacts that are the responsibility of the City which are currently being housed in Unit 1 of One Park Drive from the City's Property and Liability Insurance Account (#10072-05093); and

THAT, the City Manager is directed to contact other museums to determine whether any other experienced entity would be interest in managing the collection currently on loan to MLM for the City; and

THAT, the City Manager is hereby authorized to pay critical expenses for #2 fuel oil, water, sewer, and fire protection and liability insurance at 1 Park Drive from the City's Condominium Fees Account (#10031-07020) and to invoice the One Park Drive Condominium Association for reimbursement of any such expenditures to which the City is entitled; and

THAT, the City Manager is directed to review and present to Council what options may be technically and fiscally viable ranging from City gaining ownership (either solely or with a partner) of the MLM unit in the 1 Park Drive to selling the City's current unit.

**Sponsor: Councilor Pritchett
Originator: Councilor Geiger**