



Presque Isle City Council Meeting

Monday, June 24, 2013

5:00 PM

Presque Isle Council Chambers

AGENDA

Call to Order - Roll Call
Pledge of Allegiance

New Business

- 13-146 Accept resignation from Micah Desmond
- 13-147 Discuss Council vacancy
- 13-148 Discuss Budget
- 13-149 Paver project

Executive Session

- 13-150 Pursuant 1 M.R.S.A. Section 405 (6)(c) to discuss real estate transaction

Adjournment

PRESQUE ISLE CITY COUNCIL

MEETING OF June 24, 2013

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 146

SUBJECT:

Accept resignation from Micah Desmond

INFORMATION:

INCLUDED IS:

Letter of resignation from Micah Desmond.

APPROVAL AND/OR COMMENTS OF CITY MANAGER:

REQUESTED ACTION:

ES	RS	MD	RE	CG	PH	BS	
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BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to enter into Executive Session pursuant to 1 M.R.S.A. Section 405 (6) (c) to discuss a real estate transaction.

June 18, 2013

Mr. Bennett,

I want to start my letter by extending my appreciation to you and the other City Councilors for helping when I was first elected in 2012 for the City Council Position. I have found the first full year serving to be a great learning experience and I hope I was able to bring about some change for the better of the Community. I have found that times are very hard for everyone financially which make serving on the Council a very hard position to hold. While trying to make the right decisions for the Community I have found is usually not the most popular but in the long run will serve the City of Presque Isle.

I have taken the last couple of weeks talking with my wife Jessica, and at this time I feel it is for the best for us as a family as well as for our business in both Presque Isle and Houlton if I step down from my position as City Councilor for the City of Presque Isle. I was in hopes that by serving the Community the best I could that it would not affect our business or my personal life. For the past few months Amato's has turned into a place for people to complain to me, my wife, as well as staff about the decisions I have made or the inner workings of the City. When owning a small business you are not able to lose customers based solely on your decision to vote one way or another which we are starting to notice in our PI location.

Again, I want to thank you for allowing me to work with all of you and I will continue to follow what is going on and still have the desire along with my wife to do whatever we can to make the City of Presque Isle thrive the way we all know it can.

Best Regards,

Micah S. Desmond

PRESQUE ISLE CITY COUNCIL

MEETING OF June 24, 2013

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 147

SUBJECT:

Discuss Council vacancy

INFORMATION:

INCLUDED IS:

Memo from Jim and section 2.60 from the City Charter regarding filling of Council vacancies.

APPROVAL AND/OR COMMENTS OF CITY MANAGER:

REQUESTED ACTION:

ES	RS	MD	RE	CG	PH	BS	
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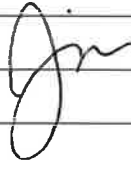
City of Presque Isle, Maine

The Office of
City Manager

James A. Bennett

Email: jbennett@presqueisleme.us

MEMORANDUM

TO:	Honorable City Council
FROM:	James A. Bennett, City Manager 
DATE:	June 20, 2013
RE:	Filling of Council Vacancy

On Monday evening we will be discussing the Council's options for replacing the seat Micah Desmond recently resigned from. Attached to this memo is section 2.60 of the City Charter which provides guidance on filling a Council vacancy.

Councilors may not seek or receive any pecuniary benefit that is controlled directly or indirectly by the Council. Former Councilors may not hold any compensated appointive office or employment with the City sooner than one year after their terms as Councilors expire. Except where authorized by law or this Charter, former Councilors may not seek or receive any pecuniary benefit that is controlled directly or indirectly by the Council sooner than one year after their terms as Councilors expire. This section does not prohibit the Council from selecting current or former Councilors to represent the City on the governing board of regional or other intergovernmental agencies.

- **Appointments and Removals.** No City Councilor may control or demand the appointment or removal of any City administrative officer or employee whom the City Manager or any subordinate of the City Manager is empowered to select for appointment and/or employment. The Council may express its views and discuss with the City Manager anything pertaining to appointment and removal of such officers and employees.
- **Interference with Administration.** Except for the purpose of inquiries and official investigations, the Council and Councilors must deal with City officers and employees who are subject to the direction and supervision of the City Manager solely through the City Manager. Councilors and the Council may not give orders to any such officer or employee.

(2.60) **FILLING OF VACANCIES:** A vacancy, as defined by law, in the membership of the Council must be filled for the remainder of any unexpired term, if any, at the next regular election if it is at least 60 days after the vacancy occurs, but the Council, by a majority vote of its remaining members, must appoint a qualified person to fill the vacancy until the person elected to serve the remainder of the unexpired term takes office. If the Council fails to do so within 30 days following the occurrence of the vacancy, the Clerk must call a special election to fill the vacancy, to be held at least 90 days and no more than 120 days after the vacancy occurs.

(2.70) **JUDGE OF QUALIFICATIONS:** The City Council is the judge of the election and qualifications of its members and of the grounds for forfeiture of office. The Council may set additional standards of conduct for its members beyond those specified in the Charter and may provide for such penalties it determines appropriate, including forfeiture of office. To exercise this authority, the Council may administer oaths, take testimony, and request the Clerks of the Supreme Judicial and Superior Courts to issue subpoenas for witnesses to attend and to produce any evidence at any Council hearing regarding a member's forfeiture of office. The subpoenas must be served as required in matters before the Supreme Judicial or Superior Courts. Failure to obey a subpoena is contempt, punishable under the general law.

PRESQUE ISLE CITY COUNCIL

MEETING OF June 24, 2013

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 148

SUBJECT:

Discuss Budget

INFORMATION:

INCLUDED IS:

Jim will provide information for you Monday evening.

APPROVAL AND/OR COMMENTS OF CITY MANAGER:

REQUESTED ACTION:

ES

RS

MD

RE

CG

PH

BS

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to enter into Executive Session pursuant to 1 M.R.S.A. Section 405 (6) (c) to discuss a real estate transaction.

PRESQUE ISLE CITY COUNCIL

MEETING OF June 24, 2013

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 149

SUBJECT:

Paver Project

INFORMATION:

INCLUDED IS:

Memo from Dana Fowler regarding paver project.

APPROVAL AND/OR COMMENTS OF CITY MANAGER:

REQUESTED ACTION:

ES

RS

MD

RE

CG

PH

BS

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City of Presque Isle, Maine

The Department of
Public Services

Dana H. Fowler, P.E.

Email: dfowler@presqueisleme.us

MEMORANDUM

TO:	City Council and City Manager James A. Bennett
FROM:	Dana H. Fowler, P.E., Director of Public Services <i>DHF</i>
DATE:	June 24, 2013
RE:	Purchase of Used Paver

The Public Works Division of the Public Services Department was requested to report back to the City Council regarding the purchase of a used asphalt paving machine. This paver would be used to pave small projects to include the bike path, parking lots, short streets, and to shim streets and roads prior to paving or chip sealing.

Deputy Public Works Director Larry DeMerchant and I have investigated the purchase of a used paver that would serve the needs of the City. Last year we borrowed a paver from a neighboring community and used it to pave a portion of the bike path and St. John Street. These projects worked out very well thanks to the skill, work experience, and willing attitude of the Public Works crew.

If we had the paver now, we could definitely put it to good use and reduce some of our costs for paving. However, given the recent municipal revenue sharing shortfall and its impending impact on the City's budget, we do not feel that this is the right time to make the purchase. If the economic outlook improves, we will consider bringing this item to the City Council again.

RECOMMENDATION

The recommendation of the Public Services Department is to take no action at this time on the purchase of an asphalt paver.

Memo to City Council paver purchase 062413.docx

PRESQUE ISLE CITY COUNCIL

MEETING OF June 24, 2013

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 150

SUBJECT:

EXECUTIVE SESSION – Discuss real estate transaction

INFORMATION:

INCLUDED IS:

APPROVAL AND/OR COMMENTS OF CITY MANAGER:

REQUESTED ACTION:

ES

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