



Presque Isle City Council Meeting

Monday, January 7, 2013

5:00 PM

Presque Isle Council Chambers

AGENDA

Present: Vice-Chairperson Randy Smith, Councilors Micah Desmond, Craig Green and Peter Hallowell

Deputy City Manager Martin Puckett and Beverly A. Labbe were also present.

Vice-Chairperson Randy Smith called the meeting to order at 5:00 PM and led those present in the Pledge of Allegiance.

Organization

13-1 Administer oath of office to newly elected City Councilors

Beverly Labbe, City Clerk, administered the oath of office to Councilor Green.

13-2 Election of City Council Chair for 2013

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Desmond to elect Councilor Emily Smith as the City Council chair for 2013. **Vote 4-0.**

13-3 Election of City Council Deputy Chair for 2013

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Green to elect Councilor Randy Smith as the City Council deputy chair for 2013. **Vote 4-0.**

13-4 2013 Appointments of Municipal Officials

- **City Attorney (*City Charter - Article 4.10*)**

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Desmond to appoint Hugo Olore Jr as the city attorney per Article 4.10 of the City Charter. **Vote 4-0.**

- **City Clerk (*City Charter - Article 4.10*)**

BE IT RESOLVED by Councilor Green, seconded by Councilor Desmond to re-affirm Beverly A Labbe as the city clerk per Article 4.10 of the City Charter for an indefinite period of time. **Vote 4-0.**

13-5 Appointments to Boards and Committees

- **Audit Committee (Two Seats - One Year Term - Expires 12-31-2013)**

BE IT RESOLVED by Councilor Randy Smith, seconded by Councilor Desmond to appoint Councilor Emily Smith and Hallowell for a one year term on the Audit Committee, term to expire on December 31, 2013. **Vote 4-0.**

- **Finance Committee (Two Seats - One Year Term - Expires 12-31-2013)**

BE IT RESOLVED by Councilor Green, seconded by Councilor Desmond to appoint Councilor Randy Smith and Hallowell for a one year term on the Finance Committee, term to expire on December 31, 2013. **Vote 4-0.**

- **Presque Isle Development Fund Board of Trustees (Two Seats - One Year Term - Expires 12-31-13)**

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Green to appoint Councilor Engels and Councilor Randy Smith for a one year term on the Presque Isle Development Fund Board of Trustees, term to expire on December 31, 2013. **Vote 4-0.**

- **Presque Isle Industrial Council Board of Directors (One Seat - Three Year Term - Expires 12-31-2013)**

BE IT RESOLVED by Councilor Green, seconded by Councilor Hallowell to nominate Councilor Engels as the Presque Isle City Council representative to the Presque Isle Industrial Council Board of Directors for a three year term or for the remainder of his/her term, whichever is less. **Vote 4-0.**

13-6 Set City Council meeting times and places for 2013

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Desmond that the regular City Council meetings be held on the first Monday of each month at 6:00 PM in the Council Chambers, City Hall, 12 Second Street, Presque Isle, Maine. In instances when the first Monday is a recognized holiday, or in cases of severe weather when offices are closed, the regular meeting shall be held on the following Wednesday of the month at 6:00 PM. At a regular meeting the City Council shall decide if it wants to call a special meeting at a date and time determined by the City Council. **Vote 4-0.**

13-7 Approve Policy on Treasurer's Disbursement Warrants for Employee Wages and Benefits

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Green to approve the Policy on Treasurer's Disbursement Warrants for Employee Wages and Benefits. **Vote 4-0.**

13-8 Approve Municipal Officers' Policy on Disbursement of Municipal Education Costs

BE IT RESOLVED by Councilor Randy Smith, seconded by Councilor Green to approve the Municipal Officers' Policy on Disbursement of Municipal Education Costs. **Vote 4-0.**

Public Hearings

13-9 Request to amend Chapter 48 - General Assistance Ordinance per Title 22 MRSA §4305 (4) (Second Hearing)

The public hearing portion of the meeting was opened at 6:06 PM. Hearing no comments from the public, the public hearing was closed at 6:06 PM.

BE IT RESOLVED by Councilor Green, seconded by Councilor Desmond to approve amendments to Chapter 48 - General Assistance Ordinance Appendices A-F. **Vote 4-0.**

13-10 Request to re-pass Ordinances due to "Sunset Provision"

The public hearing portion of the meeting was opened at 6:07 PM. Hearing no comments from the public, the public hearing was closed at 6:07 PM.

- Chapter 1 - City Seal
- Chapter 3 - Council Procedure
- Chapter 5 - Traffic Regulations
- Chapter 9 - License and Public Hearing Fees
- Chapter 18 - Fire Prevention Code
- Chapter 23 - Pawnbrokers
- Chapter 24 - Sidewalk Snow Removal
- Chapter 28 - Hawkers, Peddlers, Itinerant Venders & Transient Sellers of Consumer Merchandise
- Chapter 35 - Curb Cut
- Chapter 36 - Domesticated Animal
- Chapter 38 - Floodplain Management
- Chapter 40 - Conduct in Public Parks, Recreation Areas and Facilities
- Chapter 41 - Bike/Walker's Path
- Chapter 41A - Special Amusement
- Chapter 46 - Addressing
- Chapter 47 - Restricting Vehicle Weight on Posted Ways
- Chapter 49 - Administration of Government
- Chapter 50 - Advisory Board
- Chapter 55 - Pet Welfare
- Chapter 56 - Changeable Sign

Deputy City Manager Puckett stated that all these ordinances have a sunset provision which states they will cease to be in effect if not approved.

Several questions were asked regarding Chapter 28 – Hawkers, Peddlers, Itinerant Vendors & Transient Sellers of Consumer Merchandise. Does this ordinance apply to individuals who sell Avon or Mary Kay? Some Councilors felt this ordinance needs more clarification.

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Green to re-pass all the ordinances presented, with the exception of Chapter 28. **Vote 4-0.**

Citizen Comments

There were no comments from the public.

Consent Agenda

13-11 Approve City Council minutes for the regular meeting held on December 3, 2012 and November 7, 2012, and workshop meeting minutes of December 5, 2012 and December 10, 2012

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Desmond to approve City Council minutes for the regular meeting held on December 3, 2012 and November 7, 2012, and the workshop meeting minutes of December 5, 2012 and December 10, 2012. **Vote 4-0.**

13-12 Approve 2012 Warrants #44 - #48, totaling \$1,217,528.97

BE IT RESOLVED by Councilor Green, seconded by Councilor Hallowell to approve 2012 warrants #44 - #48, totaling \$1,217,528.97. **Vote 4-0.**

13-13 Ex-Officio Appointments to Boards and Committees

- **Airport Advisory Board (Three Ex-Officio Seats – One Year Term – James Bennett, Larry Clark and Scott Wardwell)**

BE IT RESOLVED by Councilor Green, seconded by Councilor Desmond to appoint James A Bennett, Larry Clark and Scott Wardwell as Ex-Officio non-voting members for a one year term to the Airport Advisory Board, term to expire on December 31, 2013. **Vote 4-0.**

- **Library Board of Trustees (Two Ex-Officio Seats – One Year Term – Sonja Plummer Morgan and Priscilla Webb)**

BE IT RESOLVED by Councilor Green, seconded by Councilor Desmond to appoint Priscilla “Pat” Webb and Sonja Plummer-Morgan as Ex-Officio non-voting members for a one year term to the Library Committee, term to expire on December 31, 2013. **Vote 4-0.**

- **Presque Isle Development Fund Board of Trustees (One Ex-Officio Seat - One Year Term - James Bennett)**

BE IT RESOLVED by Councilor Green, seconded by Councilor Desmond to appoint James Bennett as an Ex-Officio non-voting member for a one year term to the Presque Isle Development Fund Board of Trustees, term to expire on December 31, 2013. **Vote 4-0.**

- **Presque Isle Industrial Council Board of Directors (One Ex-Officio Seat - One Year Term - James Bennett)**

BE IT RESOLVED by Councilor Green, seconded by Councilor Desmond to nominate James Bennett as an Ex-Officio non-voting member for a one year term to the Presque Isle Industrial Council Board of Directors, term to expire on December 31, 2013. **Vote 4-0.**

13-14 Schedule two public hearings on January 23, 2013 and February 4, 2013 to rezone Academy Street

Kenneth Arndt, Planning & Development Director, asked the City Council to approve scheduling two public hearings to rezone two properties on Academy Street. One parcel is the former service station and the other is owned by the City. Over the past few years, several people have expressed interest in developing this area, but the zoning restrictions prohibit most development. Arndt stated that the Planning Board held their public hearing in September and are now presenting the request to the Council for approval.

Also included in this request are amendments to Chapter 16 - Land Use and Development Code, Chapter 1, Section XXII - Residential Office Zone. These amendments will only permit certain types of businesses within that zone and the developer must receive approval from the Planning Board.

BE IT RESOLVED by Councilor Green, seconded by Councilor Desmond to approve scheduling two public hearings, January 23, 2013 and February 4, 2013 to rezone Academy Street. **Vote 4-0.**

Old Business

12-303 TABLED: Appointment to Sewer District Board of Trustees

The individual has been scheduled for an interview on February 4, 2013.

BE IT RESOLVED by Councilor Green, seconded by Councilor Hallowell to table this agenda item until the next meeting. **Vote 4-0.**

New Business

13-15 Appointments to Boards and Committee - *For Information Only*

- Airport Advisory Board (Three Seats - Four Year Term - Expires 12-31-2016)
- Audit Committee (One Seat - One Year Term - Expires 12-31-2013)
- Board of Assessment Review (Three Seats - Three Year Term - Expires 12-31-2015, and One Alternate Seat - One Year Term - expires 12-31-2013)
- Downtown Revitalization Committee (Two Seats - Four Year Term - Expires 12-31-2016)
- Library Board of Trustees (Three Seats - Three Year Term - Expires 12-31-2015)
- Planning Board (Two Seats - Three Year Term - Expires 12-31-2015)
- PI Development Fund Board of Trustees (Three Seats - Three Year Term - Expires - 12-31-2015)
- Presque Isle Development Fund Board of Trustees - Annual Appointment (Two Seats - One Year Term - Expires 12-31-2013)
- Recreation & Parks Advisory Committee (One Seat - Four Year Term - Expires 12-31-2016)
- Zoning Board of Appeals (Three Seats - Three Year Term - Expires 12-31-2015)

Deputy City Manager Puckett stated there have been many new applicants who have applied to serve on the City's various boards. Interviews could not be set up in time for this meeting, so appointments will be made at the February meeting.

13-16 Acceptance of Healthy Maine Street grant

Kenneth Arndt, Planning & Development Director, addressed the Council regarding the Healthy Maine Street grant. Arndt stated that Presque Isle is a network community, and because of that, we were asked in October of 2012 to become one of twenty communities to not only participate in the growth and development of the downtown area, but also to promote a healthy downtown. The promotion of community based Healthy Maine Street grant could include things such as farmer's markets, trail maps, walking maps, etc. There is no cost to the City, and the City receives \$10,000 a year grant to run the program.

BE IT RESOLVED by Councilor Green, seconded by Councilor Desmond to authorize the City Manager to enter into an agreement with the Maine Downtown Center to participate in the Healthy Maine Street Program in accordance with the proposed "Letter of Agreement - 2012" as attached.

Vote 4-0.

13-17 Authorize the purchase of a used excavator and borrowing for it

Dana Fowler, Director of Public Services, asked the Council to authorize the purchase of a used 1997 Cat M320 from Chadwick-BaRoss in the amount of \$75,000. This piece of equipment will be used primarily for ditching of country roads. The excavator was formerly owned by Soderberg and has been maintained very well. Fowler would like to put \$15,000 down and borrow \$60,000.

Larry DeMerchant, Deputy Public Works Director, stated that he has tested the excavator, and it is in great shape. DeMerchant said the City is way behind on ditching, and the City would be saving money by buying the excavator and having the public works department do the ditching.

Questions were asked regarding the backhoe that is due for replacement. DeMerchant stated that the department does not need another backhoe at this time, it could really use this excavator.

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Desmond to authorize the City Manger to purchase a used 1997 Cat M320 from Chadwick-BaRoss for \$75,000 and to authorize the City Council Chairperson and Finance Director to secure a \$60,000 loan for four years at 3.25 percent. **Vote 4-0.**

Manager's Report

Deputy City Manager Puckett stated that the City has received the Certificate of Excellence in Finance Reporting from Government Finance Officers Association. This award is presented to the City for not only attaining the minimum standards in financial reporting, but for excelling. Puckett acknowledged Pat Webb, the City's Finance Director for her efforts.

There is a council meeting scheduled for January 23, 2013 at 6:00 PM.

Announcements

Vice-Chairperson Randy Smith read several announcements.

Adjournment

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Green to adjourn the meeting at 7:32 PM. **Vote 4-0.**

Attested by: _____
Beverly A Labbe, City Clerk