



Presque Isle City Council Meeting

Monday, June 3, 2013

5:00 PM

Presque Isle Council Chambers

AGENDA

Present: Chairperson Emily Smith, Vice-Chairperson Randy Smith, Councilors Micah Desmond, Richard Engels, Craig Green, Peter Hallowell and Bruce Sargent

City Manager James A Bennett and Beverly A Labbe were also present.

Chairperson Emily Smith called the meeting to order at 5:04 PM and led those present in the Pledge of Allegiance.

13-118 Tour of Outdoor Pool

Councilors moved the meeting to the Outdoor Pool for a tour.

Public Hearings @ 6:00 PM

13-119 Amend Chapter 40 - Conduct in Public Parks, Recreation Areas and Facilities (First Hearing)

The public hearing portion of the meeting was opened at 6:00 PM. Hearing no comments from the public, the public hearing was closed at 6:01 PM.

The second public hearing is scheduled for July 1, 2013.

13-120 Amend Chapter 38B Life Safety Code (Second Hearing)

The public hearing portion of the meeting was opened at 6:02 PM. Hearing no comments from the public, the public hearing was closed at 6:02 PM.

BE IT RESOLVED by Councilor Engels, seconded by Councilor Sargent to approve amendments to Chapter 38B - Life Safety Code as presented.

Vote 7-0.

13-121 Amend Chapter 16 - Land Use and Development Code to allow expansion of the boundary of the Downtown Retail Business Zone to four lots: 23, 29 and 39 Second Street and 221 State Street (Second Hearing)

The public hearing portion of the meeting was opened at 6:03 PM. Hearing no comments from the public, the public hearing was closed at 6:03 PM.

BE IT RESOLVED by Councilor Engels, seconded by Councilor Sargent to approve amendments to Chapter 16 - Land Use and Development Code to allow expansion of the boundary to the Downtown Retail Business Zone to four lots: 23, 29 and 39 Second Street and 221 State Street as presented.

Vote 7-0.

13-122 Approve a Nude Entertainment Establishment License for KBS Enterprises, Inc d/b/a Presque Isle Inn & Convention Center, 116 Main Street (Single Hearing) and request to waive filing fee

The public hearing portion of the meeting was opened at 6:04 PM.

Robb Miller, of Presque Isle Inn & Convention Center, presented the Nude Entertainment License on behalf of Kevin Simmons. Miller stated this is a re-submission of an application that had been denied at last month's council meeting, and asked the City Council to consider waiving the \$500.00 license fee as well as the public hearing fee of \$45.00 since the application was denied at the last meeting. Presque Isle Inn & Convention Center is aware they need to be in compliance with all of the requirements of Chapter 52 - Ordinance Regulating Commercial Displays of Nudity. Miller stated there are private bathrooms for the entertainers and security to maintain that privacy.

The public hearing portion of the meeting was closed at 6:07 PM.

City Manager Bennett stated there are two issues that need Council action; (1) is the application, and (2) the fees.

BE IT RESOLVED by Councilor Engels, seconded by Councilor Hallowell to deny a Nude Entertainment Establishment License for KBS Enterprises, Inc d/b/a Presque Isle Inn & Convention Center, with a location of 116 Main Street.

Vote 3-4, with Councilors Emily Smith, Randy Smith, Green and Sargent opposed.

BE IT RESOLVED by Councilor Green, seconded by Councilor Sargent to approve a Nude Entertainment Establishment License for KBS Enterprises, Inc d/b/a Presque Isle Inn & Convention Center, with a location of 116 Main Street and to waive the license fee, less the cost of the public hearing ad of \$45.00.

Councilor Hallowell asked if the motion could be broken up into two parts instead of voting on both pieces together.

Councilor Green amended his motion to only the Nude Entertainment Establishment License for KBS Enterprises, Inc d/b/a Presque Isle Inn & Convention Center.

Vote 4-3, with Councilors Desmond, Engels and Hallowell opposed.

BE IT RESOLVED by Councilor Green, seconded by Councilor Engels to waive the \$500 re-submission license fee, less the public hearing fee of \$45.00. **Vote 7-0.**

Hearing for Condemned Building

13-123 10 Dyer Street

City Manager Bennett stated the role of the City Council for this proceeding is to act as a quasi-judicial board to determine whether this building meets the statutory requirements of a dangerous building. The purpose of the hearing is to gather information from both parties, and the Council should not take any position until all the facts have been heard.

City Manager Bennett asked George Howe, Code Enforcement and Health Officer several questions.

Howe stated the property is located at 10 Dyer Street and said this has been an ongoing issue. Bennett asked if Howe was familiar with the statutes that deal with dangerous buildings. Howe stated that he was.

Bennett entered support documentation from Howe into the record. The support documentation included a memo from George Howe dated May 29, 2013; Chapter 38C - 2012 International Property Maintenance Code; M.R.S.A. Title 17, Section 2851; Dangerous Buildings; M.R.S.A. Title 22, Section 1561: Removal of Private Nuisance; M.R.S.A. Title 22, Section 461: Notice to Owner to Clean Premises; Expenses on Refusal; M.R.S.A. Title 17, Section 2802 Miscellaneous Nuisances; Notice of Hearing dated May 15, 2013; Condemned as Dangerous and Unsafe Placard dated June 4, 2012; pictures; Letters to Richard and Jean Good dated June 19, 2012, March 22, 2012 and February 17, 2012.

Howe presented additional pictures of 10 Dyer Street to the Council as evidence (also entered into the record).

Howe stated his initial inspection started with the exterior of the premises. Once the assessment of the outside was completed, Howe surmised the interior would also be sub-standard. The property's roof is rotten and caving in, there is pervasive mold, ceilings are falling down, windows and flooring are missing, there is unsafe electrical wiring and excessive water damage. Howe stated the building was deemed unsafe and placarded on June 4, 2012. Howe has been dialoging with the owners and they cannot make the necessary repairs to bring the structure up to Code. The owners are willing to allow the City to demolish the structure and make payment arrangements.

City Manager Bennett asked Fire Chief Darrell White what the standing orders are if the building were to catch fire. Chief White stated the firefighters have been instructed to not enter the building and to protect neighboring homes from becoming engulfed.

In Howe's and White's professional opinion, this building meets the criteria of a dangerous building as defined by State Statute.

City Manager Bennett concluded the City's presentation.

There was no one present to represent the property owners, nor were the property owners present.

The public hearing portion of the meeting closed at 6:17 PM.

Based upon the evidence presented and the testimony of the Code Enforcement Officer concerning the condition of the premises owned by Richard and Joan Good located at 10 Dyer Street,

BE IT RESOLVED by Councilor Engels, seconded by Councilor Randy Smith that the Council adjudge this property to be a nuisance and dangerous to life or property; that the Council make the record on Order stating that the owner shall, within (30) days of service of this Order, abate all conditions creating a nuisance or dangerous condition to the satisfaction of the code Enforcement Officer; that should the owner fail to comply within the specified time, the owner shall be assessed a civil penalty of \$100.00 per day and the City Council further directs the City Manager to cause the structure to be demolished and removed. The cost of such demolition and removal shall be charged against the real estate upon which the structure sets and shall constitute a lien on such real estate. **Vote 7-0.**

City Manager Bennett reiterated that if the property owners are not able to bring the property up to standards within thirty days, the City will demolish the building and send a supplemental bill to the property owners with their tax bill. If the owners do not pay, a lien will be placed on the property, and if payment is still not received, the property will become the City's. The owners have stated they are willing to make payment arrangements for the demolition costs.

Citizen Comments

Councilor Engels wanted to address the citizens who were present and those watching via TV. In 2013 there will be 10,000 tons of Municipal Solid Waste (MSW) disposed of in Presque Isle. That waste has to go somewhere. The cost to dispose of that tonnage in 2013 is \$1,626,083. \$415,259 of that amount is property tax support. Engels acknowledged that littering has increased, but there is less littering than before Pay As You Throw (PAYT) went into effect. Since the inception of PAYT, recycling has increased and the amount of space taken in the landfill has decreased. Engels stated that there have been complaints from renters because landlords have chosen to place the burden for garbage removal on the renters. Engels understands that the orange bags are not the best quality. Before PAYT, the three largest tax exempt entities did not pay for disposal, under PAYT, they do. Engels realizes some residents do not like PAYT, but if eliminated, how will disposal costs be handled?

Calvin Hall, former Councilor, addressed the Council regarding PAYT. Hall stated he supports the program for a few reasons. First, it extends the life of the landfill; second, it increases recycling; and third, it decreases the tax burden. Hall stated the City owns the landfill, so it is an asset. In regards to the indoor pool, Hall stated that there have been issues with the pool for many years. During the 1980's, Hall was an aquatic director, and noted even back then, pools never paid for themselves. However, the pool does bring people to our community. While folks are bringing their kids to the pool, many of them will be visiting a local restaurant. Hall pointed out that the Presque Isle indoor pool is the only competitive size pool north of Bangor. If the City could successfully negotiate an agreement with UMPI, and decide to close the City's pool, UMPI events will always come first, as they should; because they own the pool. Hall stated the State's choice to raid revenue sharing is the reason municipalities are being forced to make very difficult decisions and encouraged residents to contact their legislature and tell them what they think about the State's raid which is forcing municipalities to increase property taxes.

June Rand addressed the Council regarding the deputy city manager's position. Rand feels the City has never had a deputy before last year, and does not think the City needs one now. She asked the Councilors to consider cutting one manager before they consider cutting services. Rand does support PAYT.

Marie Sims spoke in opposition to PAYT. Sims stated that illegal dumping is a larger problem than the Councilors realize. Sims lives on the Chapman Road and has picked up garbage numerous times on the Chapman Road.

Joseph Underwood voiced his opposition to PAYT. Underwood stated that he walks a lot and has seen a hefty increase in illegal dumping. Underwood feels residents should be able to vote on PAYT like they did on the community center. He would also like to see only one manager.

Jacqueline Goodine addressed the City Council. Goodine stated that she has e-mailed all the Councilors and also sent pictures. In Goodine's opinion, there are problems with PAYT, and feels the program is not working. Goodine believes that if PAYT is eliminated, it will not decrease recycling or composting as reported and feels PAYT was pushed onto residents. Goodine also walks a lot and has noticed that illegal dumping has increased.

Donald Gardner, a former Councilor, stated that he was opposed to PAYT four years ago. Since the program has been instituted, there has been a steady increase in the price for the orange bags, and now residents have to pay for blue bags. Gardner feels the public should be able to vote on PAYT. In regards to the outdoor pool, Gardner feels the pool is an institution in the City and would like for it to remain open. Gardner stated that 100's if not 1,000's have learned to swim at the outdoor pool, and many families cannot afford to pay the indoor pool fees. Gardner suggested reallocating money for the new community center to the outdoor pool to keep it open. Gardner feels the "regular working people" should not be denied access to a pool.

Adam Murchison feels the Recycling Center is underutilized in the sense that more items could be recycled. Murchison mentioned that he used to work at the Recycling Center, and since then, #1 and #2 plastics along with newspapers and magazines are being mixed. The City is receiving less in revenue because they have mixed these products. Murchison also noted that the blue bags themselves are not recyclable. In regards to the outdoor pool, Murchison asked if it was possible to charge a fee for non-residents because he has seen buses from other towns utilizing the pool. They do not pay taxes and do not contribute in any way. Finally, Murchison feels the William V Haskell name is distinguished within the State and the new community center should keep his name.

Councilor Green addressed Mr. Murchison and stated he agrees with his statement regarding William V Haskell and believes that something should be done to honor his memory.

Todd Russell spoke in support of PAYT and feels it is a progressive idea in the sense that the City used a systematic approach to solve a problem. Russell stated our society has become accustomed to throwing things away. PAYT may be inconvenient, but it is a worthwhile program.

City Manager Bennett wishes circumstances were the same as they were in the mid 1990's when municipalities received more in revenue sharing from the State. Because the State has raided revenue sharing, it has forced Presque Isle to eliminate several positions in the last few years. Bennett reminded those present that the City had a planner and human resource director, those positions were eliminated and have been combined into the deputy city manager position. This year the City will be allocating one million towards capital. To fully fund the Capital Improvement Plan (CIP), we should be allocating two million. Blue bags were free to residents, but the City was paying \$40,000 and the blue bags were being used to return bottles. Then in 2013, the City combined the orange and blue bags and saved \$20,000. Now residents only buy blue bags when they need them. Bennett stated that in 2007, the solid waste department needed \$527,008 in tax support, in 2008, \$613,191, and if things remained the same, in 2011 tax support would have increased to \$874,485 because the debt service payment for the landfill expansion became due. Just to cover the solid waste increase, the City would have needed to increase the mill rate by one. Instituting the PAYT program saved \$500,000 to \$600,000 in property tax support.

Councilor Engels feels a lot of legitimate concerns were made this evening. Engels would like to see better enforcement of the City's litter laws, and feels the public needs to be better informed about what to do with oversized items and what items are recyclable.

City Manager Bennett stated all litter complaints are investigated, and any violator gets a summons if they are caught. In regards to oversized items, a suggestion was brought to the Council last year about establishing a punch card system, but no action was taken at that time. If the City wanted to have a spring clean-up day, funds would need to be allocated. Bennett stated recently he had some items that did not fit in the orange bag. He called a hauler and paid \$33.00 to have it hauled away.

Bennett explained that some recyclables cost more to recycle than what the City would be paid or what it would cost to landfill them. Staff made the decision that when it costs more to recycle items than it does to landfill, we chose to landfill.

Councilor Green spoke in regards to citizens voting on PAYT. If there are no other options or alternatives, residents voting against the program does not help residents dispose of their garbage. Green stated that people can go to the landfill themselves or call a hauler if they do not want to participate in PAYT.

Consent Agenda

13-124 Approve City Council minutes for April 11, 2013, April 29, 2013, May 6, 2013

13-125 Approve 2013 Warrants #16 - #19, totaling \$1,031,790.11

13-126 Pole Permit for Griffin Street

BE IT RESOLVED by Councilor Engels, seconded by Councilor Randy Smith to approve Consent Agenda Items #124 - #126. **Vote 7-0.**

Old Business

13-99 Efficiency Maine Lighting Upgrade

City Manager Bennett stated it makes sense to accept the proposal from Efficiency Maine to upgrade the lighting at City Hall, Rec & Parks and the Riverside building. In addition to those audits, Efficiency Maine has completed an audit at the Northern Maine Regional Airport, and the recommendation is to upgrade everything but the corporate hangar and the GA Terminal. Scott Wardwell, Director of the Airport, has the funds necessary for the upgrades in the 2013 budget, but needs support from the City Council.

BE IT RESOLVED by Councilor Green, seconded by Councilor Sargent that the City accept the proposal dated April 7, 2013 and presented by Efficiency Maine at the May 6, 2013 Council meeting to replace lighting fixtures and light bulbs at City Hall, Haskell Center and Riverside be accepted using the lump sum method of payment; \$3,971.89 for City Hall to be funded from the City Hall Capital Reserve, and \$2,587.90 for the Recreation and Parks Department to be funded from the Contingent Account, and to complete the upgrades at the Airport as presented. **Vote 7-0.**

13-101 Banner Policy

City Manager Bennett stated the Banner Policy has been vetted through the Presque Isle Downtown Revitalization Committee. There are two goals that will be accomplished by approving this policy. One is to establish a fee to cover costs of putting the banners up and taking them down; and two is to allow other events to be advertised.

BE IT RESOLVED by Councilor Emily Smith, seconded by Councilor Randy Smith to adopt the City of Presque Isle Street Banner Policy. **Vote 7-0.**

13-102 Discussion of discontinuing winter maintenance on certain roads

City Manager Bennett reported there would be a savings of \$2,250 if the City decided to discontinue winter maintenance of the northerly third of the Ashby Road between the Johnson Road and Ginn Road, and to discontinue plowing the Campbell Road. Bennett stated the City has been regularly maintaining these sections, so the City must go through a formal process to discontinue maintenance if that is what the Council decides.

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Randy Smith to continue winter maintenance of the northerly third of the Ashby Road between the Johnson Road and Ginn Road and to continue plowing the Campbell Road.

Vote 6-1, with Councilor Sargent opposed.

13-104 2013 Work Plan

City Manager Bennett noted that some of the items have no implantation strategy or dates placed beside them. If there are no problems with the document, it will be used as a working document for 2013 - 2014.

13-106 Rec & Parks Truck

Since last month's meeting, City Manager Bennett stated the Rec & Parks Department has looked at purchasing a used truck to replace the Chevrolet one ton they asked to be refurbished at last month's meeting. The department would like to reallocate reserve funds to position themselves to be able to purchase a used truck when they locate one.

BE IT RESOLVED by Councilor Green, seconded by Councilor Sargent to approve the reallocation of reserve funds totaling \$9,999 to be utilized towards the replacement of the department vehicle as presented.

Vote 7-0.

13-108 TABLED ITEM: Authorize Community Center project funding to come from anticipated future bond proceeds

City Manager Bennett stated the City isn't any closer to knowing what the State budget will be, so he is recommending tabling this and the following item until July.

BE IT RESOLVED by Councilor Engels, seconded by Councilor Green to table authorizing community center project funding to come from anticipated future bond proceeds until the July meeting.

Vote 7-0.

13-109 TABLED ITEM: Authorize Community Center bid documents

BE IT RESOLVED by Councilor Green, seconded by Councilor Engels to table authorizing community center bid documents until the July meeting.

Vote 7-0.

13-110 Student Living Program

City Manager Bennett gave the City Council a brief follow-up. During the 2013 budget discussions, the Council wanted the City to implement a Student Living Program. The program can only succeed if there are participants, and at this point, there are none. For this reason, the recommendation to not institute the student living program at this time, and try again next year.

Chief Darrell White stated that there were no successful candidates and he is recommending that the City stay with the per diems which they are currently using.

New Business**13-127 Presentation by Presque Isle Downtown Revitalization Committee**

Leigh Smith, Chairman of the Downtown Revitalization Committee made a presentation to the City Council. Smith displayed several photos of the changes that have occurred on Main Street in the recent past. Smith stated the committee held an event that recognized all those owners who have improved their storefronts. Smith thanked the City Council for their continued support of the downtown and the committee.

13-128 Refuse Collection License for Adam Dow

There was not enough information for the Council to proceed with this agenda item.

Councilor Desmond left the meeting at 7:30 PM.

13-135 Dudley Street Traffic Calming

City Manager Bennett stated that a few months ago, residents of Dudley Street signed and presented a petition asking the City to help control traffic speeds on Dudley Street. Two separate meetings have been held with the residents and the recommendation is for the City to purchase 'emotionally intelligent' signage and four sets of temporary speed bumps. Bennett would like to place two sets of speed bumps on Dudley Street and another two sets on other streets that will be impacted. Bennett would like to have the speed bumps in place for July and will report back to the Council in the fall. Bennett also mentioned that the flashing radar sign will soon be out, with traffic enforcement to follow.

BE IT RESOLVED by Councilor Engels, seconded by Councilor Green to authorize up to \$4,500 from the Contingency Account to fund the traffic calming efforts for Dudley Street and other potentially impacted areas.

Vote 6-0.

13-129 Appoint members to various boards

BE IT RESOLVED by Councilor Emily Smith, seconded by Councilor Randy Smith to appoint Pamela Sweetser to Planning Board to fill the unexpired term of Karl Dampf, term to expire December 31, 2013. **Vote 6-0.**

BE IT RESOLVED by Councilor Randy Smith, seconded by Councilor Green to appoint John Cancelarich to the Library Board of Trustees to fill the unexpired term of Jacqueline Goodine, term to expire December 31, 2014. **Vote 6-0.**

13-130 Naming Opportunity for Community Center

BE IT RESOLVED by Councilor Green, seconded by Councilor Hallowell to approve providing prospective Community Center project donors appropriate naming opportunities as presented. **Vote 6-0.**

13-131 Update by Police Department on Uniform Crime Report (UCR)

Police Chief Irwin gave a brief explanation of how to read the report. Irwin stated this report does not reflect family crimes such as domestic or child abuse. Irwin stated that crime is reported on a hierarchy scale; only the highest level of crime is reported. Presque Isle's clearance rates are well above normal, which means we are solving crimes regularly.

13-132 Reallocating funds within the Public Works Reserve Account

City Manager Bennett stated there were two bids received for a new plow truck. Both bids had some issues meeting bid specs, and the recommendation coming from staff is the bid with the least issues. The recommendation includes an extended service contract for \$3,230 covering 7 years/250,000 miles with no deductible and an extended service contract for five years of unlimited towing for \$735. Bennett stated he does not like to purchase warranties, but the motion has been drafted to include it.

Councilor Green stated components are very expensive and in seven years the City would probably spend \$3,200, so it makes sense to take the service contract. Before depleting this account completely, Green asked if financing for the plow truck could be handled differently so the City could also purchase a paving unit.

Dana Fowler, Director of Public Services, stated the reserve account has \$163,000 specifically designated for purchase of this truck and needs to reallocate funds within the reserve account in order to purchase the truck. The City could borrow funds at 3.24% for four years with \$40,000 down, or the preferred plan is to purchase the truck and sell two surplus trucks and use that revenue to replenish the reserve account.

BE IT RESOLVED by Councilor Engels, seconded by Councilor Randy Smith to purchase a 2014 Western Star truck with sander body and plow from Daigle and Houghton with Extended Service Contracts for a total of \$196,574.00. **Vote 6-0.**

13-133 CIP

City Manager Bennett stated the average amount placed in the CIP is approximately \$900,000 a year, but the Capital Improvement Plan shows funding should be at \$2,000,000/year.

13-134 Fire Truck Specifications

City Manager Bennett drew the Councilors attention to the fire department bid specs for a new truck. Bennett stated the specs have been completed in such a manner, that anyone who builds trucks can bid. The Rescue Truck and Engine 8 have outlived their usefulness, so this truck will replace them. If the Councilors are ok with the bid specs, the truck will go out to bid and in 30-45 days the bids will come back to the Council.

Some questions were asked about purchasing a used vehicle instead of a new one. Fire Chief Darrell White stated that mostly smaller communities purchase used equipment because they don't utilize their trucks as much as Presque Isle does. A smaller community might use their truck 14-16 times a year; Presque Isle does that every month.

BE IT RESOLVED by Councilor Green, seconded by Councilor Engels to authorize the specifications and contract documents for the purchase of a new fire truck as presented.

Vote 6-0.

13-136 Change Tax Levy and Commitment date

City Manager Bennett stated this request is coming before the Council as a direct result of the State not passing a budget. If the City commits taxes as they had planned and the State does not pass a budget, the City cannot change the commitment. If the State has not passed a budget by August, than the City will have to push the commitment date even further, but if the State passes its budget in June, then the City will commit taxes in July as planned.

BE IT RESOLVED by Councilor Green, seconded by Councilor Engels that the City Council rescind its December 12, 2012 vote that the rate of tax be set at the first regular City Council meeting in July 2013.

Vote 6-0.

BE IT RESOLVED by Councilor Green, seconded by Councilor Randy Smith that the City Council set the rate of tax to be set on or before the first regular City Council meeting in August of 2013.

Vote 6-0.

13-137 Numbers on the pool

City Manager Bennett presented the Council with the information they requested at last month's meeting regarding the usage of both the indoor and outdoor pool. It is the recommendation to close the outdoor pool for the summer of 2013.

Chris Beaulieu, Director of Rec & Parks, presented the Council with a recommendation to keep the indoor pool operational, and to close the outdoor pool for this year because of the poor condition. The outdoor pool is open for seven weeks during the summer and there are approximately 140 kids who take lessons. Lessons at the outdoor pool are \$6 for the summer, but individuals are paying more than that at the indoor pool. There is a lot that must be done to get the outdoor pool ready, so Beaulieu asked the Council to make their decision soon.

Councilor Engels acknowledged the outdoor pool has been an icon in the community, but expressed grave concern over the safety of the outdoor pool. Engels asked if anyone has completed an inspection of the pool to determine how dangerous it really is.

Councilor Green stated he received several comments from the general public who expressed their opinions, which is to keep the pool open. Green noted that there are several issues with the pool including environmental issues that appear to be irresolvable. The pool holds a million gallons of water and has no filtration system. Therefore, the pool needs to be drained and filled every two weeks. When the pool is drained, some of the water runs down into Kennedy Brook and some water goes elsewhere. Green noted the costs to repair the wall and bottom of the pool are great and safety is the main concern.

Councilor Emily Smith stated it is important to teach kids how to swim and would like to know how the City could provide lessons.

Ann Wright, a resident of Presque Isle, stated many lives have been saved because they learned how to swim. Wright stated many families cannot afford the indoor pool and is angry that the outdoor pool was allowed to deteriorate.

Jeanie Gilson also addressed the Council with her concerns. Gilson stated her children learned how to swim at the outdoor pool, and now her children are teaching others how to swim. Gilson asked if there would be a pool at the new community center, and commented that she is sad the pool was allowed to deteriorate to this point.

City Manager Bennett stated the State has raided revenue sharing leaving Presque Isle with \$500,000 less than they should have received. When the State withholds from the municipality, it is unable to continue the same level of services.

Councilors would like a plan brought back on how to help kids at the outdoor pool learn how to swim.

BE IT RESOLVED by Councilor Green to discontinue the use of the outdoor pool because of safety and environmental issues.

City Manager Bennett stated he is opposed to completely shutting down the pool without exploring what can be done for those users. Bennett would like the motion to read "shut for the season".

The motion was amended by Councilor Green to suspend opening the outdoor pool for the season and to direct staff to investigate all safety and environmental aspects and report back to the City Council. There was a second by Councilor Engels. **Vote 6-0.**

13-138 Set meeting date in June to Adjust 2013 Budget

Councilors decided to hold a special meeting on June 24, 2013 at 5:00 PM to discuss the impacts of the State budget.

Manager's Report

City Manager Bennett stated a company has been hired to paint the lines on the roads, but due to the rain they have not been able to get started. They are scheduled to start at the end of the week.

The modification to the solid waste loan which received approval from the City Council at last month's meeting will be completed by the end of this month.

Announcements

Chairwoman Emily Smith read several announcements.

Executive Session

13-139 To enter into Executive Session pursuant to 1 M.R.S.A. Section 405 (6)(E) to consult with legal counsel

BE IT RESOLVED by Councilor Emily Smith, seconded by Councilor Randy Smith to enter into Executive Session at 8:48 PM pursuant to 1 M.R.S.A. Section 405 (6) (e) to consult with legal counsel. **Vote 6-0.**

Councilor came out of Executive Session at 9:14 PM, with no action taken.

Adjournment

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Sargent to adjourn the meeting at 9:15 PM. **Vote 6-0.**

Attested by: _____
Beverly A. Labbe, City Clerk