



Presque Isle City Council Meeting

Monday, April 1, 2013

5:00 PM

Presque Isle Council Chambers

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

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

Chairperson Emily Smith called the meeting to order at 5:02 PM and led those present in the Pledge of Allegiance.

Executive Session @ 5:00 PM

13-60 Enter into Executive Session pursuant to 1 M.R.S.A. §405 (6) C) to discuss a real estate matter.

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Randy Smith to enter into Executive Session pursuant to 1 M.R.S.A. § 405 (6) (C) to discuss a real estate matter. **Vote 6-0.**

Councilor came out of Executive Session at 5:41 PM with no action taken.

13-61 Enter into Executive Session pursuant to 1 M.R.S.A. §405 (6) (A) to discuss a personnel matter.

BE IT RESOLVED by Councilor Randy Smith, seconded by Councilor Engels to enter into Executive Session pursuant to 1 M.R.S.A. § 405 (6) (A) to discuss a personnel matter. **Vote 6-0.**

Councilors came out of Executive Session at 5:56 PM, with no action taken.

Councilor Sargent arrived at 6:00 PM.

Recognitions

13-62 Girls State Championship Team

Chairperson Emily Smith acknowledged each member of the girls' basketball team and presented each member with a certificate for a job well done.

13-63 SHAPE award

City Manager Bennett stated Maine Department of Labor created a program which allows organizations to perform voluntary inspections to determine if hazards exist. Compliance with this voluntary program excludes the municipality from surprise inspections, which almost always leads to non-compliance issues. For a second year, the City has received the SHAPE award. Bennett attributed Jim Kaiser as the person responsible for completing inspections.

Public Hearings

13-64 Amend Chapter 52 - Ordinance of Commercial Displays of Nudity (Second Hearing)

The public hearing portion of the meeting was opened at 6:11 PM. Hearing no comments from the public, the public hearing was closed at 6:11 PM.

Councilor Engels expressed his opposition to the Ordinance and believes the ordinance as redrafted has inconsistencies.

City Manager Bennett stated that historically the Council has approved this license to the Presque Isle Inn & Convention Center because they met the criteria of the Ordinance. This Council thought the ordinance was flawed, so it was redrafted. Kevin Simmons, owner of the Presque Isle Inn & Convention Center, agreed to have the license application tabled until the ordinance was redrafted. If the Council passes Chapter 52 as presented this evening, the application will come back to the Council at the next meeting based on the newly redrafted ordinance. If this ordinance does not pass as redrafted, then a determination of the merits of the application will be based on the original ordinance. If the Council feel more edits are needed, additional changes can be made.

Most Councilors felt the concerns raised have been addressed in the redraft and were comfortable passing the ordinance as presented.

BE IT RESOLVED by Councilor Sargent, seconded by Councilor Randy Smith to approve amendments to Chapter 52 - Ordinance Regulating Commercial Displays of Nudity as presented.

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

Citizen Comments

There were no citizen comments.

Consent Agenda

- 13-65 Approve City Council minutes for the regular meeting held on March 4, 2013 and February 26, 2013
- 13-66 Approve 2013 Warrants #8 - #11, totaling \$1,436,580.81
- 13-67 Accept resignations from Brent Andersen, Donald Gardner, Michele Gauvin and Jacqueline Goodine
- 13-68 Request to schedule two public hearings, May 6, 2013 and June 3, 2013 to amend Chapter 38B Life Safety Code
- 13-69 Request to schedule two public hearings, May 6, 2013 and June 3, 2013 to 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

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Engels to approve Consent Agenda Items #65 - #69. Vote 7-0.

New Business

13-70 Annual Report Dedication

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Randy Smith to dedicate the Annual Report to Virginia Packard. Vote 7-0.

13-71 Service Center Coalition Delegates

City Manager Bennett stated he has been serving as the Maine Municipal Service Center Coalition delegate since Walt Elish resigned, and would be willing to continue serving.

There was some discussion over what the coalition does. Bennett explained that Presque Isle is one of the smallest service centers and because Presque Isle belongs to this group, we have a stronger influence regarding the issues that face a service center community. If Presque Isle decided to withdraw, we would be left to wrestle service center issues on our own.

BE IT RESOLVED by Councilor Engels, seconded by Councilor Sargent to appoint James A Bennett as the delegate and Martin Puckett as the alternate for the Maine Service Centers Coalition. Vote 7-0.

13-72 Bowling Alley License for Northern Lanes, Inc

BE IT RESOLVED by Councilor Sargent, seconded by Councilor Engels to approve a Bowling Alley License to Northern Lanes, Inc, with a location of 510 Main Street. Vote 7-0.

13-73 Taxi Cab Service License for Marty Clayton d/b/a Aroostook Cab Company

BE IT RESOLVED by Councilor Sargent, seconded by Councilor Randy Smith to approve a Taxi Cab Service License to Marty Clayton d/b/a Aroostook Cab Company. **Vote 7-0.**

13-74 Taxi Cab Service License for Lori Hodsdon d/b/a Town Taxi

BE IT RESOLVED by Councilor Randy Smith, seconded by Councilor Sargent to approve a Taxi Cab Service License to Lori Hodsdon d/b/a Town Taxi. **Vote 7-0.**

13-75 Pawnbroker License for Gregg Jaime d/b/a Star City Trading

BE IT RESOLVED by Councilor Randy Smith, seconded by Councilor Green to table the Pawnbroker License for Star City Trading until next month's meeting. **Vote 7-0.**

13-76 Pawnbroker License for Benjamin LeBlanc c/b/a Ben's Trading Post, LLC

BE IT RESOLVED by Councilor Engels, seconded by Councilor Randy Smith to approve a Pawnbroker License to Benjamin LeBlanc d/b/a Ben's Trading Post, LLC, with a location 191 Parsons Road, Suite #1, Presque Isle, ME. **Vote 7-0.**

13-77 Employment License for Lois Dickson d/b/a Tempo Employment Services

BE IT RESOLVED by Councilor Engels, seconded by Councilor Green to approve an Employment Agency License application to Lois Dickson d/b/a Tempo Employment Services, with a location of 40 North Street, Suite #3, Presque Isle. **Vote 7-0.**

13-78 Pool Room License for Cao Xian Ping d/b/a My Tai, Inc

BE IT RESOLVED by Councilor Green, seconded by Councilor Sargent to approve a Pool Room License to Cao Xian Ping d/b/a My Tai, Inc, with a location of 449 Main Street, Presque Isle. **Vote 7-0.**

13-79 Board and Committee Vacancies

- Planning Board (One Seat - Four Year Term - Expires 12-31-2015)
- Zoning Board of Appeals (One Seat - Three Year Term - Expires 12-31-2014)
- Library Board of Trustees (One Seat - Three Year Term - Expires 12-31-2015)
- Library Board of Trustees (One Seat - Two Year Term - Expires 12-31-2014)

City Manager Bennett stated two people are interested in serving, one on the Zoning Board and one on the Library Board of Trustees.

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Green to appoint Hank King to the Zoning Board of Appeals, term to expire December 31, 2014. **Vote 7-0.**

BE IT RESOLVED by Councilor Green, seconded by Councilor Sargent to appoint Brent Andersen to the Library Board of Trustees. **Vote 7-0.**

BE IT RESOLVED by Councilor Green, seconded by Councilor Sargent to amend the former motion to include the term would expire on December 31, 2015. **Vote 7-0.**

13-80 Strategic Missile Defense Base in Northern Maine

City Manager Bennett stated this item was added to the agenda to start a dialogue. If the Council wanted to take a position, a formal resolve could be drafted for the next meeting.

Councilor Engels stated the idea of a missile defense base coming to Aroostook County is an exciting prospect and feels that Presque Isle should contact the City Manager in Caribou to show our support of the project.

13-81 Work Plan

Included in the Councilors binders is the most current work plan with dates added based on the retreat the Councilors had last month. The plan is really aggressive so Bennett suggested having another meeting on April 11, 2013. At that workshop, Pat Webb will give a brief tutorial on the financial packages that Councilors receive every month.

13-82 Presentation of Business Visitation Program

City Manager Bennett stated that during the retreat, the City Council identified a business visitation program as a high priority. As a result, a business visitation program is being presented. There are approximately 200 businesses in Presque Isle who would be contacted to extend an invitation to meet with him.

It was the consensus of the Council to proceed with the business visitation program.

13-83 Appoint a Fair Hearing Authority

City Manager Bennett stated the previous human resource director was designated as the fair hearing authority and since her departure, there has not been another fair hearing authority appointed. If someone wants to appeal the general assistance administrator's decision, Chapter 48 - General Assistance Ordinance requires the decision be appealed to a Fair Hearing Authority.

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Randy Smith to appoint Martin Puckett as the Fair Hearing Authority for general assistance appeals. **Vote 7-0.**

Manager's Report

City Manager Bennett stated revenue sharing is expected to be lower than anticipated, so adjustments will need to be made to the 2013 budget. Municipalities will not know for sure until June, but Bennett would like to hold a workshop to discuss possible reductions. Bennett suggested holding a workshop on April 29, 2013, and noted in order to keep the budget flat; \$300,000 would need to be eliminated from the 2013 budget.

Bennett stated if there are any suggestions for the Capital Improvement Program (CIP) to let him know, the formal document will be drafted soon.

City of Presque Isle employees have kicked off the Biggest Loser competition this week. Presque Isle is competing against Caribou, and there are smaller teams competing against each other. The idea is to promote good healthy habits that will translate into lower healthcare costs.

Announcements

Councilor Emily Smith read several announcements.

Adjournment

BE IT RESOLVED by Councilor Randy Smith, seconded by Councilor Green to adjourn the meeting at 6:58 PM.

Vote 7-0.

Attested by: _____
Beverly A. Labbe, City Clerk