1. Call to Order – Roll Call

Present:

Jennifer Trombley, Deputy Chair  
Calvin Hall
Walter Elish  
Mel Hovey
Donald Gardner  
Randy Smith

Absent: Chairman Edwin Nickerson

Deputy Chair Trombley called the meeting to order at 6:00 p.m.

2. Pledge of Allegiance

City Councilors led those present in the Pledge of Allegiance.

Be it resolved by Councilor Hall, seconded by Councilor Gardner, to affirm an earlier motion that James A. Bennett be appointed as Presque Isle City Manager and approve the contract effective March 1, 2010. Vote - 6-0

Mr. Bennett addressed the City Council by thanking them for their vote of confidence. Mr. Bennett ensured the City Councilors that they would not regret their decision and will work hard on their behalf and the citizens of Presque Isle to bring the community to what they want it to be. He stated that he was extremely pleased and honored to accept the role of City Manager.

3. Public Hearings

A. Consider amending Chapter 16 – Land Use and Development Code to rezone an area on Skyway Street and Edgemont Drive from an Urban Residential Zone – 1 to an Industrial Zone (Second Hearing)

Northern Maine Community College (NMCC) representative Larry LaPlante provided an update regarding the efforts made to date. In mid November NMCC received a grant from Efficiency Maine to install a wind anemometer under their loan program. There is a time frame involved with that regarding
permitting which has been extended to mid March. On the December 31st, 2009 NMCC received a letter from FAA regarding determinations of no hazard to air navigation. Pending the vote on this matter, the next step is to start the construction permitting process.

**Be it resolved** by Councilor Hovey, seconded by Councilor Smith, to designate an Industrial Zone – Conditional zoning district extending south from the existing Industrial Zone as shown on the attached zoning map with conditions limiting the allowable uses in the areas proposed to be rezoned as set forth in the attached language for the Industrial Zone – Conditional.  

**Vote – 6-0**

**B. Consider amending Chapter 16 – Land Use and Development Code for Chapter I, Section VIII, Suburban Residential Zone, C.5 to change the square footage requirements for neighborhood convenience commercial facilities (Second Hearing)**

There were no public comments.

**Be it resolved** by Councilor Hovey, seconded by Councilor Gardner, to amend the following section of the Land Use and Development Code, Chapter 16, Chapter I, Section VIII Suburban Residence (SRZ), Section C(5) Special Exception – Neighborhood convenience commercial facilities.  

**Vote – 6-0**

**C. Malt, Spirituous and Vinous Liquor License application for Chad Graham, Brady Mahan and Chris Richards, d/b/a Freddy P’s, 431 Main Street, Presque Isle**

There were no public comments.

**Be it resolved** by Councilor Gardner, seconded by Councilor Elish, to approve a Malt, Spirituous and Vinous Liquor License application for Chad Graham, Brady Mahan and Chris Richards, d/b/a Freddy P’s, 431 Main Street, Presque Isle.  

**Vote – 6-0**

**D. Malt, Spirituous and Vinous Liquor License application for Sorpreso LLC, d/b/a Café Sorpreso, 415 Main Street, Presque Isle**

There were no public comments.

**Be it resolved** by Councilor Gardner, seconded by Councilor Hovey, to approve a Malt, Spirituous and Vinous Liquor License application for Sorpreso
LLC, d/b/a Café Sorpreso, 415 Main Street, Presque Isle. **Vote – 6-0**

**E. Special Amusement Permit for Pienana, Inc., d/b/a Irish Setter Pub, 710 Main Street, Presque Isle**

There were no public comments.

**Be it resolved** by Councilor Gardner, seconded by Councilor Elish, to approve a Special Amusement Permit for Pienana, Inc., d/b/a Irish Setter Pub, 710 Main Street, Presque Isle. **Vote – 6-0**

**4. Citizen Comments**

Cathy Beaulieu, owner of Wilder’s Jewelry Store, was present to request assistance with the main artery – the main walkway that is no longer being plowed. Ms Beaulieu stated that she understood that there were issues with the ownership of the property and has had issues since 1880. She stated that pedestrian safety is of utmost concern. Ms Beaulieu stated that this was the time to address this issue. The abutting landowners were all willing to sign over their interest so the City can take ownership of this property, which would result in 100 feet of more sidewalks, with undue hardship on the City’s budget for plowing or insurance. This main artery is used by 40 to 50 pedestrians daily. In order to assist, the walkway needs to be maintained by the City.

Downtown business owner Sarah LeClair spoke regarding the pathway between Café Sorpreso and Wilder’s and suggested that City Councilors should visit the area. The pathway is used daily, despite its condition, by workers that work on Main Street, patrons who shop at the businesses on Main Street and by people who use social services. The pathway is also used by delivery people trying to make important stops on Main Street to deliver merchandise and packages. She and other citizens have been witnessing several individuals who usually use the path, have difficulty in using it now, due to the City no longer maintaining it. This is an issue that needs to be addressed for the safety of their citizens.

Judy Boudman, one of the owners of Café Sorpreso, indicated that most of their customers park by the sidewalk in front of their building or behind their establishment. At night, there is competition for the parking spaces resulting in their customers to park behind their building and come up on the pathway. It is distressing to hear that it is no longer being maintained. Ms Boudman
requested to go on record as being in support of the City taking responsibility of this walkway.

5. New Business
   A. Request from WBK Taxi to add one vehicle on Taxicab Operator’s License

   **Be it resolved** by Councilor Gardner, seconded by Councilor Hovey, to approve an application to add one more vehicle to the License to Operate a Taxi Cab Service for Howard Worthington, d/b/a WBK Taxi, of Mapleton.
   **Vote – 6-0**

   B. Approval of 2009 over-expended departmental budgets

   **Be it resolved** by Councilor Hovey, seconded by Councilor Gardner, that the City Council authorize that the following over-expenditures for 2009 be taken from the overall amount being returned to the undesignated fund balance for the year ended December 31, 2009:

<table>
<thead>
<tr>
<th>Department</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire Department</td>
<td>$ 859.05</td>
</tr>
<tr>
<td>Police Department</td>
<td>$36,678.46</td>
</tr>
<tr>
<td>Resource Management</td>
<td>$2,144.03</td>
</tr>
<tr>
<td>Insurances</td>
<td>$ 4,303.40</td>
</tr>
<tr>
<td>Unclassifieds</td>
<td>$20,932.34</td>
</tr>
</tbody>
</table>

   **Vote – 6-0**

   C. Appointment to the Presque Isle Sewer District

   **Be it resolved** by Councilor Hovey, seconded by Councilor Elish, to appoint Ward Gerow as Trustee for the Presque Isle Sewer District for a three year term (ending 2/28/2013). **Vote - 5-1**   **Opposed - Councilor Gardner**

   D. Presentation on City logo

   Librarian Sonja Plummer-Morgan provided an update regarding how she and the Logo Project Task Force decided on the proposed logo. Several months ago the Logo Project began by involving several individuals and engaging the services of Crowdspring.com (a group of thousands of computing graphic designers). The task force offered $400 for the best logo and received 89 entries from around the country.
The project is the first step to create a new website, domain name (cityofpresqueisle.org), and to make City Hall wireless so that the community members and staff are offered flexibility to use online resources in presentations during meetings.

The new logo is not meant to replace the official seal for the City, it is meant to serve as a beginning point to a dynamic website and would appear on items such as brochures, posters, event flyers, etc.

**Be it resolved** by Councilor Hovey, seconded by Councilor Elish, that the City of Presque Isle accept the logo, in concept, but leave it open for the possibility of tweaking it a bit with the input from new City Manager Bennett.

**Vote – 6-0**

**E. Update on loan status for Wintergreen Arts Center**

Planning and Development Director Ken Arndt provided an update and a status report regarding the loan for Wintergreen Arts Center.

Due to construction cost overruns at the “home” location on State Street in the former R.W. Wight Building, Wintergreen Arts Center has requested that Northern Maine Development Commission (NMDC) modify the existing note to allow them to finish the necessary renovations desired and extend the note due date for six (6) months, thereby allowing additional time for further fundraising activities and the receipt of donations to allow Wintergreen to pay the loan balance.

NMDC has voted, with the City’s verbal concurrence, to the latest terms requested by the Wintergreen Arts Center.

**F. Update on 2009 CDBG Downtown revitalization grant**

Planning and Development Director Ken Arndt provided an update regarding a grant application that had previously been approved and awarded in 2008 in the amount $250,000. Due to not having enough funding to complete the downtown revitalization project, more funding is being sought through the Community Development Block Grant application process as Phase II. As of January 22nd the City of Presque Isle has submitted a “letter of intent”, notifying the State that the City is likely to pursue the second half of the original 2008 CDBG request ($500,000). If the City supports pursuing the CDBG application, City Councilors would need to schedule a public hearing during the March 1st City Council meeting.
City Planner Jamie Francomano provided the timeline for implementation for the project. The plan is to have the construction specifications from J.W. Sewall Company in Caribou out to bid later in February, with a three week time line for responses on the construction bid packet, resulting in bid submittals in mid March. By mid March the City needs to be under contract with DECD and have a bid opening. The first of April proceed with contractor selection and mid May begin construction (totaling a 12-week construction timeline).

The main purpose of the grant application is for the redevelopment of the Riverside parking lot and possible farmer’s market area as part of the project.

**Be it resolved** by Councilor Hall, seconded by Councilor Gardner, to schedule a public hearing before the City Council at 5:00 p.m. on Monday, March 1, 2010 to consider submitting a 2010 CDBG grant application for federal funding assistance for the redevelopment of the Riverside Parking Area, to review the proposed improvements and to consider dedicating the required matching funds from a reserve account previously set aside for this purpose from the Presque Isle Development Fund. **Vote – 6-0**

**G. Request for support for Route 167 to Conant Road Connector**

Planning Board Chairman Bruce Roope addressed the City Councilors by requesting that the City Council support the Rt. #167 to Conant Road Connector and expressed many serious concerns including the need for a proposed easterly by-pass around the City of Presque Isle.

On behalf of the Planning Board, Mr. Roope encouraged the City Council to embrace this alternative and to contact the Maine Department of Transportation to express the City’s full support to the alternative in light of the substantial negative impacts of the other by-pass alignments on the aquatic and other important natural resources, as well as the community’s economic interests.

It is also a recommendation of the Planning Board that improvements at the Maysville/Rt. #1 intersection be combined with a heavy truck connector from Rt. #167 to the Conant Road, as this arrangement would provide immediate relief to the community’s traffic improvement needs, without the substantial environmental disruption of the full by-pass while still preserving the opportunity for a future build-out, should the need materialize. Such a phased approach would likely be more realistic, more readily supported, more easily
permitted, and far less disruptive to the economic viability of this city and surrounding communities.

The Planning Board’s suggestion is to arrange and participate in a joint meeting of L.E.A.D., MDOT, the Presque Isle City Council and Planning Board, in the near future, to address common interests and to further explore the feasibility of this Rt. #167 to the Conant “Connector” route. Such discussions to include a thorough analysis of potential intersection improvements at the Maysville Street & US Route #1 intersection. The purpose of such joint discussions is to reach consensus on a unified position of support for the Rt. 167 to Conant Road Connector.

Councilor Hovey suggested planning the meeting after the City Manager Bennett commences in his new position so he can be updated with the information required to take part in the conversation.

Deputy Chair Trombley suggested that Acting Manager Fowler be in contact with City Manager Bennett to determine what date in March (second or third week) might be good to set up a meeting as suggested by the Planning Board.

H. Pawnbroker License Application for Travis L. Hewitt, d/b/a Presque Isle Pawn and Trade

Be it resolved by Councilor Hall, seconded by Councilor Gardner, to approve the application for Pawnbroker License for Travis L. Hewitt, d/b/a Presque Isle Pawn and Trade, 7 Martin Street, Suite B, Presque Isle. **Vote – 6-0**

I. Approve Consent Agenda to approve:

* City Council meeting minutes of January 4, 5, 6 and 20, 2010
* 2009 Warrants # 52 - #54, totaling $908,010.27
* 2010 Warrants #1 - #2 totaling $1,059,155.73
* Written departmental reports for December

Be it resolved by Councilor Gardner, seconded by Councilor Smith, to approve the consent agenda items as follows

* City Council meeting minutes of January 4, 5, 6 and 20, 2010
* 2009 Warrants # 52 - #54, totaling $908,010.27
* 2010 Warrants #1 - #2 totaling $1,059,155.73
* Written departmental reports for December

**Vote - 6-0**
6. **Interim City Manager’s Report**
   A. **Bureau of Labor Standards SHAPE Inspection**

   Interim City Manager Fowler reported that the City has passed the Bureau of Labor’s *Safety and Health Award for Public Employees* and corrected any deficiencies the City had. A formal award is forthcoming in the future.

   **B. Authorize expenditures incurred in the City Manager Search**

   *Be it resolved* by Councilor Hovey, seconded by Councilor Gardner, to authorize the expenditures incurred during the City Manager search, to be charged to the Unclassified Contingent Account.  **Vote – 6-0**

   **C. Downtown Walkway Follow-up**

   Interim City Manager Fowler offered to meet with the individuals who spoke earlier in the meeting regarding the downtown walkway and will review its history. Councilor Hall suggested involving the City Solicitor in any of the conversations.

   *Be it resolved* by Councilor Gardner, seconded by Councilor Hovey, to approve the Interim Manager’s report as presented.  **Vote – 6-0**

7. **Announcements**

   Councilor Hall read several announcements.

8. **Executive Session**
   A. **For the purpose of economic development discussion as allowed under 1 M.R.S.A. §405(6)(C)**
   B. **Discuss property acquisition as allowed under 1 M.R.S.A. §405(6)(C)**

   *Be it resolved* by Councilor Gardner, seconded by Councilor Elish, to enter into executive session at 7:03 p.m. to discuss the following:

   A. For the purpose of economic development discussion as allowed under 1 M.R.S.A. §405(6)(C)
   B. Discuss property acquisition as allowed under 1 M.R.S.A. §405(6)(C)

   **Vote – 6-0**
City Council Meeting – February 1, 2010

City Councilors came out of executive session at 8:20 p.m. with no action taken.

9.  Adjournment

Be it resolved by Councilor Gardner, seconded by Councilor Hovey, to adjourn the meeting at 8:20 p.m.

Attest: 

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Nancy G. Nichols, City Clerk