



Presque Isle City Council Meeting

Monday, January 4, 2016

5:00 PM

Presque Isle Council Chambers

AGENDA

Call to Order

Roll Call

Pledge of Allegiance

Organization

1. Administer Oath of Office to newly elected City Councilors
2. Election of City Council Chair for 2016
3. Election of City Council Deputy Chair for 2016
4. 2016 Appointments of Municipal Officials
 - City Attorney (*City Charter – Article 4.10*)
 - City Clerk (*City Charter – Article 4.10*)
 - Code Enforcement Officer (by July 1st – 38 MRSA s441) George Howe
 - Building Inspector (April appt. 25 MRSA s451) George Howe
 - Housing Inspector (IBC – Section 104.2) George Howe
 - Electrical Inspector (Chapter 31-National Elect. Code) George Howe
 - Local Health Officer (3 Year Term 22 MRSA s451) George Howe
 - Plumbing Inspector (Annually 30-A s4221) George Howe
 - Deputy Code Enforcement Officer Vince Baldwin
 - Building Inspector Alternate Vince Baldwin
 - Alternate Electrical Inspector Vince Baldwin
 - Alternate Plumbing Inspector Vince Baldwin
 - Alternate Building Official Adam Rider
 - Alternate Building Official Nathan Allen
5. Council Appointments to Boards and Committees
 - Audit Committee (Two Seats – One Year Term – Expires 12-31-2016)
 - Finance Committee (Two Seats - One Year Term – Expires 12-31-2016)
 - Presque Isle Development Fund Board of Trustees (Two Seats – One Year Term – Expires 12-31-16)
 - Presque Isle Industrial Council Board of Directors (One Seat – Three Year Term or remainder of his/her term, whichever is less)
6. Set City Council meeting times and places for 2016
7. Approve Policy on Treasurer’s Disbursement Warrants for Employee Wages and Benefits
8. Approve Municipal Officers’ Policy on Disbursement of Municipal Education Costs

Recess

- 5:30 Presque Isle Industrial Council Annual Membership Meeting
- 5:50 Presque Isle Industrial Council Directors Meeting
- 6:00 City Council Reconvenes

Public Hearings

- 9. Request to re-pass Ordinances due to "Sunset Provision"
 - Chapter 12 Taxi Cab Ordinance
 - Chapter 13 Litter and Illegal Dumping Ordinance
 - Chapter 25 Maine Uniform Building and Energy Code Ordinance
 - Chapter 25A Residential Building Code - One and Two Family Dwellings in Maine Ordinance
 - Chapter 31 National Electrical Code Ordinance
 - Chapter 37 Personnel Ordinance
 - Chapter 38B Life Safety Code
 - Chapter 38C Property Maintenance Code
 - Chapter 42 Solid Waste Ordinance
 - Chapter 43 Planning Board Ordinance

Citizen Comments

Consent Agenda

- 10. Approve City Council minutes for the regular meeting held on June 1, 2015, October 26, 2015, November 19, 2015, December 7, 2015 and December 14, 2015
- 11. Approve 2015 Warrants #45 - #48, totaling \$3,006,230.63
- 12. Ex-Officio Appointments to Boards and Committees
 - Airport Advisory Board (Three Ex-Officio Seats - One Year Term - Martin Puckett, Larry Clark and Scott Wardwell)
 - Library Board of Trustees (Two Ex-Officio Seats - One Year Term - Sonja Eyler and Priscilla Webb)
 - Presque Isle Development Fund Board of Trustees (One Ex-Officio Seat - One Year Term - Martin Puckett)
 - Presque Isle Industrial Council Board of Directors (One Ex-Officio Seat - One Year Term - Martin Puckett)
- 13. Request from EMERA Maine for an electrical easement at the Presque Isle Community Center
- 14. Request from EMERA Maine for a Pole Permit Application on St. John Street

Old Business

15. *TABLED*: Chapter 9 – License and Public Hearing Fees

New Business

16. Update on Community Center
17. Update on Public Market
18. Appointments to Boards and Committee
 - Airport Advisory Board (One Seat – General Citizenry – Three Year Term – Expires 12-31-2018), (One Seat – Business & Industry – One Year Term – Expires 12-31-2016) and (One Seat – Aviation/Airport – Four Year Term – Expires 12-31-2019)
 - Audit Committee (One Seat – One Year Term – Expires 12-31-2016)
 - Board of Assessment Review (Three Seats – Three Year Term – Expires 12-31-2018), and (One Alternate Seat – One Year Term – expires 12-31-2016)
 - Downtown Revitalization Committee (Four Seats – Four Year Term – Expires 12-31-2019)
 - Library Board of Trustees (Three Seats – Three Year Term – Expires 12-31-2018)
 - Planning Board (One Seat – One Year Term – Expires 12-31-2016) and (One Seat – Two Year Term – Expires 12-31-2018), (Two Seats – Four Year Term – Expires 12-31-2019)
 - Presque Isle Development Fund Board of Trustees (Three Seats – Three Year Term – Expires – 12-31-2018)
 - Presque Isle Development Fund Board of Trustees – Annual Appointments (Two Seats – One Year Term – Expires 12-31-2016)
 - Recreation & Parks Advisory Committee (Two Seats – Four Year Term – Expires 12-31-2019)
 - Registration Appeals Board (Three Seats – Two Year Term – Expires 12-31-2017) and (Two Alternates Seats – Two Year Term – Expires 12-31-2017)
 - Zoning Board of Appeals (Three Seats – Three Year Term – Expires 12-31-2018) and (One Alternate Seat – One Year Term – Expires 12-31-2016)
19. Goal Setting
20. Appointment to Presque Isle Housing Authority Board of Commissioners

Manager's Report

Announcements

Adjournment

The Office of the City Manager
Martin Puckett
Email: mpuckett@presqueisleme.us

MEMORANDUM

TO:	Honorable City Council
FROM:	Martin Puckett, City Manager
DATE:	December 28, 2015
RE:	January 4, 2016 Council Meeting

The meeting will start at 5pm due to the annual required Industrial Council Meeting.

Organization: Items listed below are annual:

1. **Administer oath of office to newly elected City Councilors:** Mike and Natilee will need to be sworn before we start on agenda items.
2. **Election of City Council Chair for 2016:** As written in the charter: By majority vote of all Councilors (4 votes), the City Council must elect from its members a Chair and a Deputy Chair for a term of one year. The Chair, a voting member, presides at Council meetings, represents the City in intergovernmental relationships, appoints with the advice and consent of the Council the members of citizen advisory boards and commissions, and performs other duties specified by the Council. The Chair is the head of the City government for all ceremonial purposes and for purposes of civil emergency preparedness and military law, but has administrative duties. The Deputy Chair acts as Chair during the absence or disability of the Chair.
3. **Election of City Council Deputy Chair for 2016:** Needs 4 votes
4. **2016 Appointments of Municipal Officials**
 - City Attorney: The law office of Phillips, Olore, Dunlavy & York would like to be reappointed
 - City Clerk: Beverly A Labbe would like to be reappointed
 - Code Enforcement Officer: George Howe
 - Building Inspector: George Howe
 - Housing Inspector: George Howe
 - Electrical Inspector: George Howe
 - Local Health Officer: George Howe
 - Plumbing Inspector: George Howe
 - Deputy Code Enforcement Officer: Vince Baldwin
 - Building Inspector Alternate: Vince Baldwin
 - Alternate Electrical Inspector: Vince Baldwin
 - Alternate Plumbing Inspector: Vince Baldwin
 - Alternate Building Official: Adam Rider
 - Alternate Building Official: Nathan Allen

5. **Appointments to Boards and Committees:** These are to be filled with council members.
 - *Audit Committee* (Two Seats – One Year Term – Expires 12-31-2016): Typically meets twice a year, Peter served on it.
 - *Finance Committee* (Two Seats - One Year Term – Expires 12-31-2016): Peter and Randy served. It requires someone to be available on Thursday or Fridays to sign the warrants so we can pay bills/payroll.
 - *Presque Isle Development Fund Board of Trustees* (Two Seats – One Year Term – Expires 12-31-16): Dick and Craig currently serve. The meetings are the fourth Wednesday of the month @ 4:00 PM.
 - *Presque Isle Industrial Council Board of Directors* (One Seat – Three years or the lesser of his/her term): Dick’s term is up
6. **Set City Council meeting times and places for 2016:** Currently first Monday of the Month with workshops as needed. Unless there is a conflict for council, I would recommend keeping it for continuity.
7. **Approve Policy on Treasurer’s Disbursement Warrants for Employee Wages and Benefits:** Allows for prompt payment of bills on a weekly rather than monthly basis.
8. **Approve Municipal Officers’ Policy on Disbursement of Municipal Education Costs:** Same as above.

Recess

- 5:30 Presque Isle Industrial Council Annual Membership Meeting
5:50 Presque Isle Industrial Council Directors Meeting
6:00 City Council Reconvenes

Public Hearings

9. **Request to re-pass Ordinances due to “Sunset Provision”**
 - Chapter 12 Taxi Cab Ordinance
 - Chapter 13 Litter and Illegal Dumping Ordinance
 - Chapter 25 Maine Uniform Building and Energy Code Ordinance
 - Chapter 25A Residential Building Code – One and Two Family Dwellings in Maine Ordinance
 - Chapter 31 National Electrical Code Ordinance
 - Chapter 37 Personnel Ordinance
 - Chapter 38B Life Safety Code
 - Chapter 38C Property Maintenance Code
 - Chapter 42 Solid Waste Ordinance
 - Chapter 43 Planning Board Ordinance

Citizen Comments

Consent Agenda

10. Approve City Council minutes

11. Approve 2015 Warrants Ex-Officio Appointments to Boards and Committees

- Airport Advisory Board (Three Ex-Officio Seats - One Year Term - Martin Puckett, Larry Clark and Scott Wardwell)
- Library Board of Trustees (Two Ex-Officio Seats - One Year Term - Sonja Eyler and Priscilla Webb)
- Presque Isle Development Fund Board of Trustees (One Ex-Officio Seat - One Year Term - Martin Puckett)
- Presque Isle Industrial Council Board of Directors (One Ex-Officio Seat - One Year Term - Martin Puckett)

12. Request from EMERA Maine for an electrical easement at the Presque Isle Community Center. Needed to run underground utilities.

13. Request from EMERA Maine for a Pole Permit Application on St. John Street: Needed to fix lights on bike path near UMPI.

Old Business

14. **TABLED: Chapter 9 - License and Public Hearing Fees:** Staff is currently getting info together to have the subcommittee of Dick and Craig to review and make recommendation. Will recommend to table until info is ready.

New Business

15. Update on community center - Roger Crouse

16. Update on Public Market - Mandy Pooler

17. **Appointments to Boards and Committee:** Since we do have a large list of unfilled seats, I would like to have a couple councilors do some recruiting to stir interest to find people with skillsets that match the needs for vacant seats. It has worked in other communities to find good candidates.

- Airport Advisory Board (One Seat - General Citizenry - Three Year Term - Expires 12-31-2018), (One Seat - Business & Industry - Two Year Term - Expires 12-31-2017) and (One Seat - Aviation/Airport - Four Year Term - Expires 12-31-2019)
- Audit Committee (One Seat - One Year Term - Expires 12-31-2016)
- Board of Assessment Review (Three Seats - Three Year Term - Expires 12-31-2018, and (One Alternate Seat - One Year Term - expires 12-31-2016)
- Downtown Revitalization Committee (Four Seats - Four Year Term - Expires 12-31-2019)
- Library Board of Trustees (Three Seats - Three Year Term - Expires 12-31-2018)
- Planning Board (One Seat - One Year Term - Expires 12-31-2016 and (Two Seats - Three Year Term - Expires 12-31-2018)
- Presque Isle Development Fund Board of Trustees (Three Seats - Three Year Term - Expires - 12-31-2018)
- Presque Isle Development Fund Board of Trustees - Annual Appointments (Two Seats - One Year Term - Expires 12-31-2016)

- Recreation & Parks Advisory Committee (Two Seats - Four Year Term - Expires 12-31-2019)
- Registration Appeals Board (Three Seats - Two Year Term - Expires 12-31-2017) and (Two Alternates Seats - Two Year Term - Expires 12-31-2017)
- Zoning Board of Appeals (Three Seats - Three Year Term - Expires 12-31-2018) and (One Alternate Seat - One Year Term - Expires 12-31-2016)

18. Goal Setting: I would like to set a date to gather council input for 2016-2017 goals and priorities. Staff has been compiling a list for consideration.

19. Appointment to Presque Isle Housing Authority Board of Commissioners

Manager's Report

Announcements

Adjournment

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 4, 2016

AGENDA ITEM # 1

SUBJECT

Administer oath of office to newly elected City Councilors

INFORMATION

APPROVAL AND/OR COMMENTS OF CITY MANAGER

REQUESTED ACTION

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 4, 2016

AGENDA ITEM # 2

SUBJECT

Election of City Council Chair for 2016

INFORMATION

APPROVAL AND/OR COMMENTS OF CITY MANAGER

REQUESTED ACTION

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 4, 2016

AGENDA ITEM # 3

SUBJECT

Election of City Council Deputy Chair for 2016

INFORMATION

APPROVAL AND/OR COMMENTS OF CITY MANAGER

REQUESTED ACTION

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 4, 2016

AGENDA ITEM # 4

SUBJECT

2016 Appointment of Municipal Officials

INFORMATION

APPROVAL AND/OR COMMENTS OF CITY MANAGER

REQUESTED ACTION

PLEASE SEE RESOLVES ON NEXT PAGE

CITY ATTORNEY

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint **PHILLIPS OLORE DUNLEVY & YORK, PA** as the City Attorney per Article 4.10 of the City Charter.

CITY CLERK

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint **BEVERLY A LABBE** as the City Clerk per Article 4.10 of the City Charter.

CODE ENFORCEMENT OFFICER - BUILDING INSPECTOR - HOUSING INSPECTOR - ELECTRICAL INSPECTOR - LOCAL HEALTH OFFICER AND PLUMBING INSPECTOR

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint **GEORGE HOWE** as the City's Code Enforcement Officer, Building, Housing, Electrical and Plumbing Inspector, as well as Local Health officer.

DEPUTY CODE ENFORCMENT OFFICER - ALTERNATE BUILDING, ELECTRICAL AND PLUMBING INSPECTOR

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint **VINCE BALDWIN** as the City's DEPUTY Code Enforcement Officer, Alternate Inspector for Building, Electrical and Plumbing.

ALTERNATE BUILDING OFFICIAL

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint **ADAM RIDER** and **NATHAN ALLEN** as the City's Alternate building official.

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 4, 2016

AGENDA ITEM # 5

SUBJECT

Council Appointments to Boards and Committees

INFORMATION

- Audit Committee – Two Seats
- Finance Committee – Two Seats
- Presque Isle Development Fund Board of Trustees – Two Seats
- Presque Isle Industrial Council Board of Directors – One Seat

APPROVAL AND/OR COMMENTS OF CITY MANAGER

REQUESTED ACTION

SEE RESOLVED ON THE NEXT PAGE

AUDIT COMMITTEE

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint Councilor _____ and Councilor _____ for a one year term on the Audit Committee, term to expire on December 31, 2016.

FINANCE COMMITTEE

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint Councilor _____ and Councilor _____ for a one year term on the Finance Committee, term to expire on December 31, 2016.

PRESQUE ISLE DEVELOPMENT FUND BOARD OF TRUSTEES

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint Councilor _____ and Councilor _____ for a one year term on the Presque Isle Development Fund Board of Trustees, term to expire on December 31, 2016.

PRESQUE ISLE INDUSTRIAL COUNCIL BOARD OF DIRECTORS

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to nominate Councilor _____ 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.

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 4, 2016

AGENDA ITEM # 6

SUBJECT

Set City Council meeting times and places for 2016

INFORMATION

1) Calendar

APPROVAL AND/OR COMMENTS OF CITY MANAGER

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ 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.



City of Presque Isle, Maine

The Office of
City Clerk

Beverly A. Labbe

Email: blabbe@presqueisleme.us

To: Most Honorable City Council

From: Beverly A Labbe

Date: December 29, 2015

Re: 2016 Meeting Schedule (Based on Past Practices)

Please find the following schedule for the 2016 regularly scheduled City Council meetings, which are based on past practices. The practice has been to meet the first Monday, once a month at 6:00 PM. If the Monday is a holiday, then the meeting would be postponed until the following Wednesday.

DATE	DAY	TIME
February 1, 2016	Monday	6:00 PM
March 7, 2016	Monday	6:00 PM
April 4, 2016	Monday	6:00 PM
May 2, 2016	Monday	6:00 PM
June 6, 2016	Monday	6:00 PM
July 6, 2016	Wednesday	6:00 PM
August 1, 2016	Monday	6:00 PM
September 7, 2016	Wednesday	6:00 PM
October 3, 2016	Monday	6:00 PM
November 7, 2016	Monday	6:00 PM
December 5, 2016	Monday	6:00 PM

12 Second Street Presque Isle, ME 04769-2459 Phone: 207.760.2700 Fax 207.764.2501

This institution is an equal opportunity employer.

To file a complaint, write to Kellie Chapman, Human Resource Director, 12 Second Street Presque Isle, ME 04769, or call (207) 760-2718.

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 4, 2016

AGENDA ITEM # 7

SUBJECT

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

INFORMATION

1) Copy of Warrant

APPROVAL AND/OR COMMENTS OF CITY MANAGER

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to approve the Policy on Treasurer's Disbursement Warrants for Employee Wages and Benefits.

CITY OF PRESQUE ISLE

POLICY ON TREASURER'S DISBURSEMENT WARRANTS FOR EMPLOYEE WAGES AND BENEFITS

Purpose. This policy allows designated municipal officers (City Councilors), acting on behalf of the full board of municipal officers, to review, approve, and sign municipal Treasurer's disbursement warrants, for wages and benefits only.

This policy is additional to, not in lieu of, majority power. Nothing in this policy is intended to replace the authority of the full board of municipal officers, acting by majority vote, to act on any treasurer's warrant, including warrants for wages and benefits.

Delegation of authority. Pursuant to 30-A, M.R.S.A, § 5603(2)(A)(1), the following authority is granted with respect to treasurer's disbursement warrants **for municipal employees wages and benefits only.**

Current municipal officers. The municipal officers in office at the time of execution of this policy are: Emily Smith, Michael Chasse, Richard Engels, Natilee Graves, Craig Green, Leigh Smith, and Randy Smith. Any one of the municipal officers named above, acting alone, may review, approve, and sign such warrants.

Effective date. This policy becomes effective on the date indicated below.

Copies. The Chair of the municipal officers will furnish copies of this policy to the City Clerk and to the municipal Treasurer.

Lapse. This policy lapses one year after its effective date, if not sooner amended or cancelled.

Renewal. This policy may be renewed at any time before its lapse. Thereafter, it may be readopted at any time. Any renewal is valid for one year from its effective date, unless a sooner date of expiration is specified.

Reminder. The Treasurer shall remind the municipal officers to consider renewing this policy annually before it lapses.

Original. The original of this policy shall be maintained on file by the City Clerk.

Adopted: January 4, 2016

Emily Smith

Michael Chasse

Richard Engels

Natilee Graves

Craig Green

Leigh Smith

Randy Smith

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 4, 2016

AGENDA ITEM # 8

SUBJECT

Approve Municipal Officer's Policy on Disbursement of
Municipal Education Costs

INFORMATION

1) Copy of Warrant

APPROVAL AND/OR COMMENTS OF CITY MANAGER

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to approve the Municipal Officer's Policy on Disbursement of Municipal Education Costs.

CITY OF PRESQUE ISLE

MUNICIPAL OFFICERS' POLICY ON DISBURSEMENT OF MUNICIPAL EDUCATION COSTS

Pursuant to 20-A M.R.S.A. § 1500(1) and 30-A M.R.S.A. § 5603(2)(A)(2), the Municipal Treasurer is hereby authorized to disburse funds to pay municipal education costs when the Treasurer has been presented with a disbursement warrant signed by the School Superintendent and approved by a majority of the school board, or by all of the members of any finance committee appointed or duly elected by the school board.

Before disbursing any funds on such a warrant, however, the municipal Treasurer shall satisfy himself or herself that the warrant is indeed signed by at least a majority of the school board or by all of the members of any finance committee appointed or elected by the school board. The Treasurer may accept as such satisfaction a written and signed certification of the pertinent fact from the School Superintendent, or, if the warrant itself indicates the fact (as, for example, by bearing the statement "being at least a majority of the school board" or "being all of the members of the school board's finance committee" beneath the signatures appearing on the warrant), then the Treasurer may rely on the representation of the warrant without further inquiry. The Treasurer shall not, however, pay any item on a warrant if payment of that item would result in an overdraft, and shall report his refusal to honor the item in writing to the Superintendent and to the municipal officers promptly.

The City Manager shall file a copy of this policy with the City Clerk and provide a copy to the municipal Treasurer, and shall ensure that this policy is brought to the attention of the municipal officers annually for consideration of renewal. The City Clerk shall, after approval by the municipal officers of any meeting in which they have voted a renewal of this policy, attest to such renewal by endorsing the policy below, and shall then file a copy of the policy bearing that renewal endorsement in the City Clerk's files and shall deliver a copy to the municipal Treasurer.

Adopted: January 4, 2016

Michael Chasse

Richard Engels

Natilee Graves

Craig Green

Emily Smith

Leigh Smith

Randy Smith

Attest: _____
Beverly A. Labbe, City Clerk

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 4, 2016

AGENDA ITEM # 9

SUBJECT

SINGLE PUBLIC HEARING: Re-pass Ordinances due to the Sunset Provision

INFORMATION

- 1) Chapter 12 Taxi Cab Ordinance
 - 2) Chapter 13 Litter and Illegal Dumping Ordinance
 - 3) Chapter 25 Maine Uniform Building and Energy Code Ordinance
 - 4) Chapter 25A Residential Building Code – One and Two Family Dwellings in Maine Ordinance
 - 5) Chapter 31 National Electrical Code Ordinance
 - 6) Chapter 37 Personnel Ordinance
 - 7) Chapter 38B Life Safety Code
 - 8) Chapter 38C Property Maintenance Code
 - 9) Chapter 42 Solid Waste Ordinance
 - 10) Chapter 43 Planning Board Ordinance
-
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APPROVAL AND/OR COMMENTS OF CITY MANAGER

Passage is recommended

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to repass Chapter 12 - Taxi Cab Ordinance; Chapter 13 - Litter and Illegal Dumping Ordinance; Chapter 25 - Maine Uniform Building and Energy Code Ordinance; Chapter 25A - Residential Building Code – One and Two Family Dwellings in Maine Ordinance; Chapter 31 - National Electrical Code Ordinance; Chapter 37 - Personnel Ordinance; Chapter 38B - Life Safety Code; Chapter 38C - Property Maintenance Code; Chapter 42 - Solid Waste Ordinance; Chapter 43 - Planning Board Ordinance as presented.

CHAPTER 12

CITY OF PRESQUE ISLE

Taxicab Ordinance



Approved by the City Council: May 20, 1991
Amended by the City Council: June 3, 1996
Repassed by the City Council: February 7, 2000
Amended by the City Council: December 4, 2000
Repassed by the City Council: January 21, 2004
Amended by the City Council: May 3, 2004
Amended by the City Council: October 17, 2005
Repassed by the City Council: January 7, 2008
Amended by the City Council: March 3, 2008
Amended by the City Council: June 6, 2011
Repassed by the City Council: January 3, 2012
Repassed by the City Council: January 4, 2016

Attest: _____
Beverly A. Labbe, City Clerk



CHAPTER 12

TAXICABS

Section 1 Definitions

The following words and phrases when used in this chapter shall have the following meanings:

- A. Driver’s License: means the permission granted by the Council to drive a taxicab upon the streets and roadways of the City, provided the person possesses a valid Maine Drivers License.
- B. Licensed Inspector: means and includes any person designated by the Clerk to perform inspections of taxicabs.
- C. License to operate: means the license issued by the Council authorizing a person to operate a taxicab business in the City.
- D. Limousine: means and includes any motor vehicle except a taxicab, used for the transportation of passengers for hire for special events and by appointment.
- E. Person: Includes an individual, corporation, partnership or other business association.
- F. Rate Card: means a card issued by the City Clerk for display in each taxicab which boldly shows the rates then in force.
- G. Revocation: means a suspension of the right to conduct business or drive a taxicab for a period that exceeds one year.
- H. Suspension: means taking away the right to conduct business or drive a taxicab that does not exceed one year.
- I. Taxicab: means a motor vehicle regularly engaged in the business of carrying passengers for hire, having a seating capacity of not less than four (4) persons and not operated on a fixed route.
- J. Taxicab Operator: means a person engaged in the business of employing drivers and taxicabs for transporting passengers for hire.
- K. Waiting Time: means the time when a taxicab is not in motion from the time of acceptance of a passenger to the time of discharge, but does not include any time that the taxicab is not in motion if due to any cause other than the request, act, or fault of the passenger.

Section 2 Police Department to Report Violations to Council

The Police Department is hereby given the authority and is instructed to watch and observe the conduct of operators and drivers operating under this chapter.

Upon discovering a violation of the provisions of this chapter, the Police Department shall report the same to the Council which will order or take appropriate action.

Section 3 Operator’s License Required

No person shall operate or permit a taxicab owned or controlled by him to be operated as a vehicle for hire upon the streets of the City without having first obtained a license from the Council.

Section 4 Application for License to be Filed; Information Desired

An application for a taxicab operator license required by Section 3 shall be filed with the City Clerk upon forms provided by the City and such application shall be verified under oath and shall furnish the following information:

- A. The name and address of the applicant
- B. Evidence of ability to secure bond or insurance
- C. The experience of the applicant in the transportation of passengers
- D. The number of vehicles to be operated or controlled by the applicant
- E. Such further information as the Council may require

Section 5 Issuance of License

If the Council finds that an applicant is fit, willing and able to perform such public transportation, and to conform to the provisions of this chapter and the rules promulgated by the Council, then the City Clerk shall issue an operator’s license stating the name and address of the applicant, the number of vehicles authorized under the license and the date of issuance, otherwise the application shall be denied.

All licenses covered by this chapter shall expire on the first (1st) day of May of each year, except if the first (1st) shall fall on a weekend or a holiday the license will expire on the next regular business day.

Section 6 Indemnity Insurance Required

No operator’s license required by Section 3 shall be issued or continued in operation unless there is in full force and effect vehicle insurance in such form and amount of coverage per applicable State law and/or regulation.

Said insurance, shall inure to the benefit of any person who shall be injured or who shall sustain damage to property, proximately caused by the negligence of a taxi operator. A copy of said insurance shall be filed with the City Clerk, with the City as a named insured.

Section 7 Fees Prerequisite to Issuance to License

No operator’s license provided under this chapter shall be issued or continued in operation unless the holder thereof has paid an annual license fee required by Section 22 for the right to engage in the taxicab business and the required fee for each vehicle under a license.

Said license fees shall be valid for one year and shall be in addition to any other license fees or charges established by proper authority and applicable to said taxicab operator or the vehicle or vehicles under his operation and control.

Section 8 Transfer of Operator’s Licenses

No operator’s license may be sold, assigned, mortgaged, or otherwise transferred.

Section 9 Suspension, Revocation of License; Hearing

An operator’s license issued under the provisions of this chapter may be revoked or suspended by the Council if the holder thereof has:

- A. Violated any of the provisions of this chapter;
- B. Discontinued operations for more than sixty (60) days without due cause;
- C. Has violated any Ordinance of the City or the laws of the United States or of the State of Maine, the violations of which reflect unfavorably on the fitness of the holder to offer public transportation.

Prior to suspension or revocation, the holder shall be given ten (10) days notice of the proposed action to be taken and shall have an opportunity to be heard.

Section 10 Duty to Provide Service; Penalty

Holders of an operator’s license issued in accordance with this chapter shall maintain a central place of business for the purpose of receiving calls and dispatching cabs.

Holders of an operator’s license shall answer all calls received by them for services inside the corporate limits of the City as soon as they can do so and if services cannot be rendered within reasonable time they shall then notify the prospective passengers how long it will be before the call can be answered and give the reason therefor.

Any holder of an operator’s license who shall refuse to accept a call during business hours anywhere in the corporate limits of the City at any time when such holder has available taxicabs, or who shall fail or refuse to give service during business hours shall be deemed a violator of this section and the license granted to such holder may be revoked at the discretion of the Council.

Section 11 Taxicabs to be Marked

Taxicabs will be clearly marked as such. Taxicab operators may employ a specific color scheme, identifying design, monogram or insignia.

Each licensed taxicab shall have on the top and/or each side in letters readable from a distance of twenty (20) feet the name of the licensee or the dispatch controller for the purpose of receiving calls, as well as a designated number assigned by the City Clerk to be no smaller than three (3) inches to be placed on each side of each licensed vehicle, or on each side of the taxi sign on top of the vehicle.

Section 12 Rates

No taxicab operator or taxicab driver shall charge a sum for the use of a taxicab higher than that in accordance with the following rates:

- A. A base fee shall be set based on the formula found in Section (J) below for one and \$1.50 for each additional person ten (10) years of age and over, from the same point of hire to the same destination, within the compact urban line, excluding the Airport. An additional \$1.00 per mile may be charged for trips outside the compact urban line.
- B. A fee may be charged for fares to and from the Airport, equal to the base fee, within the urban line or from any hotel or motel in the City.
- C. Trunks may be charged for at the rate of \$1.00.
- D. Charges for waiting time may be \$.35 per minute or \$20.00 per hour.
- E. Charge for errands may be \$1.00 over the cost of fare.
- F. An additional fee of \$1.00 may be charged for delivering groceries, parcels, etc.
- G. Children under ten (10) years of age accompanied by adults will be carried without charge.
- H. Taxicabs may be employed as sightseeing cabs at the rate of \$20.00 per hour for the first hour and, for each quarter hour thereafter or fraction thereof, \$5.00, provided, however, that no taxicab shall be engaged as a sightseeing cab for a shorter period than one hour.
- I. No charge shall be made for the transportation of the first two bags or parcels per passenger. A charge of \$.75 may be charged for more than two bags or parcels.
- J. The base fee shall be established based on the IRS allowable mileage rate. Such rate shall be based on a ratio of the 6/2005 rate of \$0.405 per mile equaling a base rate of \$5.50, rounded down to the nearest \$0.10. To illustrate, at the 2011 IRS rate of \$0.51, the base rate would be \$6.90 $((5.50 \times 0.51) / (0.405)) = \6.92 , rounded down to \$6.90
- K. Passengers are under no obligation to pay the fare for any trip originating in the City and going outside the City or originating outside the City and coming inside the City unless the passenger and the driver have agreed upon an amount of the fare prior to the commencement of the trip.
- L. A rate card shall be issued by the City Clerk together with each taxicab license. The rate card shall be clearly visible to the passenger at all times when the taxicab is in service. The rate card shall also contain the following statement: "If you have a complaint about the service you have received or the fare you have been charged, please call the Clerk of the City of Presque Isle at 760-2720."
- M. Whenever the IRS rate for mileage changes, the maximum rate charged, according to this ordinance, shall automatically change on the effective date and upon notification by the City Clerk to all licensed operators within the City. A public notice shall be placed according to the notification requirements of any ordinance changes; such cost shall be borne by the licensed operators.

Section 13 Equipment

- A. Taxicabs shall be at all times clean and in good repair inside and out and shall be maintained at all times in compliance with the laws of the state relating to passenger vehicle and the rules and regulations of the State Commissioner of Transportation enacted pursuant thereto.

Taxicabs shall be inspected and must pass inspection by a State of Maine Certified Inspection Station three (3) times per year, during the months of January, May and September.

- B. Every taxicab shall be equipped with an exterior light affixed to the roof thereof which shall be covered with a translucent fixture marked with the word "Taxi" in legible lettering and which shall be operated during the period between sunset and sunrise, as long as the taxicab is in service.
- C. Every taxicab shall be conspicuously marked in letters not less than one and one-half (1 ½) inches in height with the word "Taxi" and the owner's name or trade name, or, in lieu of such name or trade name, with a design or monogram containing the owner's name or trade name. Such design or monogram shall be not less than eight (8) inches in diameter.

Section 14 Display of License

A taxicab driver shall display his or her taxicab driver's license in a place within the cab which is clearly visible to passengers at all times when the cab is in service.

Section 15 Ordering of Taxicab from Service

The license inspector may require any licensee to present a taxicab for inspection whenever the inspector deems such inspection necessary and may in writing order a taxicab business licensee to remove from service any taxicab which is in violation of this chapter; provided that a reinspection shall be scheduled as soon as possible but in no case more than three (3) days thereafter. There shall be a charge of \$5.00 for the first reinspection, and a charge of \$25.00 for each reinspection thereafter, of any taxicab ordered removed from service for any violation which is deemed by the license inspector to represent a serious threat to the health or safety of passengers. Any licensee aggrieved by such an order may appeal at any time to the Clerk who shall as soon as possible, and in no case more than three (3) days thereafter determine whether such taxicab is in violation of this chapter and shall either affirm the order of the license inspector or give the licensee written permission to return the taxicab to service. Notwithstanding any other provision of this section or chapter, the license of any licensee charged with operating a taxicab which the license inspector has ordered out of service shall be suspended in accordance with Section 9, and shall either be suspended or revoked upon a finding, after notice and hearing, that the violation has in fact been committed.

Section 16 Required

No person shall operate a taxicab within the City unless such taxicab and the driver thereof are currently licensed. All licenses issued pursuant to this chapter shall be granted, denied, suspended or revoked by the Clerk, in accordance with the other provisions of this chapter. A taxicab business license shall apply to one vehicle only.

Section 17 Application

- A. Applications under this chapter shall be filed as follows:
1. Taxicab operator's licenses:
 - a. Name(s) of the stockholders of the corporation will be submitted along with the application. In all other cases by all persons having actual ownership interests in the applicant. If the applicant is a corporation, the application shall state the name and the date and place of birth of each of the principal officers of the applicant and of every person having management authority in the business of the applicant. In all other cases, the application shall state the name and address and the date and place of birth of every person having an actual ownership interest or having management authority in the business of the applicant.
 - b. A record of any disqualifying criminal conviction or a statement that no such conviction exists shall be provided.
 - c. A detailed description of the graphic design, insignia, wording and coloring which will appear upon the vehicle, if licensed, shall be included.
 - d. The application shall contain an appropriate form of statement over the signature of each person signing the application, giving all persons and governmental agencies having information relevant to the above items permission to release the same to the Clerk.
 2. Taxicab drivers license. The taxicab driver's license application shall:
 - a. State the age of the applicant; all applicants must be at least 18 years of age.
 - b. Provide proof the applicant has a valid, active, Maine driver's license.
 - c. Contain a complete statement of the applicant's health and physical condition
 - d. Contain a complete record of the applicant with respect to any disqualifying criminal conviction or a statement that no such conviction exists
 - e. Contain a record of convictions for reckless driving, driving to endanger, operating or attempting to operate under the influence during the year preceding the application; and
 - f. State whether any driver's license held by the applicant is presently revoked or has been revoked during the three (3) years preceding the application and the reasons for such revocation or revocations.
- B. The application shall contain an appropriate form of statement over the signature of the applicant giving all persons and governmental agencies having information relevant to the above items permission to release the same to the Clerk and shall be accompanied by two (2) photographs of the applicant of such size as the Clerk may specify.

Section 18 Standards for Denial

In addition to those standards set forth in this chapter, a license under this section shall be denied to the following persons:

- A. Taxicab operator's licenses:
 - 1. To a corporation which is not licensed to do business in the state;
 - 2. To an applicant other than the registered owner of the vehicle;
 - 3. To an corporation if any principal officer or stockholder thereof or any person having actual ownership interest therein has a disqualifying criminal conviction;
 - 4. To an applicant, other than a corporation, if such applicant or any person having an actual ownership interest or management authority therein has a disqualifying criminal conviction; and
 - 5. To any applicant whose taxicab business license has been revoked within the three (3) years preceding the application.

Section 19 Transfer

Notwithstanding any other provision of this chapter, and in lieu of any other fee, a taxicab license may be transferred to another vehicle. All additional fee of \$5.00 will be charged for the transfer at the time the transfer is requested.

Section 20 Automatic Revocation or Suspension

No taxicab driver's license shall be effective for the purposes of this chapter during any period in which the state driver's license of the licensee is suspended or revoked.

Section 21 Grounds for Suspension or Revocation

- A. Either License. In addition to the grounds for suspension or revocation of licenses set forth in other sections of this chapter, either a taxicab operator's license or a taxicab driver's license may be suspended or revoked upon a determination that the licensee:
 - 1. Knowingly took a longer route to his or her destination than was necessary unless so requested by the passenger;
 - 2. Knowingly conveyed any passenger to a place other than that which the passenger specified;
 - 3. Transported any person other than the passenger first engaging the taxicab without the express consent of such passenger;
 - 4. Drove a taxicab when not clean and neat in appearance;
 - 5. Failed to remain in the driver's compartment of the taxicab at all times that the taxicab was in service or was waiting to be hired; other than to assist a passenger or his or her bags into or out of the taxicab; or permitted any person other than the driver, and a passenger or passengers to remain in the taxicab at any such time; except a trainee, if a licensed taxicab driver;
 - 6. Refused to transport any orderly person upon request unless, in the case of a single taxicab business the taxicab is engaged, or in the case of a taxicab business

operating more than one taxicab, all taxicabs operated by such business and then in service are engaged (if no taxicab is available at the time when a request for taxicab service is telephoned to a dispatch service, the dispatch service shall arrange with the caller for transportation by the next available taxicab using such dispatch service unless the caller expressly declines to make such arrangement);

7. Charged more than the maximum fare specified on the rate card displayed in the taxicab;
8. Failed to notify the Clerk of any change of any material fact set forth in the application for such license; or
9. Removed from a taxicab or obscured or caused to be removed from a taxicab or obscured the notice required by Section 12.

B. Taxicab drivers licenses only. In addition to the provisions of Subsection (A), a taxicab driver's license may be suspended or revoked upon the determinations that the driver:

1. Engaged in any loud argument, fight or other disturbance; harassed, threatened or assaulted another person; intentionally damaged, destroyed or threatened to damage or destroy any property; or in any other manner engaged in conduct detrimental to the orderly and efficient transportation of passengers.

Maximum suspensions of taxicab driver's licenses, under this section shall be as follows:

5 days for the first violation; 14 days for the second violation within a one-year period. Third violations shall result in revocation of the taxi driver's license and may be the basis for further action with respect to the taxicab operator's license.

C. Taxicab operator's licenses. In addition to the provisions of Subsection (A), taxicab operator's licenses shall be subject to suspension or revocation where it is determined that there have been repeated violations by the driver or drivers which resulted in four (4) or more suspensions for similar conduct by the same driver, or eight (8) or more suspensions by employees of the same person holding more than one taxicab operator's license for similar conduct establishing a pattern of conduct by the holder of the taxicab operator's licenses.

Section 22 Fee Schedule

The following list of fees are set in compliance with this chapter:

<u>Type</u>	<u>Fee</u>
1. Taxicab Operator's License	\$40.00
2. Taxicab Driver's License	\$10.00
3. Transfer Request	\$ 5.00
4. Inspection Required by Section 15	\$ 5.00 and \$25.00

Section 23 Rate Schedule

The following list of rates are set in compliance with this chapter:

1. Base rate may be charged for any trip within the compact urban line, except the Airport, an additional fee of \$1.00 per mile may be charged for trips outside the compact urban line.
2. \$1.50 may be charged for each additional passenger.
3. Base rate may be charged for any trip to or from the Airport, inside the compact urban line or from any hotel or motel in the City.
4. Trunks may be charged for at a rate of \$1.00.
5. Waiting time may be charged at \$.35 per minute or \$20.00 per hour.
6. Charge for errands may be \$1.00 over the cost of the fare.
7. Charge for the delivery of groceries, parcels, etc. may be \$1.00 over the fare.
8. When used for sightseeing the fare may be \$20.00 per hour, and \$5.00 of every quarter hour thereafter.
9. No fare may be collected for any child under the age of 10 years old, when accompanied by an adult.

Section 23 Penalties

Notwithstanding any other provision of this chapter, if found to have violated any provision of this chapter, taxicab operators may be fined up to \$100.00 and taxicab drivers may be fined up to \$50.00 for any violations of this chapter or may also be charged criminally or civilly for any violations of this chapter that also constitute a violation of State law, but not both.

Section 24 Sunset Provisions

This Ordinance shall be in force for the term of four (4) years from its effective date. This Ordinance shall become null and void upon the expiration of four (4) years from said effective date, unless recommended and required by the City Council to remain effective prior to such expiration date.

CHAPTER 13

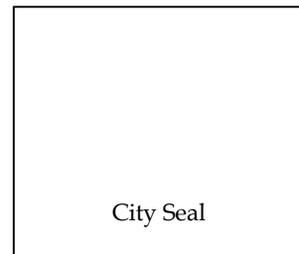
CITY OF PRESQUE ISLE

Litter and Illegal Dumping Ordinance



Approved by the City Council: July 1, 1996
Repassed by the City Council: February 7, 2000
Repassed by the City Council: January 21, 2004
Repassed by the City Council: January 7, 2008
Revised by the City Council: February 7, 2011
Repassed by the City Council: January 3, 2012
Revised by the City Council: October 1, 2012
Repassed by the City Council: January 4, 2016

Attest: _____
Beverly A. Labbe City Clerk



CHAPTER 13

LITTER ORDINANCE

PREAMBLE: This Ordinance is intended to replace and repeal all prior Ordinance(s) dealing with any subject matter dealt with herein, and shall supersede the same, whether specifically repealed or referenced herein:

DEFINITIONS: For the purpose of this Ordinance, the following terms shall have the means ascribed to them in this section, to wit:

Litter: Any garbage, solid waste, junk, rubbish, refuse, construction debris or demolition debris, and any other waste or materials covered under the definitions set forth in Chapter 42 (Solid Waste Ordinance), which are incorporated herein (each of the terms used above shall convey the same meaning as set forth in the definition section of the Solid Waste Ordinance (Chapter 42), as though they were set forth herein).

Storage Container(s): Any metal or rigid plastic container not to exceed 55 gallon capacity, with proper covers thereto.

Person: The word "person" as used herein shall mean and include an individual, or group of individuals, entities, and/or partnership.

Illegal Dumping: the act of placing, depositing, dumping, disposing of, or allowing the disposal of, any solid waste on any land or into any water, public or private, including one's own property, but not limited to, municipally or state-owned land and waters not legally permitted for the disposal of such waste.

Section 1 General

- A. *Purpose:* the purpose of this Chapter is to promote the general health and welfare of the citizenry of the City of Presque Isle by providing for the orderly disposal of solid waste, to upgrade the quality of human life and the environment, to control pollution, to protect our natural resources, and to ensure an adequate capacity for disposal of waste into the future.
- B. *Conformity:* This Chapter shall conform to all applicable Federal and State laws
- C. *Conflicts:* In the event of a conflict with the provisions of this Chapter and Ordinances of the City of Presque Isle, the more stringent provisions shall apply.
- D. *Severability:* In the event any portion of this Chapter or Article herein is held to be invalid, the balance of this Chapter or said Article shall remain unaffected thereby.
- E. *Violations and Penalties:* A violation of this Chapter shall be enforced in accordance with the provisions of 30-A M.R.S.A. § 4452, or the same that may be amended from time to time, as a land use violation. The penalties set forth in 30-A M.R.S.A. § 4452 shall apply to violations of this Chapter, except where expressly provided herein.

The City of Presque Isle shall be entitled to its costs for successfully prosecuting any violation of this Chapter, including but not limited to, attorney fees, costs associated with prosecuting the cases, including staff time, clean up costs associated with any remedial action taken by the city or on behalf of the city, even if such costs were incurred by a independent third party, and/or revenue otherwise not received by the community because of the actions of the violator.

- F. Enforcement: It shall be the duty of any designated official under the authority of the Presque Isle City Manager to include, but not limited to the Chief of Police, the Code Enforcement Office, the City Health Officer or any other authorized designee to enforce the provisions of this section.
- G. Penalty: Any person who violates any of the provisions of this Ordinance shall be assessed a fine of not less than five hundred (\$500.00) for the first offense; and not less than one thousand (\$1,000.00) for each successive violation. Each day's continuance or failure to comply shall be punishable as such. All fines, fees and costs shall be recovered to the City of Presque Isle.

Section 2 Curbside Collection and Litter Control

- A. No person shall litter within the limits of any street, highway, public way, public parking lot, private way, passageway, bridge or into water or on banks or onto the ice of any lake, pool, brook, river or stream within the City of Presque Isle.
- B. No property owner within the City of Presque Isle shall or allow his tenant(s) to so deposit or store on his property, outside of a building, any rubbish, household waste, or garbage except in proper storage containers, waiting timely transport to a transfer station or the sanitary landfill ("Timely Transport" as used herein shall mean within two [2] weeks). All proper storage containers, if kept on the premises outside of any building or storage shed, shall be kept so that said containers are securely covered at all time, to insure public health and safety.
- C. When all proper storage containers are placed at curbside for collection by a licensed refuse collector said containers shall not be so placed prior to 6:00 PM the evening prior to the day of collection and said containers shall be removed from curbside no later than 8:00 PM the day of collection.
- D. The owner of property, is for the purpose of section 2 of this Chapter, presumed to have knowledge of any violation of this section by his tenant(s), and shall be responsible for the acts of his tenant(s) that are in violation of this section.
- E. It shall be considered a violation of this ordinance for any person to use another persons' or entities' means of disposal, i.e. dumpster, without permission, to dispose of their solid waste.

Section 3 Health Nuisances

- A. *Trash in Public Places Prohibited:* No person, partnership, corporation, association, or other legal entity from inside or outside the boundaries of the City of Presque Isle shall throw, deposit or leave any garbage, yard waste, waste matter, bulky waste, construction demolition debris, universal waste, hazardous waste, dead animals, biological waste, rubbish or any other related solid waste or cause the same to be thrown, deposited or left upon any street, alley, gutter, park, or other public space, or throw or deposit the same in or upon any private premise or vacant lot or in any water, or to store or keep the same except in suitable containers as required by this Article or by Chapter 42 of the Presque Isle Ordinances.
- B. *Polluting of Bodies of Water Prohibited:* No person, partnership, corporation, association, or other legal entity from inside or outside the boundaries of the City of Presque Isle shall throw, deposit or leave any dead animal or any offensive matter in any waters in the City of Presque Isle. Nor shall any person throw, cast or place any living animal with the intent to drown or harm the same in any waters in the boundaries of the City of Presque Isle.
- C. *Illegal Dumping:* Any person, partnership, corporation, association or other legal entity who with or without authority from the owner of a premises who shall throw, dump, or deposit any refuse, rubbish, bulky waste, construction demolition debris, universal waste, hazardous waste, dead animal(s), biological waste or waste matter of a similar nature upon any premises, shall be guilty of an offense except as follows:
1. The composting of material as authorized by the State of Maine Solid Waste Management Rules, provided no nuisance is caused;
 2. Open burning or incineration as allowed within this Ordinance.
- D. *Incineration is Prohibited:* It shall be unlawful for any person to burn or incinerate any solid waste within the City of Presque Isle, unless authorized by federal and state law, approved by the Fire Department, and further limited to:
1. The burning of leaves, brush, garden waste, slash, slab wood and other natural wood wastes resulting from property maintenance, logging and clearing operations.
 2. The open burning of natural wood, grass, leaves and similar materials for agricultural improvement, forest or wildlife habitat management or festive celebrations.
 3. All open burning must be extinguished by one half hour after sunset unless otherwise approved by an authorized fire official.

- E. *Compliance is Mandatory:* If, in the opinion of an authorized official of the City it shall be for the health or comfort of the inhabitants of the City of Presque Isle that any particular substance should be removed forthwith and without delay, it shall be his or her duty to cause the same to be removed accordingly. Whenever any person shall have been duly notified to remove any of the substances mentioned in this Article, or to perform any other act or thing which it may be their duty to perform for the preservation of the public health and safety of the residents of the City of Presque Isle and the time limit for the performance of such duty shall have elapsed without compliance with such notice, by an authorized agent shall forthwith cause such substance to be removed at the expense of the person so notified. The authorized official or their designee shall cause all persons who shall violate or disobey any provision of the Article to be prosecuted and punished to the greatest extent possible by law.
- F. *Licensed junkyards:* Nothing within this ordinance shall be interpreted as affecting the proper and authorized operation or using of a licensed junkyard as defined by law.

Section 4 Sunset Provision

This Ordinance shall be in force for the term of four (4) years from its effective date noted below: This Ordinance shall become null and void upon the expiration of four (4) years from said effective date; unless recommended and required by the City Council to remain effective prior to such expiration date.

CHAPTER 25

CITY OF PRESQUE ISLE

Maine Uniform Building and Energy Code Ordinance



Approved by the City Council: September 4, 1996
Repassed by the City Council: February 7, 2000
Amended by the City Council: September 18, 2000
Amended by the City Council: January 6, 2003
Repassed by the City Council: January 21, 2004
Amended by the City Council: November 15, 2004
Repassed by the City Council: January 7, 2008
Amended by the City Council: February 2, 2009
Amended by the City Council: December 7, 2009
Amended by the City Council: December 6, 2010
Repassed by the City Council: January 3, 2012
Repassed by the City Council: January 4, 2016

City Seal

Attest: _____

Beverly A. Labbe, City Clerk

Chapter 25

Maine Uniform Building and Energy Code

An Ordinance of the City of Presque Isle adopting the Commercial Building Code component of the Maine Uniform Building and Energy Code (“MUBEC”), regulating and governing the conditions and maintenance of all property, buildings and structures; by providing for the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and uses; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures in the City of Presque Isle; providing for the issuance of permits and collections of fees, making of inspections; providing penalties for the violation thereof; known as the building code; repealing the existing 2003 edition of the *International Building Code* of the City of Presque, State of Maine.

PREAMBLE: This Ordinance is intended to replace and repeal all prior ordinance(s) dealing with any subject matter dealt with herein, and shall supersede the same, whether specifically repealed or referenced herein:

Be it ordained by the City Council of the City of Presque Isle as follows:

SECTION 1. ADOPTION OF BUILDING CODE

That a certain document, three (3) copies of which are on file in the office of the City Clerk of the City of Presque Isle being marked and designated as *The International Building Code*, 2009 edition, including Chapters 1 – 10, Chapters 12 – 16, Chapters 18 – 26, and Chapters 31 – 35 as published by the International Code Council, be and is hereby, adopted as the Building Code of the City of Presque in the State of Maine; for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing for the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and uses; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the Code Enforcement Officer are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 3 of this Ordinance.

SECTION 2. INCONSISTENT ORDINANCE REPEALED

That Chapter 25 of the City of Presque Isle entitled *International Building Code, 2003 Edition* and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. ADDITIONS, INSERTIONS AND CHANGES

That the following sections are hereby revised as follows:

1. Section 101.1

Delete “City of Presque Isle; and
Insert “State of Maine” in its place.

2. 101.4.3

Delete “International Plumbing Code”; and
Insert “Maine State Plumbing Code, adopted pursuant to Title 32, § 3404-B” in its place.

Delete “International Private Sewage Disposal Code”; and
Insert “Maine State Plumbing Code, adopted pursuant to Title 32, § 3404-B” in its place.

3. Section 109

Insert Five Dollars (\$5.00) per thousand Dollars of valuation or part thereof for residential construction, and Eight Dollars (\$8.00) per thousand dollars of valuation or part thereof for commercial construction. Thirty Five Dollars (\$35.00) **MINIMUM PERMIT FEE**. Thirty Dollars (\$30.00) demolition fee for residential and One Hundred Dollars (\$100.00) for commercial. Twenty Five Dollars (\$25.00) use fee. Two Dollars and fifty cents (\$2.50) per square foot sign permit fee.

Any person who shall commence any work for which a permit is required by this Ordinance without first having obtained a building permit therefore, shall, if subsequently permitted to obtain a permit, pay double the permit fee fixed by this section for such work.

4. Section 113

Change to read: The Board shall modify or reverse the decisions of the Code Official by a concurring vote of the majority of the members present and voting. A quorum shall consist of three (3) members.

5. Section 114 Violation Penalties:

Change to read: any person who shall violate a provision of this Code shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the Code Official, or of a permit of certification issued under the provisions of this Code, shall be found guilty of a civil offense, punishable by a fine of not more than \$2,500. Each day that a violation continues shall be deemed a separate offense.

- Delete* Chapter 11 Accessibility
- Delete* Chapter 17 Structural Testing and Special Inspections
- Delete* Chapter 27 Electrical
- Delete* Chapter 28 Mechanical Systems
- Delete* Chapter 29 Plumbing Systems
- Delete* Chapter 30 Elevators and Conveying Systems
- Delete* Appendix A – K

SECTION 4. VALIDITY CLAUSE

That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Presque Isle here by declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 5. SAVING CLAUSE

That nothing in this Ordinance or in the Building Code hereby adopted shall be constructed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 5. DATE OF EFFECT

That the City Clerk shall certify to the adoption of this Ordinance and cause the same to be published as required by law and this Ordinance shall take full force and effect after this date or final passage and approval.

SECTION 6. SUNSET PROVISION

This Ordinance shall be in force for the term of four (4) years from its effective date noted. This Ordinance shall become null and void upon the expiration of four (4) years from said effective date: unless recommended and required by the City Council to remain effective prior to such expiration date.

CHAPTER 25A

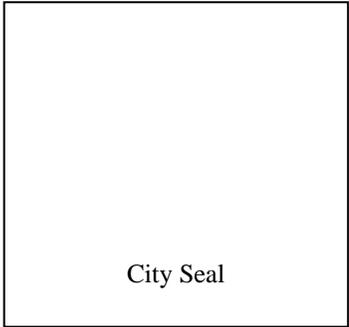
CITY OF PRESQUE ISLE

*Residential Building Code Ordinance
One and Two Family Dwellings in Maine*



Approved by the City Council: September 4, 1996
Repassed by the City Council: February 7, 2000
Amended by the City Council: September 18, 2000
Amended by the City Council: January 6, 2003
Repassed by the City Council: January 21, 2004
Amended by the City Council: November 15, 2004
Repassed by the City Council: January 7, 2008
Amended by the City Council: December 6, 2010
Repassed by the City Council: January 4, 2016

Attest: _____
Beverly A Labbe, City Clerk



**RESIDENTIAL BUILDING CODE
ONE AND TWO FAMILY DWELLINGS IN MAINE
CHAPTER 25A**

An Ordinance of the City of Presque Isle adopting the Residential Building code component of the Maine Uniform Building and Energy Code (“MUBEC”), regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment location, demolition and removal, maintenance and use of all detached one and two family buildings and structures and multiple single family dwellings (townhouses) not more than three (3) stories in height with separate means of egress in the City of Presque Isle; providing for the issuance of permits, collections of fees, making of inspections; providing penalties for the violation thereof; known as the Residential Building code; repealing the existing 2003 edition of the *International Residential Code* of the City of Presque Isle, State of Maine.

PREAMBLE: This Ordinance is intended to replace and repeal all prior ordinance(s) dealing with any subject matter dealt with herein, and shall supersede the same, whether specifically repealed or referenced herein:

Be it ordained by the City Council of the City of Presque Isle as follows:

SECTION 1. ADOPTION OF BUILDING CODE

That a certain document, three (3) copies of which are on file in the office of the City Clerk of the City of Presque Isle being marked and designated as *The International Residential Code, 2009 Edition*, including Chapters 1 – 10, Chapter 12 – 19, Chapter 23, Chapter 41, Chapter 42, and Chapter 44, as published by the International Code Council, be and is hereby adopted as the Residential Code of the City of Presque in the State of Maine; for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three (3) stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code on file in the office of the Code Enforcement Officer are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 3 of this ordinance.

SECTION 2. INCONSISTENT ORDINANCE REPEALED

That Chapter 25A of the City of Presque Isle entitled 2003 Edition of the *International Residential Code* and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. ADDITIONS, INSERTIONS, AND CHANGES

That the following sections are hereby revised as follows:

1. Section R101.1

Delete City of Presque Isle

Insert State of Maine

2. Section R113.4 Violation Penalties:

Change to read: any person who shall violate a provision of this Code shall fail to comply with any of the requirements thereof, or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the Code Official, or of a permit of certification issued under the provisions of this Code, shall be found guilty of a civil offense, punishable by a fine of not more than \$2,500. Each day that a violation continues shall be deemed a separate offense.

Delete Chapter 11 Energy Efficiency

Delete Chapter 20 Boilers

Delete Chapter 21 Hydronic Piping

Delete Chapter 22 Special Piping and Storage Systems

Delete Chapter 24 Fuel

Delete Chapter 25 Plumbing Administration

Delete Chapter 26 General Plumbing Requirements

Delete Chapter 27 Plumbing Fixtures

Delete Chapter 28 Water Heaters

Delete Chapter 29 Water Supply and Distribution

Delete Chapter 30 Sanitary Drainage

Delete Chapter 31 Vents

Delete Chapter 32 Traps

Delete Chapter 33 Storm Drainage

Delete Chapter 34 General Requirements

Delete Chapter 35 Electrical Definitions

Delete Chapter 36 Services

Delete Chapter 37 Branch Circuit and Feeder Requirements

Delete Chapter 38 Wiring Methods

Delete Chapter 39 Power and Lighting Distribution

Delete Chapter 40 Devices and Luminaries

Delete Chapter 43 Class 2 Remote-Control, Signaling and Power Limited Circuits

Delete Appendix A - Q

SECTION 4. VALIDITY CLAUSE

That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsection, sentences, clauses and phrase be declared unconstitutional.

SECTION 5. SAVING CLAUSE

That nothing in this Ordinance or in the *Residential Building Code* hereby adopted shall be constructed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 6. DATE OF EFFECT

That the City Clerk shall certify to the adoption of this Ordinance and cause the same to be published as required by law and this Ordinance shall take full force and effect after this date or final passage and approval.

SECTION 7. SUNSET PROVISION

This Ordinance shall be in force for the term of four (4) years from its effective date noted. This Ordinance shall become null and void upon the expiration of four (4) years from said effective date: unless recommended and required by the City Council to remain effective prior to such expiration date.

CHAPTER 31

CITY OF PRESQUE ISLE

National Electrical Code Ordinance



Approved by the City Council: September 4, 1996
Repassed by the City Council: February 7, 2000
Amended by the City Council: September 18, 2000
Amended by the City Council: January 6, 2003
Repassed by the City Council: January 21, 2004
Repassed by the City Council: January 7, 2008
Amended by the City Council: March 3, 2008
Amended by the City Council: February 2, 2009
Amended by the City Council: December 7, 2009
Repassed by the City Council: January 3, 2012
Repassed by the City Council: January 4, 2016

Attest: _____
Beverly A. Labbe, City Clerk

City Seal

CHAPTER 31 **NATIONAL ELECTRICAL CODE**

An Ordinance establishing minimum regulations governing the design, construction, alteration, enlargement, repair, and maintenance of electrical wiring in all buildings and structures. Providing for the issuance of permits, collections of fees, making of inspections and providing penalties for the violation thereof; known as the *National Electrical Code*, and repealing the existing *Chapter 31, National Electrical Code 2005 Edition* of the City of Presque, State of Maine.

Preamble. This Ordinance is intended to replace and repeal all prior ordinance(s) dealing with any subject matter dealt with herein, and shall supersede the same, whether specifically repealed or referenced herein:

Be it ordained by the City Council of the City of Presque Isle as follows:

Section 1. Adoption of the National Electrical Code

That a certain document, three (3) copies of which are on file in the office of the City Clerk of the City of Presque Isle being marked and designated as *The National Electrical Code 2008 Edition*, as published by the National Fire Protection Association, and *Chapter 120 "Electrical Installation Standards"*; be and is hereby adopted as the Electrical Code of the City of Presque in the State of Maine; for the control of electrical wiring as, hereby, provided; and each and all of the regulations, provisions, penalties, conditions and terms as said in the National Electrical Code and *National Fire Protection Standard #70*, are hereby referred to, adopted and made a part hereof as is fully set out in this Ordinance.

Section 2. Appointment and Salary

The Electrical Inspector shall be appointed by the City Council. The Electrical Inspector shall receive a salary set by the same. It shall be unlawful for the Electrical Inspector to engage in the business of the installation and the maintenance of electrical wiring, electric devices and electrical material either indirectly, or directly, and the Electrical Inspector should have no financial interest in any concern engaged in such business at any time while holding office of Electrical Inspector. Any violations of the provisions of this section by said Electrical Inspector shall be sufficient cause for the Electrical Inspector's removal from office, but the Electrical Inspector may be removed by other just cause by the City Council.

Section 3. Access to Buildings

Said Electrical Inspector shall have the right during reasonable hours to enter any building, in the process of erection or reconstruction or that is being rewired, in the discharge of the Electrical Inspector's official duties, or for the purpose of making any inspection or test of the installation of electrical wiring, electrical devices or electric material contained therein. In the case of new buildings, no power shall be turned on said building until the Electrical Inspector has issued a certificate of inspection. In the case of reconstruction or rewiring, the Electrical Inspector shall have authority to cause the turning off of all electrical currents and cut or disconnect in cases of emergency, any wire where such electrical currents are dangerous to life or property or may interfere with the work of the Fire Department.

Section 4. Alterations

No alterations or additions shall be made in the existing wiring of any building, nor shall any building be wired for the placing of any electric lights, motor, heating devices, or any apparatus requiring the use of an electrical current, nor shall any alterations be made in the wiring of any building after inspection, without first notifying the Electrical Inspector and securing a permit therefore, except minor repair work, such as repairing flush and snap switches, replacing fuses, changing lamp sockets and receptacles, taping bare joints and repairing drop cords.

Section 5. Inspections

Upon the completion of the wiring of any building, it shall be the duty of the person, firm or corporation installing the same to notify the Electrical Inspector, who shall inspect the installation within one day of the time such notice is given when reasonably possible (excluding weekends and holidays); and if it is found to be fully in compliance with this Ordinance and does not constitute a hazard to life and property, he shall issue such person, firm or corporation for delivery to the owner, a certificate of inspection authorizing connection to the electrical service and the turning on of the current.

Section 6. Construction Requirements

No certificate of inspection shall be issued unless the electrical light, power and heating installation are in strict conformity with the provisions of this Ordinance and the regulation as laid down in the 1999 Edition of the *National Electrical Code*. These certificates shall show the fee charged by the Electrical Inspector, shall be made in duplicate, the original to be issued to the owner and the copy to be filed with the Code Enforcement Officer.

Section 7. Record of Permits and Inspections

The Electrical Inspector shall keep complete records of all permits issued and inspections made and other official work performed under the provisions of this Ordinance.

Section 8. Review

When the Electrical Inspector condemns all or parts of any electrical installation, the owner, within five days after receiving written notice from the Electrical Inspector, shall file a petition in writing for review of said action of the Electrical Inspector with the State Electrician's Examining Board, asking them for a decision and their ruling upon the application, which ruling shall be final. In case condemned parts do not constitute a menace of life and property or interfere with the work of the Fire Department; the Inspector may at his discretion, issue a temporary permit until said decision is made by the Office Insurance Commissioner State of Maine.

Section 9. Responsibility

This Ordinance shall not be construed to relieve from, or lessen, the responsibility of any party owning, controlling, or installing any electrical wiring, electrical devices or electrical material for damages to person or property caused by any defect therein, nor shall be held as assuming any liability by reason of the inspection authorized herein, or certificate of inspection issued as herein provided.

Section 10. Cost of Permit

Every application for a permit to do work regulated by this Ordinance shall state in writing on the application form provided for that purpose, the character or work proposed to be done and the amount and kind in connection therewith, together with such information, pertinent thereto as may be required.

Such applicant shall pay for each permit issued at the time of issuance, a fee in accordance with the following schedule, and at the rate provided for each classification shown herein.

Any person who shall commence any work for which a permit is required by this Ordinance without first having obtained a permit therefore shall, if subsequently permitted to obtain a permit, shall pay double the permit fee fixed by this section for such work, provided, however, that this provision shall not apply to emergency work shown it shall be proved to the satisfaction of the Electrical Inspector that such work was urgently necessary and that it was not practical to obtain a permit therefore before the commencement of the work. In all such cases a permit must be obtained as soon as practical to do so, and if there be a unreasonable delay in obtaining such permit, a double fee as herein provided shall be charged.

Section 10:

A. 1 and 3 Phase Through 800 Amperes	\$50.00 _____
B. 801 - More	\$75.00 _____
C. Panels Remote from Main Service	\$ 8.00 _____
D. Receptacles, Switches, Fixtures, Electrical Heat Units, Permanent Connected Appliances	<input type="checkbox"/> \$ 0.75 _____
E. Transformers - <u>Not</u> Utility Owned:	
Vaults	\$20.00 _____
1 - 25 KVA	\$10.00 _____
25 - 200 KVA	\$14.00 _____
Over 200 KVA	\$20.00 _____
F. Outside Lighting and Sign	\$ 4.00 _____
G. Motors - Fractional	\$ 2.00 _____
Motors 1 HP and Larger	\$ 4.00 _____
Generators	\$30.00 _____
H. Electrical Alarm Systems	\$27.00 _____
I. Meter Sockets	\$15.00 _____
MINIMUM PERMIT FEE	\$50.00 _____

NO MINIMUM PERMIT FEE FOR A TEMPORARY SERVICE

J. Temporary Service	\$25.00 _____
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Upon written request the Council may waive local fees based on hardship for person(s) who require a permit for construction due to fire loss if they do **NOT** have insurance to cover the cost.

Section 11. Inconsistent Ordinance Repealed

That Chapter 31 of the City of Presque Isle entitled *National Electrical Code, 2005 Edition* and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 12. Saving Clause

That nothing in this Ordinance or in the *National Electrical Code* hereby adopted shall be constructed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 11 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance. Should any part of this Ordinance or of the Code hereby adopted be declared invalid, the remainder of the Ordinance, or of the Code, shall not be affected thereby.

Section 13. Violations

It shall be unlawful for an owner, tenant, an electrician, or any person to make alterations or additions to existing wiring or install new wiring for the placing of electrical lights, motors, heating devices, or any apparatus requiring the use of electric current at the location of any building or structure in violation of any provisions of this Code or to cause, permit or suffer any such violation to be committed. Any such person shall be deemed guilty of a violation of this Ordinance and upon conviction shall be punished by a fine of not less than One-hundred dollars (\$100.00), or more than Twenty-five hundred dollars (\$2,500.00) for each provision of law thus violated. It shall be the responsibility of the offender to abate the violation as expeditiously as possibly, and each day such violation is permitted to continue thereafter shall constitute a separate offense. All fines collected hereunder shall inure to the City of Presque Isle.

Section 14. Date of Effect

That the City Clerk shall certify to the adoption of this Ordinance and cause the same to be published as required by law and this Ordinance shall take full force and effect after this date or final passage and approval.

Section 15. Sunset Provision

This Ordinance shall be in force for the term of four (4) years from its effective date noted. This Ordinance shall become null and void upon the expiration of four (4) years from said effective date: unless recommended and required by the City Council to remain effective prior to such expiration date.

CHAPTER 37
CITY OF PRESQUE ISLE
Personnel Ordinance



Adopted by the City Council: February 15, 1996
Amended by the City Council: May 3, 1999
Repassed by the City Council: February 7, 2000
Amended by the City Council: November 3, 2003
Repassed by the City Council: January 21, 2004
Repassed by the City Council: January 7, 2008
Repassed by the City Council: January 3, 2012
Amended by the City Council: October 1, 2012
Amended by the City Council: September 9, 2015
Repassed by the City Council: January 4, 2016

Attest: _____
Beverly A. Labbe, City Clerk

City Seal

CHAPTER 37

PERSONNEL ORDINANCE

An Ordinance of the City of Presque Isle (hereinafter referred to as the City) creating and establishing a personnel system for the City.

SECTION 1 PURPOSE

The purpose of this Ordinance is to establish a personnel system to provide a fair and uniform procedure for dealing with personnel matters free from prejudice; and to outline the administrative responsibilities of the City Manager and the Human Resource Director regarding the personnel system.

The general personnel policies of the City of Presque Isle are based upon the following objectives:

- ☑ To establish terms and conditions of service including causes and procedures for removal from office.
- ☑ To ensure hiring, appointments, promotions, demotions, the application of classifications, compensations and benefits, and all other decisions dealing with City employees, shall be based on merit and performance and free from prejudice.
- ☑ To promote efficiency and economy in City employment by just and equitable practices.
- ☑ To promote a feeling of goodwill and high morale between the City and its employees for the attainment of the best interest of the public and City.

SECTION 2 SCOPE

Except where noted, the Personnel Ordinance and Employee Handbook shall apply to all employees and departments of the City of Presque Isle, with the exception of:

- Elected, and non-salaried members and/or appointed officials of boards and commissions.
- Volunteers, contracted services, and workfare participants.
- Employees represented by a Union, except where their respective Union Contract language is silent or the Employee Handbook are not in conflict with any Union Contract Article.
- Departments may establish supplemental personnel rules and procedures for their department upon review and approval by the City Manager, if not in conflict with the Employee Handbook as set forth by the City or any Federal or State laws.

SECTION 3 ADMINISTRATION

A. City Manager

The City Manager shall have the responsibility for the personnel system set forth in this Ordinance. He/She specifically shall:

1. Be responsible for effective personnel administration.
2. Hire, appoint, remove, suspend and discipline all officers and employees of the City subject to the policies as set forth in this Ordinance, Employee Handbook, Union Contracts, provisions of the Charter, and those in State and Federal law; or he/she may at his/her discretion, authorize the head of the department of office responsible to him/her to hire, appoint, remove and suspend subordinates in such departments and offices.
3. Fix and establish the number of employees in the various City departments and offices and determine the duties and compensation in accordance with policies set forth in this Ordinance and subject to the approval of the City Council and budget limitations.
4. Perform such other duties and exercise such other powers in personnel administration as may be described by law and this Ordinance.

B. Human Resource Director

The City Manager may appoint a Human Resource director who shall be responsible for the administration and technical direction of the City personnel system.

The Human Resource Director shall:

1. Administer, under the direction of the City Manager, the personnel system as set forth in this Ordinance and Employee Handbook.
2. Perform all lawful and necessary duties essential to the effective administration of the personnel system.
3. Recommend to the City Manager rules, revisions and amendments, thereto, for the consideration of the City Council.
4. Recommend to the City Manager a position classification plan for approval by the City Council, and install and maintain such a plan.

5. Prepare and recommend to the City Manager a pay plan for all City employees for the City Council's approval.
6. Be responsible for certification of all payrolls.
7. Develop and coordinate training and educational programs for City employees.
8. Investigate periodically the operation and effect of the personnel provisions of this Ordinance and the Employee Handbook and at least annual report those findings and recommendations to the City Manager.
9. Perform such other duties as may be assigned by the City Manager not inconsistent with this Ordinance.

C. For the purpose of this Ordinance, the City Manager shall be the Human Resource (Personnel) Director at times when a Human Resource (Personnel) Director has not been appointed.

SECTION 4 RIGHT TO ACCESS PREMISES, FILES AND EMPLOYEES

Department Heads and employees of the City shall, during usual business hours, grant to the Human Resource Director, or his/her designated representative, free access to premises and records under their control and shall furnish such assistance and information as may be deemed necessary by the Human Resource Director to carry out the functions of the Human Resource (Personnel) Department. Failure to comply shall be subject to all penalties and remedies provided by law for the failure of a public officer or employee to do any act required of him/her by law.

SECTION 5 CONSULTATION WITH EMPLOYEE ORGANIZATIONS

The City Manager is authorized to consult with, or receive suggestions from, representatives of organizations of City employees (Union and Non-Union alike) concerning matters of personnel policy. Where appropriate, the City Manager may refer any requests from employees to the City Council, along with his/her recommendation, for its consideration. On matters within the discretion of the City Manager, he/she will give due consideration to the views of employees. However, nothing herein shall be interpreted as depriving the City Manager or City Council of the right to make a final decision on matters for which they have ultimate responsibility.

SECTION 6 ADOPTION OF RULES

The City Manager shall present to the City Council the Employee Handbook to be adopted and amended from time to time by the City Council. Such adoption and amendment shall be by resolution. The rules shall cover the specific procedures and policies to govern the following phases of the personnel system:

1. The administration of a position classification plan.
2. The administration of a pay plan.
3. The announcement of vacancies and the acceptance of application for employment.
4. Preparation and conduct of examinations.
5. Establishment of promotional procedures.
6. Evaluation of the work of employees, including those serving a probationary period.
7. Transfer, promotion, and reinstatement of employees.
8. Separation from the service of employees by resignation, layoff, suspension, dismissal, and incapacity to perform required duties.
9. Establish of hours of work, attendance and leave policies, and working condition.
10. Development of employee morale and training.
11. Policies governing the outside employment of municipal employees.
12. Policies governing the relationships with employee organizations.
13. Maintenance and use of necessary records and forms.
14. A uniform system of handling grievances.
15. Such other matters as may be necessary and appropriate.

SECTION 7 RESIDENCY REQUIREMENT FOR CERTAIN OFFICES

The City Manager shall be required to reside in the City of Presque Isle.

The Fire Chief shall be required to reside within a fifteen minute response time to the Public Safety Building traveling within the posted speed limit under normal weather conditions.

The Police Chief shall be required to reside within a thirty minute response time to the Public Safety Building traveling within the posted speed limit under normal weather conditions.

Residency for these offices shall be established within twelve months from the date of employment and shall continue while employed with the City.

Failure to comply with the residency requirements shall be cause for dismissal.

SECTION 8 SEPARABILITY OF PROVISIONS

If any section, subsection, subdivision, sentence, clause, or phrase of this Ordinance or the Personnel Rules and Regulations is for any reason held invalid, such decision shall not affect the validity of the remaining portions of this Ordinance or the Personnel Rules and Regulations.

SECTION 9 SUNSET PROVISIONS

This Ordinance and the Personnel Rules and Regulations shall be in force for the term of four (4) years from its effective date noted below. This Ordinance and the Personnel Rules and Regulations shall become null and void upon the expiration of four (4) years from the said effective date; and unless recommended and required by the City Council to remain effective, prior to such expiration date.

CHAPTER 38B

CITY OF PRESQUE ISLE

Life Safety Code Ordinance



Adopted by the City Council:	September 4, 1996
Repassed by the City Council:	February 7, 2000
Amended by the City Council:	September 18, 2000
Amended by the City Council:	March 4, 2002
Repassed by the City Council:	January 21, 2004
Amended by the City Council:	November 15, 2004
Amended by the City Council:	July 9, 2007
Repassed by the City Council:	January 7, 2008
Repassed by the City Council:	January 3, 2012
Amended by the City Council:	June 3, 2013
Repassed by the City Council:	January 4, 2016

Attest: _____
Beverly A. Labbe, City Clerk

City Seal

CHAPTER 38B

LIFE SAFETY CODE

An Ordinance governing the construction, protection, and occupancy features to minimize danger to life from fire, smoke, fumes, or panic before buildings are vacated: providing for the making of inspections, and providing penalties for the violation thereof; known as the *Life Safety Code*; repealing the existing Chapter 38B, *NFPA 101 Life Safety Code, 2006 Edition* of the City of Presque Isle, State of Maine.

PREAMBLE: This Ordinance is intended to replace and repeal all prior ordinance(s) dealing with any subject matter dealt with herein, and shall supersede the same, whether specifically repealed or referenced herein:

Be it ordained by the City Council of the City of Presque Isle as follows:

SECTION 1. ADOPTION OF THE LIFE SAFETY CODE

That a certain document, three (3) copies of which are on file in the office of the City Clerk of the City of Presque Isle being marked and designated as *Life Safety Code, 2009 Edition*, as published by The National Fire Protection Association; be and is hereby adopted as the Life Safety Code of the City of Presque Isle in the State of Maine; for the control of buildings and structures as hereby provided; and each and all of the regulations, provisions, penalties, conditions and terms as said in the Life Safety Code, are hereby referred to, adopted and made a part hereof as is fully set out in this Ordinance.

SECTION 2. AUTHORITY HAVING JURISDICTION

The authority having jurisdiction over this Code shall be the Code Enforcement Officer and the Fire Chief.

SECTION 3. ORGANIZATION

The Code Enforcement Officer or Fire Chief shall appoint such number of officers, technical assistants, inspectors and other employees as shall be necessary for the administration of this Code, as authorized by the City Manager.

SECTION 4. RIGHT OF ENTRY

In the discharge of his duties, and reasonable cause, the Code Enforcement Officer, the Fire Chief or his authorized representative shall have the authority to enter at any reasonable hour any building, structure, or premises in the jurisdiction to enforce the provisions of this Code.

SECTION 5. DELETIONS

Chapter 24, Section 3.5.1 One and Two Family Dwellings

SECTION 6. INCONSISTENT ORDINANCE REPEALED

That Chapter 38B of the City of Presque Isle entitled *NFPA 101 Life Safety Code, 2006 Edition* and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7. CONFLICT OF ORDINANCE

In any case where a provision of this Ordinance is found to be in conflict with a provision of any Ordinance of the City of Presque Isle or of any law applicable to this municipality, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

SECTION 8. SEPARABILITY

That if any section, subsection, sentence, clause, phrase or portion of this Code is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not effect the validity of the remaining portions hereof.

SECTION 9. VIOLATIONS, PENALTIES

Any person who shall violate, or cause, permit, or suffer any such violation to be committed, to a provision of this Code, or any supplements or amendments thereto, or shall fail to comply with any requirements thereof or in violation of any approved plan or directive of the Code Enforcement Officer shall be punished by a fine of not less than one-hundred dollars (\$100.00), or more than twenty-five hundred dollars (\$2,500.00). A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

SECTION 10. RIGHT OF APPEAL

Appeals of this Code shall be before the State of Maine Building Board of Appeals as outlined in Chapter 25, Section 113 of the *International Building Code 2009* and is adopted by the City of Presque Isle except for Section 121.2.1 and 121.2.2.

Application for Appeal: Any person shall have the right to appeal to the Building Board of Appeals for a decision of the Code Official. An application for appeal shall be based on a claim that the true intent of this Code or rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply, or an equally good or better method of construction is used.

SECTION 11. SAVING CLAUSE

That nothing in this Ordinance or in the *Life Safety Code* hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 5 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 12. DATE OF EFFECT

That the City Clerk shall certify to the adoption of this Ordinance and cause the same to be published as required by law and this Ordinance shall take full force and effect after this date or final passage and approval.

SECTION 13. SUNSET PROVISION

This Ordinance shall be in force for the term of four (4) years from its effective date noted. This Ordinance shall become null and void upon the expiration of four (4) years from said effective date: unless recommended and required by the City Council to remain effective prior to such expiration date.

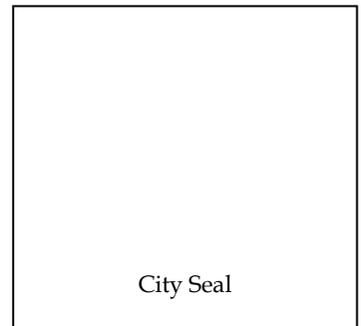
CHAPTER 38C

CITY OF PRESQUE ISLE

Property Maintenance Code Ordinance



Adopted by the City Council: September 4, 1996
Repassed by the City Council: February 7, 2000
Updated by the City Council: September 18, 2000
Repassed by the City Council: January 21, 2004
Repassed by the City Council: January 7, 2008
Amended by the City Council: March 3, 2008
Repassed by the City Council: January 3, 2012
Amended by the City Council: May 7, 2012
Repassed by the City Council: January 4, 2016



Attest: _____
Beverly A. Labbe, City Clerk

CHAPTER 38C

PROPERTY MAINTENANCE CODE

An Ordinance establishing the minimum regulations governing the conditions and maintenance of all property, building and structures; by providing the standards for supplies, utilities and facilities, and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of building and structures unfit for human occupancy and use and the demolition of such structures; known as the *International Property Maintenance Code 2003 Edition* of the City of Presque Isle, State of Maine.

Preamble. This Ordinance is intended to replace and repeal all prior ordinance(s) dealing with any subject matter dealt with herein, and shall supersede the same, whether specifically repealed or referenced herein:

Be it ordained by the City Council of the City of Presque Isle as follows:

Section 1. Adoption of the Life Safety Code

That a certain document, three (3) copies of which are on file in the office of the City Clerk of the City of Presque Isle being marked and designated as *The International Property Maintenance Code 2012 Edition*, as published by the International Code Council, Inc. and is hereby adopted as the International Property Maintenance Code of the City of Presque in the State of Maine; for the control of buildings and structures as hereby provided; and each and all of the regulations, provisions, penalties, conditions and terms as said in the International Property Maintenance Code, are hereby referred to, adopted and made a part hereof as is fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 3 of this Ordinance.

Section 2. Inconsistent Ordinance Repealed

That Chapter 38B of the City of Presque Isle entitled *International Property Maintenance Code 2003 Edition* and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. Additions, Insertions and Changes

That the following sections are hereby revised as follows:

Section 101.1 (page 1, second line) Insert with the City of Presque Isle

- Section 102.3 (page 1, fourth line) Delete and replace with: the *International Building Code*, the *State of Maine Internal Plumbing Code*, the *State of Maine Subsurface Waste Water Disposal Rules*, the *2008 National Electrical Code*, and the *NFPA 101 Life Safety Code 2009 Edition*.
- Section 102.3 (page 1, ninth line) Delete and replace with: The City of Presque Isle's Land Use and Development Code.
- Section 103.5 (page 2) Delete
- Section 111.0 (page 6) Right of Appeals. Delete and replace with Appeals of this Code shall be before the Building Board of Appeals
- Section 112.4 (page 7, fifth line) Insert Fifty Dollars (\$50.00) and One Hundred Fifty Dollars (\$150.00)
- Section 302.4 (page 11, third line) Insert ten (10) inches.
- Section 304.14 (page 13, first line) Insert with June 1st to October 1st.
- Section 602.3 (page 21, fifth line) Insert with year round.
- Section 602.3 (page 21, Exception 1 seventh line) Delete and replace with the *Uniform Plumbing Code*.
- Section 602.4 (page 21, third line) Insert with year round.
- Section 604.2 (page 22, third line) Delete and replace with the *2008 National Electrical Code*.
- Section 606.0 (page 22) Delete this section
- Section 702.2 (page 25, line two) Delete and replace with *2006 NFPA 101 Life Safety Code*.
- Section 702.3 (page 25, line five) Delete and replace with *2006 NFPA 101 Life Safety Code*.
- Section 704.2 (page 25, last line) Delete and replace with *2006 NFPA 101 Life Safety Code*.

Section 4. Saving Clause

That nothing in this Ordinance or in *The International Property Maintenance Code* hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 5. Date of Effect

That the City Clerk shall certify to the adoption of this Ordinance and cause the same to be published as required by law and this Ordinance shall take full force and effect after this date or final passage and approval.

Section 6. Sunset Provision

This Ordinance shall be in force for the term of four (4) years from its effective date noted. This Ordinance shall become null and void upon the expiration of four (4) years from said effective date: unless recommended and required by the City Council to remain effective prior to such expiration date.

CHAPTER 42

CITY OF PRESQUE ISLE

Solid Waste Ordinance



Adopted by the City Council: June 3, 1996
Repassed by the City Council: February 7, 2000
Amended by the City Council: September 4, 2002
Repassed by the City Council: January 21, 2004
Repassed by the City Council: January 7, 2008
Amended by the City Council: February 7, 2011
Repassed by the City Council: January 3, 2012
Repassed by the City Council: January 4, 2016

Attest: _____
Beverly A. Labbe, City Clerk

City Seal

CHAPTER 42

SOLID WASTE ORDINANCE

PREAMBLE: The purpose of this Solid Waste Ordinance is to protect the health, safety, and welfare of the citizens of the City of Presque Isle, enhance and maintain the quality of the environment, conserve natural resources, and prevent water and air pollution by providing for a comprehensive, rational, and effective means of regulating the handling of solid waste in the City of Presque Isle.

Section 1 Definitions

For the purpose of this Ordinance, the following terms shall have the same definition and meaning ascribed to them in this section, to wit:

BIOMEDICAL WASTE: “Biomedical waste” shall mean waste that may contain human pathogens of sufficient virulence and in sufficient concentrations that exposure to it by a susceptible human host could result in disease or that may contain cytotoxic chemicals used in medical treatment.

CARRION: “Carrion” shall mean dead animals.

CITE: “City” shall mean City of Presque Isle.

COMMERCIAL PESTICIDES: “Commercial Pesticides” shall mean those insecticides, herbicides, and fungicides, that are: (a) used for agricultural, commercial, and industrial use; or (b) labeled as being for commercial use; or (c) sold by facilities classified as major pesticide storage facilities as determined by the Pesticides Control Board. Commercial pesticides do not include pesticides that are commonly available to the general public for household and garden use.

COMMERCIAL PROPERTY: “Commercial property” shall mean any property upon which is situated a structure used for commercial or business purposes including but not limited to apartment buildings containing more than four (4) dwelling units, business offices, condominiums, hotels, motels, restaurants, warehouses, manufacturing, industrial, markets, bakeries, and grocery stores.

COMPOSTABLE WASTE: “Compostable waste” shall mean organic waste that is suitable for composting, to include vegetative wastes and yard waste.

CONSTRUCTION/DEMOLITION DEBRIS: “Construction/Demolition debris” shall mean solid waste resulting from construction, remodeling, repair, or demolition of structures. It includes, but is not limited to: building materials, discarded furniture, asphalt, wall board, pipes, and metal conduits. It excludes: glues, tars, solvents, resins, paints, caulking, or their containers; asbestos; and other special wastes.

CONTRACTOR: "Contractor" shall mean any person, corporation, partnership, association or other legal entity under contract with the City to provide curbside solid waste collection services.

DEPARTMENT: "Department" shall mean the Solid Waste Department.

DIRECTOR: "Director" shall mean the person appointed by the City Manager to supervise and manage the Solid Waste Department of the City.

HANDLE/HANDLING: "Handle" or "Handling" shall mean to store, transfer, collect, separate, salvage, process, recycle, reduce, recover, incinerate, dispose of, treat, utilize, or beneficially use.

HAZARDOUS WASTE: "Hazardous waste" shall mean a waste substance or material, in any physical state, designated as hazardous by the Board of Environmental Protection under 38 M.R.S.A. Section 1319-0. It does not include waste resulting from normal household or agricultural activities. The fact that a hazardous waste or a part or a constituent may have value or other use or may be sold or exchanged does not exclude it from this definition.

HOT LOADS: "Hot loads" shall mean solid waste delivered to a waste facility that is on fire, smoldering, or releasing heat upon hydration.

INERT FILL: shall mean clean soil material, rocks, bricks, crushed clean glass or porcelain, and cured concrete, that are not mixed with other solid or liquid waste, and are not derived from an ore mining activity.

LAND CLEARING DEBRIS: "Land clearing debris" shall mean solid waste resulting from the clearing of land and consisting solely of brush, stumps, soil material, and rocks.

LANDFILL: "Landfill" shall mean an engineered area for the disposal of solid waste on or in land.

MIXED SOLID WASTE: "Mixed solid waste" shall mean solid waste that contains no white goods, tires, hot loads, special waste, or unacceptable wastes, and/or insignificant quantities of wood waste, construction/demolition debris, inert fill, land clearing debris, or recyclable materials.

MUNICIPAL SOLID WASTE: "Municipal solid waste" shall mean solid waste emanating from domestic and normal commercial sources. Municipal solid waste does not include wastes removed from or not introduced to these waste streams that are regulated as a residential under Chapter 567 of the Department of Environmental Protection Rules.

PAY AS YOU THROW (PAYT): "Pay As You Throw" shall mean a program for the collection of solid waste at residential properties by a contractor. Commercial properties may be included in the PAYT program on a case by case basis with the approval of the City Manager.

PERSON: "Person" shall mean any individual; partnership; corporation; or Federal, state or local government entity, association or public or private organization of any character, other than the City.

RECYCLEABLE CARDBOARD: "Recyclable Cardboard" shall mean corrugated cardboard made from kraft paper, and brown kraft paper bags that do not contain the following contaminants: glass; plastic; metal; wood; wax coating; wet strength paper such as potato bags; liquid saturation. Staples, tape, and labels are acceptable parts of recyclable cardboard.

RECYCLABLE MATERIALS: "Recyclable materials" shall mean those paper, metal, glass, and plastic materials designated by the department as suitable for recycling.

RECYCLING: "Recycling" shall mean the collection, separation, recovery and sale or reuse of materials that would otherwise be disposed of or processed as waste, or the mechanized separation and treatment of waste, other than through combustion, and the creation and recovery of reusable materials other than as a fuel for the generation of electricity.

RECYCLING CENTER: "Recycling Center" shall mean the facility at which recycling processes occur.

RESIDENTIAL PROPERTY: "Residential property" shall mean any property upon which is situated a residential structure containing at least one dwelling unit but not more than four (4) dwelling units, to include single family homes, mobile homes, and apartment buildings.

SALVAGE: "Salvage" is the removal of solid waste or parts or portions thereof, for reuse, recycling, composting, or incineration.

SCRAP METAL: "Scrap metal" shall mean metal objects, to include white goods, that are suitable for salvage or recycling.

SEPTAGE: "Septage" shall mean waste, refuse, effluent, sludge and any other materials from septic tanks, cesspools, or any similar facility.

SLUDGE: "Sludge" shall mean any solid, semi-solid or liquid waste generated from a municipal, commercial or industrial wastewater treatment plant, water supply treatment plant, or wet process air pollution control facility or any other such waste having similar characteristics and effect. The term does not include industrial discharges that are point sources subject to permits under Section 401 of the Federal Water Pollution Control Act, as amended.

SOLID WASTE: "Solid Waste" shall mean useless, unwanted or discarded solid material with insufficient liquid content to be free flowing, including but not limited to

rubbish, garbage, refuse derived fuel, scrap materials, junk, refuse, inert fill material, and landscape refuse, but does not include hazardous waste, biomedical waste, septic tank sludge, or agricultural wastes. The fact that a solid waste, or constituent of the waste, may have value or other use or may be sold or exchanged does not exclude it from this definition.

SOLID WASTE DEPARTMENT: "Solid Waste Department" shall be a department of the City that shall manage programs and operations for the City, in connection with the Solid Waste Facilities owned and/or operated by the City.

SOLID WASTE FACILITY: "Solid waste facility" shall mean a waste facility used for the handling of solid waste, to include the transfer station, landfill, and recycling center.

SPECIAL WASTE: "Special waste" shall mean any solid waste generated by sources other than domestic and typical commercial establishments that exists in such an unusual quantity or in such a chemical or physical state, or any combination thereof, that may disrupt or impair effective waste management or threaten the public health, human safety of the environment and requires special handling, transportation and disposal procedures. Special waste includes, but is not limited to:

- A. Oil, coal, wood and multi-fuel boiler and incinerator ash;
- B. Industrial and industrial process waste;
- C. Wastewater treatment plant sludge, paper mill sludge and other sludge waste;
- D. Debris and residuals from non-hazardous chemical spills and cleanup of those spills;
- E. Contaminated soils and dredge spoils;
- F. Asbestos and asbestos-containing waste;
- G. Sand blast grit and non-liquid paint waste;
- H. High and low pH waste;
- I. Spent filter media residue;
- J. Shredder residue; and
- K. Other waste designated by the Board of Environmental Protection, by rule.

THREAT TO THE PUBLIC HEALTH, SAFETY, OR WELFARE: "Threat to the public health, safety, or welfare" shall mean any violation of the provisions of this Solid Waste Ordinance.

TIRES: "Tires" shall mean all tires, tubes and rubber protective flaps. Tire rims are not included under this definition.

TRANSFER STATION: "Transfer Station" shall mean any solid waste facility constructed and managed for storage, compaction and/or placement of solid waste for movement to another solid waste facility.

USER: "User" shall mean any person using the solid waste facilities provided for disposal/handling of solid waste.

VEGETATIVE WASTES: "Vegetative wastes" shall mean wastes consisting of plant matter from farms, homes, plant nurseries, and greenhouses. These shall include plant stalks and hulls.

WHITE GOODS: "White goods" shall mean large appliances, including but not limited to stoves, refrigerators, freezers, washing machines, clothes dryers, dishwashers and air conditioners.

WOOD WASTE: "Wood waste" shall mean brush, tree branches, tree limbs, lumber, bark, wood chips, shavings, slabs, edgings, slash, and sawdust, which are not mixed with other solid or liquid waste. For the purposes of this definition, "lumber" is entirely made of untreated wood free from metal, plastic, and coatings.

YARD WASTE: "Yard waste" shall mean grass clippings, leaves, prunings and tree branches and tree limbs of not more than one-half inch (1/2") in diameter; and other similar debris generated from lawn care and gardening.

Section 2 General

- 2.1 Conformity: This Chapter shall conform to all applicable Federal and State laws.
- 2.2 Conflicts: In the event of a conflict with the provisions of this Chapter and Ordinances of the City of Presque Isle, the more stringent provisions shall apply.
- 2.3 Severability: In the event any portion of this Chapter or Article herein is held to be invalid, that balance of this Chapter or said Article shall remain unaffected hereby.
- 2.4 Violations and Penalties: A violation of this Chapter shall be enforced in accordance with the provisions of 30-A M.R.S.A. § 4452, or the same that may be amended from time to time, as a land use violation. The penalties set forth in 30-A M.R.S.A. § 4452 shall apply to violations of this Chapter, except where expressly provided herein. The City of Presque Isle shall be entitled to its costs for successfully prosecuting any violation of this Chapter, including but not limited to: attorney fees, costs associated with prosecuting the cases, including staff time, clean up costs associated with any remedial action taken by the city or on behalf of the city, even if such costs were incurred by an independent third party, and/or revenue otherwise not received by the community because of the action of the violator.
- 2.5 Enforcement: It shall be the duty of any designated official under the authority of the Presque Isle City Manager to include, but not limited to the Chief of Police, the Code Enforcement Office, the City Health Officer or any other authorized designee to enforce the provisions of this section.
- 2.6 Penalty: Any person who violates any of the provisions of this Ordinance shall be assessed a fine of not less than five hundred (\$500.00) for the first offense and not less than one thousand (\$1,000.00) for each successive violation. Each day's continuance or failure to comply shall be punishable as such. The City shall be the recipient of all fines.

Section 3 Solid Waste Handling

- 3.1 Responsibility: The City, acting through the Director, assumes overall supervision and responsibility for the recycling center, landfill, and any other facilities used in the operation of the Department.
- 3.2 No person shall handle solid waste, including recyclable materials, in a manner that would pose a threat to the public health, safety, or welfare. Any person who handles solid waste in a manner that poses a threat to the public health, safety, or welfare, and such handling occurs at solid waste facilities, or on property on which solid waste facilities are sited, shall be in violation of this Chapter. Handling of solid waste on any other property within the City of Presque Isle that poses a threat to the public health, safety, or welfare shall be a violation of Chapter 13: Litter and Illegal Dumping Ordinance.
- 3.3 All solid waste must be handled at the designated solid waste facility, or at such other place as determined by the Director.
- 3.4 Solid waste shall be handled at the designated solid waste facility only during the times designated by the City and shall handle same during such times, only in areas designated for such purposes.
- 3.5 No person(s) shall separate, collect, convey off or otherwise salvage any part or portion of the solid waste at any solid waste facility unless authorized, in writing, by the Director to do so.
- 3.6 Solid waste shall be separated by users into the following categories for handling at the landfill:
1. scrap metal;
 2. tires;
 3. wood waste;
 4. hot loads;
 5. special waste;
 6. compostable waste;
 7. other waste designated for separation by the Director.

Notwithstanding any provisions of Section 3.6 to the contrary, the following solid waste shall only be accepted at the following facilities, namely:

- a. Recyclable cardboard will only be accepted and deposited in designated areas at the landfill and/or recycling center.
- b. Wood waste will only be accepted and deposited in designated areas at the landfill.
- c. Yard waste will only be accepted and deposited in designated areas at the landfill.

The Director reserves the right to change the location of the "designated areas" from time to time.

- 3.7 Only recyclable materials, as determined by the Department, may be deposited at the recycling center. No user shall deposit contaminated waste, or other materials not determined to be recyclable, at the recycling center.

The Department has the right to refuse materials, which in the opinion of the Department, are contaminated or not suitable for the recycling center.

- 3.8 The City reserves the right to require any user to bundle or otherwise contain any material sought to be deposited, when in its sole discretion, such material would, if discarded loose, create a problem in the management of the solid waste facility.
- 3.9 Users found depositing unseparated materials at the solid waste facilities, when permitted to use that facility, shall be in violation of this Chapter.
- 3.10 The City, through its designated agent, is authorized to inspect all solid waste and/or recyclable material before it is deposited, to insure proper separation and whether or not it is acceptable. Any material or substance that is believed to possess contaminants or be in violation of environmental law or regulations, or this Section 2, may be refused at the solid waste facilities, until approved for acceptance by the Department or governing authority. The City reserves the right to request any person desiring to so deposit of such waste to have such waste inspected and tested by a recognized and acceptable testing service before such waste is permitted to be deposited at the solid waste facility. All costs incurred thereby shall be borne by the person seeking to deposit such waste.

Users who refuse an inspection or testing of their solid waste or material sought to be deposited shall be denied the use of the facility.

- 3.11 The solid waste facilities operated and maintained by the City, shall be for the handling of solid waste produced and originating within the municipality of Presque Isle, and any other community that has entered into a contractual relationship with the City for use of the City's landfill and/or other facilities operated by the Department.
- 3.12 The following solid waste shall be considered unacceptable wastes for handling at the Department's solid waste facilities namely:
- A. All hazardous wastes and substances including, but not limited to, poison, commercial pesticides, industrial waste, acids, caustics, infected materials, explosives, ammunition, flammable liquids and gas, biomedical waste, and waste of unknown origins and/or substances, or contents; and any containers or packages which were used in connection with any such hazardous waste or substances.
- For the purpose of this Ordinance, the burden of proof shall be the responsibility of the person attempting to deposit such at the solid waste facility.
- B. Any material of any kind or nature that contains any hot, live coals or fire; unless placed in a designated "hot load area" and in accordance with requisites established by the City, or its designated agent.

- C. Unusual quantities of material, as determined by the Director, resulting from (a) the construction or demolition of buildings and structures, or (b) manufacturing, industrial or agricultural processes, or (c) any other process or activity.
- D. All large and bulky materials such as auto car bodies that may require special preparation or processing for handling. Exceptions may be granted if special preparation and processing are accomplished prior to depositing at the solid waste facility.
- E. All carrion over ten (10) pounds as a whole, dismembered carrion, slaughter house wastes, and entrails without special written permission from the Director.
- F. All sludge material and septage material.
- G. All potatoes, potato waste, or potato by products.
- H. Inert debris unless approved by the Director.
- I. Land clearing debris unless approved by the Director.
- J. Solid Waste generated outside the boundaries of the City that is delivered to the City's landfill unless the solid waste is generated within a contracted community, or unless approved by the Director.

3.13 Users of the solid waste facilities maintained by the City, in carrying out their responsibilities, shall abide by all rules adopted by the City covering the operation of the solid waste facilities, including without limitation, restricted areas, hours of operation, prohibiting the use of firearms, etc.

3.14 Any person refusing to comply with this Chapter or any part thereof, may be refused use of the solid waste facility by the City Council upon recommendation of the Director.

Section 4 Permitting of Users

4.1 The City reserves the right to assess and collect a fee for user permits. The amount of such permit fees and the application thereof shall be determined by the City Council.

4.2 The City reserves the right to assess and collect tip fees, in addition to user permit fees, from users of the City's solid waste facilities for all solid waste, or specific types or categories thereof, when the City deems it to be in the City's best interest to do so. Such tip fees shall be based on weight, volume, per item charge, or any other method that the City chooses. The amount of such tip fees and the application thereof shall be determined by the City Council.

Section 5 Licensing of Solid Waste Collectors

5.1 It shall be unlawful for any person to engage in the business of collection or handling of solid waste within the City of Presque Isle without a valid Solid Waste Collector License issued by the City Council. Each applicant for a Solid Waste Collector License shall make application to the City Council. The number of licenses issued shall solely determined by the City Council.

5.2 Any licensed Solid Waste Collector shall agree as part of it's Solid Waste Collector License, to keep all recyclable materials separated, which have been previously separated for recycling by the use of blue bags, dedicated containers, or by any other means, and shall not mix said separated recyclable materials with other solid waste for handling at the City's Solid Waste facilities.

5.3 Suspension and License Revocation:

Any Solid Waste Collector who violates any provisions of this Chapter 42 may receive temporary suspension of his or its Solid Waste Collector License revocation thereof, provided, that if in the opinion of the Director, the violation(s) is considered to be a serious breech of the provisions of this Chapter.

Written notice of hearing shall be given to such Solid Waste Collector of the alleged violation(s), to be held at least seven (7) days prior to such hearing date, before the City Manager. At such time the Solid Waste Collector may appear with or without legal counsel. Said notice of hearing shall state, in brief terms the alleged violation(s). At such hearing the Director shall present documentation or testimony of the alleged violation, and may produce witnesses. The Solid Waste Collector may produce witnesses on his or its behalf.

If the City Manager, upon hearing, upholds the Director's opinion, then the City Manager may temporarily suspend or permanently revoke the Solid Waste Collector License, or remove the handling of the alleged violator directly to the City Council for disposition thereof.

The Solid Waste Collector shall have the right to appeal the findings of the City Manager to the City Council, and it shall be heard by the City Council at its next regularly scheduled meeting that is held more than eight (8) days from the date of the City Manager's findings. Such appeal must be entered within twenty-four (24) hours after the date of the City Manager's findings.

Upon hearing before the City Council, which hearing shall be posted in the public notices of scheduled City Council meetings, and shall be held de nova and in public.

The City Council may affirm the City Manager's findings, and penalty, or issue new findings with or without penalty, which may include temporary suspension or permanent revocation of the license.

The City Council shall have the right to refuse to grant a Solid Waste Collector License to the said Solid Waste Collector in the future.

Section 6 Pay As You Throw Collection

- 6.1 Right to enact Pay As You Throw: This Ordinance gives the Presque Isle City Council the authority to enact a Pay As You Throw Program that includes rules, regulations, policies, and procedures.
- 6.2 Services: The City’s contractor shall provide weekly curbside trash collection and recycling services for all residential properties in the City. On the effective date of the implementation of the Pay As You Throw program, all residential waste must be placed in the City-approved plastic bags acquired from an approved vendor. The price of the bags shall be established by the City Council.
- 6.3 Prohibited Materials: The following solid waste, by way of example and not limitation, shall be considered unacceptable for curbside collection. These materials will not be picked up at curbside:
1. Materials not in a City-approved plastic bag,
 2. White goods such as stoves, refrigerators, washers and other large appliances,
 3. Material from the major repair of, excavation for, construction or destruction of buildings or structures, such as piping, earth, plaster, mortar, bricks, building blocks, septic tanks, trees, or tree stumps, and any other similar materials commonly called demolition debris,
 4. Grass clippings, weeds, plants, shrubs, leaves, brush or branches unless they are in a City-approved plastic bag,
 5. Mattresses and box springs,
 6. Hazardous waste: All hazardous waste as defined by federal and state regulatory agencies,
 7. Hospital Waste: All contaminated hospital waste as defined by federal and state laws, i.e., “red bag” pathological anatomical waste,
 8. Infectious waste: Wastes which are hazardous by reason of their contamination with infection materials i.e., “red bag” waste body parts, pathology lab waste, etc.,
 9. Human fecal waste,
 10. Animal fecal waste which is not contained in a plastic bag,
 11. Flammable liquids,
 12. Powder and liquid pesticides, herbicides, and fungicides,
 13. Liquid paint waste and pigments,
 14. Electrical capacitors: Contain oils that may contain P.C.B.’s.
 15. Special wastes as defined by state law and this Chapter,
 16. Laboratory chemicals, and
 17. Hot ashes.
- 6.4 Non-Contracted Collection Services: Owners of commercial properties that are not included in the Pay As You Throw collection services contract must make arrangements for the collection of solid waste from their properties.

Section 7 Sunset Provision

This Ordinance shall be in force for the term of four (4) years from its effective date noted below. This ordinance shall become null and void upon the expiration of four (4) years from the said effective date; and unless recommended and required by the City Council to remain effective, prior to such expiration date.

CHAPTER 43

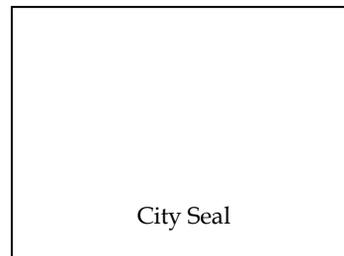
CITY OF PRESQUE ISLE

Planning Board Ordinance



Adopted by the City Council: March 2, 1998
Repassed by the City Council: February 7, 2000
Repassed by the City Council: January 21, 2004
Repassed by the City Council: January 7, 2008
Repassed by the City Council: March 3, 2008
Repassed by the City Council: January 3, 2012
Amended by the City Council: November 5, 2012
Repassed by the City Council: January 4, 2016

Attest: _____
Beverly A. Labbe, City Clerk



CHAPTER 43 PLANNING BOARD ORDINANCE

Article I: Establishment

Pursuant to Art. VIII, pt. 2, Section 1 of the Maine Constitution and 30-A M.R.S.A. § 3001, the City of Presque Isle hereby established the Municipal Planning Board.

Article II: Appointment

1. Board members shall be appointed by the City Council and sworn by the Clerk, or other person authorized to administer oaths.
2. The Board shall consist of seven (7) members.
3. The term of each member shall be four (4) years except the initial appointment, which shall be for the term of each member serving of the Board, as constituted prior to the enactment hereof.
4. Appointed members shall continue to serve at the expiration of their term until either a new member has been appointed, or the expiration of ninety (90) days from the end of the term, whichever occurs first.
5. Vacancy: When there is a Vacancy, the City Council shall appoint a person to serve for the unexpired term. A vacancy shall be deemed to have occurred upon the happening of any of the following events: resignation, death, or when a member shall fail to attend four (4) consecutive meetings or fails to attend at least 76% of the regular meetings (unexcused by the Chairperson) during the preceding twelve (12) month period. When a vacancy occurs, the Chairperson shall immediately notify the City Council in writing. The City Council may remove any member or members of the board by unanimous vote, after due notice and hearing.
6. A member of the City Council, while serving in that capacity, may not be a member of the Planning Board.

Article III: Officers

An annual meeting shall be held the third Thursday in February and the following officers shall be elected from members of the Board, and shall serve until replaced.

A. Chairperson

1. The chairperson shall preside at all regular, special and executive session meetings of the Board; and shall conduct the meeting.
2. The Chairperson shall appoint members to the committees of the Board, if any, and shall be ex-officio member of any committee.
3. The Chairperson shall determine agenda items and order of business.
4. The Chairperson shall vote at all regular and special meetings of the Board.

B. Vice-Chairperson

The Vice-Chair shall assume the duties of the Chairperson when the Chairperson is absent.

The Board also shall appoint annually a secretary to prepare an agenda, provide proper public notice of each meeting, and keep the minutes of the proceedings of the Planning Board; eligible appointments to the position of secretary shall not be limited to members of the Planning Board. In the event the secretary is absent from any meeting of the Board, the Chairperson shall appoint a secretary *pro tempore* for that meeting.

Article IV: Quorum

No meeting of the Board shall be held without a quorum of four (4) members in actual attendance of such meeting. A member must be present to vote. All decisions shall be by majority vote of those present and voting.

Article V: Meetings

- A. Regular Meetings:** The Planning Board shall hold its regular scheduled meeting at 7:00 PM on the third Thursday of the month at City Hall, unless there is no business to be brought before the Board.
- B. Special Meetings:** Shall be called by the Chairperson, whenever it is deemed necessary, provided notice thereof is given by publishing in the Star Herald written notice of such meeting, which notices sets forth the subject matter(s) to be addressed at the meeting, the date, and the place of the meeting, at least ten (10) days prior to said meeting; such notice shall also be posted on the Municipal Bulletin Board, City Office, at least ten (10) days prior to said meeting date.

Article VI: Appeals

Appeals of any findings, actions, or determination of the Board shall be to the Superior Court, in accordance with Rule 80-B of the Maine Rules of Civil Procedure. The hearing before Superior Court shall be a trial *de novo* without jury.

**NOTICE OF PUBLIC HEARING
CITY OF PRESQUE ISLE
LEGAL NOTICE**

NOTICE IS HEREBY given that the Presque Isle City Council will be hold a **PUBLIC HEARING** on **January 5, 2015 at 6:00 PM** in the City Council Chambers, City Hall at 12 Second Street, to consider re-passing the following ordinances due to the "Sunset" provision:

- Chapter 53 Disbursement Warrant
- Chapter 54 All Terrain Vehicle
- Chapter 59 Regulating the Establishment and Operation of Medical Marijuana Facilities
- Chapter 60 Property Assessed Clean energy

The public may attend the public hearing or submit written comments. You can obtain more information by contacting the City Clerk's Office at City Hall, 12 Second Street, Presque Isle, ME 04769 or call at 760-2720.

Per City Council
Beverly A. Labbe
City Clerk

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 4, 2016

AGENDA ITEM # 10

SUBJECT

CONSENT AGENDA: Minutes

INFORMATION

- 1) Minutes from June 1, 2015
- 2) Minutes from October 26, 2015
- 3) Minutes from November 16, 2015
- 4) Minutes from December 7, 2015
- 5) Minutes from December 14, 2015

APPROVAL AND/OR COMMENTS OF CITY MANAGER

Passage is recommended

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to approve the minutes from June 1, 2015, October 26, 2015, November 16, 2015, December 7, 2015 and December 14, 2015.



Presque Isle City Council Meeting

Monday, June 1, 2015

5:00 PM

Presque Isle Council Chambers

Call to Order - Roll Call

Present: Chairperson Emily Smith, Vice-Chairman Mike Chasse, Councilors Richard Engels, Leigh Smith, and Craig Green (Arrived at 5:10 PM)

City Manager James A. Bennett, Deputy City Manager Martin Puckett, and Deputy City Clerk Deborah Ouellette were also present.

Pledge of Allegiance

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

Workshop

15-112 Discussion of Community Center

Councilor Chasse reported on the meetings with Harriman Associates and Nickerson & O'Day, Inc. to review the list of potential changes for the Community Center and pool/splash pad.

Chasse provided a spreadsheet which summarized proposed changes and the related cost savings. Items C14, C16, and C17 are bigger picture items with the largest potential cost savings. He said many of the changes involve a similar product at a lesser price. They tried to say "no" to options that reduce quality or cause maintenance issues in the future. The bottom line shows cost reductions of \$322, 214 from original price.

Chasse said a lot more work is needed to get the pool price where it needs to be.

Councilor Green commented the Rec Committee has done a great job in getting the project down to the \$7.5 million range. Councilor Engels and the others thanked Councilor Chasse for his hard work on this important project.

Citizen Comments

Carol McPherson of Third Street, Presque Isle gave a brief presentation to Councilors in favor of staying at the current City Hall building and not moving. She has concerns about the \$6,000/month or \$72,000/year payments the City would have to make per the lease agreement which will have a serious budget impact. The problems with this building are known, and not everything has to be fixed right away. The City needs to do a better job of taking care of the assets it owns.

Melvin Hovey of Academy Street spoke to Councilors and said they should spend no more money on (the City Hall) building. Based on his experience with trying to make do with an older building, he said they have “optimal inefficiencies”. No matter how much money is spent – insulation, air, heating, etc. – it is throwing money down a black hole. He advised Councilors they should not spend another nickel on this building. We now have an opportunity to move into a much better, more suitable building. If we let this opportunity go by, nothing will happen in the future.

Michael McPherson addressed Councilors in favor of staying in the current City Hall building and allowing the lease option to expire. Residents are already facing high property taxes and payments under the lease agreement will be an increased burden. He recommended the City should buy or build a new building, but not lease.

Rita Lannigan of Washburn Road spoke to Councilors against moving. She is recently retired and has worked in this building for forty years. She has no immediate concerns about the suitability of this building. Lannigan said we should stay where we are right now, and not be in a rush to move to another location. She recommends that Councilors survey taxpayers and better understand how they feel about the situation.

Charlene Buzza spoke about putting the question of moving City Hall to referendum.

Blake Winslow, an UMPI student spoke and said that he understands and appreciates the arguments on both sides of the issue.

Consent Agenda

- 15-113 Approve minutes from May 4, 2015 and May 18, 2015**
- 15-114 Approve 2015 Warrants #16-#19, totaling \$1,084,572.42**
- 15-115 Approve nominations to Maine Municipal Association’s Executive Committee**
- 15-116 Accept resignation from Peter Hallowell on the Audit Committee**
- 15-117 Approve contract extension for Grant Writer**
- 15-118 Approve closure of portions of Main Street for Crown of Maine Balloon Fest Street Fair on August 27, 2015**
- 15-119 Approve closure of portions of Main Street and State Street for a Color Run on August 22, 2015**

BE IT RESOLVED by Councilor Engels, seconded by Councilor Green to approve Consent Agenda Items #113 - #119 as presented. **Vote 6-0.**

Old Business

15-111 Amendment to Employee Handbook Section 13.1 Non-union vacation

BE IT RESOLVED by Councilor Engels, seconded by Councilor Chasse to approve the amendment to the Employee Handbook Section 13.1 Vacation as presented. **Vote 6-0.**

New Business

15-120 Discussion of lease at former Maine Potato Growers, Inc. Office Building

City Manager Bennett reiterated the June 15TH deadline for acceptance of the MPG building lease agreement.

Councilor Engels acknowledged a variance of opinions in the matter. He said he voted not to move initially. The City Hall should remain here until the community center is built. At this point in time, he is not in favor of moving.

Councilor Chasse said he does not want to look at moving and the community center being built at the same time. He is not convinced the MPG building is right for us. This reasoning is partly based on the fact that we don't have a buyer for City Hall.

Councilor Randy Smith expressed that we cannot afford to miss this opportunity. He said the figures are locked in and there will be no surprises for the lease term. We can depend on these costs. The MPG building gives an opportunity for efficiency – employees and managers can work together on one floor. It is not responsible to put more money into this building. We cannot afford both – the community center and reconstructing this building.

Councilor Green stated that we cannot sign any lease agreement without a firm commitment on this building. He further stated the State Fire Marshall's office is not asking that we spend an enormous amount of money on the building, and what is required can be done over time. In order to come into compliance, we need to have a survey of our fire escapes by a certified engineer; to install a fire alarm system; and to reinstall fire doors on all three levels. These three items have a cost estimate of \$60,000-\$70,000 and could possibly be done for less. Councilor Green handed out an information sheet which summarized his concerns about City Hall.

Councilor Leigh Smith said he is in favor of moving. The lease agreement offers 10 years of stable costs. We have any real plan of where to go next. If we stay in this location, for how long? He doesn't want to put any more money into this building.

Councilor Emily Smith thanked citizens for coming forward to express their viewpoints and give feedback. She has listened to citizens tonight and a number of others in the community. The community center is our priority at this time. However, we are here to make decisions for the whole community. We can't spend money to go to referendum on every decision that needs to be made, and we need to be responsible with your money. Being responsible right now means not putting more money into this (City Hall) building. She agrees that purchasing is a better option than leasing, but the lease terms include a purchase option that can be exercised once the public safety building has been paid off in two or three years. She said the responsible thing for us to do right now is to move. Is the MPG building the best option? It would probably be better to move to the public safety building or in conjunction with the community center, but we cannot afford those at this time.

Council Green said that he has not heard from a single person wanting to move from or sell this (City Hall) building; he put out a challenge for anyone wanting to move and sell, please contact him.

BE IT RESOLVED by Councilor Green, seconded by Councilor Randy Smith to TABLE this agenda item until the June 8, 2015 meeting when all councilors will be present and a vote can be taken. **Vote 6-0.**

15-121 Ice System - The Forum

City Manager Bennett said Councilors can discuss The Forum ice system tonight and they will answer any questions, and then he recommends TABLING the agenda item so the public has an opportunity to look at the package that has been provided to Councilors electronically, as the information is now available online. It is a relatively expensive investment we are looking to make in this facility.

Bennett stated the ice system generally is designed to last twenty years, and we got thirty-eight years out of the system at The Forum because of incredible work and diligence of the staff.

Chris Beaulieu, Recreation and Parks Director, gave a high level summary of where things stand. They put an RFP out and received four different proposals from three companies. Two ice systems were freon systems, and the other two

were ammonia systems. The Forum currently has a freon system that uses the refrigerant R22, which essentially has been discontinued.

Beaulieu said there are differences between the systems --freon and ammonia. He recommends going with an ammonia system, which is generally more efficient. The system they are looking at is used but has been refurbished. It is industrial grade and has a 40-45 year life expectancy. It is a larger system relative to the others and comes with a condenser, which will be available in addition to our condenser. The other ammonia system is similar, but it is new and much more expensive.

Proposals include equipment, installation, and electrical costs. All systems require The Forum to move to a 480v electrical, which will bring about energy efficiency as well. City Manager Bennett estimates annual savings in the range of \$35,000-\$45,000, when you factor in discontinuance of the old service contract and electricity savings. Councilor Randy Smith commented on the good work involved in developing the cost-benefit analysis. The annual costs savings will offset the investment in the project.

We really need to be up and running by October 1, 2015. If we go with a used system, installation will take less time since it is already assembled. Beaulieu talked with a local professional whom he really trusts, and they recommend the used system.

Councilor Green asked about warranty and Beaulieu said both new and used systems are warranted for one year.

Councilor Emily Smith asked about amount of ammonia used by the used system. The system needs to be evaluated in terms of safety and potential costs of noncompliance which can be substantial. Beaulieu will have this information at the next meeting. He said there is certainly a higher level of safety regulations that need to be followed with an ammonia system.

Councilor Engels asked about the age of the used ice system. Beaulieu said it is fifteen years old, and he believes it has been used for twelve years. The condenser which comes with it is six years old.

Bennett recapped the other proposals do not come with a condenser, so you will have one unit that runs continuously. The preferred system allows condensers to be alternated, which will facilitate preventive maintenance and equipment longevity.

Councilor Emily Smith asked about water softeners, and Beaulieu said they installed one about three years ago.

BE IT RESOLVED by Councilor Randy Smith, seconded by Councilor Green to TABLE this agenda item until the June 8, 2015 meeting when a complete package will be available. **Vote 6-0.**

15-122 Bid for Asphalt Paving

The final bids for asphalt paving were as follows: Trombley Industries of Limestone ~ \$423,989 and Lane Construction of Presque Isle ~ \$426,739.

Councilor Emily Smith stated that if you want people to bid, then you go with the lowest bid, all other things being equal. The memo from Dana Fowler states that service has been equal based on past experience.

Councilor Randy Smith and Councilor Chasse expressed agreement with her position.

BE IT RESOLVED by Councilor Randy Smith, seconded by Councilor Chasse to approve an asphalt paving contract with Trombley Industries in accordance with their bid prices. **Vote 6-0.**

15-123 Capital Investment Plan (CIP)

City Manager Bennett handed out the CIP document to Councilors. They probably should workshop the CIP in a month or so.

The CIP document did not exist for the City of Presque Isle prior to 2011.

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Randy Smith to approve a Star City ATV Club municipal grant application. **Vote 6-0.**

15-124 Generator

Deputy City Manager Martin Puckett described the generators that will be swapped and explained how they were valued; he is looking to resolve the situation so parties can move forward.

The generator at Green Hill Drive is a 2008 CAT valued at \$29,000. The replacement will be a 1994 Onan valued at \$25,200. He said the CAT is generally a more desirable unit. The Onan has a switching unit and the CAT does not.

Aroostook House of Comfort will deliver the Onan to the City and it can be placed in service or sold.

City Manager Bennet recommended Councilors accept the AHOC proposal and approve the swap as outlined.

Councilor Engels said circumstances are such that, if we approve the swap and AHOC buys the former MBNA building, they will have a usable generator with a usable switch, and it will not cost them any extra money. The City will have a replacement generator to use at the airport or sell.

BE IT RESOLVED by Councilor Green, seconded by Councilor Chasse to authorize the City Manager to negotiate swapping the generators and negotiate a sale with the interested party. **Vote 6-0.**

Manager's Report

The City of Presque Isle received \$75,000 grant for the permanent structure of the public market that was written by Kim Smith.

Announcements

The next regularly scheduled meeting of the Presque Isle City Council will be held on Monday, July 6, 2015 at 6:00 PM in the Council Chambers at City Hall.

The MSAD #1 budget validation referendum vote will be held on Tuesday, June 9, 2015, at the William V. Haskell Community Center, 270 Main Street. Voting starts at 8:00 AM and closes at 8:00 PM.

Adjournment

BE IT RESOLVED by Councilor Randy Smith, seconded by Councilor Leigh Smith to adjourn the meeting at 7:36 PM. **Vote 6-0.**

Attested by: _____
Deborah A. Ouellette, Deputy Clerk



Presque Isle City Council Meeting

Monday, October 26, 2015

5:00 PM

Presque Isle Council Chambers

Call to Order - Roll Call

Present: Chairwoman Emily Smith, Vice-Chairman Michael Chasse, Councilors Richard Engels, Craig Green, Peter Hallowell, Leigh Smith and Randy Smith

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

Pledge of Allegiance

Chairwoman Emily Smith called the meeting to order at 5:05 PM and led those present in the Pledge of Allegiance.

WORKSHOP

Lewis Cousins, Tax Assessor, gave a synopsis of the tax assessing budget. Cousins stated the department has changed very little from 2015. Cousins noted the department has a reserve account (Appraisal Services) that is utilized for appraisals when abatement requests are made. Any funds that are left in that account at the end of the year are "rolled over". Currently, there is \$11,450 in that account.

There is a part-time employee who was hired earlier this year to assist the department with digitizing tax records. To date, 47% of the cards and 70% of all the sketches have been scanned. Cousins believes in January of 2016, the public will have access to tax cards and maps on the City's website for free.

In the future, Puckett stated he is hoping to add multiple layers to the GIS program, such as zoning maps, water/sewer lines, culverts and drainage lines. Cousins stated there is an initial cost of \$3,000 to set up the GIS system, with an annual fee of \$1,800 thereafter.

Ken Arndt, Planning and Development Director, addressed the Council regarding his budget. Arndt began by stating it had been a long term goal of the City to implement a GIS system. The aspiration was for the City to have its own printers and a dedicated staff person. Arndt now believes it would be more advantageous for the City to contract with an outside vendor and continue to receive assistance from the University of Maine at Presque Isle.

Arndt stated the department is responsible for site plan review, administering Presque Isle Development Fund, subdivision review, and the newly approved First Homebuyers Program.

Pat Webb, City Treasurer, presented her budget to the Council. Webb stated she is responsible for IT and the Finance Department. Webb stated excise tax revenue has been increased 3.5% over 2015. A new auditor was selected in 2015, therefore audit fees have been reduced.

Until union negotiations are completed, Webb stated the overall budget includes a 1.2% wage increase.

Webb stated if the City borrows \$9,000,000 for the community center, the debt service payment will be \$675,000 in 2016.

City Manager Puckett stated that revenue sharing has been increased by \$80,000. The contract with Crown Ambulance will expire in June of 2016, and Puckett believes when the City renegotiates the contract, fees can be increased.

Darrell White, Fire Chief, presented his budget to the Council. White stated the department is responsible for fire suppression, Code Enforcement and the Echo Lake Sewer system. White stated the budget being presented this evening mirrors 2015, and depending on union negotiations, some modest adjustments may be needed. Due to most training classes being held in Augusta, the Code Enforcement Officer has not been able to attend. Therefore, White noted there has been an increase to the travel and training account.

White believes when the contract with Crown Ambulance ends, the City should renegotiate the next contract to include actual costs. Currently, TAMC pays the City \$30/hour for calls outside Presque Isle. When there is a call, often times the department has to callback a firefighter, with a mandatory three hours at \$50/hour, to cover the vacancy. Councilor Green reminded the Council that union contracts were approved after the agreement with TAMC was finalized, which resulted in callbacks costing more than what TAMC pays.

Councilor Chasse asked if the department should consider expanding the ambulance service to include transports. Chief White stated the department would have to be licensed for transports, and those individuals who are licensed as EMTs would have to "upgrade" their license to paramedics. That process would take two years and is expensive.

Councilor Engels asked if there was a possibility since the Fire and Police Departments share a building, if employees could be cross-trained. Chief White believes it takes two very different disciplines and if a police officer is out on a complaint and a fire tone is received, a police officer cannot stop what they are doing to respond to a fire call.

Councilor Green asked if the City started their own ambulance service, if that model would include other communities. Chief White envisions the service being open for any community who wants to participate, but cautioned against placing a service in a community that cannot sustain the service.

Councilor Emily Smith asked about billing for the expanded services. Chief White stated Caribou does their own billing, and believes the City could contract with them.

In regards to capital reserves, Chief White stated there are two pieces of equipment that need replacement. The first is a tanker truck that is thirty years old, which will need to be replaced within the next two years. White stated this piece of equipment serves as an engine as well. Currently the City receives an ISO rating of 3, but if the City removes the tanker truck out of circulation, it will affect the City's rating. The second piece of equipment is a car the Code Enforcement Officer is currently driving. It has 180,000 miles and the transmission is slipping. White believes the car is too old, and is not worth repairing.

Councilor Engels asked if either of these vehicles could be replaced with military surplus equipment. Chief White stated the car could possibly be replaced, but not the tanker. White stated since 2007, the department has applied for a grant to replace the tanker, but have not been successful. White believes a grant is more likely to be approved if the City is setting money aside.

Councilor Hallowell believes the Fire Department's budget should include allocations for repair of equipment. In the past few years, the Council has had to approve additional funding for repairs because no money had been earmarked.

Regarding the Echo Lake Sewer system, Chief White stated the system needs to be repaired. The water pipe is broken, which is allowing ground water to seep into the system. The remedy would be to insert a new pipe inside the broken one. Chief White stated Nick Archer of DEP has some funding available to help repair the system. The City received an engineering report that estimated the repair cost at \$80,000. Since that time, they have received an estimate from a local contractor who can do the repair for \$26,000. The City has \$17,000 in a dedicated reserve account.

City Manager Puckett stated he will be meeting with the users of the system during the winter. Currently, the fees assessed are tied to the Utilities District, and he does not believe they should be.

Police Chief Matt Irwin started with the Public Safety Building. Irwin noted that the phone/fax charges have been moved from the Fire and Police Department budgets to the public safety building budget.

A few years ago, all building maintenance accounts were moved to its own department. When the department head retired, the responsibility fell to Dana Fowler. Starting in 2016, Irwin stated the Police Department will be assuming responsibility for maintenance of the public safety building. The public safety building has metal siding. Because of the design of the building, in the winter time, salt is pushed up against the building, which has caused the siding to rust. The repair estimate is approximately \$15,000. There is also some deterioration in the Police Department bays and the drywall in the front entrance is falling. The estimated cost for those repairs are \$55,000.

Chief Irwin stated for the past few years, the capital reserve account has funded 1.5 cars instead of two, creating the problem of an aged fleet. Irwin asked the Council to increase this line item by \$15,000, which will allow funding for two vehicles per year.

Irwin stated he has a few ideas to increase revenues. The City could adopt an ordinance that would allow the department to write tickets for those who park in fire zones. Currently, the department cannot write tickets unless the store owner gives authorization. The ordinance could set the fee at \$250/violation, and would allow the department to fine someone anywhere in the City.

Irwin stated a lot of money is spent on training officers. Irwin is recommending additional fees be assessed when a vehicle is towed (ex. for OUI charges, etc.) to help recover some of those training costs. Chief Irwin noted the City does not receive revenue from traffic violations.

In regards to the operational budget, the Sheriff's Department has stopped transporting prisoners for Presque Isle. Consequently, prisoners are staying in Caribou longer, resulting in additional costs for meals and lodging. The other option is to transport prisoners to Houlton, but that requires overtime. According to the law, Irwin stated prisoners have the right to go to court within 24 hours of their arrest.

Chief Irwin stated in 2016, he requested another dog, but the City Manager denied the request. Irwin stated if enough drug forfeiture funds are received, he would like to utilize those funds for another dog. Currently, Wal-Mart donates food, which saves the City approximately \$1,000/year. Irwin acknowledged there are on-going costs associated with the dogs, such as overtime for the handler and training once a month. Irwin stated the department has \$4,000 in drug forfeiture funds now, but does not know when additional funds will be received. The initial cost of the dog is \$6,000 and \$2,000 for training. Irwin stated 70-80% of crimes committed are drug or alcohol related.

Chief Irwin stated there has been a request from the Council to increase police presence within the City. Irwin stated with only two officers/shift that is difficult to do. Irwin stated the department has experienced a problem in retaining officers because of the 24 hour shifts.

The department currently has ten vehicles, and believes if the cars are more visible to the public, that might heighten the sense of police presence in the community. In order to accomplish that, Irwin would like the City to enact a policy that would allow officers to take vehicles home, if the officer resides in Presque Isle. Irwin believes a lot of time and money is lost when officers have to transfer their work items from their personal car to the work car. Irwin believes City vehicles would be better taken care of because they would be treated like a home office.

Chief Irwin stated a few years ago, a detective position was eliminated. When he first started, there were two detectives, now there are none. Irwin stated there has been \$313,000 reported in stolen property, but there are no officers to investigate the crimes. Irwin believes this does not represent the City well.

Councilor Hallowell asked about overtime at the Police Department. Chief Irwin stated most of the officers are close to vacation and sick time maximums. Officers have to take extended vacations to draw down their time. While the officer is out on vacation and/or sick leave, another officer is filling the shift at time and a half. Councilor Hallowell asked to see the overtime hours at the Police Department before Matthew Irwin became the chief. Chief Irwin stated the City pays approximately \$250,000 in overtime, but a lot of that overtime is airport coverage.

Executive Session

BE IT RESOLVED by Councilor Chasse, seconded by Councilor Randy Smith to enter into Executive Session at 8:05 PM pursuant to 1 M.R.S.A. § 405 (6) (C) for discussion of Economic Development. **Vote 7-0.**

Councilors came out of Executive Session, with no action taken at 8:35 PM.

BE IT RESOLVED by Councilor Leigh Smith, seconded by Councilor Green to enter into Executive Session at 8:36 PM pursuant to 1 M.R.S.A. § 405 (6) (D) for discussion of Labor Negotiations. **Vote 7-0.**

Councilors came out of Executive Session, with no action taken at 8:45 PM.

Adjournment

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Randy Smith to adjourn the meeting at 8:45 PM. **Vote 7-0.**

Attested by: _____
Beverly A Labbe, City Clerk



Presque Isle City Council Meeting

Monday, November 16, 2015

5:00 PM

Presque Isle Council Chambers

Call to Order - Roll Call

Present: Chairwoman Emily Smith, Vice-chairman Michael Chasse, Councilors Richard Engels, Craig Green (arrived at 5:07 PM), Peter Hallowell, Leigh Smith and Randy Smith

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

Pledge of Allegiance

Chairwoman Emily Smith called the meeting to order at 5:00 PM and led those present in the Pledge of Allegiance.

WORKSHOP

Kim Guerrette Michaud and Lillian Rodriguez presented the Council with a \$35,000 request for Wintergreen Arts Center. This year, the City supported Wintergreen with a \$10,000 donation, which was used for summer/fall programing. Michaud stated for over a year, the Center has been operating without a full-time Executive Director. If the Council approves the request, the funds will be utilized to hire a full-time Executive Director. Michaud noted the Center could not operate without the volunteers.

Councilor Emily Smith asked how many of those who participate in the programs are Presque Isle residents. Michaud stated there are approximately 7,200 participants per year. Trying to determine where they are from would be difficult. For example, the Polar Express has families from as far north as Fort Kent and as far south as Houlton.

Councilor Emily Smith asked about fees assessed versus the actual cost. Michaud acknowledged the fees charged do not cover the cost of the programs. There is a \$50/student/activity fee, which represents 68% of the actual cost.

Councilor Hallowell stated when you take into consideration the funds allocated for recreation and school, the request from Wintergreen is small, and believes Wintergreen should be used as a model. The Center operates on a very lean budget; they also utilize and rely on their volunteers. Hallowell also noted the programs bring a lot of traffic into the downtown area. Even though the City is facing a difficult budget, Hallowell believes this program is worth supporting.

Theresa Fowler, Executive Director for the Central Aroostook Chamber of Commerce, presented the Chamber's 2016 outside request of \$22,500, and noted this request has not increased from 2015. Fowler stated they would like to request more, but know the budget is strained. Fowler stated the Chamber serves thirteen communities. All participating communities receive a request for membership dues; some pay, some don't. 85% of the membership pay their dues, and are Presque Isle businesses. Fowler noted all the events are held in Presque Isle.

Councilor Hallowell stated the fee businesses are assessed is based on the number of employees, and asked if the Chamber is tracking that information. Fowler stated businesses are self-reporting.

Floyd Rockholt addressed the City Council regarding the fees that are assessed by the City to the Presque Isle Development Fund (PIDF), and asked for those fees to be reduced in 2016. Rockholt, who is a trustee on the board, stated the administration fees assessed by the City are now more than what the fund is receiving in interest. In 2014, PIDF received \$23,000 in revenues, but paid \$28,000 in administration fees and \$7,500 for legal fees. Currently, PIDF has twelve loans, and one of those loans is with the City at no interest. If PIDF were to bid out the services, they could get someone to oversee the program for \$5,000. Rockholt believes staff support may spend 5 hours/month for financial prep and closure of loans. Rockholt noted the software used to track the loans was paid for with PIDF funds.

Councilor Hallowell asked if PIDF has considered increasing interest rates. Rockholt stated that they had a 5% maximum, but there were no applicants. They now lend at 1% under prime.

Judy Anderson, a representative of Aroostook Agency on Aging, presented their request for funding. Their request is for \$5,000, and Anderson stated these funds are utilized towards a local match for federal money. The money received assists only Presque Isle residents.

Scott Wardwell, Director of Northern Maine Regional Airport, presented his 2016 budget to the Council. Wardwell stated his budget is 13% over 2015. A small COLA has been added and overtime wages has been increased by \$12,000. As presented, the 2016 budget will not change how the Airport operates.

Wardwell stated he recently met with FAA regarding capital improvements and they have agreed to reconstruct Taxiway A for \$3,895,000. It was a competitive process, but Bill Garrish was very compelling.

Councilor Green inquired about enplanements. Wardwell stated PenAir is up 5-6%. The problem is the major airlines do not want to extend service to PenAir. PenAir has tried to make arrangements with the larger airlines, but "they are a small fish in a big pond". Wardwell stated the Essential Air Service will be up for bid again in three months.

Larry Clark, Executive Director of the Industrial Park, presented his 2016 budget. The budget is 2% higher than 2015. The budget is basically flat, with an increase for health insurance and wages.

Clark reminded the Council that the City received three grants in regards to the ACME Monaco expansion, and stated Northern Maine Development Commission was extremely helpful during the process. The next step in the process will be to advertise and select an architect, by drafting a "Request for Qualifications", which will be due December 8, 2015. Clark is hoping the building will be completed by spring of 2017, resulting in increased revenues in 2017.

Clark reminded the Council the Park oversees thirty plus buildings. He made a request for \$140,000 for capital reserves, and the City Manager has reduced this request to \$125,000. To demonstrate the need for capital reserve funds, Clark stated a new roof is needed on the Converse building's loading dock which is estimated at \$30,000.

Arnold Robinson, resident of Presque Isle, addressed the City Council. Robinson expressed his concern regarding the Amish horses which are defecating on City streets, and believes they should be required to clean up their messes.

City Manager Puckett stated he is not aware of any ordinances the City has that address this problem. Since this problem not only exists in Presque Isle, but surrounding communities as well, Puckett believes this problem needs to be addressed regionally.

City Manager Puckett stated there has been staffing changes to general government, which has resulted in a decrease of \$10,000.

Councilor Chasse asked about the City Hall renovations. Puckett stated he met with Seacoast Security last week. The City received a firm quote that was less than \$80,000. Puckett reminded the Council each floor of City Hall needs doors with electro-magnetic stops.

Councilor Hollowell asked about the grant writer, and whether that job description has been rewritten. Hollowell believes the position cannot be justified solely as a grant writer. Puckett stated the job description has not been rewritten, but that person has now assumed responsibility for all City press releases, is staff support to the Downtown Revitalization Committee and responsible for coordination of public comments during an emergency. Puckett stated this person is also assisting with human resources.

Councilor Hallowell asked about ICMA. Puckett stated those funds are for continuing education. There are two trainings/year, the regular meeting and educational credits needed for certification.

Councilor Hallowell expressed his concern regarding fees the City pays, particularly service members' fees, which do not seem to produce a lot of benefit. City Manager Puckett stated those fees are based on population. Puckett stated usually meetings for service centers are held four hours away in Augusta. Fees paid to Maine Municipal Association (MMA) allows the City to receive all the benefits that result from those meetings, without having to attend. Puckett stated the City is insured through MMA, which offers much better rates, and those fees include access to legal services.

Councilor Hallowell believes the reimbursement for Cunningham should be eliminated for 2016. Hallowell also asked for the contractual overtime at both the Fire and Police Departments for the next meeting.

Councilor Emily Smith and Engels stated they would like to have a summary of the potential cuts for the next meeting. Smith stated they are scheduled to hold the second public hearing, and the Council does not have a proposed budget for the public to view. The budget, as submitted in October, has a 3 mil increase. Councilors asked where the budget stood with the cuts that have been discussed. Puckett stated a potential of 1.84 mil increase, not including the pool.

Adjournment

BE IT RESOLVED by Councilor Chasse, seconded by Councilor Leigh Smith to adjourn the meeting at 7:30 PM.

Vote 7-0.

Attested by: _____
Beverly A Labbe, City Clerk



Presque Isle City Council Meeting

Monday, December 7, 2015

6:00 PM

Presque Isle Council Chambers

Call to Order - Roll Call

Present: Chairwoman Emily Smith, Vice-Chairman Michael Chasse, Councilors Richard Engels, Craig Green (arrived 6:04 PM), Peter Hallowell, Leigh Smith and Randy Smith

City Manager Martin Puckett and City Clerk Beverly Labbe were also present.

Pledge of Allegiance

Chairwoman Emily Smith called the meeting to order at 6:00 PM and led those present in the Pledge of Allegiance.

Public Hearings

1. Approval of Automobile Graveyard Permit for Paul Jalbert d/b/a Jalbert Auto & Salvage, with a location of 204 Chapman Road (Single 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 6:00 PM.

BE IT RESOLVED by Councilor Engels, seconded by Councilor Leigh Smith to approve an Automobile Graveyard Permit for Paul Jalbert d/b/a Jalbert Auto & Salvage, with a location of 204 Chapman Road, with the condition that a representative of the Presque Isle Police Department shall be allowed to inspect the premises at any time. **Vote 6-0.**

2. Discontinuance of Sunrise Lane (Single Hearing)

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

BE IT RESOLVED by Councilor Randy Smith, seconded by Councilor Chasse to approve and execute the "Order of Discontinuance" for Sunrise Lane as described in the Order of Discontinuance. **Vote 6-0.**

Chairwoman Emily Smith also read the following “Resolution to Discontinue Public Way: Sunrise Lane” into the record.

RESOLUTION TO DISCONTINUE PUBLIC WAY: SUNRISE LANE

WHEREAS, the City of Presque Isle is authorized pursuant to 23 M.R.S.A § 3026 to discontinue any portion of a public way under its jurisdiction and control; and

WHEREAS, the City Council of the City of Presque Isle has determined that it is in the best interest of the City to discontinue the public way known as Sunrise Lane and that the discontinuance causes no damage to abutting property owners;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Presque Isle, State of Maine, by this resolution, adopted by a majority of the City Council, with a quorum present and voting, proper notice having been given, that it is in the public interest to discontinue Sunrise Lane as a public way and public easement for its entire length pursuant to the procedures set forth at 23 M.R.S. A § 3026. The public way to be discontinued begins at Morningside Road and runs southeasterly a distance of approximately 350 feet, as shown more particularly on the City Tax Maps at Map 53 Lot 75-10 on file at the Presque Isle City Hall and further described on the Parcel Description and Survey attached hereto as Exhibits A and B.

All utility and aviation easements of record shall remain in full force and effect.

3. 2016 Municipal Budget (Second Hearing)

The public hearing portion of the meeting was opened at 6:05 PM. Hearing no comments from the public, the public hearing was closed at 6:06 PM.

Citizen Comments

Clint Deschene addressed the City Council regarding the pool. Deschene believes the community center is a wonderful project, but also feels the pool should not be constructed at this time. Deschene thinks the Council should consider the splash pad as an alternative. UMPI has a beautiful facility which includes a pool, therefore Deschene feels the community is not going without.

Consent Agenda

4. Approve minutes from September 9, 2015 and November 2, 2015
5. Approve 2015 Warrants #41 - #44, totaling \$1,947,324.26
6. Approve Return of Votes Cast for November 3, 2015
7. Pole permit application from Maine Department of Transportation on Chandler Road
8. Pole permit application from Emera Maine on Edgemont Drive
9. Reallocation of funds regarding ACME Monaco
10. Closing non-essential offices on December 24, 2015
11. Safety Mission Statement

BE IT RESOLVED by Councilor Engels, seconded by Councilor Randy Smith to approve Consent Agenda items #4 - 11 as presented. Vote 7-0.

Old Business

12. TABLED: Zoning Board Appointment

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Randy Smith to appoint Carl Allen to fill the unexpired term of Marcella Walton, term to expire December 31, 2017. Vote 7-0.

13. TABLED: Chapter 9 - License and Public Hearing Fees

City Manager Puckett stated the City held a public hearing regarding Chapter 9 last month. At that time, the Council decided to table this agenda item to determine whether the assessed fees were reasonable. Puckett stated staff has looked at other municipalities around the state and found the fees were comparable.

There was a short discussion regarding the fees. Councilors Engels and Green agreed to assist in researching fees being assessed and determine whether or not they should increase.

BE IT RESOLVED by Councilor Chasse, seconded by Councilor Leigh Smith to TABLE amendments to Chapter 9 - License and Public Hearing Fees. Vote 7-0.

14. TABLED: Chapter 16 - Land Use and Development Code - Chapter 2 - Section VI:D - Performance Standards for Mobile Homes

City Manager Puckett stated the Council tabled this agenda item in order to receive clarification. The City Solicitor has been consulted, and has determined if the Council adopted this section of the Code, it would go into effect immediately, and unless a mobile home is being moved inside City boundaries, all other mobile homes within the City would be grandfathered.

BE IT RESOLVED by Councilor Chasse, seconded by Councilor Leigh Smith to adopt Chapter 16 - Land Use and Development Code, Chapter 2 - Section VI:D - Performance Standards for Mobile Homes. **Vote 7-0.**

New Business

15. Solid Waste Budget

Dana Fowler, Director of Public Services, addressed the Council regarding the way the City calculates the formula for the Landfill. The towns of Washburn, Perham and Wade have decided to no longer participate in Pay-As-You-Throw, thereby reducing the amount of refuse being delivered to the landfill. As a result of the decrease, a greater portion of the costs have been shifted to the remaining member communities. In addition to the shift in operational costs, earlier this year, the Council approved a reduction in tipping fees at the landfill in hopes of enticing other entities to bring their refuse to Presque Isle, thereby increasing revenue streams.

In August of 2015, the Council voted to authorize a new formula for use of the landfill. Since that time, it has been determined that the new formula could present some serious issues. Based on the new formula, if a community had higher than normal tonnage delivered to the landfill in 2013, they would be "locked into" a higher payment for debt service. The motion also included a penalty being assessed to a community if they "have not met the expected tonnages that were based on the historical trend".

Fowler recommended the Council do two things, (1) reconsider the motion taken on August 3, 2015 and (2) establish a new formula.

Fowler recommended the 50/50 credit calculation be based on an eight-year (2008-2015) average of waste that is delivered to the landfilled. The starting year of 2008 was chosen because that is when the Inter Local Community Agreement was signed with all seven communities. Fowler is also recommending other 50% of the formula be based a rolling four-year budget using Pay As You Throw percentages. Using the four year rolling average allows the formula to capture the implementation of PAYT to the present.

Fowler stated the agreement signed in 2008 states the municipality(ies) will be responsible to pay a portion of the debt service, operating costs, as well as closure and post closure costs. Councilor Chasse asked if there has been any communication with Washburn, Perham and Wade informing them that they are in violation of the Inter Local Agreement. City Manager Puckett stated a letter was sent.

Fowler informed the Council that a meeting was held with the towns a few weeks ago, all but the Town of Wade were in attendance. Those present were comfortable with the new calculation.

Councilor Hallowell asked if the eight year average was a fixed payment, or was it an eight year rolling average. Fowler responded the debt service would be a fixed payment.

BE IT RESOLVED by Councilor Chasse, seconded by Councilor Green to reconsider the motion made on Agenda Item 15-155 – Authorize new community formula for use of landfill taken on August 3, 2015. **Vote 7-0.**

BE IT RESOLVED by Councilor Engels, seconded by Councilors Randy Smith to (1) establish debt service as a fixed payment based on landfilled tonnage for the 2008-2015 budget years, and (2) to calculate the 50/50 credit portion of the solid waste budget by using 50 percent based on landfilled tonnage from the 2008-2015 budget years and 50 percent based on the most current 4-year budget year rolling average for Pay as You Throw tonnages. **Vote 7-0.**

16. Approve Solid Waste Collector License for Edgar J LeBlanc d/b/a Star City Sanitation

City Manager Puckett stated Pay As You Throw contracts with Gil's Sanitations and Star City will not expire until 2016. He has been in discussions with the haulers and they have agreed to reduce the Pay As You Throw price per household from \$12/month to \$10.50/month. This reduction will save the City approximately \$52,000.

BE IT RESOLVED by Councilor Engels, seconded by Councilor Green to approve a Solid Waste Collector License for: Edgar J LeBlanc d/b/a Star City Sanitation, Inc, with the following conditions:

- (1) Only solid waste produced and originating within Presque Isle and the seven (7) communities consisting of: Mapleton, Chapman, Castle Hill, Wade, Washburn, T11 R4 (SQOPAN), and Perham may be handled at the Solid Waste Facilities of the City.
- (2) The recyclable materials shall be kept separate from the solid waste and delivered to a recycling facility.
- (3) Payment for all invoiced tipping fees shall be received by the City within 60 days of invoice date or the City Council may suspend or revoke the Solid Waste Collector License.
- (4) Loads containing waste from more than one member municipality must have an individual scale weight for each municipalities waste, unless an exception is authorized by the Public Services Director. **Vote 7-0.**

17. Approve Solid Waste Collector License for Gil's Sanitation, Inc

BE IT RESOLVED by Councilor Engels, seconded by Councilor Green to approve a Solid Waste Collector License for: Gil's Sanitation, Inc, with the following conditions:

- (1) Only solid waste produced and originating within Presque Isle and the seven (7) communities consisting of: Mapleton, Chapman, Castle Hill, Wade, Washburn, T11 R4 (SQOPAN), and Perham may be handled at the Solid Waste Facilities of the City.
- (2) The recyclable materials shall be kept separate from the solid waste and delivered to a recycling facility.
- (3) Payment for all invoiced tipping fees shall be received by the City within 60 days of invoice date or the City Council may suspend or revoke the Solid Waste Collector License.
- (4) Loads containing waste from more than one member municipality must have an individual scale weight for each municipalities waste, unless an exception is authorized by the Public Services Director. **Vote 7-0.**

18. Approve Solid Waste Collector License for Pine Tree Waste

BE IT RESOLVED by Councilor Engels, seconded by Councilor Green to approve a Solid Waste Collector License for: Pine Tree Waste with the following conditions:

- (1) Only solid waste produced and originating within Presque Isle and the seven (7) communities consisting of: Mapleton, Chapman, Castle Hill, Wade, Washburn, T11 R4 (SQOPAN), and Perham may be handled at the Solid Waste Facilities of the City.
- (2) The recyclable materials shall be kept separate from the solid waste and delivered to a recycling facility.
- (3) Payment for all invoiced tipping fees shall be received by the City within 60 days of invoice date or the City Council may suspend or revoke the Solid Waste Collector License.
- (4) Loads containing waste from more than one member municipality must have an individual scale weight for each municipalities waste, unless an exception is authorized by the Public Services Director.
- (5) Limited to construction and demolition debris only transported via semi-trailer and roll-offs. No other collection of municipal solid waste is permitted. **Vote 7-0.**

19. Approve Solid Waste Collector License for Jack Herbert d/b/a McNeal's Trucking

BE IT RESOLVED by Councilor Engels, seconded by Councilor Green to approve a Solid Waste Collector License for: Jack Herbert d/b/a McNeal's Trucking with the following conditions:

- (1) Only solid waste produced and originating within Presque Isle and the seven (7) communities consisting of: Mapleton, Chapman, Castle Hill, Wade, Washburn, T11 R4 (SQOPAN), and Perham may be handled at the Solid Waste Facilities of the City.
- (2) The recyclable materials shall be kept separate from the solid waste and delivered to a recycling facility.
- (3) Payment for all invoiced tipping fees shall be received by the City within 60 days of invoice date or the City Council may suspend or revoke the Solid Waste Collector License.
- (4) Loads containing waste from more than one member municipality must have an individual scale weight for each municipalities waste, unless an exception is authorized by the Public Services Director.
- (5) Limited to construction and demolition debris only transported via semi-trailer and roll-offs. No other collection of municipal solid waste is permitted. **Vote 7-0.**

20. Update on the ice system at The Forum

Chris Beaulieu, Director of Recreation & Parks, updated the Council regarding the newly installed ice system at the Forum. The system is functioning well. Beaulieu stated the compressor is running 8/hours a day versus 16/hours. The time required to freeze ice has been reduced from 24 hours to 6 hours, and stated the patrons are pleased with the ice. Beaulieu believes the City should see additional savings in fuel consumption because the large water tank was replaced with a 360 gallon tank.

21. Moratorium on Medical Marijuana Facilities

City Manager Puckett stated staff is still working on the Medical Marijuana Facility ordinance. There has been a great deal of input from various departments and staff has been comparing the City's ordinance with other municipalities. Puckett stated the ordinance will not be ready before the current moratorium expires, therefore Puckett is recommending the moratorium be extended an additional six months.

BE IT RESOLVED by Councilor Randy Smith, seconded by Councilor Green that the Presque Isle City Council vote to extend the City's August 3, 2015 Medical Marijuana Moratorium for an additional six months.

Vote 6-1, with Councilor Engels abstaining.

22. Fire Contract

City Manager Puckett stated the Town of Chapman had requested the City freeze the fire contract for three years at \$25,398. They have now asked that the rate of \$25,398 be frozen for 2016, which would allow time for the municipalities to work out a reasonable rate for fire service.

Councilor Emily Smith stated the costs for the City's fire department have not remained flat. It creates a greater tax burden, if the City would keep the Chapman fire contract the same, while Presque Isle taxpayers are paying more for fire services.

Puckett stated the rationale for the formula is unknown. It is the hope of the Chapman town manager that the rate remain the same for 2016, and then have a discussion about how to proceed with future contracts.

BE IT RESOLVED by Councilor Green, seconded by Councilor Hallowell to approve a contact with the Town of Chapman for fire services in the amount of \$25,398, and to not pay the Payment in Lieu of Taxes on the old transfer station. **Vote 7-0.**

23. 2015 Tax Acquired Properties

City Manager Puckett stated this is an annual procedure. If the Council approves this motion, it will allow the City to ask the prior owners if they would like to "buy back" their property.

BE IT RESOLVED by Councilor Chasse, seconded by Councilor Green that the City Council authorize the City Treasurer to contact the prior owners of the properties, EXCEPT Acct #1103 and #1202, owned by B & A RR Retirement Trust at 59 Elm Street and 69 North Street respectively, acquired at the November 6, 2015 automatic foreclosure of the 2013 tax liens, per the Policy for Tax Acquired Property to make acceptable arrangements for repurchasing the property from the City by paying all taxes, costs, administrative fees, and interest due the City if they wish to regain title of their former property. **Vote 6-0, with Councilor Engels abstaining.**

24. 2016 Budget Discussion

City Manager Puckett stated the Council needs to decide how to proceed in regards to borrowing for the new community center. The mil rate in 2015 is 25.46, if the Council includes the pool with the new community center, the mil rate will increase by \$1.92 mils.

If the Council borrows \$7,000,000 and amortizes the payments over the next 25 years, the payments will be \$424,800/year for a repayment total of \$10,620,000. If the City elects to borrow \$7,000,000 utilizing equal principal payments, the payments start at \$525,000, are reduced every year, for a repayment total of \$10,185,000.

If the City borrows \$9,000,000 and amortizes the payment for twenty-five years, the payments will be \$546,000/year for a repayment total of \$13,650,000. If the City elects to borrow \$9,000,000 utilizing equal principal payments, the first payment would be \$675,000 and will be reduced every year, for a repayment total of \$13,095,000.

Councilor Emily Smith commented the City has never received an estimate for the pool, so the real cost of the pool is not known. Councilors had a brief discussion regarding the short season the pool has, the pros and cons of a pool versus splash pad, total amount that will need to be repaid, and whether money should be borrowed to replenish the contingency account.

Councilor Green wondered if the City should hold a public hearing at their next meeting, December 14th to determine what the wishes of the residents are. Puckett stated the Financial Advisor needs to have an amount by Wednesday.

Councilor Engels believes a community center is needed, but believes the pool and splash pad are a luxury the City cannot afford at this time. Engels stated he is in favor of borrowing \$7,000,000. Councilor Green believes the splash pad will draw many people to Presque Isle resulting in increased traffic for local businesses.

BE IT RESOLVED by Councilor Engels to borrow \$7,000,000. There was no second.

Motion fails.

BE IT RESOLVED by Councilor Randy Smith, seconded by Councilor Green that the Council approves to borrow \$7,500,000, which includes funding for the splash pad and Riverside Building renovation. **Vote 6-1, with Councilor Engels abstaining.**

Pat Webb, City Treasurer, stated with reducing Pay As You Throw expenses by \$52,500 and removing \$98,000 from the paving account, the mil rate increase will be 1.41. City Manager Puckett stated the ambulance contract will be expiring in July of 2016, and he believes the City could increase revenues by \$35,000.

Councilor Engels stated he would like to have budget adjustments sooner. The figures the Council are deliberating over, were received at the meeting. Engels would also like to have more suggestions from staff for further reducing the budget. Engels is concerned that increasing the mil rate by 1.41 will cause Presque Isle to be one of the highest mil rates in the state.

Councilor Emily Smith stated the 1.41 increase does not take into consideration requests made by department heads. There are buildings and equipment that need replacement or repair.

Puckett stated any further cuts to the budget will impact the services the residents receive.

25. Change Order for Community Center

Chris Beaulieu, Director of Recreation & Parks, addressed the Council regarding the change order. Beaulieu stated the addition of the kitchen in the senior's room will cost \$110,857. Beaulieu stated the City has already received a generous donation of \$85,000 for this project. Because the difference (approximately \$25,000) is over \$7,500, this change order needs council approval.

BE IT RESOLVED by Councilor Chasse, seconded by Councilor Engels to approve change Order proposal #10 -0 Kitchen for the amount of \$110,857 as presented.

Vote 7-0.

Councilors requested the Clerk of the Works, Roger Crouse, update the Council.

26. Municipal Fees

City Manager Puckett stated there are two departments that would like to increase their fees: Northern Maine Regional Airport and Mark & Emily Turner Memorial Library.

If the Council approves the fee structure, the Mark & Emily Turner Memorial Library will be charging \$50/three hours for the Conference Room/Gallery; \$10/three hours for the Teen Lounge Conference Room, and \$10/three hours for the Mezzanine Meeting room.

Councilors expressed concern regarding the low fees and whether they would be undercutting local businesses.

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Leigh Smith to double the fees as presented for the Mark & Emily Turner Memorial Public library as presented.

Vote 7-0.

Councilor Emily Smith stated she is opposed to increasing fees at General Aviation. The increase in fees will primarily affect one business, Fresh Air. Smith believes this service is necessary and the lower fee can be justified to taxpayers.

Scott Wardwell, Director of Northern Maine Regional Airport, addressed the Council. Wardwell stated when the memo was submitted, it was based on 2 or 3 hour callbacks. Since that time, the City is in union negotiations and callbacks may increase to four hours. Because of that, the fees increase from \$80 for a two hour callback and \$120 for

a three hour to \$155 for a four hour callback. Wardwell stated in the last twelve months, there have been 23 three hour callbacks.

Wardwell stated if the City constructed separate "T" buildings (separate storage buildings) for businesses such as Fresh Air, it would eliminate 64% of the callbacks. In addition, businesses would be responsible to pay for their own utilities. Wardwell believes the buildings would be filled before construction was completed.

BE IT RESOLVED by Councilor Emily Smith, seconded by Green, to keep General Aviation call in fees as they are, and to research alternative structures.

Vote 4-3, with Councilor Engels, Leigh Smith and Randy Smith opposed.

Manager's Report

City Manager Puckett reported the end of the year budget is on target.

Announcements

Councilor Leigh Smith read the announcements.

Executive Session

BE IT RESOLVED by Councilor Chasse, seconded by Councilor Randy Smith to enter into Executive Session at 8:32 PM pursuant to 1 M.R.S.A. Section 405 (6) (D) to discuss labor negotiations. **Vote 7-0.**

Councilors came out of Executive Session, with no action taken.

Adjournment

BE IT RESOLVED by Councilor Hollowell, seconded by Councilor Randy Smith to adjourn the meeting at 8:44 PM. **Vote 7-0.**

Attested by: _____
Beverly A Labbe, City Clerk



Presque Isle City Council Meeting

Monday, December 14, 2015
5:00 PM
Presque Isle Council Chambers

Call to Order - Roll Call

Present: Chairwoman Emily Smith, Vice-Chairman Michael Chasse, Councilors Richard Engels, Craig Green, Peter Hallowell, Leigh Smith (arrived 5:20 PM) and Randy Smith.

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

Pledge of Allegiance

Chairwoman Emily Smith opened the meeting at 5:01 PM and led those present in the Pledge of Allegiance.

Citizen Comments

There were no Citizen Comments.

New Business

1. **Authorize 2016 Tax Levy & Commitment Dates**
2. **Adjustments to 2016 Municipal Budget**
3. **Adoption of the 2016 Municipal Budget**

City Manager Puckett briefly discussed the changes to the budget since its first submittal in October. Revenues have increased by approximately \$68,000 and expenses have decreased by approximately \$128,000. The mil rate in 2015 is \$25.46/\$1,000. If the Council adopts the budget with the proposed amendments, the anticipated mil rate for 2016 would be \$26.67/\$1,000. \$1 of the \$1.21 mil increase is the new community center payment. The other \$0.21 is personnel and insurance increases. Puckett stated decisions are still needed regarding outside requests.

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Emily Smith to eliminate the repayment of the Cunningham School loan to the Presque Isle Development Fund in the amount of \$13,649.

Vote 5-1, with Councilor Engels opposed.

Councilor Hallowell asked how much money the City had in contingency and inquired about putting a down payment on the new plow truck for Public Works instead of borrowing the total amount. Hallowell stated in 2017, the City will start payments on the new community center, and it would be prudent to pay down some of the debt with contingency.

Pat Webb, City Treasurer, responded that there was approximately \$85,000 that will be returned to the contingency account.

Puckett stated Wintergreen Arts has asked the City for \$35,000, none of which has been budgeted for. Councilor Hallowell believes that if the City reduced the request to \$25,000, they will still be able to operate. The funding will allow the Center to hire an Executive Director, who will be able to pursue grants. Hopefully, this will be a one-time request. Hallowell stated the Center draws a lot of people into town.

Councilor Green stated the City could not replicate the services that the Center provides. Green believes this is a worthy endeavor.

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Chasse to allocate \$20,000 to Wintergreen Arts Center. **Vote 7-0.**

City Manager Puckett stated there have been some discussions centered on cutting expenses in the Fire and Police departments. Puckett stated in the Fire Department, the revenues have increased approximately \$150,000, predominately because of the ambulance service. There is an increase of \$26,000 for 2016, but a lot of that is due to contractual overtime. If the Council wishes to cut expenditures in the Fire Department, the cuts will result in decreased training. Puckett noted that ARF does reimburse the City for Fire Department presence at the Airport, which in turn, pays for the training.

Regarding the Police Department, Puckett stated he had a meeting with Chief Irwin in regards to reducing the budget. In Chief Irwin's opinion, the question becomes, what level of service does the City want to have. Chief Irwin stated approximately 16% of overtime is due to "late calls" where an officer needs to be at court. Another 40% is contractual. 25% of the overtime the City receives back from grants (OUI and traffic duties). Irwin stated the department is at bare bones, and there are supervisors acting as officers because there are not enough warm bodies.

City Manager Puckett stated the department has had difficulty retaining its officers. Consequently, the training budget has increased with the turnovers.

Councilor Emily Smith commented the Police Chief suggested officers be allowed to take a car home to increase police presence in the City. Smith asked what additional costs are associated with that. Irwin stated he has included an additional 200 gallons of fuel, and reiterated only if an employee lives in town would they be allowed to take a car home. Irwin believes allowing officers to take vehicle home will prolong the life of the cars. Irwin stated about 50% of the police force lives in Presque Isle.

Councilor Emily Smith inquired about the request for a second dog. Chief Irwin stated the department has some drug forfeiture funds, but realizes the Council has some tough choices to make. Irwin stated the department can wait a few more years for another dog.

Councilor Hallowell asked about the request for an additional car, and how that would affect the budget. Pat Webb stated adding an additional \$15,000 for the car will increase the overall mil rate from \$1.21 to \$1.25.

Councilor Hallowell stated at the last meeting, \$98,000 was removed from the paving account. Hallowell asked Dana Fowler, Public Services Director, if he was comfortable with the reduction. Fowler stated this funding level would be adequate for 2016. Councilor Chasse asked if the line item should be funded at \$250,000/year. Fowler affirmed that would be the amount needed on an annual basis.

Councilor Leigh Smith asked about the snow hauling contract. Dana Fowler, Public Services Director, stated the contract is bid every three years. Six years ago, the bid was awarded for approximately \$114,000. Three years ago, the bid was awarded at \$124,800. This year the bid was \$149,000, an increase of 19%.

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Randy Smith to accept the 2016 City Budget by department as shown on Attachment B. Total appropriations of \$11,268,547, total revenue of \$4,202,243. **Vote 7-0.**

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Randy Smith that the City Council authorize a levy of tax against real and personal property for the calendar year 2016. The rate of tax shall be calculated on or before June 30, 2016 and set at the first City Council meeting in July which is currently scheduled for July 6, 2016. **Vote 7-0.**

City Manager Puckett stated this is Councilor Peter Hallowell's last meeting. Puckett stated is it customary to give an outgoing Councilor a token of appreciation, which has been a beautifully engraved wooden chair. Hallowell asked in lieu of the gift, the money be donated to a charity of his choice. That has been done. Those present thanked Councilor Hallowell for his service.

Executive Session

BE IT RESOLVED by Councilor Emily Smith, seconded by Councilor Randy Smith to enter into Executive Session at 6:35 PM pursuant to 1 M.R.S.A. Section 405 (6) (D) to discuss labor negotiations. **Vote 7-0.**

Councilors came out of Executive Session at 6:51 PM, and made the following motion:

BE IT RESOLVED by Councilor Green, seconded by Councilor Randy Smith to approve Teamsters Local #340 contracts for: Professional/Clerical, Fire Department, Police Sergeants, Solid Waste, Public Works and Airport, and New England Benevolent Police Association, Inc. for the Police Patrol. **Vote 7-0.**

Adjournment

BE IT RESOLVED by Councilor Hallowell, seconded by Councilor Leigh Smith to adjourn the meeting at 6:52 PM. **Vote 7-0.**

Attested by: _____
Beverly A Labbe, City Clerk

GENERAL FUND REVENUE SUMMARY -- 2016 BUDGET

	2012	2013	2014	2015	2015 thru	2016			Change
	ACTUAL	ACTUAL	ACTUAL	BUDGET	November	Manager	Adjustments	2016 Council	From 2015
									Budget
003 Finance	1,502,000	1,572,766	1,564,393	1,574,000	1,510,892	1,589,000	10,000	1,599,000	25,000
004 Fire	47,507	147,160	176,722	204,500	168,596	218,000	40,000	258,000	53,500
006 Gen Gov't	46,208	36,852	37,450	40,000	31,157	40,000	-	40,000	-
007 Library	9,344	11,651	10,001	9,500	12,544	11,025	1,000	12,025	2,525
008 Police	191,725	183,754	150,419	154,741	97,120	145,638	-	145,638	(9,103)
009 Public Works	6,301	6,795	7,659	5,000	7,968	6,000	-	6,000	1,000
010 Rec & Parks	403,769	371,897	324,238	339,900	272,632	328,300	(2,100)	326,200	(13,700)
013 PIIC	583,116	578,373	589,873	560,000	546,207	508,000	-	508,000	(52,000)
014 Employ. Ben	24,173	33,433	41,525	56,986	36,370	61,000	-	61,000	4,014
016 Insurances	995	1,161	1,222	1,000	175	1,000	-	1,000	-
019 Echo Lake	4,481	4,482	4,907	5,250	4,502	4,500	-	4,500	(750)
025 City Clerk	-	45,838	41,413	47,750	39,385	46,200	-	46,200	(1,550)
026 Gen Assist	34,188	35,120	75,072	35,625	31,814	35,000	14,000	49,000	13,375
027 Gen Fnd Rev	1,482,502	1,359,874	1,066,992	1,027,979	1,012,451	1,140,680	5,000	1,145,680	117,701
TOTAL REVENUE	4,336,310	4,389,156	4,091,887	4,062,231	3,771,813	4,134,343	67,900	4,202,243	140,012

GENERAL FUND EXPENSE SUMMARY -- 2016 BUDGET

	2012	2013	2014	2015	2015 thru	2016		Change	
	ACTUAL	ACTUAL	ACTUAL	BUDGET	November	Manager	Adjustments	2016 Council	From 2015
									Budget
001 Assessing	-	-	69,541	141,469	124,740	133,550	(5,081)	128,469	(13,000)
002 Planning	61,454	59,621	59,716	64,946	55,775	64,628	929	65,557	611
003 Finance	525,286	438,659	314,674	272,637	244,495	278,723	3,606	282,329	9,692
004 Fire	886,012	880,197	888,250	895,381	806,970	917,491	4,136	921,627	26,246
006 Gen Gov't	289,341	228,480	268,087	297,830	273,705	287,488	(336)	287,152	(10,678)
007 Library	352,087	312,798	319,720	341,330	311,139	358,868	4,004	362,872	21,542
008 Police	1,150,779	1,216,096	1,211,318	1,217,076	1,113,654	1,222,097	74,491	1,296,588	79,512
009 Public Works	1,649,682	1,669,524	1,673,844	1,614,628	1,504,170	1,705,561	(68,602)	1,636,959	22,331
010 Rec & Parks	889,018	947,080	780,257	797,989	644,140	787,383	(4,769)	782,614	(15,375)
011 Resources	45,989	124,907	146,630	156,489	121,180	145,037	(40,401)	104,636	(51,853)
012 Solid Waste	427,386	212,311	415,259	315,312	346,092	342,195	(42,334)	299,861	(15,451)
013 PIIC	333,000	335,000	342,709	347,500	277,500	354,765	(1,025)	353,740	6,240
014 Employ Bene	1,602,064	1,750,649	1,856,223	1,816,732	1,602,023	1,900,150	(7,089)	1,893,061	76,329
015 PS Bldg	129,176	132,944	152,390	174,509	144,281	152,001	(13,930)	138,071	(36,438)
016 Insurances	107,223	106,709	115,382	120,564	123,159	130,346	-	130,346	9,782
017 Utilities	561,762	557,934	559,755	566,016	450,945	599,812	6,000	605,812	39,796
018 Debt Service	355,720	349,371	351,919	353,230	319,779	901,735	(6,250)	895,485	542,255
019 Echo Lake	3,169	3,000	3,000	4,500	807	5,064	-	5,064	564
020 Unclassified	118,530	118,758	172,073	226,492	131,376	300,284	(78,279)	222,005	(4,487)
021 Outside Requ	39,850	41,600	41,600	41,125	38,600	41,125	-	41,125	-
022 Airport	296,463	293,643	130,551	(33,413)	(1,770)	(37,654)	8,555	(29,099)	4,314
023 IT	41,256	42,325	42,551	56,080	44,799	58,275	-	58,275	2,195
025 City Clerk	4,080	62,548	52,072	58,214	46,645	59,185	657	59,842	1,628
026 Gen Assist	66,859	57,592	142,868	70,000	77,017	70,000	-	70,000	-
Capital Rese	582,825	655,300	583,676	654,206	654,206	596,656	59,500	656,156	1,950
TOTAL FUND 1	10,519,014	10,597,046	10,694,065	10,570,842	9,455,427	11,374,765	(106,218)	11,268,547	697,705
Net	6,182,704	6,207,890	6,602,178	6,508,611	5,683,614	7,240,422	(174,118)	7,066,304	557,693

Attachment B

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 4, 2016

AGENDA ITEM # 11

SUBJECT

CONSENT AGENDA: 2015 Warrants #45 - #48, Totaling
\$3,006,230.63

INFORMATION

1) Warrant #45	\$1,411,526.52
2) Warrant #46	\$ 692,503.89
3) Warrant #47	\$ 78,822.08
4) Warrant #48	<u>\$ 823,378.14</u>
	\$3,006,230.63

APPROVAL AND/OR COMMENTS OF CITY MANAGER

Passage is recommended

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to approve 2015 Warrants #45 - #48, totaling \$3,006,230.63.

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 4, 2016

AGENDA ITEM #12

SUBJECT

CONSENT AGENDA: Ex-Officio Appointment to Boards and
Committees

INFORMATION

APPROVAL AND/OR COMMENTS OF CITY MANAGER

REQUESTED ACTION

Please see next page for resolutions

AIRPORT ADVISORY BOARD

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint **MARTIN PUCKETT, LARRY CLARK** and **SCOTT WARDWELL** as an Ex-Officio non-voting members for a one year term to the Airport Advisory Board, term to expire on December 31, 2016.

LIBRARY COMMITTEE

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint **PRISCILLA "Pat" WEBB** and **SONJA EYLER** as an Ex-Officio non-voting members for a one year term to the Library Committee, term to expire on December 31, 2016.

PRESQUE ISLE DEVELOPMENT FUND BOARD OF TRUSTEES

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint **MARTIN PUCKETT** 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, 2016.

PRESQUE ISLE INDUSTRIAL COUNCIL BOARD OF DIRECTORS

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to nominate **MARTIN PUCKETT** 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, 2016.

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 4, 2016

AGENDA ITEM #13

SUBJECT

CONSENT AGENDA: Request from EMERA Maine for an electrical easement for the Presque Isle Community Center

INFORMATION

- 1) Memo from Dana Fowler dated December 18, 2015
- 2) Request from EMERA Maine

APPROVAL AND/OR COMMENTS OF CITY MANAGER

Passage is recommended

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to approve an easement on City property to EMERA Maine as submitted with attached Exhibit "A", which is a surveyor's plan of the easement dated November 23, 2015.



City of Presque Isle, Maine

Department of Public Services
Dana H. Fowler, P.E.
Email: dfowler@presqueisleme.us

MEMORANDUM

TO:	City Council and Martin Puckett, City Manager
FROM:	Dana H. Fowler, P.E., Director of Public Services <i>DHF</i>
DATE:	December 18, 2015
RE:	Easement for Emera Maine

Emera Maine has submitted a request for an easement (attached) for underground conduits leading to a padmount transformer on City property on Chapman Road. The easement extends from an existing pole on the inside corner of Chapman Road to the Community Center, which is under construction. The purpose of the easement is to supply electrical power to the Community Center.

The proposed easement is 20 feet wide and approximately 251 feet along its centerline. It is proposed to place two 4 inch diameter conduits in the easement. The basis of the easement is that it allows Emera to construct, maintain, operate, and upgrade underground power lines within the easement. The City cannot build a structure within the bounds of the easement.

I have inspected the site and have no issues with the easement. Chris Beaulieu, Recreation and Parks Director, has indicated that there are no structures planned to be built in the easement area.

RECOMMENDED MOTION

Be it resolved by _____ and seconded by _____ to approve an easement on City property to Emera Maine as submitted with attached Exhibit "A", which is a surveyor's plan of the easement dated November 23, 2015.

RECORD AND RETURN TO:

Emera Maine
Attn: Renee Wright
P.O. Box 932
Bangor, ME 04402-0932

EASEMENT

THE CITY OF PRESQUE ISLE, a municipal corporation having its principal offices at 12 Second Street in Presque Isle, in the County of Aroostook, State of Maine, (the "Grantor"), being the owner in fee simple of certain lands located in the City of Presque Isle, County of Aroostook, State of Maine, and described as follows:

Being the same premises conveyed by Geary S. Bonville to the Grantor herein by deed dated October 8, 2008, and recorded in the Southern Aroostook County Registry of Deeds in Book 4641, Page 289;

for consideration paid, grants to **EMERA MAINE**, a Maine corporation having a place of business at 970 Illinois Avenue, Bangor, Maine, (the "Grantee"), its successors and assigns forever, the following rights, privileges and easements to be exercised upon and with respect to so much of a strip of land 20 feet in width for its entire length as lies within the aforesaid lands, beginning at an existing pole numbered 72991 located on the southerly side of the so called Chapman St. within the bounds of the road right of way, thence 240 feet, more or less southwesterly to a concrete pad location for a transformer to be placed. Said strip being shown on Exhibit "A", attached hereto and made a part hereof.)

The right to enter upon said lands with workers and vehicles and all necessary tools and machinery; the right to excavate, lay, bury, install, construct, maintain, operate, repair, rebuild, and remove underground wires, cables, conduits, ducts, transformers, foundations, switching equipment, protective and safety devices, manholes, and other apparatus used or useful for the transmission of electricity, as the Grantee herein may from time to time desire, upon and/or beneath the surface of the earth; the right to transmit electricity and intelligence over, through and by said wires, cables, conduits, ducts, transformers, foundations, switching equipment, protective and safety devices, manholes and other apparatus; and the right to keep said strip cleared by any lawful means of trees, undergrowth and all other obstructions.

The right to place the necessary aboveground padmount transformers and electrical devices, with their necessary wires, cables, conduits, ducts, and fixtures, attached thereto, within the aforementioned strip ; with the right to transmit electricity and intelligence over, through and by said wires, cables, conduits, ducts, fixtures, padmount transformers, and electrical devices.

The right to extend underground lines from said strip to facilities and buildings as now located or to be located on said premises.

The rights, privileges and easements to construct, maintain and operate a line of poles and wires with their fixtures and supports, on a temporary basis, on said lands in such a manner as to provide electric service to facilities and buildings being served by the herein described underground system in the event a fault occurs in the underground system during a period of time when it may be difficult or impossible, due to weather conditions, ground conditions or otherwise, to repair such underground system; said line of poles and wires to be dismantled by Grantee when such fault is corrected; and to transmit electricity and intelligence over said wires and apparatus, and to clear and dispose of interfering trees and other growth from time to time.

Also conveying the rights, privileges and easements to construct, maintain, operate and upgrade from time to time on said lands, for utility purposes, a line consisting of poles, anchors and wires with the necessary fixtures and supports, as the route of said line is now located and/or staked out; with the right to transmit electricity and intelligence over said line, and to clear and dispose of interfering trees and other growth from time to time.

The Grantor for itself and its successors and assigns, covenants and agrees to and with the Grantee, its successors and assigns, that it will not erect or maintain or permit the erection or maintenance of any building, trailer, mobile home, swimming pool, or other structure, of any kind or nature, upon said strip (or within 15 feet of said line), any or all of which in the opinion of the Grantee, its successors and assigns, would endanger or interfere with the exercise of any of the rights, privileges and easements hereby conveyed.

Also conveying to Grantee, the right to establish any and all safety regulations which said Company, in its sole discretion, deems necessary and proper for the transmission of electricity or intelligence, and for the construction and maintenance of said poles, wires, anchors, cables, conduits, ducts, transformers, foundations,

switching equipment, protective and safety devices, manholes, and other apparatus used or useful for the transmission of electricity; any interference or violation by said Grantor its successors and assigns, as determined by the Grantee, of said safety regulations, shall constitute an interference with and violation of the rights, privileges and easements hereby granted.

This conveyance is subject to the Grantee's agreement and covenant to promptly restore the surface of the Grantor's land to its prior conditions after an excavation or disturbance to said surface in connection with the exercise of the rights, privileges and easements herein granted, such restoration to be limited to regrading, regrass-seeding, and reasphalting of said surface.

Also specifically conveying to the Grantee, its successors and assigns, the right to assign to others, in whole or in part, any or all of the rights, privileges and easements herein conveyed.

IN WITNESS WHEREOF, the City of Presque Isle has caused this instrument to be executed by its duly authorized representative this _____ day of _____, 2015 .

City of Presque Isle

By: _____
print name:
title: City Manager

STATE OF MAINE

County of Aroostook ss:

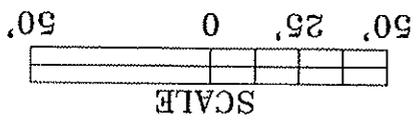
_____, 2015.

Personally appeared the above-named _____ and acknowledged the foregoing instrument to be his/her free act and deed, in his/her aforesaid capacity, and the free act and deed of The City of Presque Isle.

Before me,

Notary Public

Print Name of Notary: _____



E-Mail: bill@bridghameng.com
Tel. (207) 769-8791

P.O. BOX 4146 - 499 Main Street
Presque Isle, MAINE 04769-4146

BRIDGHAM ENGINEERING & LAND SURVEYING Inc.

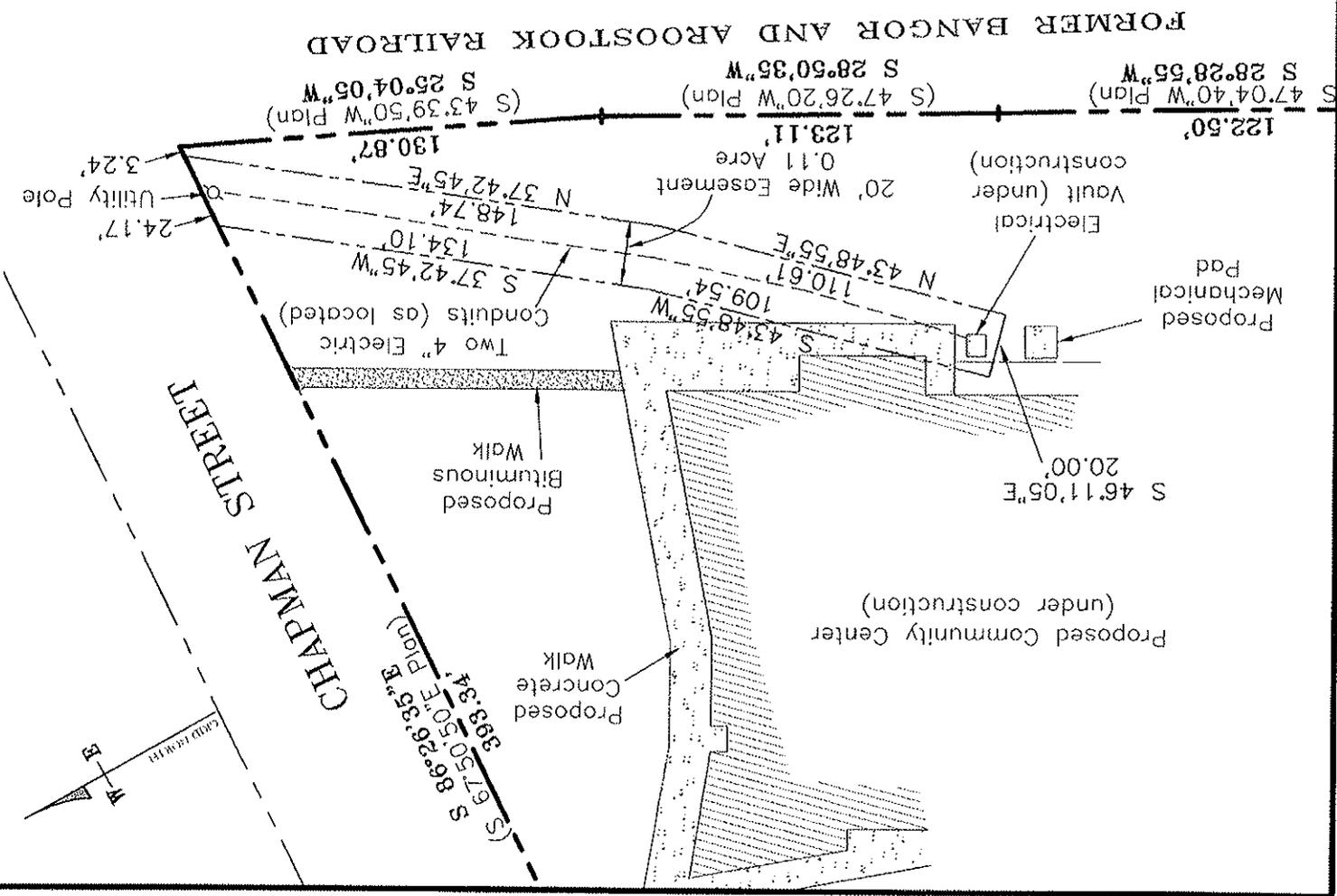
November 23, 2015

Community Center
Presque Isle

at the
Emera Maine

for
Plan of Electric Easement

Exhibit "A"



Note:
The original Boundary Survey was performed on Magnetic North. The current survey is on Maine State Grid North, East Zone, NAD 83.

Plan Reference:
"Survey Plan, Part of Lot #4, Presque Isle, Maine; Standard Boundary Survey for the Presque Isle Industrial Council" dated May 1, 2008 by Bridgham Engineering and Land Surveying, job #4658.

e_gln201 modified coords.dwg

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 4, 2016

AGENDA ITEM # 14

SUBJECT

CONSENT AGENDA: Request from EMERA Maine for a Utility Location Permit on St John Street

INFORMATION

- 1) Memo from Dana Fowler dated December 22, 2016
- 2) Request from EMERA Maine

APPROVAL AND/OR COMMENTS OF CITY MANAGER

Passage is recommended

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to approve the application for a utility location permit to EMERA Maine as submitted and dated December 9, 2015 with attached plan.



City of Presque Isle, Maine

Department of Public Services
Dana H. Fowler, P.E.
Email: dfowler@presqueisleme.us

MEMORANDUM

TO:	City Council and Martin Puckett, City Manager
FROM:	Dana H. Fowler, P.E., Director of Public Services <i>DF</i>
DATE:	December 22, 2015
RE:	Pole Permit Application on Saint John Street for Emera Maine

Emera Maine has submitted an application for locating one pole on Saint John Street at the end of the street at a point approximately 985 feet easterly of Chapman Road.

The proposed pole will have a light on it for the Bike Path. I have inspected the site and have no issues with the pole location.

RECOMMENDED MOTION

Be it resolved by _____ and seconded by _____ to approve the application for a utility location permit to Emera Maine as submitted and dated December 9, 2015 with attached plan.

APPLICATION FOR UTILITY LOCATION PERMIT

TO: PRESQUE ISLE City Manager – Town of PRESQUE ISLE

EMERA MAINE, a Maine corporation being duly authorized pursuant to the laws of the State of Maine to generate, sell, distribute and supply electricity in the City of PRESQUE ISLE, County of Aroostook, State aforesaid, hereby applies for a permit to authorize it to locate, construct, maintain and operate certain of its facilities hereinafter described upon, along, over and across certain public ways situated in the said City of PRESQUE ISLE.

No public notice of this application will be made in accordance with the terms and conditions of Title 35-A, Section 2503, MRSA as amended.

LOCATION:

SAINT JOHN STREET, one pole to be located approximately 985 feet from the intersection of ST JOHN ST/CHAPMAN RD.

DESCRIPTION:

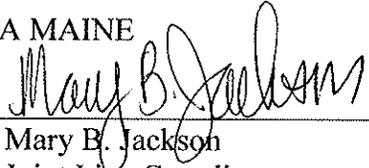
The facilities will consist of a line composed of wood poles and supports therefore, crossarms, wires and/or cables together with associated appurtenances. The minimum clearance of the wires and/or cables, other than guywires, will be at least 18 feet over the public way. The poles will be set within the limits of the public way, but outside the part thereof customarily used for travel by vehicles. The initial operation of the facilities will be at 7200 volts, Single Phase; the voltage will be increased as occasion therefore requires for the operation not in excess of 20KV to ground.

Dated at Bangor, Maine

on December 9, 2015

EMERA MAINE

By: _____


Mary B. Jackson
Joint Line Coordinator

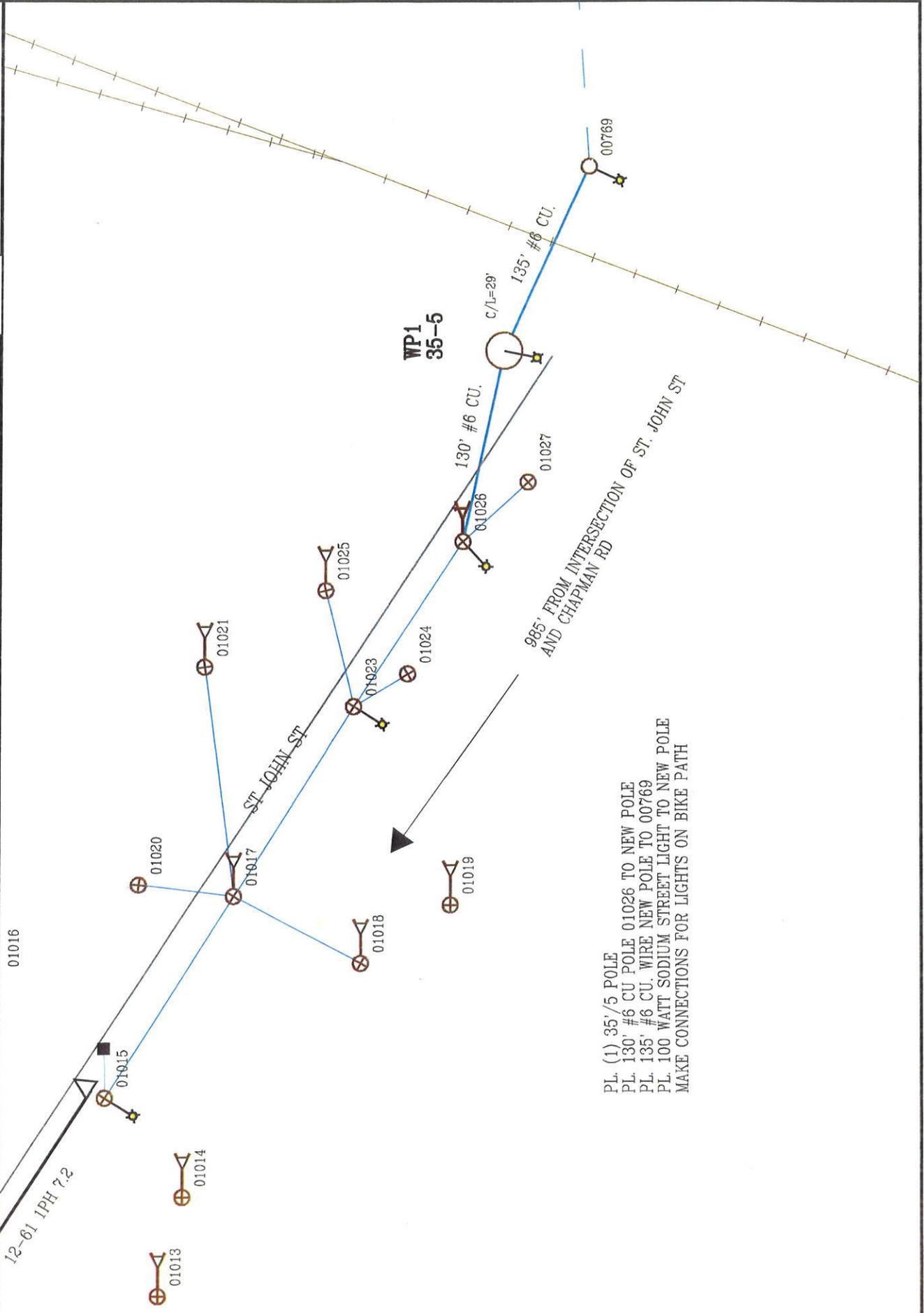
PLAN DATE: 12/08/15
 ST JOHN ST

PLANNER: Lireland
 Presque Isle

EMERA MAINE
 INS/UPG LIGHT - PRESQUE ISLE C

WO NO: 2PRESQU157704
 SO NO: 2015298
 PROJECT: 551A

2 OF 2



PL (1) 35' / 5 POLE
 PL 130' #6 CU POLE 01026 TO NEW POLE
 PL 135' #6 CU. WIRE NEW POLE TO 00769
 PL 100 WATT SODIUM STREET LIGHT TO NEW POLE
 MAKE CONNECTIONS FOR LIGHTS ON BIKE PATH

UTILITY LOCATION PERMIT

Upon the application of EMERA MAINE dated December 9, 2015, requesting permission to locate certain of its facilities hereinafter described upon, along, over and across certain public ways in the City of PRESQUE ISLE, County of Aroostook, State of Maine, all as set forth in its application, no newspaper publication having been made by applicant in connection with said application, permission is hereby given to said Emera Maine to locate, construct, maintain and operate certain of its facilities hereinafter described upon, along, over and across certain public ways situated in said municipality as hereinafter set forth. This permit is granted subject to the provisions that any person, firm or corporation owning property within the subject municipality which abuts the applicable way may file written objection with this licensing authority within ninety (90) days after the installation of the facilities described in said application, said written objection and to be served by delivery in hand or by registered or certified mail.

LOCATION:

SAINT JOHN STREET, one pole to be located approximately 985 feet from the intersection of ST JOHN ST/CHAPMAN RD.

DESCRIPTION:

The facilities will consist of a line composed of wood poles and supports therefore, crossarms, wires and/or cables together with associated appurtenances. The minimum clearance of the wires and/or cables, other than guywires, will be at least 18 feet over the public way. The poles will be set within the limits of the public way, but outside the part thereof customarily used for travel by vehicles. The initial operation of the facilities will be at 7200 volts, Single Phase; the voltage will be increased as occasion therefore requires for the operation not in excess of 20KV to ground.

Authorizing signature (s):

Received and Recorded in
Book _____, Page _____,
on _____, 20__.
Attest:

Dated at _____, ME,
This _____ Day of _____, 20__

Clerk of _____

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 4, 2016

AGENDA ITEM # 15

SUBJECT

OLD BUSINESS: Chapter 9 – License and Public Hearing fees

INFORMATION

1) Chapter 9 – License and Public Hearing Fees with amended language

APPROVAL AND/OR COMMENTS OF CITY MANAGER

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to TABLE is agenda item.

CHAPTER 9

CITY OF PRESQUE ISLE

License and Public Hearing Fees Ordinance



Adopted: December 15, 1997

Repassed: March 19, 2001

Amended: July 2, 2001

Amended: February 2, 2004

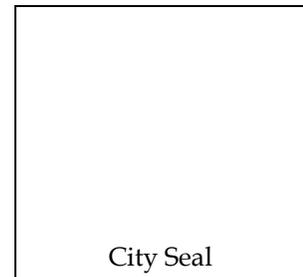
Repassed: February 23, 2005

Amended: August 4, 2008 Repassed: February 2, 2009

Repassed: January 7, 2013

Amended: October 5, 2015

Attest: _____
Beverly A. Labbe, City Clerk



CHAPTER 9

LICENSE AND PUBLIC HEARING FEES ORDINANCE

Section 1 Purpose

The purpose of this Ordinance is to establish the license and public hearing for the City of Presque Isle.

Section 2 Fees

The fees for licenses and public hearings shall be as follows:

Auction	\$5.00 after first day
Autobody graveyard or junkyard more than 100 feet from highway	\$50.00 plus public hearing fee
Automobile graveyard or junkyard less than 100 feet from highway	\$250.00 plus public hearing fee
Automobile recycling (5 year permit)	\$250.00
Bowling alleys	\$25.00
Circus or carnival	\$25.00
Employment agency	\$100.00
Going Out of Business/Closing Out Sale	\$25.00
Hawkers and Peddlers	Based on percentage of sale
Juke Box - per machine	\$15.00
Pin Ball Machines - per location	\$25.00
Pool and billiard rooms	\$20.00
Pawnbroker	\$25.00

Public Hearing fees	\$40.00 <u>45.00</u>
Refuse collection	\$50.00
Roller skating rink	\$25.00
Special amusement for dancing and entertainment	\$40.00
Special permit for catering off premises	\$10.00
Shooting galleries	\$10.00
Taxicab drivers	\$10.00
Taxicab service	\$40.00

Section 3 Sunset Provision

This Ordinance shall be in force for the term of four (4) years from its effective date. This Ordinance shall become null and void upon the expiration of four (4) years from said effective date, unless recommended and required by the City Council to remain effective prior to such expiration date.

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 4, 2016

AGENDA ITEM # 16

SUBJECT

NEW BUSINESS: Update on the Community Center

INFORMATION

APPROVAL AND/OR COMMENTS OF CITY MANAGER

REQUESTED ACTION

Informational only

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 4, 2016

AGENDA ITEM # 17

SUBJECT

NEW BUSINESS: Update on the Public Market

INFORMATION

APPROVAL AND/OR COMMENTS OF CITY MANAGER

REQUESTED ACTION

Informational only

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 4, 2016

AGENDA ITEM # 18

SUBJECT

NEW BUSINESS: Appointments to Boards and Committees

INFORMATION

- 1) List of Committees with vacancies
- 2) Applications

APPROVAL AND/OR COMMENTS OF CITY MANAGER

REQUESTED ACTION

Resolves are on the next pages

AIRPORT ADVISORY BOARD - Two seats

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint _____ for a one year term representing County of Aroostook to the Airport Advisory Board, term to expire on December 31, 2016.

- **Applicant: Paul Underwood - County of Aroostook Representative**

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint _____ for a one year term representing Economic Development to the Airport Advisory Board, term to expire on December 31, 2016.

- **Applicant: Robert Clark - Northern Maine Development Commission**

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint _____ for a four year term representing Aviation/ Airport to the Airport Advisory Board, term to expire on December 31, 2019.

- **Applicant: Charles Namur - Aviation/Airport Representative**

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint _____ for a four year term representing Business & Industry to the Airport Advisory Board, term to expire on December 31, 2016.

- **NO APPLICANT**

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint _____ for a four year term representing General Citizenry to the Airport Advisory Board, term to expire on December 31, 2018.

- **NO APPLICANT**

AUDIT COMMITTEE - One seat

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint _____ for a one year term to the Audit Committee, term to expire on December 31, 2016.

- **NO APPLICANT**

BOARD OF ASSESSMENT REVIEW - Three seats

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint _____, _____ and _____, for a three year term to the Board of Assessment Review, term to expire on December 31, 2018.

- **Applicant: Jeff Pangburn**

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint _____ for a one year term as an *alternate* to the Board of Assessment Review, term to expire on December 31, 2016.

- NO APPLICANT

DOWNTOWN REVITALIZATION COMMITTEE - Four seats

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint _____, _____, _____ and _____ for a four year term to the Downtown Revitalization Committee, term to expire on December 31, 2019.

- Applicant: Cathy Beaulieu
- Applicant: Luke Rossignol

LIBRARY COMMITTEE - Three seats

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint _____, _____, and _____ for a three year term to the Library Committee, term to expire on December 31, 2018.

- Applicant: Nicole Cote

PLANNING BOARD - Three seats

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint _____ for a one year term to the Planning Board, term to expire on December 31, 2016.

- NO APPLICANT

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint _____, and _____ for a four year term to the Planning Board, term to expire on December 31, 2019.

- Applicant: Ward Gerow

PRESQUE ISLE DEVELOPMENT FUND BOARD OF TRUSTEES - Three seats

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint _____, _____ and _____ for a three year term to the Presque Isle Development Fund Board of Trustees, term to expire on December 31, 2018.

- Applicant: Michael Cyr
- Applicant: Floyd Rockholt
- Applicant: Bruce Roope

PRESQUE ISLE DEVELOPMENT FUND BOARD OF TRUSTEES -
Annual Appointment

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint **Kenneth Arndt and Larry Clark** for a one year term to the Presque Isle Development Fund Board of Trustees, term to expire on December 31, 2016.

ZONING BOARD OF APPEALS - Three seats

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint _____, _____ and _____ for a three year term to the Zoning Board of Appeals, term to expire on December 31, 2018.

- **Applicant: Karen Duncan**
- **Applicant: David Perry**
- **Applicant: Larry Perry**

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 4, 2016

AGENDA ITEM # 19

SUBJECT

NEW BUSINESS: Goal Setting

INFORMATION

APPROVAL AND/OR COMMENTS OF CITY MANAGER

REQUESTED ACTION

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 4, 2016

AGENDA ITEM # 20

SUBJECT

NEW BUSINESS: Appointment to Presque Isle Housing Authority's Board of Commissioners

INFORMATION

- 1) Application from Veronica Violette
- 2) Application from Emily Morrison

APPROVAL AND/OR COMMENTS OF CITY MANAGER

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint _____ to the Presque Isle Housing Board as a Tenant Commissioner, term to expire October 1, 2020.

City of Presque Isle

Application for Appointment to City Board/Commission/Committee

Full Name: William G. CASAVANT

Street Address: 102 BARTON ST

Mailing Address (if different): _____

Telephone Number: 764-0810 (daytime) SAME (evening)

Email Address: bballump34@yahoo.com

Length of time as a Presque Isle Resident: 46 yrs

I wish to be considered for appointment to the:

PARKS & RECREATION
(Name of Board/Commission/Committee)

Check one or both: Full Membership Status Associate Membership Status

Educational Background: B.S UMPI
M.Ed UMO

Employment History: UMCC 34 yrs UMPI 2 yrs
Limestone Schools 7 yrs

Community Service: Prior service on the REC. BOARD
Volunteer for Special Olympics

Please note any prior experience, knowledge or abilities that you have which would contribute to the activities of the Board/Commission/Committee:

See ABOVE

Date: 12-18-15 Signature: William G. Casavant

Thank you for your interest in serving the City of Presque Isle.
Please return form to: City Clerk's Office, 12 Second St., Presque Isle, ME 04769

City of Presque Isle

Application for Appointment to City Board/Commission/Committee

Full Name: Veronica Violette

Street Address: 74E Carmichael St Presque Isle, ME

Mailing Address (if different): _____

Telephone Number: 760-7370 (daytime) Same (evening)

Email Address: Jallen.klouise.2011@yahoo.com

Length of time as a Presque Isle Resident: 2 months

I wish to be considered for appointment to the:

Presque Isle Housing Board
(Name of Board/Commission/Committee)

Check one or both: Full Membership Status Associate Membership Status

Educational Background: High School Diploma
CNA and CRMA Certificate

Employment History: Caribou Rehab and Nursing, 2015
Ridge wood Estates - 2013

Community Service: Van Buren Fire Department,
Cocacoon Village Van Buren

Please note any prior experience, knowledge or abilities that you have which would contribute to the activities of the Board/Commission/Committee:

Current Presque Isle Housing Tenant

Date: November 2, Signature: Veronica Violette
2015

Thank you for your interest in serving the City of Presque Isle.
Please return form to: City Clerk's Office, 12 Second St., Presque Isle, ME 04769

City of Presque Isle

Application for Appointment to City Board/Commission/Committee

Full Name: EMILY MORRISON

Street Address: 44 E HOWARD ST, P.I. 04769

Mailing Address (if different): _____

Telephone Number: 554-5163 (daytime) _____ (evening)

Email Address: emoria9954@yahoo.com

Length of time as a Presque Isle Resident: 23+2

I wish to be considered for appointment to the:

PIHA TENANT COMMISSIONER

(Name of Board/Commission/Committee)

Check one or both: Full Membership Status Associate Membership Status

Educational Background: HIGH SCHOOL AND COLLEGE
IN OHIO (OSU-BA)

Employment History: OFFICE MGR - ARDOSTOOK +
PEROBSCOT SINC D

Community Service: VOLUNTEER THRIFT STORE,
LIBRARY + AREA AGENCY ON AGING

Please note any prior experience, knowledge or abilities that you have which would contribute to the activities of the Board/Commission/Committee:

Lived in various Senior Housing in Ocean Park, ME, and in Toledo, UT

PRESQUE ISLE CITY COUNCIL ANNOUNCEMENTS

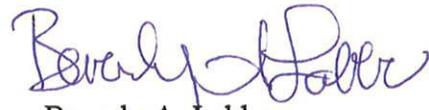
MONDAY, January 4, 2016

- If you would like information regarding City meetings, please check the City's website at www.presqueislemaine.gov under the City Events Calendar tab or Channel 16
- The next regularly scheduled meeting of the Presque Isle City Council is on Monday, February 1, 2016, at 6:00 PM in the Council Chambers at City Hall.

**NOTICE OF THE ANNUAL MEETING OF THE MEMBERS OF THE
PRESQUE ISLE INDUSTRIAL COUNCIL**

Notice is hereby given that the Annual Meeting of the Presque Isle Industrial Council Membership will be held at the City Council Chambers in the Municipal Building, 12 Second Street, Presque Isle, Maine, on *Monday, January 4, 2016, at 5:30 p.m.* for the following purposes:

Acting upon any and all other matters, in connection with or for the purpose of effecting the foregoing or otherwise, as may properly come before the meeting or any and all other adjournments thereof.



Beverly A. Labbe
City Clerk

December 28, 2015



MEMBERSHIP ANNUAL MEETING

**CITY HALL COUNCIL CHAMBERS
MONDAY, JANUARY 4, 2016
5:30 P.M.**

AGENDA

- I. **CALL TO ORDER BY CITY COUNCIL CHAIRPERSON**
- II. **ACCEPTANCE OF JANUARY 5, 2015 MEETING MINUTES**
- III. **ELECTION OF DIRECTORS**
 - A. **City Council Nominees (1)**

The nominees shall be from the Presque Isle City Council, upon nomination by the City Council, and shall hold office three years or for the remainder of their term, whichever is less.
 - B. **Chamber of Commerce Nominee (1 – Three Year Term)**

The nominee shall be from the active membership of the Central Aroostook Chamber of Commerce upon nomination by the Directors of the Central Aroostook Chamber of Commerce and shall hold office for three years, unless his or her membership in the Central Aroostook Chamber of Commerce sooner terminates.
 - C. **Election of Director-at-Large (1 – Three Year Term)**

The Director-At-Large shall be elected by the Membership upon nomination by one of the four directors that represent the City Council or Chamber of Commerce. The nominee shall not be a member of either the City Council or the Board of Directors of the Chamber of Commerce.
- IV. **ANNUAL REPORT**
- V. **ADJOURNMENT**

**Presque Isle Industrial Council Membership Annual Meeting
Notes & Motions**

January 4, 2016 – 5:30 pm in City Council Chambers at City Hall

The Presque Isle Industrial Council is a corporation which is governed by the Presque Isle Industrial Council Membership. The "*Membership*" is made up of the sitting members of the *City Council*, the *City Manager* and the *Executive Director of the Presque Isle Industrial Council*.

The Membership is required to meet every year on the first Monday of January unless the first Monday is a State holiday, in which case the meeting is held on the first Wednesday. The Membership meetings are led by the City Council Chairperson.

The purpose of the meeting is to fill open positions on the Board of Directors and to receive an annual report on the activities of the Presque Isle Industrial Council over the previous year.

I. Call to Order

Council Chairperson _____ calls the meeting to order at ____ pm.

II. Acceptance of Minutes

I move to accept the Presque Isle Industrial Council Membership annual meeting minutes of January 5, 2015. (Councilor _____)

Second by Councilor _____; Vote - _____

III. Election of Directors

a. City Council Nominee

I move to accept the nomination of Richard Engels as a Presque Isle City Council representative on the Presque Isle Industrial Council Board of Directors for three years or the remainder of their current terms, whichever is less. (Councilor _____)

Second by Councilor _____; Vote - _____

b. Chamber of Commerce Nominee

I move to accept the nomination of Michael MacPherson as a Central Aroostook Chamber of Commerce representative on the Presque Isle Industrial Council Board of Directors for three years or the remainder of their current terms, whichever is less. (Councilor _____)

Second by Councilor _____; Vote - _____

c. Election of Director-at-Large

* Nomination of Director-at-Large must be made by either of the PIIC Directors representing the City Council or either of the PIIC Directors representing the Chamber of Commerce. (PIIC Director Engels, Smith, Brodsky or MacPherson)

I nominate Ray Hews for a three-year term as a Director-at-Large on the Presque Isle Industrial Council.

I move to accept the nomination of Ray Hews as a Director-at-Large for a three-year term on the Presque Isle Industrial Council. (Councilor _____)

Second by Councilor _____; Vote - _____

IV. Annual Report

A brief annual report is given by the Executive Director.

V. Adjournment



Presque Isle Industrial Council
Annual Membership Meeting Minutes

Monday, January 5, 2015

5:30 PM

Presque Isle Council Chambers

1. Call to Order – Roll Call

Present: Chairwoman Emily Smith, Vice-Chairman Chasse, Councilors Engels, Hallowell, Leigh Smith and Randy Smith

City Manager James A Bennett, Deputy City Manager Martin Puckett, and City Clerk, Beverly A Labbe, were also present.

Presque Isle Industrial Council Directors: President, Scott Norton, Vice-President, Michael MacPherson, Treasurer, Billie Brodsky, Frank Bemis and Ray Hews

Chairwoman Emily Smith called the meeting to order at 5:30 PM.

2. Acceptance of Minutes

BE IT RESOLVED by Councilor Engels, seconded by Councilor Randy Smith to accept the Presque Isle Industrial Council Membership annual meeting minutes of January 6, 2014. Vote 5 - 0, with Councilor Leigh Smith abstaining.

3. Consider Adoption of proposed amendment to the By-Laws

Executive Director Larry Clark stated Article 8 replaces references to Presque Isle Aroostook Chamber of Commerce with Central Aroostook Chamber of Commerce.

BE IT RESOLVED by Councilor Engels, seconded by Councilor Chasse to adopt the change to the Presque Isle Industrial Council By-Laws as presented in regards to Article 8. Vote 6-0.

4. Election of Directors

BE IT RESOLVED by Councilor Engels, seconded by Councilor Randy Smith to nominate Billie Brodsky as the *Central Aroostook Chamber of Commerce* representative to the Presque Isle Industrial Council Board of Directors for three years or the remainder of their current term, whichever is less. Vote 6 - 0.

BE IT RESOLVED by Councilor Randy Smith, seconded by Councilor Chasse to accept the nomination of Frank Bemis for a three year term as a Director-at-Large on the Presque Isle Industrial Council.

Vote 5 – 0, with Councilor Engels abstaining.

5. Annual Report

Larry, Clark, Executive Director, gave a brief historical background of how the Presque Isle Industrial Council (PIIC) was created, and how it is governed. Clark stated the Board is comprised of the “Membership” which includes the Council, City Manager and himself, as well as a Board of seven directors, which is comprised of two City Council members, two representatives of the Chamber and three members at large. PIIC has three full-time employees and four seasonal.

The Park is responsible for 450 acres, 27 buildings (500,000 square feet) and Fairview Acres (9 acres) and Bon Aire (5 acres). The Industrial Council also oversees four reserve accounts, and 5 ½ miles of railroad assets. It also includes the Intermodal facility.

He also gave an overview of what the Industrial Council has accomplished in 2014. Some of the highlights included: a partnership with Northern Maine Development Commission (NMDC) for a “Memorandum of Understanding in Manufacturing Communities Partnership Agreement”. Clark stated NMDC was not one of the communities selected, but with the help of EDA the application will be resubmitted in 2015. If the application is approved, it will place priority on this area for Federal funding.

Clark stated there was also a change to the Light Industrial Zone which allowed service establishments within the zone. PIIC also negotiated two new lease agreements and the assignment of the Powers lease to Lionel Theriault, LLC.

The PIIC has contracts with 123 customers which includes 250 pieces of equipment for storage. This represents 15% of the total income.

Clark stated Tatermeal was decommissioned in 2013. The equipment has been removed and the decision was made to demolish the building. An agreement was negotiated with McCain’s who took full financial responsibility to demolish the building. Metal prices are currently very low, so the steel from the building is still on site. Clark stated the next question was what to do with the site. Clark stated the Board decided to complete an environmental study. Once completed, an application was submitted for Voluntary Response Action Program (VRAP) funds, which will determine what needs to be done for further use of the site.

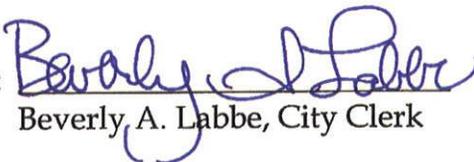
Clark stated two heating systems were replaced/upgraded and a new roof was replaced on Building 307.

Clark stated for 2014, the Industrial Council will be returning approximately \$175,000 to the City after operating expenses and debt services have been paid.

Clark noted 2015 will come with economic challenges and as always capital improvement decisions will need to be made wisely.

6. Adjournment

BE IT RESOLVED by Councilor Randy Smith, seconded by Councilor Engels to adjourn the meeting at 5:50 PM. **Vote 6 - 0.**

Attested By: 
Beverly A. Labbe, City Clerk