



Presque Isle City Council Meeting

Wednesday, January 6th, 2021

5:00 PM

Presque Isle Council Chambers

AGENDA

Call to Order

Roll Call

Pledge of Allegiance

1. Administer Oath of Office to newly elected City Councilors
2. Election of City Council Chair for 2021
3. Election of City Council Deputy Chair for 2021
4. 2021 Appointments
 - City Attorney (*City Charter – Article 4.10*): Richard Currier
 - City Clerk (*City Charter – Article 4.10*): Thomas King
 - Code Enforcement Officer (by July 1st – 38 MRSA s441), Building Inspector (April apt. 25 MRSA s451), Housing Inspector (IBC – Section 104.2), Electrical Inspector (Chapter 31-National Elect. Code), Local Health Officer (3 Year Term 22 MRSA s451), Plumbing Inspector (Annually 30-A s4221):
 - Airport Advisory Board: (Two Seats – Business & Industry – Four Year Term – Expires 12-31- 2024)
 - Aroostook Waste Solutions: (Two Seats – One Year Terms – Expires 12/31/21)
 - Audit Committee: (One Seat – One Year Term – Expires 12-31-2021) and (Two Councilor Seats – One Year Term – Expires 12/31/21)
 - Board of Assessment Review: (Two Seats – Three Year Term – Expires 12-31-2023) and (One Alternate Seat – One Year Term – Expires 12/31/21)
 - Finance Committee (Two Councilor Seats – One Year Term – Expires 12/31/21)
 - Library Board of Trustees: (One Seat – Three Year Terms – Expires 12-31-2023 and (Two Alternate Seat – One Year Term – Expires 12/31/21)
 - Planning Board: (Two Seats – Four Year Term – Expires 12/31/2024), (One Alternate Seat – One Year Term – Expires 12/31/21)
 - Presque Isle Development Fund Board of Trustees: (Two Seats – Three Year Terms – Expires 12-31-2023) and (Two Councilor Seats – One Year Term – Expires 12/31/21)
 - Presque Isle Downtown Revitalization Committee: (Two Seats – Four Year Terms – Expires 12-31-24)
 - Presque Isle Industrial Council Board of Directors: (Two Council Seat – Three Year Term – Expires 12/31/23 or the remainder of the his/her term, whichever is less)
 - Recreation & Parks Advisory Committee: (Two Seats – Four Year Term – Expires 12-31-2024)

- Presque Isle Utilities District: (Two Seats – Four Year Terms – Expires 12-31-2024)
 - Zoning Board of Appeals: (One Seat – Three Year Term – Expires 12-31-2023) and (One Alternate Seat – One Year Term – Expires 12-31-2020)
5. Set City Council meeting times and places for 2021

Recess

Presque Isle Industrial Council Annual Membership Meeting
City Council Reconvenes

Public Hearing

6. Request to re-pass Ordinances due to “Sunset Provision”
- Chapter 3 Council Procedure
 - Chapter 5 Traffic Regulations
 - Chapter 9 License & Public Hearing Fees
 - Chapter 18 Fire Prevention code Ordinance
 - Chapter 23 Pawnbroker's Ordinance
 - Chapter 24 Sidewalk Snow Removal
 - Chapter 35 Curb Cut
 - Chapter 36 Domesticated Animal
 - Chapter 38 Floodplain
 - Chapter 40 Conduct on Public Parks
 - Chapter 41 Bike Walkers Path
 - Chapter 41A Special Amusement
 - Chapter 46 Addressing Ordinance
 - Chapter 47 Restricting Vehicle Weight
 - Chapter 49 Administration of Government
 - Chapter 50 Advisory Board
 - Chapter 55 Pet Welfare
 - Chapter 56 Changeable Signs
 - Chapter 62 Consumer Fireworks Ordinance
7. A hearing to condemn a dangerous buildings pursuant to M.R.S.A. Title 17§ 2851 owned by:
- Roger Pelkey & Robin (Pelkey) Legassie – 9 Allen Street

Citizen Comments

Consent Agenda

8. Approve Minutes from December 2, 2020 meetings
9. Approve 2020 Warrants #47 - #50, totaling \$ 3,903,806.67
10. Approve Solid Waste Hauler Licenses for Gil’s Sanitation, Inc., McNeal’s Trucking, Pine Tree Waste & Star City Sanitation, Inc.
11. Approve Policy on Treasurer’s Disbursement Warrants for Employee Wage and Benefits
12. Approve Municipal Officers’ Policy on Disbursement of Municipal Education Costs

13. Ex-Officio Appointments to Boards and Committees

- Airport Advisory Board (Three Ex-Officio Seats – One Year Term – Martin Puckett, Tom Powers and Scott Wardwell)
- Library Board of Trustees (Two Ex-Officio Seats – One Year Term – Sonja Eyler and Bradley Turner)
- 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)

14. Approve Drug Forfeiture

Manager's Report

Announcements

Executive Session

Pursuant to 36 M.R.S.A. § 841(2) to discuss Abatement
Pursuant to 1 M.R.S.A. § 405(6)(E) to discuss Negotiations
Pursuant to 1 M.R.S.A. § 405(6)(E) to discuss Negotiations

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 21, 2020
RE:	January 6th 5pm, City Council Chambers

Please note 5pm start time for Industrial Council Annual Meeting

Agenda

Roll Call

Pledge of Allegiance

1. Administer Oath of Office to newly elected City Councilors (Kevin & Craig, can be done prior to meeting if arrive early)
2. Election of City Council Chair: per 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. The Deputy Chair acts as Chair during the absence or disability of the Chair.
3. Election of City Council Deputy Chair for 2021 (Nomination process)
4. 2021 Appointments: The following list can be adopted as presented instead of done separately.
 - City Attorney: Richard Currier
 - City Clerk: Thomas King
 - Code Enforcement Officer, Building Inspector, Housing Inspector, Electrical Inspector, Local Health Officer and Plumbing Inspector: George Howe
 - Airport Advisory Board: Larry Clark and James Quinn
 - Audit Committee (Vacant, looking for volunteers)
 - Board of Assessment Review: Frank Bemis & Michael McPherson. For Alternate: Gregory Roderick
 - Library Board of Trustees: Cindy Thibodeau
 - Planning Board: Bruce Roope and Sean Nordenhold
 - Presque Isle Development Fund Board of Trustees: Sarah Gardiner and Mike MacPherson

- Presque Isle Downtown Revitalization Committee: Floyd Rockholt and Deborah Roark
- Recreation & Parks Advisory Committee: AJ Cloukey and appoint Sidney Tawfall
- Presque Isle Utilities District: Rick Nadeau and Brian Sipe
- Zoning Board of Appeals: Carl Allen

The follow appointments should be discussed separately, they are filled by council members:

- **Aroostook Waste Solutions:** Kevin Freeman & Dana Fowler currently are board members, I have been the alternate. Bylaws require two members and an alternate.
 - **Audit Committee:** Required to be council chair and one other councilor- currently Jake Shaw.
 - **Finance:** Currently Randy Smith and Craig Green
 - **PI Development Fund:** Currently Jeff Willette and Kevin Freeman
 - **PI Industrial Council:** Currently Randy Smith and Kevin Freeman
5. Set City Council meeting times and places for 2021: Recommend first Wednesday at 6pm, current schedule.

Recess

Please see separate notice & agenda with notes and motions

Presque Isle Industrial Council Annual Membership Meeting (City Council, City Manager and Executive Director of PIIC)

City Council Reconvenes

Public Hearing

6. Request to re-pass Ordinances due to “Sunset Provision” The only ordinance that staff has suggestions for revisions is Chapter 5 Traffic Regulations. Recommend Approving ordinances as presented.
- Chapter 3 Council Procedure
 - Chapter 5 Traffic Regulations
 - Chapter 9 License & Public Hearing Fees
 - Chapter 18 Fire Prevention code Ordinance
 - Chapter 23 Pawnbroker's Ordinance
 - Chapter 24 Sidewalk Snow Removal
 - Chapter 35 Curb Cut
 - Chapter 36 Domesticated Animal
 - Chapter 38 Floodplain
 - Chapter 40 Conduct on Public Parks
 - Chapter 41 Bike Walkers Path
 - Chapter 41A Special Amusement
 - Chapter 46 Addressing Ordinance
 - Chapter 47 Restricting Vehicle Weight

- Chapter 49 Administration of Government
 - Chapter 50 Advisory Board
 - Chapter 55 Pet Welfare
 - Chapter 56 Changeable Signs
 - Chapter 62 Consumer Fireworks Ordinance
7. A hearing to condemn a dangerous buildings pursuant to M.R.S.A. Title 17§ 2851 owned by:
Roger Pelkey & Robin (Pelkey) Legassie – 9 Allen Street

Consent Agenda: Unless council wants to discuss items individually, staff recommends approving in one motion.

8. Approve Minutes from December 2, 2020 meetings
9. Approve 2020 Warrants
10. Approve Solid Waste Hauler Licenses for Gil's Sanitation, Inc., McNeal's Trucking, Pine Tree Waste & Star City Sanitation, Inc.: Staff recommends approval.
11. Approve Policy on Treasurer's Disbursement Warrants for Employee Wage and Benefits: Standard annual item per state statute. Allows for prompt payment of bills on a weekly rather than monthly basis.
12. Approve Municipal Officers' Policy on Disbursement of Municipal Education Costs: Same as above.
13. Ex-Officio Appointments to Boards and Committees
 - Airport Advisory Board (Three Ex-Officio Seats – One Year Term – Martin Puckett, Tom Powers and Scott Wardwell)
 - Library Board of Trustees (Two Ex-Officio Seats – One Year Term – Sonja Eyler and Bradley Turner)
 - 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)
14. Approve Drug Forfeiture: Staff recommends approval.

Manager's Report: We need to start thinking about goal setting for 2021-2022

Announcements

Executive Session

Pursuant to 36 M.R.S.A. § 841(2) to discuss Abatement
Pursuant to 1 M.R.S.A. § 405(6)(E) to discuss Negotiations
Pursuant to 1 M.R.S.A. § 405(6)(E) to discuss Negotiations

Adjournment

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 6, 2021

AGENDA ITEM # 1

SUBJECT

ORGANIZATION: Administer Oath of Office to newly elected
City Councilors

INFORMATION

REQUESTED ACTION

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 6, 2021

AGENDA ITEM # 2

SUBJECT

ORGANIZATION: Election of City Council Chair for 2021

INFORMATION

REQUESTED ACTION

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 6, 2021

AGENDA ITEM # 3

SUBJECT

ORGANIZATION: Election of City Council Deputy Chair for
2021

INFORMATION

REQUESTED ACTION

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 6, 2021

AGENDA ITEM # 4

SUBJECT

ORGANIZATION: 2021 Appointment of Municipal Officials

INFORMATION

- 1) City, Boards & Committee Appointments
- 2) City Council Appointments to Boards & Committees

REQUESTED ACTION

City, Board & Committee Appointments:

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to approve the appointments and reappointments as presented in attached sheet for the City, Board and Committee appointments.

Council Appointments:

See attached resolve sheet for City Council appointments to Boards and Committees.

CITY/BOARD/COMMITTEE APPOINTMENTS

CITY ATTORNEY

RICHARD CURRIER as the City Attorney per Article 4.10 of the City Charter.

CITY CLERK

THOMAS C KING as the City Clerk per Article 4.10 of the City Charter.

CODE ENFORCEMENT OFFICER

GEORGE HOWE as the Code Enforcement Officer, Building Inspector, Housing Inspector, Electrical Inspector, Local Health Officer (term expires 12/31/23) and Plumbing Inspector.

AIRPORT ADVISORY BOARD

Larry Clark and **James Quinn** (terms expire 12/31/24) to the Airport Advisory Board.

AUDIT COMMITTEE

TBD for a one-year term on the Audit Committee, term to expire on 12/31/21.

BOARD OF ASSESSMENT REVIEW

Frank Bemis and **Michael McPherson** (terms expire 12/31/23) and **Gregory Roderick** (term expires 12/31/21) as an alternate.

LIBRARY BOARD OF TRUSTEES

Cindy Thibodeau (terms expires 12/31/23) to the Library Board of Trustees.

PLANNING BOARD

Bruce Roope and **Sean Nordenhold** (term expires 12/31/2024) to the Planning Board.

PRESQUE ISLE DEVELOPMENT FUND BOARD OF TRUSTEES

Sarah Gardiner and **Mike MacPherson** (term expire 12/31/23) to the Presque Isle Development Fund Board of Trustees.

PRESQUE ISLE DOWNTOWN REVITALIZATION COMMITTEE

Floyd Rockholt and appoint **Deborah Roark** (terms expire 12/31/24) to the Presque Isle Downtown Revitalization Committee.

CITY/BOARD/COMMITTEE APPOINTMENTS

RECREATION & PARKS ADVISORY COMMITTEE

AJ Cloukey and appoint **Sidney Tawfall** (terms expire 12/31/24) to the Recreation & Parks Advisory Committee.

PRESQUE ISLE UTILITIES DISTRICT

Rick Nadeau and **Brian Sipe** (terms expire 12/31/24) to the Presque Isle Utilities District.

ZONING BOARD OF APPEALS

Carl Allen (terms expire 12/31/23) to the Zoning Board of Appeals.

COUNCIL APPOINTMENTS

AROOSTOOK WASTE SOLUTIONS

BE IT RESOLVED by Councilor_____, seconded by Councilor_____to appoint **Dana Fowler** and Councilor _____ (terms expire 12/31/21) to the Aroostook Waste Solutions Board.

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 12/31/21.

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 12/31/21.

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 12/31/21.

PRESQUE ISLE INDUSTRIAL COUNCIL BOARD OF DIRECTORS

BE IT RESOLVED by Councilor_____, seconded by Councilor_____to nominate **Councilor** _____ and **Councilor** _____for a three year term on the Presque Isle Industrial Council Board of Directors, term to expire on 12/31/23 or remainder of Council term, whichever is shorter.

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 6, 2021

AGENDA ITEM # 5

SUBJECT

ORGANIZATION: Set City Council meeting times and places
for 2021

INFORMATION

1) 2021 Calendar

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ that the regular City Council meetings be held on the first Wednesday of each month at 6:00 PM in the Council Chambers, City Hall, 12 Second Street, Presque Isle, Maine.

In instances when the first Wednesday 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 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

Executive Assistant to the City Manager

Chelsea Stratton

Email: cstratton@presqueisleme.us

To: Most Honorable City Council

From: Chelsea Stratton

Date: January 6, 2021

Re: 2021 Meeting Schedule (Based on Past Practices)

Please find the following schedule for the 2020 regularly scheduled City Council meetings, which are based on past practices. The practice has been to meet the first Wednesday, once a month at 6:00 PM. If the Wednesday is a holiday, then the meeting would be postponed until the following Wednesday.

DATE	DAY	TIME
February 3, 2021	Wednesday	6:00 PM
March 3, 2021	Wednesday	6:00 PM
April 7, 2021	Wednesday	6:00 PM
May 5, 2021	Wednesday	6:00 PM
June 2, 2021	Wednesday	6:00 PM
July 7, 2021	Wednesday	6:00 PM
August 4, 2021	Wednesday	6:00 PM
September 1, 2021	Wednesday	6:00 PM
October 6, 2021	Wednesday	6:00 PM
November 3, 2021	Wednesday	6:00 PM
December 1, 2021	Wednesday	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 6, 2021

AGENDA ITEM # 6

SUBJECT

NEW BUSINESS: Ordinances due to "Sunset Provision"

LIST OF ORDINANCES

- 1) Memo from Martin Puckett, dated December 21, 2020
- 2) List of Ordinances
- 3) Chapter 5 - Traffic Regulations Ordinance

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to approve ordinances listed and changes to Chapter 5 – Traffic Regulations Ordinance as presented.

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

MEMORANDUM

TO:	Honorable City Council
FROM:	Martin Puckett, City Manager
DATE:	December 21, 2020
RE:	Ordinances

Staff has reviewed the ordinances that are applicable to their departments. The police department and airport have put forth changes to the Traffic Ordinance for your consideration.

The most substantive changes to the Traffic Ordinance are to the parking regulations, to prohibit parking in construction areas. The other changes are minor and do not alter the intent of the document. The changes are shown in strikethrough format.

Recommended motion: To approve ordinances as listed and changes to Chapter 5, Traffic Regulations Ordinance as presented.

List of Ordinances due to “Sunset Provision”

Chapter 3 Council Procedure

Chapter 5 Traffic Regulations

Chapter 9 License & Public Hearing Fees

Chapter 18 Fire Prevention code Ordinance

Chapter 23 Pawnbroker's Ordinance

Chapter 24 Sidewalk Snow Removal

Chapter 35 Curb Cut

Chapter 36 Domesticated Animal

Chapter 38 Floodplain

Chapter 40 Conduct on Public Parks

Chapter 41 Bike Walkers Path

Chapter 41A Special Amusement

Chapter 46 Addressing Ordinance

Chapter 47 Restricting Vehicle Weight

Chapter 49 Administration of Government

Chapter 50 Advisory Board

Chapter 55 Pet Welfare

Chapter 56 Changeable Signs

Chapter 62 Consumer Fireworks Ordinance

CHAPTER 5

CITY OF PRESQUE ISLE

Traffic Regulations Ordinance



Adopted: September 3, 1997
Repassed: March 19, 2001
Amended: January 6, 2003
Repassed: February 23, 2005
Amended: July 10, 2006
Reconsidered and amended: August 7, 2006
Amended: April 16, 2007
Repassed: February 2, 2009
Amended by City Council: March 5, 2012
Repassed: January 7, 2013
Amended: July 6, 2016
Repassed: January 4, 2017
Amended: September 4, 2019

Attest: _____
Thomas C. King, City Clerk

City Seal

CHAPTER 5

TRAFFIC REGULATIONS ORDINANCE

ARTICLE 1 - GENERAL DEFINITIONS

Section 1

When used in this Ordinance:

- A. The term **“driver”** shall mean the operator of a motor vehicle.
- B. The term **“crosswalk”** shall mean that part of any way reserved for the exclusive use of pedestrians by marks on the surface of the roadway or by such other markings or contrivances as the Chief of Police may deem suitable.
- C. The term **“loading zone”** means that part of any way reserved for the exclusive use of vehicles engaged in transportation.
- D. The term **“business district”** includes all ways adjacent to a section three hundred feet or more in length, fifty percent or more of which is occupied by buildings used for business purposes.
- E. The term **“includes”** when used in a definition contained in this Ordinance shall not be deemed to exclude other things otherwise within the meaning of the term defined.
- F. When hours of time are given in these Ordinances, it shall mean Eastern Standard Time or Daylight Saving Time whichever is in effect, either by Ordinance or custom in the City of Presque Isle.
- G. The term **“motor vehicle”** or **“vehicle”** shall mean to include all motor vehicles such as automobiles, trucks, motor cycles, and all kinds and types of conveyances from person(s) and/or property; except those propelled or drawn by humans and motorized wheel-chairs.
- H. The term **“handicapped”** shall mean those person(s) who are classified as being disabled or handicapped by some physical infirmity and in addition thereto have been issued a valid registration certificate and plate(s) or placard by the State of Maine or some other state, and the registration plate(s) is properly attached to and displayed on the vehicle.
- I. The term **“overtime parking”** shall mean and cover those vehicles which have been found to have been parked, as permitted by this Ordinance, beyond the time allocated for the parking space occupied.
- J. The term **“restricted parking”** shall mean and cover those vehicles which have been found to have been parked in those areas in which no parking is allowed by this Ordinance whether parking in such areas is not allowed at anytime, or where parking is restricted or not permitted only during certain times of the day or night, or during certain seasons of the year.

- K. Unless the context otherwise indicates, all other words and terms shall be construed in accordance with the provisions of the motor vehicle laws of Maine.
- L. The term “**sidewalk**” shall mean: any area designated or designed for pedestrian traffic; whether separated from the portion of the street or highway designated for vehicular traffic by curbing or otherwise.
- M. The term “**fire lane**” shall mean: an unobstructed passageway at least twenty (20) feet in width, at least fifty (50) feet in length, with an outside turning radius of fifty (50) feet and constructed and maintained in a manner to permit free passage of fire apparatus and other emergency equipment and personnel from a public way to all necessary areas, regardless of season or year of weather conditions, in areas required elsewhere in this ordinance.

ARTICLE 2 – POLICE AUTHORITY

Section 1

All regulations of this Ordinance are subject to the provisions that all persons must at all times comply with any direction, by voice or hand, of any member of the police force, as to stopping, placing, starting, departing, or approaching from any place, the manner of taking up or setting up passengers or loading or unloading passengers or loading or unloading goods at any location.

Section 2

The Chief of Police, with the written approval of the City Manager, shall determine and designate the character of all official warning and direction signs and signals. The Chief of Police shall place and maintain the same, and all signs herein authorized and required for a particular purpose shall be uniform.

Section 3

The Chief of Police, with the written approval of the City Manager, shall establish safety zones and crosswalks where deemed necessary in their opinion, and designate and maintain the same by appropriate devices, marks or lines, upon the surface of the roadway. When crosswalks are established and maintained outside of a business district, the Chief of Police shall cause such areas to be designated by appropriate signs or markings.

Section 4

Wherever traffic is regulated by a mechanical or electrical “stop and go” signal:

- A. Red signals shall mean “stop.” Traffic facing this signal shall stop before entering the intersection and remain standing until “green” or “go” is shown alone.
- B. Green signals shall mean “go.” Traffic facing the signal may proceed except that vehicle drivers shall yield the right of way to pedestrians and vehicles lawfully within the crosswalk or intersection at the time when such signal was exhibited.

Section 5

At intersections and crosswalks protected by signal systems or police officers, the respective right of vehicles and pedestrians shall be exercised under the direction of the traffic signals or police officers.

Section 6

No person shall violate the instructions of any mechanical or electrical traffic signal, traffic sign, marks upon the streets, barriers, or signs authorized or approved by the City Manager or Chief of Police, nor willfully deface, injure, move or interfere with the same.

Section 7

No public utility or city department shall erect, place or maintain any barrier or sign unless of a type first approved by the City Manager or Chief of Police.

Section 8

No person shall place, maintain or display any device, other than an official warning or direction sign or signal erected under authorized authority, upon or in view of a street, which purports to be or is an imitation of, or resembles an official warning or direction sign or signal, or which attempts to direct the movement of traffic or the actions of drivers, and such prohibited device shall be a public nuisance, and the Chief of Police may remove, or cause it to be removed, without notice.

Section 9

To provide for the safety and convenience of the public, the Chief of Police, with written approval of the City Manager, shall designate certain streets or areas on which angle parking, parallel parking, or no parking shall be permitted.

Section 10

In streets or areas marked or signed for angle parking, or in streets or areas marked or signed for parallel parking, no vehicle shall be parked in any other manner than as signed or marked.

Section 11

The Chief of Police, with written approval of the City Manager, may designate certain areas as taxicab stands for the exclusive use of taxicabs duly licensed to operate as such in the City of Presque Isle. The Chief of Police shall cause such areas to be designated by appropriate signs or markings.

Section 12

The Chief of Police, with written approval of the City Manager, may designate public streets to prohibit parking for more than two hours between the hours of 1:00 PM to 5:00 PM in the Retail Business Zone as defined in the City of Presque Isle Land Use and Development Code. The Chief of Police shall cause such areas to be designated by appropriate signs or markings.

Section 13

The Chief of Police, with written approval of the City Manager, may designate portions of the B & A Parking Lot, so called, for no parking areas, which for the purpose of this Ordinance shall mean to include the area bordered on the north by State Street, on the south by Chapman Street, east of Main Street, and west of the Bangor and Aroostook Railroad Company's right of way. Said area having three accesses, namely the State Street access, the Main Street access, and the Chapman Street access. The Chief of Police shall cause such areas to be designated by appropriate signs or markings.

Section 14

The Chief of Police, with written approval of the City Manager, may designate handicapped parking spaces. The Chief of Police shall cause such areas to be designated by appropriate signs or markings.

ARTICLE 3 – PEDESTRIANS

Section 1

Pedestrians shall cross all public ways not within a business district, at right angles to the curb, and when not using a crosswalk shall yield the right of way to all vehicles.

ARTICLE 4 – DRIVERS

Section 1

Every driver approaching an intersection, crosswalk, corner or curve not protected by a signal system or a police officer, shall proceed in a cautious manner and in such a way as not to cause damage or injury to other vehicles and pedestrians.

Section 2

Every driver approaching an intersection protected by a police officer shall indicate to such officer the course he/she intends to take.

Section 3

No vehicle shall enter any sidewalk except for the purpose of passing through driveways.

ARTICLE 5 - PARKING

Section 1

Except when necessary in obedience to traffic regulations, traffic signs or signals, the driver of a vehicle shall not stop, stand or park such vehicle in a street or roadway other than parallel with the edge of the roadway or curb, right hand wheels of the vehicle within six inches of the edge of the roadway or curb and facing the direction of traffic; except as provided in the following: Upon those streets which have been marked or signed for angle parking; and in places used for the loading or unloading of merchandise or materials, the vehicles used for the transportation of the same, may back into the curb but not onto the curb, whenever it is impossible to load or unload from the side of the vehicle.

Section 2

No vehicle shall remain backed up to the curb except when actually loading or unloading, and in no event shall such vehicle block the street for longer than a five minute period at a time.

Section 3

No person having control or charge of a motor vehicle shall allow such vehicle to stand on any street unattended without first, setting the brakes thereon and stopping the motor of said vehicle; and when standing upon a perceptible grade, without turning the front wheels of such vehicle to the curb or side of the street or highway.

Section 4

No vehicle shall be parked on any public street or highway for more than two hours between the hours of 12:00 midnight and 8:00 AM.

Section 5

No vehicle shall be parked at any time on any public street or highway so as to interfere with or hinder the removal of or plowing of snow, or city construction, repairs or cleaning from said street or highway by the City.

Section 6

No vehicle shall be parked or allowed to stand, whether attended or unattended, in any loading zone between the hours of 6:00 AM and 5:00 PM except for the purpose of loading or unloading merchandise or passengers.

Section 7

All vehicles attended or unattended are prohibited from parking on any bridge at any time.

Section 8

In areas marked either for angle parking or parallel parking, the driver of all vehicles shall use proper care when parking so that all parts of the vehicle are inside the designated lines, and when not so parked, shall be considered as obstructing the free passage of other vehicles.

Section 9

No trucks, except those registered for 6,000 lbs. gross weight or less, shall be parked at any time, ~~except~~ for a period longer than two hours from the hours of 7:00 AM to 6:00 PM other than on Sunday or legal holidays, on any of the following public parking areas:

Main Street - > from Howard Street to Davis Street

State Street - > from Third Street to Dyer Street

Academy Street - > from Third Street to Main Street

Hall Street - > entire length

Second Street - > from Church Street to Academy Street; except there will be a 15 minute limitation on all parking on both sides of the street from the north side of Church Street to Hall Street

Public Parking Area - > Parking area situated west of Main Street between State Street and Church Street, east of the Bangor and Aroostook Railroad right-of-way Parking area situated west of Main Street between Chapman Street and State Street, east of the Bangor and Aroostook Railroad right-of-way

Section 10

Parking in a Suburban Residential Zone, Urban Residential Zone I, and Urban Residential Zone II as defined in the City's Land Use and Development Code shall be restricted as follows:

- A. No vehicle shall be parked on any public street, in the aforementioned residential zones, for more than two hours, unless in connection with a social event taking place at a residence in the immediate vicinity, or in connection with church services and functions; but, in no event, for more than eight hours of continuous parking by the same vehicle. Provided, no such vehicle shall be parked at anytime on any such street so as to interfere with, hinder, or impede the flow of traffic; or the removal of or plowing of snow, or city construction, repairs or cleaning from said street. For the purpose of this subsection, the term vehicle shall mean automobiles and trucks registered for 6,000 lbs. weight or less.
- B. No vehicles, except as defined in the above subsection shall be parked at any time on a public street within the aforementioned residential zones, except for

loading or unloading purposes and then only for so long as is reasonable to carry out the purposes of doing so.

C. The following areas shall be exempt from the above parking time restrictions:

- State Street between Second and Third Streets, both sides of the street.
- Church Street between Main and Third Streets, both sides of the street.
- Academy Street between Second and Third Streets, but only on the north side of Academy Street.

D. All residential parking on all streets bound by Allen Street on the north to Pine Street on the south and Fleetwood Street on the east and Main Street on the west shall be restricted to parking on the east side of the roadway for all streets running north and south, and to the north side of the roadway for all streets running east and west. Commercial parking zones or other parking zones identified by roadway markings or authorized signage, regulated by other sections of this ordinance, shall be exempt from this section.

Formatted: Bulleted + Level: 1 + Aligned at: 0.75" +
Indent at: 1"

Section 11

No vehicle shall be stopped or allowed to stand as follows: Within 7 feet of any fire hydrant; within an intersection; on a crosswalk; within 15 feet from an intersection of the curb lines; or if none, then within 15 feet of the driveway entrance to the fire station or any hydrant; and along the side or opposite any vehicle, building construction, street excavation or obstruction or in front of any driveway, alleyway, road or street when such stopping, standing or parking would obstruct the free passage of another vehicle.

Section 12

No vehicle shall be parked, at anytime, on any sidewalk, or area designated or signed for pedestrian traffic, within the sidewalk shall mean that area where the City has, either by curbing or by some other method, attempted to separate the place where pedestrians walk from the vehicle traveled portion of the street or highway.

Section 13

No vehicles shall be parked, at any time, in any parking space or area that has been designated as restricted to "handicapped parking" and marked appropriately with signs or markings that clearly show the space or spaces that are to be used by those persons who have obtained proper and valid handicapped registration plates or placard from the State of Maine or some other state. Furthermore, such designated spaces are **to be used only** when the disabled person is operating the properly registered vehicle or is a passenger therein. The placard must be displayed or affixed so that the information on the placard is clearly legible from outside the motor vehicle.

Section 14

No vehicles shall be parked or permitted to stand, at any time, in any area that has been designated as a "fire lane" and marked appropriately as defined in Paragraph D of this section.

- A. The provisions of this article shall, in order to accomplish the stated purpose, be applicable to all proposed and existing developments, buildings and other premises which are included in the following:
 - 1. Commercial or retail construction requiring site plan review
 - 2. All schools whether public or private
 - 3. Hospitals
 - 4. Convalescent homes, rest homes and/or nursing homes
- B. The building inspector shall notify the fire chief of any application for permit, occupancy or change of use for any property included in Section A, numbers 1 through 4 of this section, and the fire chief or his/her designee shall designate directly to the owner, owners or agent of the premises for which permit application is made the location of required fire lanes. Preexisting premises already established at the time of enactment of this ordinance may be eligible for certain exemptions from this section at the discretion of the fire chief. The fire chief may take into account the amount of available space surrounding the premises, the likely number of occupants of the premises, access provided by surrounding roadways and adjacent properties, or other factors when determining if an exemption is warranted.
- C. Within premises to which the article is applicable, the fire chief shall designate fire lanes by written order and shall notify in writing both the Presque Isle planning board and the owner, owners or agents of such development or premises by certified mail of such designation and of any specific requirements for compliance with this article. The fire chief shall file one copy of any order of designation of any such fire lanes with the town clerk. Any person aggrieved by such order may file with the clerk within fifteen (15) days after the date of the receipt of such order written notice of appeal, setting forth therein reasons for aggrievement. A public hearing shall be held by the City of Presque Isle zoning board, after which the board may affirm, modify or rescind such order within thirty (30) days of the public hearing. The board shall notify the fire chief as may be applicable and all action taken relative to the establishment of a fire lane.
- D. Fire lanes established under this article shall be kept free of ice, snow, rubbish containers and other obstructions. The owner, owners, agent or occupant of any premises to which this article is applicable shall cause to be erected, installed and maintained by their own expense, permanent, adequate signs bearing the words, "FIRE LANE - NO PARKING OR STANDING - SUBJECT TO FINE OR TOWING AT OWNER'S EXPENSE" in or adjacent to said fire lane. Additionally, vertical curbs six inches in height shall be painted red on the top and side, extending the length of the designated fire lane. The pavement adjacent to the painted curbs shall be marked with block lettering a minimum of 18 inches in height and with a three inch brush stroke reading: "NO PARKING - FIRE LANE." Lettering shall be red and spaced at no more than 50-foot intervals. Such owner, owners, agent or occupants shall cause such other and further designations as are reasonably required by the fire chief to warn persons to keep

said fire lanes unobstructed. Failure to maintain a fire lane in accordance with the above shall render the owner, owners, agent or occupants of said development liable to a fine in accordance with the general penalty provisions of Section 16 of this article, with each continuing day of such violation constituting a separate offense.

- E. Notice of establishment of fire lanes shall prescribe a reasonable time for compliance. The owner, owners or agents shall be subject to a fine in accordance with Article 7 of this ordinance if compliance is not obtained within said time. Each day following such specified time for compliance shall constitute a new and separate violation.

No occupied vehicles shall be stopped or allowed to stand in any business parking lot unless said occupants are actively conducting business at that establishment. The Chief of Police or his designee shall receive written notice from the business owner that they want this Ordinance enforced and the lot must have a sign conspicuously posted that reads: *“NO PARKING in this lot except for customers during business hours. Violators are subject to prosecution under City of Presque Isle Chapter 5 – Traffic Regulations Ordinance, Article 5 – Parking, Section 14.”*

The fine for violating this section is under Section B, Restricted Parking, which is \$15.00.

Section 15

Any police officer or parking enforcement officer, finding a vehicle parked in violation of any provision of this article, shall attach to said motor vehicle a ticket to the registered owner thereof, or the (known) operator thereof, setting forth the particular provision(s) violated and the date and time of such violation. The registered owner or the operator of said vehicle shall, within 48 hours of the time stated on such ticket, pay the City of Presque Isle, as a penalty for and in full satisfaction of each such violation noted on the ticket a fine. The fines shall be as follows:

A. Overtime Parking:

The fine will be \$15.00. If such fine is not paid within the 48 hour period, the Chief of Police shall cause a written notice of such violation to be mailed to the registered owner or operator of said vehicle notifying him/her that if the fine (\$15.00), together with the sum of \$2.00 for mailing such notice making the total \$17.00, is not paid to the City at the Presque Isle Police station within 7 days of the postmark of such written notice, the fine shall increase to \$25.00 for each such violation. If the increased fine is not paid to the City within 10 days following the expiration of said 7 days, such failure to pay shall constitute a violation of this Ordinance, and upon conviction thereof shall subject the violator to the penalties as provided in Article 7 thereof.

B. Restricted Parking:

The fine will be \$15.00. If such fine is not paid within the 48 hour period, the Chief of Police shall cause a written notice to be sent to the registered owner or operator with the same stipulations mentioned in sub-section A.

C. Sidewalk Parking:

The fine will be \$25.00. If such fine is not paid within the 48 hour period, the Chief of Police shall mail a written notice of such violation to the registered owner or operator of said vehicle notifying him/her that if the fine of \$25.00 plus \$2.00 for mailing is not remitted within 7 days of the postmark of such written notice, the fine shall increase to \$40.00 for each such violation. If such increased fine is not paid within 10 days of said 7 days, such failure to pay shall constitute a violation of this Ordinance, and upon conviction thereof shall subject the violator to the penalties as provided in Article 7 hereof.

D. Truck Parking:

For violation of trucks registered for more than 6,000 lbs. gross weight, the fine will be \$25.00. If such fine is not paid within 48 hours, the same stipulations mentioned in sub-section C will be mailed by Chief of Police to the registered owner or operator of said vehicle. Non-payment will have the same results as mentioned in sub-section C per Article 7 hereof.

E. Handicapped Parking:

The fine will be \$75.00. If such fine is not paid within the 48 hour period, the Chief of Police shall mail a written notice of such violation to the registered owner or operator of said vehicle that if the fine of \$75.00 plus \$2.00 for mailing is not remitted to the City within 7 days of the postmark of such written notice, the fine shall increase to \$100.00 for each such violation. If such increased violation is not paid to the City within 10 days of said 7 days, it shall constitute a violation of this Ordinance, and upon conviction thereof shall subject the violator to the penalties as provided in Article 7 hereof.

F. Fire Lane Parking:

~~—~~The fine will be \$50.00~~0~~. If such fine is not paid within the 48 hour period, the Chief of Police shall mail a written notice of such violation to the registered owner or operator of said vehicle that is the fine of \$50.00 plus \$2.00 for mailing is not remitted to the City within 7 days of the postmark of such written notice, the fine shall increase to \$75.00 for each such violation. If such increased violation is not paid to the City within 10 days of said 7 days, it shall constitute a violation of this Ordinance, and upon conviction thereof shall subject the violator to the penalties as provided in Article 7 hereof.

Section 16

Evidence of Unlawful Parking: wherever, in the City Ordinance it is provided that it shall be unlawful for a person to park a vehicle, the fact that a vehicle is unlawfully parked shall be prima facie evidence of the unlawful parking of said vehicle by the person in whose name said vehicle is registered.

Section 17

Removal of Violating Vehicle(s):

- A. Any vehicle, of any kind or description, parked upon a public street of the City at a place, in a manner, or for a length of time prohibited by an Ordinance of the City or so as to impede the City's snow removal operation or traffic in the public street; or any vehicle parked upon a sidewalk of the City, is hereby declared to be an obstruction in such street or sidewalk and a menace to the safe and proper regulation of traffic whether vehicular or pedestrian.
- B. Any vehicle parked in such a manner as described in this section may be removed by and under the direction of, or at the request of the Chief of Police, the Senior Police Officer in charge of any shift, the Director or Assistant Director of Public Works to a garage or storage place within the City and impounded therein.
- C. Any person named in subsection B may use such force as may be necessary to enter such vehicle and cause the same to be placed in a condition to be moved and may employ any reputable person, engaged in the business of towing and storing vehicles, for such purposes.
- D. Notwithstanding any language herein contained, the removal and storage of a vehicle pursuant to this section, and the payment of the charges specified in this division, shall in no way relieve or prevent prosecution for the violation of any provision of the Ordinances of the City.

Section 18

Notification of Impoundment, Recovery Procedure

- A. The Police Department shall make reasonable effort to notify, as promptly as possible, the registered owner, or the operator of any vehicle of its removal from the streets or sidewalks of the City; as soon as possible that said vehicle has been impounded. Notification shall be sent to the registered owner, or the operator thereof, at his last known address, as shown by the records of the Secretary of State.
- B. Before the owner of an impounded vehicle may remove it from the possession of the person towing or storing it, he shall:
 - 1. Furnish satisfactory evidence of his identity and of his ownership of such vehicle.
 - 2. Pay established towing charge(s) and/or storage charge(s) to the person having towed and/or stored said vehicle.

3. It shall be unlawful for a person to reclaim or remove an impounded vehicle unless the procedure established in B-1 and B-2 above has been followed.

Section 19

Presque Isle International Airport Parking Lot

The paved area adjacent to the terminal building shall consist of three areas: (a) general parking; (b) restricted parking; (c) “drop off” area for passengers and their luggage. The Airport Manager shall cause each area to be designated by appropriate signs or markings.

Each area is dealt with separately under this Ordinance as follows:

- A. *General Parking Area* – Parking is permitted in those areas designated for public parking. There are two such public parking areas, one located north of the terminal building, and one located south of the terminal building. All parking in these areas is subject to the following terms and conditions:
 1. Parking is only upon space available, no reserved parking.
 2. Vehicles parked will be checked daily. Any vehicles remaining after 4:00 AM shall be issued a parking envelope by personnel so designated by the Airport Manager which indicates the length of stay on an enclosed voucher.
 3. Payment may be deposited in the designated secured box at the terminal building or mailed in the envelope furnished.
 4. Rates for such parking shall be ~~\$4.00 per parked night established by City Council~~
 5. Violators of this provision (general parking area), who fail to pay the rates charged for parking in the general parking area, as set forth in the voucher, within 7 days, shall be assessed a late payment penalty of \$10.00. If the voucher amount, together with the late charge, is not received by the City within 30 days from the date last indicated on said voucher, such failure shall constitute a violation of this Ordinance; and upon conviction thereof, shall subject the violator to the penalties as provided in Article 7 hereof.
- B. *Restricted Parking Area*
 1. Rental Vehicles: rental car owners, having a contract with the City, may be provided limited parking spaces, by virtue of their contract with the City, in an area designated as such, which shall be located east and/or south of the terminal building.
 2. Taxi Cabs: taxi cab owners, having a contract with the City may be provided limited parking spaces in an area designated as such, which is located near the terminal building.
 3. No other motor vehicles, other than rental cars and taxi cabs are permitted to be parked in this area. Any vehicle, other than a rental car or taxi cab, covered by a contract with the City as provided above, that is parked in a

restricted parking area, shall be cited for violation of this section and be subject to the penalty as set forth in the Article 7 hereof.

C. Drop-Off Area:

1. No parking shall be permitted at any time in this area. Vehicles may stop in this area for the sole purpose and only for such time as it is reasonably necessary to permit the unloading or loading of luggage, and the discharge or pick up of persons disembarking or embarking at the Presque Isle International Airport.
2. Any person found in violation hereof shall be subject to the penalty set forth in Article 7 hereof.

Section 20

Bus Stops

The city council is hereby authorized to establish ~~PI Loop~~ bus stops on public streets, in places and in number as it shall determine to be of the greatest benefit and convenience to the public. The police chief shall designate bus stops by appropriate signs or curb markings or both.

No person shall park a vehicle other than a ~~PI Loop~~public bus in any such space when the space has been officially designated and appropriately marked. However, stopping or parking such vehicles in bus zones, is permissible at the conclusion of the last run by the ~~PI Loop~~ buses according to the prevailing schedule, if otherwise permitted by city ordinances.

Notwithstanding this section, the driver of a passenger vehicle may temporarily stop at a ~~PI Loop~~ bus stop for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus waiting to enter or about to enter such zone.

The driver of a ~~PI Loop~~ bus is hereby authorized to park in any designated ~~PI Loop~~ bus stop without restriction of time.

ARTICLE 6 – THROUGH WAYS

Section 1

Non-through Ways:

It shall be unlawful and prohibited for trucks licensed for more than 28,000 lbs. gross weight (as defined in Title 29-A, M.R.S.A. Section 101, as amended) to use the following streets; except in the course of business, the truck is used to service in the City of Presque Isle; houses or property located thereon, or to make a delivery to, or pick up from any such house or property; also excepting from this Section school buses,

government-owned and operated vehicles and ambulances, namely: Hillside Street, Barton Street, Dudley Street, Third Street, and that part of State Street situated between Second Street and the Centerline Road.

It shall be unlawful and prohibited for trucks licensed for more than 54,000 lbs. gross weight (as defined in Title 29-A, M.R.S.A. Section 101, as amended) to use the following streets; except in the course of business, the truck is used to service in the City of Presque Isle; houses or property located thereon, or to make a delivery to, or pick up from any such house or property; also excepting from this Section school buses, government-owned and operated vehicles and ambulances, namely: Marston Road, Burlock Road and that part of the Centerline Road situated between State Street and Conant Road.

Section 2

Penalty

Whosoever violates the provisions of this section, upon being found guilty of such offense, shall be punished by a fine not to exceed \$200.00 for each such conviction, such fines to inure to the benefit of the City of Presque Isle.

ARTICLE 7 – PENALTY

Section 1

Whoever violates any of the provisions of the Ordinance, except for ARTICLE 6, shall be punished by a fine not exceeding \$200.00 for each offense, said fine to inure to the benefit of the City.

Section 2

Ownership of an automobile parked in violation of any provision of this Ordinance, shall be prima facie evidence that it was to parked by the registered owner.

Section 3

The Ordinances hereby repealed remain in force for the trial and punishment of all past violations of them and for the recovery of penalties and forfeitures already incurred, and for the preservation of all rights and remedies existing by them and so far as they apply to any office, officer, trust, proceeding, right, contract, or event already affected by them.

ARTICLE 8 – SEVERABILITY

Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of said Ordinance shall not be affected thereby.

ARTICLE 9 – SUNSET PROVISION

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

Presque Isle International Airport

Formatted: Justified

PARKING POLICY

This parking lot is not supervised but will be checked daily. Cars remaining after 5:00 PM are issued a parking envelope which indicates the length of stay on an enclosed voucher. Payment is to be placed in the envelope and deposited in the collection box at the corner of the terminal building or mailed.

The City of Presque Isle, including the Presque Isle International Airport, and their employees are:

- A. not responsible for any loss or damage to your motor vehicle while parked, whether by fire, theft or otherwise; and
- B. not responsible for loss of or damage to personal property left in your motor vehicle under any circumstances.

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 6, 2021 at 5:00 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 3 Council Procedure
- Chapter 5 Traffic Regulations
- Chapter 9 License & Public Hearing Fees
- Chapter 18 Fire Prevention code Ordinance
- Chapter 23 Pawnbroker's Ordinance
- Chapter 24 Sidewalk Snow Removal
- Chapter 35 Curb Cut
- Chapter 36 Domesticated Animal
- Chapter 38 Floodplain
- Chapter 40 Conduct on Public Parks
- Chapter 41 Bike Walkers Path
- Chapter 41A Special Amusement
- Chapter 46 Addressing Ordinance
- Chapter 47 Restricting Vehicle Weight
- Chapter 49 Administration of Government
- Chapter 50 Advisory Board
- Chapter 55 Pet Welfare
- Chapter 56 Changeable Signs
- Chapter 62 Consumer Fireworks Ordinance

In Addition, a **Public Hearing** will be held in order to revise the following ordinance:
Chapter 5 Traffic Regulations

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.

ADA ASSISTANCE: Anyone needing special assistance at the public hearing due to a disability should contact the City of Presque Isle's City Clerk at 760-2720 at least two (2) business days prior to the meeting date.

Per City Council
Thomas C. King
City Clerk

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 6, 2021

AGENDA ITEM # 7

SUBJECT

PUBLIC HEARING: TABLED: A hearing to condemn a dangerous buildings pursuant to M.R.S.A. Title 17§ 2851 owned by:

Roger Pelkey & Robin (Pelkey) Legassie – 9 Allen Street

INFORMATION

- 1) Memo from George Howe, dated December 21, 2020
- 2) Condemned Properties Narrative
- 3) Pictures
- 4) State Statutes

REQUESTED ACTION

Please see attached motion.



City of Presque Isle, Maine

From the desk of:
George Howe

Email: ghowe@presqueisleme.us

MEMORANDUM

TO:	Honorable City Council
CC:	Martin Puckett, City Manager; Galen Weibley, Director of Economic & Community Development Tom King, City Clerk Chelsea Stratton, Executive Assistant
DATE:	December 21, 2020
RE:	Recommendations on Dangerous Building(s)

Based upon the evidence presented and the testimony of the Code Enforcement Officer concerning the condition(s) of the premise(s) owned by **Roger Pelkey & Robin LeGassie** located at 9 Allen Street, I hereby by move:

- That the Council adjudge these properties to be a nuisance and dangerous to life or property;
- That the Council make and record an Order stating that the owner shall, within (30) days of service of this Order, abate all conditions creating a nuisance or dangerous condition to the satisfaction of the Code Enforcement Officer;
- That should the owner fail to comply with the specified time, the owner shall be assessed a civil penalty of \$100.00 per day and the City Council further directs the City Manager to cause the structure(s) to be demolished and removed. The cost of such demolition and removal shall be charged against the real estate upon which the structure sets and shall constitute a lien on such real estate.

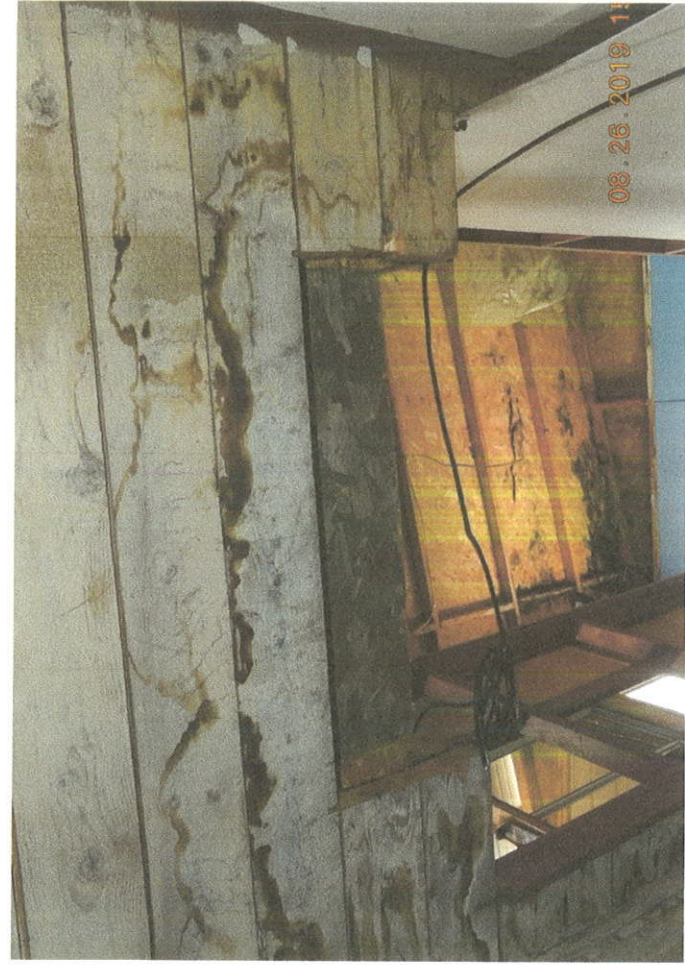
Motion made by: _____ Seconded by: _____

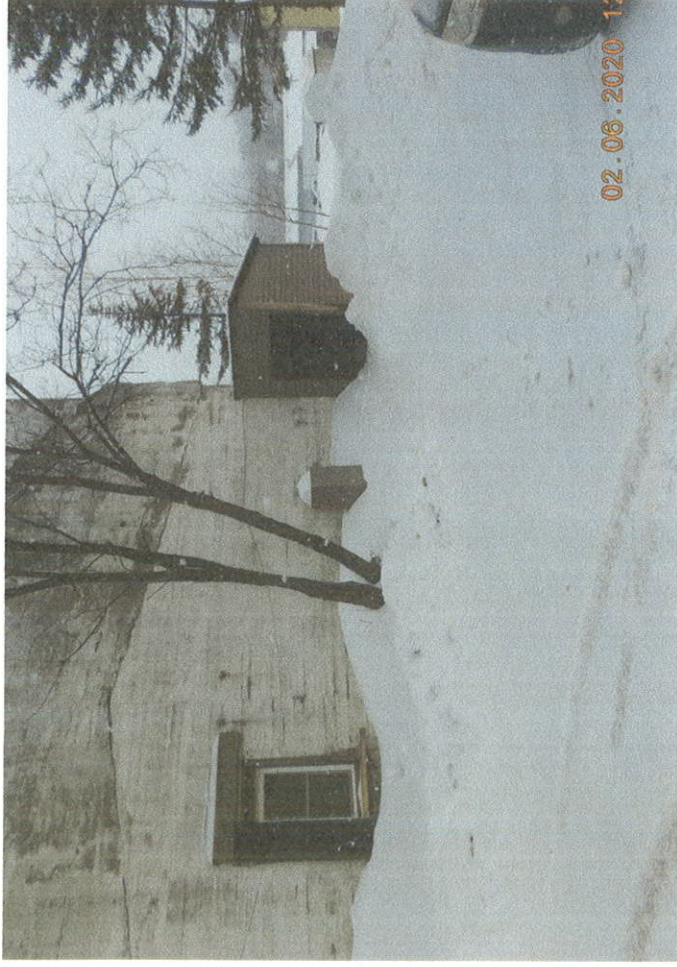
CONDEMNED PROPERTIES

November 17, 2020

1. **9 Allen Street** – *Owned by Roger Pelkey & Robin (Pelkey) Legassie*. Condemned on August 29, 2019, due to the following: Part of the structure is structurally unsafe and has numerous electrical and heating issues. Apartments have been vacated by tenants and electrical has been disconnected from the apartments. There is still electrical feeding the store and the plumbing has not been disconnected from the building as it is also hooked-up to the stove.

There is no mortgage on property and the 2019 taxes are paid.





Maine Revised Statutes
Title 17: CRIMES
Chapter 91: NUISANCES

§2851. DANGEROUS BUILDINGS

The municipal officers in the case of a municipality or the county commissioners in the case of the unorganized or deorganized areas in their county may after notice pursuant to section 2857 and hearing adjudge a building to be a nuisance or dangerous, in accordance with subsection 2-A, and may make and record an order, in accordance with subsection 3, prescribing what disposal must be made of that building . The order may allow for delay of disposal if the owner or party in interest has demonstrated the ability and willingness to satisfactorily rehabilitate the building. If an appeal pursuant to section 2852 is not filed or, if an appeal pursuant to section 2852 is filed and the Superior Court does not order, stay or overturn the order to dispose of the building, the municipal officers or the county commissioners shall cause the nuisance to be abated or removed in compliance with the order. [2017, c. 136, §1 (AMD) .]

For the purposes of this subchapter, "building" means a building or structure or any portion of a building or structure or any wharf, pier, pilings or any portion of a wharf, pier or pilings thereof that is or was located on or extending from land within the boundaries of the municipality or the unorganized or deorganized area, as measured from low water mark, and "parties in interest" has the same meaning as in Title 14, section 6321. [2017, c. 136, §1 (NEW) .]

1. Notice.

[2017, c. 136, §1 (RP) .]

2. Notice; how published.

[2017, c. 136, §1 (RP) .]

2-A. Standard. To adjudge a building to be a nuisance or dangerous, the municipal officers or county commissioners must find that the building is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property.

[2017, c. 136, §1 (NEW) .]

3. Recording of the order. An order made by the municipal officers or county commissioners under this section must be recorded by the municipal or county clerk, who shall cause an attested copy to be served upon the owner and all parties in interest in the same way service of process is made in accordance with the Maine Rules of Civil Procedure. If the name or address cannot be ascertained, the clerk shall publish a copy of the order in the same manner as provided for notice in section 2857.

[2017, c. 136, §1 (AMD) .]

4. Proceedings in Superior Court. In addition to proceedings before the municipal officers or the county commissioners, the municipality or the county may seek an order of demolition by filing a complaint in the Superior Court situated in the county where the building is located. The complaint must identify the location of the property and set forth the reasons why the municipality or the county seeks its removal. Service of the complaint must be made upon the owner and parties in interest in accordance with the Maine Rules of Civil Procedure. After hearing before the court sitting without a jury, the court shall issue

an appropriate order and, if it requires removal of the building, it shall award costs as authorized by this subchapter to the municipality or the county. Appeal from a decision of the Superior Court is to the law court in accordance with the Maine Rules of Civil Procedure.

[2017, c. 136, §1 (AMD) .]

SECTION HISTORY

1965, c. 284, (RPR). 1967, c. 401, §1 (AMD). 1973, c. 143, §1 (AMD).
1979, c. 27, §§1-3 (AMD). 1997, c. 6, §1 (AMD). 2017, c. 136, §1 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Special Session of the 128th Maine Legislature and is current through November 1, 2017. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 6, 2021

AGENDA ITEM # 8

SUBJECT

CONSENT AGENDA: 2020 Minutes

INFORMATION

1) December 2, 2020 Minutes – provided at meeting

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to approve minutes from December 2, 2020.

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 6, 2021

AGENDA ITEM # 9

SUBJECT

CONSENT AGENDA: 2020 Warrants #47 - #50, totaling
\$3,903,806.67

INFORMATION

1) Warrant #47	\$ 169,355.39
2) Warrant #48	\$ 754,471.01
3) Warrant #49	\$ 2,226,570.45
4) Warrant #50	\$ 753,409.82

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by
Councilor _____ to approve 2020 Warrant #47 - #50,
totaling \$3,903,806.67.

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 6, 2021

AGENDA ITEM # 10

SUBJECT

CONSENT AGENDA: Approve Solid Waste Haulers Licenses

INFORMATION

- 1) Gil's Sanitation, Inc. Application
- 2) McNeal's Trucking Application
- 3) Pine Tree Waste Application
- 4) Star City Sanitation, Inc. Application

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to approve the Solid Waste Haulers licenses for Star City Sanitation, McNeal's Trucking, Gil's Sanitation, Inc. & Pine Tree Waste.

**CITY OF PRESQUE ISLE
APPLICATION FOR SOLID WASTE COLLECTOR LICENSE**

Name of Applicant Pine Tree Waste D/B/A

Address PO Box 528
Hulton Mg 04730

Type and Make of Vehicle	Registration Number	Weight Capacity
2013 International Tractor	861-349	100,000 lbs
2016 Mack Roll Off	1B-5356	78,000 lbs

Total Number of Vehicles: 2 FEE: \$100.00 Per Vehicle: 200.00

Schedule of Rates: Depends on Job and where we Haul Debris

Areas To Be Serviced: Presque Isle & Member Communities

All Solid Waste Collectors must comply with Chapter 42 of the Solid Waste Ordinance and any other special conditions, if any, as determined by the Presque Isle City Council.

Condition #1: Corrugated cardboard shall be kept separate from the solid waste and delivered to a recycling facility.

Condition #2: Payment for all invoiced 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.

Condition #3: Loads containing waste from more than one municipality must have an individual scale weight for each municipalities waste.

Condition #4: License is limited to construction and demolition debris only using semi-trailers and roll-off containers.

Date Approved by City Council _____

Amended 12-20-2018

Name of Applicant Edgar J LeBlanc D/B/A Star City Sanitation, Inc

Tel: 207-76 41692

Weight Capacity

© 2006 The Authors
Journal compilation © 2006 Blackwell Publishing Ltd

Amended 12-20-2018

**CITY OF PRESQUE ISLE
APPLICATION FOR SOLID WASTE COLLECTOR LICENSE**

Name of Applicant McNeal's Trucking Inc. D/B/A _____

Address 73 Solman Street Tel: 493-4433
Caribou Maine 04736

Type and Make of Vehicle	Registration Number	Weight Capacity
<u>2006 International</u>	<u>CO-729-216</u>	<u>34,000</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Total Number of Vehicles: 1 FEE: \$100.00 Per Vehicle: 100.00

Schedule of Rates: Rates as to where + loads

Areas To Be Serviced: Areas contracted with Presque Isle

All Solid Waste Collectors must comply with Chapter 42 of the Solid Waste Ordinance and any other special conditions, if any, as determined by the Presque Isle City Council.

Condition #1: Corrugated cardboard shall be kept separate from the solid waste and delivered to a recycling facility.

Condition #2: Payment for all invoiced 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.

Condition #3: Loads containing waste from more than one municipality must have an individual scale weight for each municipalities waste.

Condition #4: License is limited to construction and demolition debris only using semi-trailers and roll-off containers.

Date Approved by City Council _____

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 6, 2021

AGENDA ITEM # 11

SUBJECT

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

INFORMATION

1) Copy of Warrant

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: Michael Chasse, Douglas Cyr, Craig Green, Kevin Freeman, Jacob Shaw, Randy Smith and Jeffrey Willette. 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 6, 2021

Michael Chasse

Douglas Cyr

Craig Green

Kevin Freeman

Jacob Shaw

Randy Smith

Jeffrey Willette

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 6, 2021

AGENDA ITEM # 12

SUBJECT

CONSENT AGENDA: Approve Municipal Officer's Policy on
Disbursement of Municipal Education Costs

INFORMATION

1) Copy of Warrant

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 6, 2021

Michael Chasse

Douglas Cyr

Craig Green

Kevin Freeman

Jacob Shaw

Randy Smith

Jeffrey Willette

Attest: _____
Thomas C. King, City Clerk

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 6, 2021

AGENDA ITEM # 13

SUBJECT

CONSENT AGENDA: Ex-Officio Appointment to
Boards and Committees

INFORMATION

REQUESTED ACTION

Please see next page for resolutions.

AIRPORT ADVISORY BOARD

BE IT RESOLVED by Councilor_____, seconded by Councilor_____to appoint **MARTIN PUCKETT, TOM POWERS** and **SCOTT WARDWELL** as Ex-Officio non-voting members for a one year term to the Airport Advisory Board, term to expire on December 31, 2021.

LIBRARY COMMITTEE

BE IT RESOLVED by Councilor_____, seconded by Councilor_____to appoint **SONJA EYLER** and **BRADLEY TURNER** as Ex-Officio non-voting members for a one year term to the Library Committee, term to expire on December 31, 2021.

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, 2021.

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, 2021.

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 6, 2021

AGENDA ITEM # 14

SUBJECT

CONSENT AGENDA: Approve Drug Forfeiture

INFORMATION

1) Transfer Agreements

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to authorize Chairperson, to sign the Approval of Transfers.

UNIFIED CRIMINAL COURT
LOCATION: PRESQUE ISLE
DOCKET: AROCD-CR-2020-40052

APPROVAL OF TRANSFER

Chairperson
Presque Isle City Council

(Impress Seal Here)

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 6, 2021

AGENDA ITEM # 15

SUBJECT

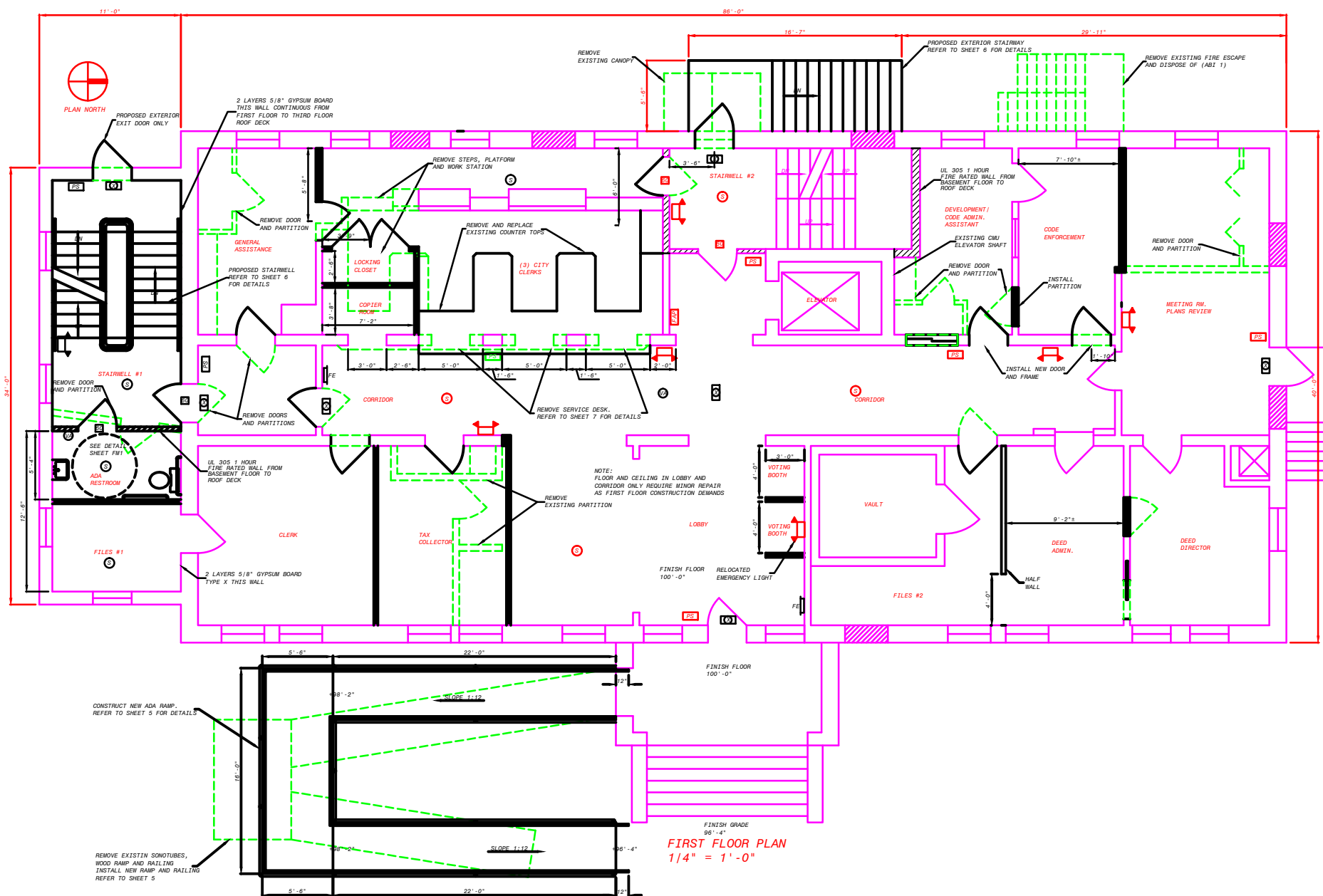
OLD BUSINESS: City Hall Update

INFORMATION

1) Remodel Plans

REQUESTED ACTION

Discussion only.



PRESQUE ISLE CITY COUNCIL MEETING

For:

January 6, 2021

AGENDA ITEM # 16

SUBJECT

NEW BUSINESS: Rec Update

INFORMATION

1) Information provided at meeting

REQUESTED ACTION

Discussion only.

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 6, 2021

AGENDA ITEM # EXECUTIVE SESSION

SUBJECT

EXECUTIVE SESSION: Pursuant to 36 M.R.S.A. § 841(2) to
discuss Abatement

INFORMATION

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by
Councilor _____ to enter into Executive Session pursuant
to 36 M.R.S.A. § 841(2) to discuss Abatement matter.

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 6, 2021

AGENDA ITEM # EXECUTIVE SESSION

SUBJECT

EXECUTIVE SESSION: Pursuant to 1 M.R.S.A. § 405(6)(D) to discuss Negotiations

INFORMATION

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to enter into Executive Session pursuant to 1 M.R.S.A. § 405(6)(D) to discuss Negotiations matter.

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 6, 2021

AGENDA ITEM # EXECUTIVE SESSION

SUBJECT

EXECUTIVE SESSION: Pursuant to 1 M.R.S.A. § 405(6)(D) to discuss Negotiations

INFORMATION

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to enter into Executive Session pursuant to 1 M.R.S.A. § 405(6)(D) to discuss Negotiations matter.

PRESQUE ISLE CITY COUNCIL ANNOUNCEMENTS

Wednesday, January 6th, 2021

- If anyone has any interest in joining a Board or Committee please see the City Clerk or apply online.
- The next regularly scheduled meeting of the Presque Isle City Council is on Wednesday, February 3, 2021 at 6:00 PM in the Council Chambers at City Hall.