



Presque Isle City Council Meeting

Wednesday, March 3rd, 2021

6:00 PM

Presque Isle Council Chambers

AGENDA

Call to Order

Pledge of Allegiance

Public Hearing

1. Approval for a Marijuana License for Northern Maine Flower, with location of 540 Main Street (Single Hearing)

Citizen Comments

Consent Agenda

2. Approve Minutes from February 3, 2021
3. Approve 2021 Warrants #4 - #7, totaling \$ 1,831,908.62
4. Approve Appointment of Christy Daggett to the Presque Isle Downtown Revitalization Committee

Old Business

5. City Hall Update
6. Tax Acquired Properties

New Business

7. Schedule a Public Hearing to consider adopting changes to the Rec & Parks Advisory Board By-Laws
8. Schedule a Public Hearing to consider adopting changes to Chapter 59A – Adult Use and Medical Marijuana Businesses Ordinance
9. Fire Capital Reserve Adjustment

Manager's Report

Announcements

Executive Session

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:	February 25, 2021
RE:	March 3rd 6pm, City Council Chambers

Call to Order

Pledge of Allegiance

Public Hearing: Staff recommends approval. This is a renewal of the existing license, no change in the operation status.

1. Approval for a Marijuana License for Northern Maine Flower, with location of 540 Main Street (Single Hearing)

Citizen Comments

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

2. Approve Minutes from February 3, 2021
3. Approve 2021
4. Approve Appointment of Christy Daggett to the Presque Isle Downtown Revitalization Committee: Downtown committee recommends approval.

Old Business

5. City Hall Update: Responses to the invitation to bid will be received on Friday February 26th. Materials will be presented at meeting. The City Hall Building committee will be reviewing the responses and I anticipate that a recommendation will be made to the council.
6. Tax Acquired Properties: Based upon a previous RFP for realtor services, Big Bear Real Estate has included a proposal for consideration. Due to the cost to market the properties, their proposal is a minimum commission of \$2,000 or 6% for these two properties and for future ones.
28 Elm is a vacant lot with \$2,215 in abatement costs associated with the demolition. 22 Allen St is a vacant residential property with \$5,533 in outstanding taxes. If Council agrees with this proposal, we should at minimum recoup the costs associated with these properties. Since we are only offering a quit claim deed, we can expect offers below market value.

New Business

7. Schedule a Public Hearing to consider adopting changes to the Rec & Parks Advisory Board By-Laws: Gene Cronin has provided the recommended changes that would allow up to three alternates and allow the advisory board the flexibility to change meeting date and times. These changes are similar to language in other bylaws. Bylaw changes are included in strike through format.
8. Schedule a Public Hearing to consider adopting changes to Chapter 59A – Adult Use and Medical Marijuana Businesses Ordinance: Galen Weibley is proposing changes to ordinance and requesting a public hearing.
9. Fire Capital Reserve Adjustment: Staff is requesting formal action for items that were discussed during the budgeting process.

Manager's Report**Announcements****Executive Session**

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

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

Adjournment

PRESQUE ISLE CITY COUNCIL MEETING

For:

March 3, 2021

AGENDA ITEM # 1

SUBJECT

PUBLIC HEARING: Approval of a Marijuana License for Northern Maine Flower, with location of 540 Main Street

INFORMATION

- 1) Application
- 2) Public Hearing Notice

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to approve a Marijuana License for Northern Maine Flower, with location of 540 Main Street.



City of Presque Isle, Maine

The Office of
Director of Economic & Community Development
Galen Weibley
Email: gweibley@presqueisleme.us

MEMORANDUM

TO:	Kim Finnemore, City Clerk & Martin Puckett, City Manager
FROM:	Galen Weibley, Director of Economic & Community Development
DATE:	February 10, 2021
RE:	Northern Maine Flower Renewal Application

Please find the enclosed renewal application by Northern Maine Flower for their medical marijuana retail store set to expire in May 2021. Payment has been received by the Finance Department for the cost to renew the license. The Department of Economic & Community Development has received the applicant's completed forms and conducted a rigorous inspection of the facility.

We believe the application is in compliance with the standards of the Council and respectfully request advertisement in the local paper for Northern Maine Flower's application to be considered by the City Council at their March 3, 2021 meeting.

Please do not hesitate to contact me should you have any questions.

Enclosures:

- *Renewal application for Medical Marijuana Retail Store License for Northern Maine Flower
- *Police Chief Laurie Kelly's statement of compliance for the business in 2020
- *Memo from Code Officer George Howe confirming inspection and compliance of business.

RENEWAL APPLICATION FOR ADULT USE AND MEDICAL MARIJUANA BUSINESS



CITY OF PRESQUE ISLE
12 SECOND STREET
PRESQUE ISLE, ME 04769

TEL: (207) 760-2703

FAX: (207) 764-2501

E-MAIL: panderson@presqueisleme.us

PLEASE FILL-OUT RENEWAL APPLICATION COMPLETELY

Date: 1/21/2021 Permit No: 1-21

1. Owner of Property: (If more than one attach a separate page listing all owner's information, see section G.C., must be a Maine Resident) Brad Turner

Physical Location (number of street or road): 540 Main St. Presque Isle ME 04769

Mailing Address (if different from above): Same as above

Home Phone: (207) 212-5149 Work Phone: (207) 760-7015 Cell Phone: _____

E-Mail: Northernmaineflower@gmail.com

2. Marijuana Business Classification: Medical Dispensary Retail
3. Maine License Certification #: CGR28459
4. Registered Business Name to be used: Northern Maine Flower
5. PRIOR Criminal Conviction History of all Owners, Officers, Members, or Employee's : (attach separate Pg. if necessary)

Criminal Activity: NA

Date: _____

Place: _____

Jurisdiction: _____

PLEASE READ THE FOLLOWING CAREFULLY BEFORE SIGNING APPLICATION

"I hereby apply for a permit for a marijuana business. I agree, prior to starting any electrical or plumbing work, to secure permits from the electrical and plumbing inspector. I understand that there may be other permits required from other agencies that I must obtain before being allowed to operate. Under MRSA 25, Section 2357 and the City of Presque Isle's Land Use and Development Code a Certificate of Occupancy **MUST** be obtained before the business hereby permitted is used or occupied. I understand that this permit application may be denied if not complete. A complete application may include construction documents as required by the City of Presque Isle. *I understand that if the above information is not accurate this application will be invalid, a Stop Work Order issued, and the City of Presque Isle could levy fines against me for giving false information.*"

Brad Turner

Signature of Applicant

1/21/2021

Date

CHECKLIST

All lines must be completed

	YES	NO	Not Applicable	CEO Initials
Application Fee Submitted:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GH
All Owners / Partners Listed:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GH
License Type Listed:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GH
Me License Certified:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GH
Criminal History Listed:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GH

Standards

Security Standards:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GH
Odor Plan:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GH
Operating Plan:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GH
Notices:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GH
Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GH
Police Dept. Approval:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GH
Fire Dept. Approval:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GH

*****Office Use Only*****

Date Application Received: 1/22/21 Date CEO / Planning Bd. Review: ☒ Approved ☐ Denied

Reason for Denial:

CEO Signature: George Hone

License Renewal Fee

Marijuana Store: Annual Operation License Fee: \$2,500.00

Marijuana Manufacturing Facility: Annual Operation License Fee: \$2,500.00

Marijuana Testing Facility: Annual Operation License Fee: \$1,000.00

Adult Use Marijuana Cultivation:

Tier 1: 0 to 500 SF of plant canopy: Annual Permit/Licensing Fee: \$500.00

Tier 2: 501-2,000 SF of mature plant canopy: Annual License Fee: \$3,000.00

Tier 3: 2,001-7,000 SF of mature plant canopy: Annual License Fee: \$10,000.00

Tier 4: > than 7,000SF of mature plant canopy: Annual License Fee: \$30,000.00

Medical Marijuana Cultivation: Annual Operation License Fee: \$5,000.00

Adult Use Marijuana Nursery Cultivation: Annual License Fee: \$350.00

MEMO

February 9, 2021

I have inspected "Northern Maine Flower" located at 540 Main St. and have found the premises to be consistent with State and local codes. Also, at the time of inspection all persons were wearing masks, as required by the State Governor.

George Howe
CEO/LPI/LHO

Penny Anderson

From: Laurie Kelly
Sent: Friday, February 5, 2021 8:37 AM
To: Penny Anderson
Subject: Northern Maine Flower

Penny,

PIPD has had no issues with Northern Maine Flower and see no reason why they should not be allowed to renew their license through the City.



Chief of Police
Presque Isle Police Department
Presque Isle, Maine 04769

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**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 **March 3, 2021** at **6:00 PM** in the City Council Chambers, City Hall at 12 Second Street, to consider a **Marijuana License** from:

**Northern Maine Flower
540 Main Street, Presque Isle**

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 760-2702.

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 760-2702 at least two (2) business days prior to the meeting date.

Per City Council
Kimberly A Finnemore
City Clerk

PRESQUE ISLE CITY COUNCIL MEETING

For:

March 3, 2021

AGENDA ITEM # 2

SUBJECT

CONSENT AGENDA: 2021 Minutes

INFORMATION

1) February 3, 2021 Minutes

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to approve minutes from February 3rd, 2021.



Presque Isle City Council Meeting

February 3, 2021

6:00 PM

Presque Isle City Council Chambers

Call to Order – Roll Call

Present: Chairman K. Freeman, Deputy Chairman J. Shaw, Councilors M. Chasse, C. Green, R. Smith, and J. Willette.

Absent: Councilors D. Cyr (arrived at 6:03 P.M)

City Manager Martin Puckett and City Clerk Thomas King were also present.

Pledge of Allegiance

Chairman K. Freeman called the meeting to order at 6:00 PM and led those present in the Pledge of Allegiance.

Public Hearing

1. Approval for a Malt, Spirituous, and Vinous Liquor License and a Special Permit for Music, Dancing, and Entertainment for Presque Isle Country Club, with a location of 35 Parkhurst Siding Road (Single Hearing)

Chairman K. Freeman opened the Public Hearing at 6:01 PM.

There were no citizen comments.

Chairman K. Freeman closed the Public Hearing at 6:02 PM.

BE IT RESOLVED by Councilor M. Chasse, seconded by Councilor R. Smith to approve a Malt, Spirituous, and Vinous Liquor License and a Special Permit for Music, Dancing, and Entertainment for Presque Isle Country Club, with a location of 35 Parkhurst Siding Road.

Vote: 6 – 0

2. Approval for a Malt, Spirituous, and Vinous Liquor License and a Special Permit for Music, Dancing, and Entertainment for Pie Nana, Inc., d/b/a Irish Setter Pub, with a location of 710 Main Street (Single Hearing)

Chairman K. Freeman opened the hearing at 6:02 PM.

There were no comments.

Chairman K. Freeman closed the hearing at 6:03 PM.

BE IT RESOLVED by Deputy Chairman J. Shaw, seconded by Councilor J. Willette to approve a Malt, Spirituous, and Vinous Liquor License and a Special Permit for Music, Dancing, and Entertainment for Pie Nana, Inc., d/b/a Irish Setter Pub, with a location of 710 Main Street.

Vote: 6 - 0

3. Approval of a Malt, Spirituous, and Vinous Liquor License for Mainely Mexican, LLC, d/b/a Mainely Mexican, with a location of 6 State Road.

Chairman K. Freeman opened the hearing at 6:03 PM

There were no public comments.

Chairman K. Freeman closed the hearing at 6:03 PM.

BE IT RESOLVED by Councilor C. Green, seconded by Councilor M. Chasse to approve a Malt, Spirituous, and Vinous Liquor License for Mainely Mexican, LLC, d/b/a Mainely Mexican, with a location of 6 State Road.

Vote: 7 - 0

4. Moved from Agenda Item #8 - Old Business - Tabled - Dangerous Building - 9 Allen Street

City Manager Puckett refreshed the Council's memory regarding the discussion of this property at the January 6, 2021 City Council Meeting and quickly brought the Council up to date on the events since that time.

On January 13, 2021 Code Enforcement Officer G. Howe, City Councilor C. Green, and City Clerk T. King met with Mr. Pelkey at the property in question. Also present was Investigator S. Michaud from the Fire Marshal's Office.

CEO G. Howe presented the Council with a timeline of the City's involvement with this property and a slideshow of updated pictures from the property, taken on January 13, 2021. CEO Howe explained each photo to the Council for clarity, stressing the significant deficiencies that needed to be addressed before the property could be deemed habitable.

Councilor C. Green echoed the sentiments of CEO Howe and added his own perspective to deficiencies he saw at the property.

Property owners Roger Pelkey and Robin LeGassie were not present for the hearing. Mr. Pelkey did provide written comments to City Manager Puckett which were provided to the Council.

Based on the evidence presented and the testimony of the Code Enforcement Officer concerning the condition(s) of the premise(s) owned by Roger Pelkey and Robin LeGassie located at 9 Allen Street:

BE IT RESOLVED by Councilor M. Chasse, seconded by Deputy Chairman J. Shaw:

- 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(s) shall, within (30) days of service of this Order, abate all conditions creating a nuisance or dangerous conditions 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 for such demolition and removal shall be charged against the real estate upon which the structure sets and shall constitute a lien on such real estate.

Vote: 7 - 0

Citizen Comments

Greg LaFrancois, CEO of Northern Light Health, A. R. Gould addressed the Council and audience, highlighting the hospital's efforts regarding Covid-19 vaccination efforts. Mr. LaFrancois explained the hospital has partnered with Northern Maine Community

College and the Aroostook Area Agency on Aging to provide an efficient venue for mass immunizations at NMCC. They have the capability of immunizing around 1,000 people a day and are limited currently by the allotments of vaccine they are receiving. Mr. LaFrancois will return to the Council at future meetings to provide ongoing updates.

Consent Agenda

5. 2020 Minutes

- January 6, 2021 Minutes

6. 2020 Warrants #51 - #52, 2021 Warrants #1 - #3, totaling \$1,836,600.35

- Warrant # 51 - \$786,148.08
- Warrant # 52 - \$173,488.07
- Warrant # 1 - \$131,676.88
- Warrant # 2 - \$570,631.92
- Warrant #3 - \$174,655.40

7. Approve List of Election Workers

8. Approve Appointment

- Kim Finnemore as City Clerk

BE IT RESOLVED by Councilor M. Chasse, seconded by Councilor C. Green to approve Consent Agenda as presented.

Vote: 7 - 0

New Business

9. Goal Setting

City Manager Puckett would like to schedule a Goal Setting retreat or round table discussion to review present goals and discuss any new goals the Council may want to adopt. These sessions could be held on pre-determined dates at 3:00 PM to afford Staff and Councilors an opportunity to discuss these matters. Dates and venues will be decided upon in the coming weeks.

10. Davis Street Extension Discontinuance

Discussion only. City Manager Puckett reports the City has been approached by Chris Allen, the owner of 75 Davis Street regarding discontinuing the east end of Davis (between Carmichael Street and the railroad tracks) and that he would be willing to cover any costs associated with this discontinuance. Dana Fowler, Director of Public Services stated that the section of Davis in question does have minimal upkeep costs to Public Works, but does not see any adverse effects of discontinuance. It is unknown at this time if the abutting property owner or the railroad would have any objection to this action.

Councilors asked for input from the abutting property owners prior to making any determination on this matter.

11. Approve Budget Actuals 2020

City Manager Puckett and Finance Director Brad Turner presented the Council with 2020 financials and discussed some departments that had overspent.

BE IT RESOLVED by Councilor R. Smith, seconded by Councilor M. Chasse that the City authorize the following Departmental over-spending for 2020:

- Fire Department - \$29,616
- Public Safety Building - \$14,461
- Utilities - \$3,455
- Debt Service - \$3,653
- Information Technology - \$4,800

Vote: 7 - 0

12. Tax Acquired Properties for Bid

City Manager Puckett advised the Council there were two properties that had been Tax Acquired by the City. He wanted the Council's input whether to put the properties out to bid, list with a realtor, or offer to abutting neighbors before taking other action. After a brief discussion Councilors verbally agreed to have the City list the properties with a realtor and see what transpires.

13. Forum HVAC Upgrade RFQ

The Parks and Recreation Department recently advertised an RFQ seeking qualified entities for Forum HVAC upgrades. One RFQ was submitted prior to the deadline - Mechanical Services, Inc. Another RFQ was submitted, but received after the deadline

and RFQ opening.

BE IT RESOLVED by Chairman K. Freeman, seconded by Councilor R. Smith to approve to select Mechanical Services, Inc. for the Forum Heating System project.

Vote: 7 - 0

14. Item 14 was removed from the Agenda after meeting packets were assembled and agenda notifications were distributed.

Manager's Report

City Manager Puckett informed the Council of a letter of appreciation that he received on behalf of the City from Mr. Gene Curtis. Mr. Curtis expressed his sincere appreciation for the upgrades to the Mantle Lake Park trails thanks to efforts by the Park and Recreation Department.

Announcements

The next meeting of the Presque Isle City Council will be held in Council Chambers on March 3, 2021 at 6:00 PM.

Executive Session

BE IT RESOLVED by Councilor R. Smith, seconded by Councilor M. Chasse to enter into Executive Session at 7:24PM pursuant to 1 M.R.S.A. § 405(6)(D) to discuss Negotiations.

Vote: 7 - 0

Council exited Executive Session at 7:46PM

BE IT RESOLVED by Councilor K. Freeman, seconded by Councilor R. Smith to enter into Executive Session at 7:46 PM pursuant to 1 M.R.S.A. § 405(6)(D) to discuss Negotiations.

Council exited Executive Session at 8:58PM

Vote: 5 - 0

BE IT RESOLVED by Chairman K. Freeman, seconded by Councilor J. Willette to enter into Executive Session at 8:58PM pursuant to 1 M.R.S.A. § 405(6)(D) to discuss Negotiations.

Adjournment

BE IT RESOLVED by Chairman K. Freeman, seconded by Councilor J. Willette to adjourn the meeting at 9:32 PM.

Vote 5 -0

Attested by: _____
Kimberly A Finnemore, City Clerk

PRESQUE ISLE CITY COUNCIL MEETING

For:

March 3, 2021

AGENDA ITEM # 3

SUBJECT

CONSENT AGENDA: 2021 Warrants #4 - #7, totaling
\$ 1,831,908.62

INFORMATION

1) Warrant #4	\$ 592,465.87
2) Warrant #5	\$ 342,439.31
3) Warrant #6	\$ 632,439.52
4) Warrant #7	\$ 264,563.92

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____
_____ to approve 2021 Warrants #4 - #7, totaling
\$1,831,908.62.

PRESQUE ISLE CITY COUNCIL MEETING

For:

March 3, 2021

AGENDA ITEM # 4

SUBJECT

CONSENT AGENDA: Approve Appointment to PI Downtown
Revitalization Committee

INFORMATION

1) Christy Daggett's Application

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor
_____ to appoint Christy Daggett to the Presque Isle
Downtown Revitalization Committee.

City of Presque Isle
Application for Appointment to City Board/Commission/Committee

Full Name: Christy Daggett

Street Address: 93 Hardy Street, Presque Isle

Mailing Address (if different): same

Telephone Number: 496-7249 (daytime) same (evening)

Mobile Phone Number: same

E-mail Address: cdaggett@amhc.org

Length of time as a Presque Isle Resident: 23 years total

I wish to be consider for appointment to:
PI Downtown Revitalization Committee
(Name of Board/Commission/Committee)

Check one or both: XX Full Membership Status Associate Member Status

Educational Background: please see attached resume

Employment History: please see attached resume

please see attached resume

Community Service: please see attached resume

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

Date: 2.2.2021 Signature: /Christy Daggett/

Thank you for your interest in serving the City of Presque Isle.

PLEASE RETURN FORM TO:

CITY CLERK'S OFFICE, 12 SECOND STREET, PRESQUE ISLE, ME 04769
OR BY E-MAIL: tking@presqueisleme.us

Christy Daggett
93 Hardy Street
Presque Isle, Maine 04769
E-mail: *Christy.l.daggett@gmail.com*
Cell: (617) 571-6391

Professional Summary

Master of Public Policy and Management with deep expertise in rural public policy, nonprofit grant management, and workforce and economic development. Experienced manager at ease with large presentations, press conferences, and media interviews. Collaborative, energetic, and positive.

Qualifications

- Experienced at managing a diverse team, some remotely
 - Adept with data analysis and “telling a story” with data
 - Equipped with strategies and evidence-based practice to engage populations who are hard-to-reach, rural, and/or low-income
 - Possess a wide network of regional, state and federal-level stakeholders
-

Experience

Chief Financial and Administrative Officer
AMHC (Aroostook Mental Health Services, Inc.)

2/19 – Present

Supervise finance, claims and reimbursement, information technology, and human resource management functions for 300+ employee mental health and substance use treatment agency spanning three counties with a \$19 million budget.

Have reduced overhead costs by 10.5 percent in first two years of tenure; implemented new fiscal software that has significantly improved reporting capacity and automated allocation functions, eliminating a critical source of error in grant reporting.

Develop agency-wide budget, develop and submit all program budgets to state and federal funders, responsible for cash management, reviewing all monthly and quarterly reporting, work with Maine State Division of Audit to ensure future-looking program fiscal compliance.

Senior Manager, Workforce Development
Aroostook County Action Program, Inc.

9/15 – 2/19

Supervised implementation of U.S. Department of Labor workforce grants totaling over \$1.5 million in Aroostook County, annually training over 200 workers for high-wage, high-demand careers.

Successful new grant applications for Program Years 17-18 totaled \$581,000; this includes a national direct grant from the U.S. Department of Labor in Washington, D.C., targeting women in Washington, Aroostook, and Hancock Counties for training in non-traditional occupations and apprenticeships.

Worked closely with numerous employers to meet their workforce needs. During tenure, paid on-the-job trainings with employers improved from five percent of federal goal to one hundred percent of goal. Department staff expanded by 30 percent.

Voted President of the Aroostook Training and Education Coalition (ATEC) by workforce colleagues county-wide. Invited to be keynote speaker at Caribou Adult Education graduation, Region II Career and Technical Education Center graduation, and UMFK Upward Bound graduation event. Honored with the "Outstanding Collaborator Award" from MSAD #27 Adult Education, May 2017.

Policy Analyst

Maine Center for Economic Policy

1/14 – 9/15

Developed new body of research on higher education affordability; invited to serve as keynote speaker at annual meeting of Maine Educational Opportunity Association and the New England TRIO Conference. Lead author on 2015 policy brief. Key Result: advocated from committee hearing to budget process on bill that ultimately added \$10 million to the State of Maine Grant fund over the biennium, increasing the annual grant by \$500 for thousands of college students from low- and middle-earning families.

Served as lead analyst on state healthcare policy projects, especially Medicaid expansion effort. Testified frequently before Maine State Legislature; registered lobbyist. Authored numerous op-eds and blogs.

Repeat guest on WZON radio "The Pulse Morning Program," discussing state rate of uninsured, the livable wage, and student loan debt; special guest on WVOM "George Hale and Ric Tyler Show," hosted "State of the State" cable talk show on "Enabling Working Adults to Complete College."

Project Coordinator, Maine CDC Colorectal Cancer Control Program
MCD Public Health

1/12 – 1/14

Responsible for public education and outreach component of CDC grantee workplan. Key Result: partnered with health systems and clinics to introduce non-invasive \$30 alternative to colonoscopy in service area encompassing a third of Maine's population. The Maine program was selected by the U.S. CDC to present to the United States Congress as a national success story.

Forged partnerships with national medical researchers and Dr. James E. Allison, Professor Emeritus at the University of California – San Francisco School of Medicine, to craft clinical webinar series on strategies to increase colon cancer screening rates. This series was utilized by the California Department of Public Health and the US Food and Drug Administration.

"Wraparound" cancer screening pilot partnership with Maine Primary Care Association selected to be showcased at the Maine Cancer Consortium annual meeting at Jackson Laboratory, May 2013.; Collaboration with the Maine Migrant Health Program featured in the December 2012 "Research2Reality" newsletter of the National Cancer Institute.

Education

Master of Public Policy and Management

2013

Edmund S. Muskie School of Public Service, University of Southern Maine, Portland, Maine
Policy Analysis and Organizational Management Track, Financial Management Subspecialty (G.P.A.: 3.8 of 4.0)

Bachelor of Arts, Phi Beta Kappa and with highest distinction

1995

University of Maine, Orono, Maine

Double major: History and International Affairs (G.P.A.: 3.95 of 4.0/Class rank: 2nd)
Honors Program graduate with highest honors

Selected Professional Publications and Media Coverage

Quoted in [*Presque Isle school district to consider alternatives to harvest break*](#), *Bangor Daily News*, January 10, 2018.

Testimony, [*"The Competitive Skills Scholarship Program: An important tool for the Maine workforce and Maine people."*](#) Delivered at the invitation of the 21st Century Workforce Commission of the Maine State Legislature, October 31, 2017.

Author, [*Crucial college grant gets much-needed boost in Maine's new budget*](#). Op-ed in *Bangor Daily News*, June 23, 2015.

Author of policy report, [*Maine's public college affordability crisis: it's worst for families earning the least*](#). Maine Center for Economic Policy, April 6, 2015.

Quoted in [*Report: student debt weighing down Maine's economy*](#), news report, Maine Public Broadcasting News, September 25, 2014.

Affiliations

- President, Aroostook Training and Education Coalition (ATEC), 2016-2018.
 - Appointed by Senate President to represent economic development on Maine Citizens Trade Policy Commission, 2013 – 2018.
 - Member, Ashland Area Economic Development Committee, 2017-2018
 - Steering Committee Member on Job Training and Education, Invest in Tomorrow Working Group (Maine Development Foundation/Maine Chamber of Commerce/Maine Children's Alliance/Maine Equal Justice Partners collaboration), 2017-2019
-

PRESQUE ISLE CITY COUNCIL MEETING

For:

March 3, 2021

AGENDA ITEM # 5

SUBJECT

OLD BUSINESS: City Hall Update

INFORMATION

Verbal updated given at meeting.

REQUESTED ACTION

Discussion only.

PRESQUE ISLE CITY COUNCIL MEETING

For:

March 3, 2021

AGENDA ITEM # 6

SUBJECT

NEW BUSINESS: Tax Acquired Properties

INFORMATION

1) Big Bear Real Estate Proposal

REQUESTED ACTION

For discussion.



PROPOSAL TO THE CITY COUNCIL and CITY MANAGER OF PRESQUE ISLE TO PROVIDE REAL ESTATE SERVICES FOR TAX ACQUIRED PROPERTIES

Historical Background

Several years ago, when City Council was considering the sale of City Hall, an RFP was sent out for a realtor to handle the transaction. Jim Dyer was the realtor selected. Dyer is now with Big Bear Real Estate Company.

Real Estate commissions are a complicated transaction on the back end and it makes some sense for the Council to understand this process. Once a property is sold, the realty company (listing) who listed the property must split the commission with the realty company that actually sold the property (selling). The commission is then split again between the listing company broker and the listing agent who listed the property; and the selling company broker and the agent who sold the property.

For example, a property is sold for \$20,000 with an agreed upon commission of 6%. Upon sale, the total commission would then be \$1,200. Company A (listing) would get \$600 and Company B (selling) would get \$600. The Broker for Company A would then split that \$600 with the listing agent in whatever percentage was contracted with that agent. So if the listing agent had the typical agreement of 60/40, the listing broker would get \$360 and the listing agent \$240. In addition, the selling broker would split with the selling agent in a similar way. As you can see, the lower the commission percentage, the less the agent who actually marketed the property gets.

Benefits of working with a licensed local Realtor

A licensed local Realtor

- Knows the local market;
- Has already developed an extensive list of contacts;
- Would work as the listing agent and network with other area relators with which we have a positive, well-established working relationship meaning an entire team would be at work to sell these properties;
- Would take a burden off of the Finance Director to set up bid processes on these properties;
- Would market the properties beyond a bid advertisement in the local newspaper by listing the properties on almost 20 websites including the national MLS system;
- Is a resident of Presque Isle and would work to benefit the community by obtaining the best price possible for the city and its taxpayers;
- Knows how to calculate a property for its saleable, best market price (or knows who to speak to in order to get same);
- Wants to work with the city for mutual open communication and transparency.

It is the desire of the realtor to establish a mutually beneficial working relationship so as to be given the opportunity to handle all tax acquired properties moving forward from the date of this agreement.



PROPOSAL TO THE CITY COUNCIL and CITY MANAGER OF PRESQUE ISLE TO PROVIDE REAL ESTATE SERVICES FOR TAX ACQUIRED PROPERTIES

Cost basis

The minimum commission per property would be \$2,000. If the property is sold for more than the agreed upon minimum, the commission would be 6% or \$2,000, whichever is higher. Should there be an instance when the city's out-of-pocket expenses including outstanding taxes exceeds a reasonable sales price or an offer is brought to the city that does not meet this amount and allow for the minimum commission, Big Bear understands that a negotiated commission may be necessary.

A listing agreement signed by an authorized city official would be required for each property.

Big Bear Real Estate Company welcomes the opportunity to forge a mutually beneficial working relationship with the city for present and future real estate transactions.

Respectfully submitted,

Chuck Johnston (227-2305) and Kimberly Smith (227-8125)

Camps to Castles Team

Big Bear Real Estate Company

515 Main Street

Presque Isle, ME 04769

207.764.4600



PRESQUE ISLE CITY COUNCIL MEETING

For:

March 3, 2021

AGENDA ITEM # 7

SUBJECT

NEW BUSINESS: Schedule a Public Hearing to consider adopting changes to the Rec & Parks Advisory Board By-Laws

INFORMATION

- 1) Memo from Gene Cronin, dated February 11, 2021
- 2) By-Laws

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to schedule a Public Hearing on April 7, 2021 to consider adopting changes to the Rec & Parks Advisory Board By-Laws.

Presque Isle Recreation & Parks
Gene Cronin
Email: gcronin@presqueisleme.us

MEMORANDUM

TO:	Honorable City Council
FROM:	Gene Cronin, Rec & Parks Director
DATE:	2/11/21
RE:	Rec Advisory Board – By Law Changes

Good Afternoon,

The Presque Isle Recreation & Parks Advisory Board voted unanimous to request the following changes to their bylaws at their January 2021 meeting:

1. Add alternate member(s) – Section 6 under Membership

At the sole discretion of the Presque Isle City Council, up to three (3) additional members may be appointed to serve as an alternate member of the Boards governed by this ordinance. Said members shall be appointed for a set term, equal to the maximum allowed per board. Alternate members shall meet all of the requirements as a regular member except that they may only vote when there is a regular member absent.

2. Remove the 4:00 pm meeting time and the meeting time open.

Please feel free to reach out with any questions or concerns.

RECREATION AND PARKS

ADVISORY BOARD BY-LAWS



Approved by City Council: April 6, 1998

Amended: September 7, 2009

Amended: March 5, 2012

Amended by the City Council: October 1, 2012

True Copy Attest: _____
City Clerk

City Seal

PRESQUE ISLE RECREATION AND PARKS ADVISORY BOARD BY-LAWS

ARTICLE I.

This group shall be called the Presque Isle Recreation and Parks Advisory Board.

ARTICLE II. MEMBERSHIP

- Section 1.** The Board shall consist of seven (7) members appointed by the City Council.
- Section 2.** Each year, thereafter, in the month of January the City Council shall meet and appoint a new member for a term of four years to succeed the outgoing members.
- Section 3.** In the event of the resignation of any Board member, or his/her death, inability to serve, or absence without acceptable reasons from three (3) regular consecutive meetings, the City Council shall appoint a member to finish any unexpired term.
- Section 4.** The City Manager, Director of Recreation and Parks and the Assistant Director of Recreation & Parks are Ex-Officio members.
- Section 5.** Appointed member of the Board 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.
- Section 6.** At the sole discretion of the Presque Isle City Council, up to three (3) additional members may be appointed to serve as alternate member of the Board governed by this ordinance. Said members shall be appointed for a set term, equal to the maximum allowed per board. Alternate members shall meet all of the requirements as a regular member except that they may only vote when there is a regular member absent.

ARTICLE III. QUORUM

Four (4) members of the Board, present in person, one of whom must be an officer of the Board, shall constitute a quorum for the transaction of business at any meeting.

ARTICLE IV. MEETINGS

Section 1A. ~~Regular meetings shall be held the second Monday of each month during the year. The Board will determine regular meeting schedule at the annual organizational meeting.~~

Section 1B. ~~If a regular meeting falls on a holiday observed by the municipal government then said meeting will be held on the following Wednesday.~~

Section 2. Special meetings shall be called by the Chairperson or upon the written request of at least two members.

Section 3. ~~Regular meetings shall convene at 4:00 PM unless otherwise ordered.~~

Section 4. 3. The regular meeting held in January of each year shall be known as the organizational meeting. The purpose of this meeting shall be the election and installation of officers, namely the Chairperson, Vice-Chairperson and Secretary, and other regular business.

ARTICLE V. OFFICERS

Section 1. The officers of this Board shall be a Chairperson, a Vice-Chairperson and Secretary who shall be elected at the organizational meeting in January, to serve for one year or until a successor shall be elected.

Section 2. These officers shall constitute an Executive Board who shall act in emergencies. In the instance of an emergency, this Executive Board shall meet at any time and place deemed necessary by either officer. Whenever possible, the remaining board members shall be invited to attend.

ARTICLE VI. DUTIES OF OFFICERS

Section 1. The Chairperson shall preside at all meetings of the Board; appoint all committees, represent the Board at public affairs; and shall maintain the dignity and efficiency of the Board in all possible ways.

Section 2. The Vice-Chairperson shall preside in the absence of the Chairperson.

Section 3. The Secretary shall keep a record of the proceedings of the Board and preside in the absence of the Chairperson and Vice-Chairperson.

ARTICLE VII. ELECTIONS

All officers shall be elected by nominations having been made from the floor. A majority vote the quorum shall constitute an election.

ARTICLE VIII. COMMITTEES

Section 1. Special committees shall be appointed by order of the Recreation and Parks Board as needed. Such committees shall not necessarily be restricted to members of the Board.

Section 2. The Chairperson of any special committee shall be a member of the Board.

ARTICLE IX. AMENDMENTS

The Board may recommend amendment(s) to the By-Laws at any regular or special meeting by a majority vote of a quorum, provided written notice of the proposed amendment(s) has been given to all Board members at least seven (7) calendar days prior to said meeting. Amendment(s) to the By-Laws shall require approval by the City Council.

ARTICLE X. DUTIES OF MEMBERS

The Recreation and Parks Advisory Board, functioning with or without a Recreation Director, has the following obligations:

1. To take an active role in the direction of the Board's activities and to act in whatever capacity he or she may be called;
2. To be loyal in thought and deed to the welfare of recreation and to the community which it seeks to serve;
3. To strive to know the characteristics, wants and needs of the people in the community;
4. To coordinate efforts with those of other recreation groups in the area;
5. To become familiar with the policies of the governing body;
6. To advise on policy, facility and programming decisions;
7. To communicate plans and activities to the City council and City Manager;
8. To increase personal knowledge and expertise in the field of recreation;
9. To promote citizen participation in programs and to distribute information about leisure activities offered in the community;

10. To serve without remuneration.

PRESQUE ISLE CITY COUNCIL MEETING

For:

March 3, 2021

AGENDA ITEM # 8

SUBJECT

NEW BUSINESS: Schedule a Public Hearing to consider adopting changes to Chapter 59A – Adult Use and Medical Marijuana Businesses Ordinance

INFORMATION

- 1) Memo from Gale Weibley, dated February 23, 2021
- 2) Ordinance

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to schedule a Public Hearing on April 7, 2021 to consider adopting changes to Chapter 59A – Adult Use and Medical Marijuana Businesses Ordinance.



City of Presque Isle, Maine

The Office of
Director of Economic & Community Development
Galen Weibley
Email: gweibley@presqueisleme.us

MEMORANDUM

TO:	PI City Councilors and Manager
FROM:	Galen Weibley, Director of Economic & Community Development
DATE:	February 23, 2021
RE:	Marijuana Ordinance Changes

In recent updates to the City's Marijuana Ordinance, staff discovered the lack of statutory language for a sunset provision. This provision is required per the City Charter to ensure the Council and City staff review the ordinance for any changes before renewal or expiration. This change is technical in nature.

In addition, City staff noticed the Airport Hazard Zone (AHZ) is missing completely from the ordinance. The suggested change would allow for marijuana cultivation in the AHZ which would be appropriate for the zone given its similar characteristics to the Agricultural Farming & Forestry Zone (AFFZ). Cultivating marijuana pose no known impact to airport operations given the similar nature to other crops grown in the area. The placement of residential dwellings in this rural zone also reduce the impact on the quality life of others. Odor, security, and operation plans will be required for any cultivation within this zone.

It is recommended sending this ordinance to public hearing for the April 7, 2021 Council Meeting.

Please do not hesitate to contact me should you have any questions.

Suggested Motion: ***“Mr. Chairman I move we approve the suggested changes for a public hearing set for the Council's next meeting of April 7, 2021.”***

Enclosure: *Copy of Marijuana Ordinances with staff suggested changes

CHAPTER 59 A

CITY OF PRESQUE ISLE

Adult Use and Medical Marijuana Businesses

Ordinance

REPEALS AND REPLACES CHAPTER 59



Approved by the City Council: January 23, 2020

Amended: October 7, 2020

True Copy Attest: _____

City Clerk

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A. Title:

This ordinance shall be known and cited as the “City of Presque Isle Adult Use and Medical Marijuana Businesses Ordinance” and will be referred to hereinafter as “this Ordinance”. This Ordinance limits all subject Adult Use and Medical Marijuana Businesses to the zoning districts specified in section H. E., prescribes definitions of Adult Use and Medical Marijuana Businesses, provides for permitting/licensing and regulation of Adult Use and Medical Marijuana Businesses, and provides performance standards for Adult Use and Medical Marijuana Businesses.

B. Authority and Applicability:

WHEREAS, implementing a system for the regulation of stores, dispensaries, cultivation, manufacturing, and testing for the production and sale of marijuana, is a complex function with significant administrative demands on the City of Presque Isle; and

WHEREAS, ensuring that possession and use of Adult Use and Medical Marijuana is limited to persons who are 21 years of age or older, except in the case of minors in possession of a medical marijuana patient card, is necessary to protect those who have not yet reached adulthood from the effects of irresponsible use of marijuana; and

WHEREAS, the City of Presque Isle believes that any production, processing, or selling of Adult Use and Medical Marijuana should be conducted in a safe and fair manner for the health, safety, and welfare of the community, which includes complying with provisions of all applicable laws and ordinances relating to adult use and medical use of marijuana throughout the City of Presque Isle; and

NOW THEREFORE, this Ordinance is adopted pursuant to the Marijuana Legalization Act, 28-B M.R.S. §101 et seq.; the Maine Medical Use of Marijuana Act, 22 M.R.S. §2421 et seq.; and the City’s home rule authority under Article VIII, Part 2, Section 1 of the Maine Constitution 30-A M.R.S. §3001 et seq., and 30-A M.R.S. §4301 et seq.

C. Purpose:

It is the purpose of this Ordinance to regulate Adult Use and Medical Marijuana Businesses in order to promote the health, safety, and general welfare of the citizens of Presque Isle, and to establish reasonable and uniform regulations for the appropriate location of Adult Use and Medical Marijuana Businesses in Presque Isle. Persons or entities wishing to establish an Adult Use or a Medical Marijuana Business within the City of Presque Isle shall first obtain a license from the Presque Isle City Council (hereinafter “the City Council”) and shall be subject to the provisions of this Ordinance. This Ordinance may not be construed to limit any privileges or rights of a qualifying patient, primary caregiver, registered or otherwise, or registered dispensary under the Maine Medical Use of Marijuana Act.

D. Conflict with Other Ordinances; State Law:

Whenever a provision of this Ordinance conflicts with or is inconsistent with other provisions of this Ordinance, or of any other ordinance, regulation or standard, the more restrictive provision shall apply. Nothing herein is intended to conflict with State law; whenever a provision of this Ordinance conflicts with

State law the more restrictive provision shall apply. All applicants and licensees shall comply with all applicable State laws.

E. Effective Date:

The effective date of this Ordinance, and the business licensing thereunder, shall be the date of adoption by the City Council.

F. Validity and Severability:

Should any section or provision of this Ordinance be declared by any court to be invalid, such decision shall not invalidate any other section or provision of this Ordinance.

G. Definitions:

Adult Use Cultivation facility: a facility licensed under this ordinance to purchase marijuana plants and seeds from other cultivation facilities; to cultivate, prepare and package adult use marijuana; to sell adult use marijuana to Adult Use Products Manufacturing Facilities, to Adult Use Marijuana Stores and to other cultivation facilities; and to sell marijuana plants and seeds to other cultivation facilities and immature marijuana plants and seedlings to Adult Use Marijuana Stores.

Adult Use Marijuana Nursery Cultivation Facility: a facility licensed under this ordinance to cultivate not more than 1,000 SF of plant canopy pursuant to 28-B M.R.S. §501.

Adult Use Marijuana Store: a facility licensed under this ordinance to purchase adult use marijuana, immature marijuana plants and seedlings from an Adult Use Cultivation Facility, to purchase adult use marijuana and adult use marijuana products from an Adult Use Products Manufacturing Facility and to sell adult use marijuana, adult use marijuana products, immature marijuana plants and seedlings to consumers.

Adult Use Marijuana Testing Facility: a facility licensed under this ordinance to develop, research and test adult use marijuana, adult use marijuana products and other substances.

Adult Use Products Manufacturing Facility: a facility licensed under this ordinance to purchase adult use marijuana from a cultivation facility or another product manufacturing facility; to manufacture, label and package adult use marijuana and adult use marijuana products; and to sell adult use marijuana and adult use marijuana products to marijuana stores and to other products manufacturing facilities.

Code Enforcement Officer (CEO): a person, appointed by the City Council, to administer and enforce Land Use Ordinances, Zoning Ordinances, Building Codes, and certain State Laws.

Cultivation or Cultivate: the planting, propagation, growing, harvesting, drying, curing, grading, trimming or other processing of marijuana for use or sale.

Harvested Marijuana: the plant material harvested from a mature marijuana plant,

except the stalks, leaves and roots of the plant that are not used for a qualifying patient's medical use. "Harvested marijuana" includes marijuana concentrate and marijuana products.

Immature marijuana plant: a marijuana plant that is not a mature marijuana plant or a seedling.

Law Enforcement Officer (LEO): means any officer, agent, or employee of a State, unit of local government, or Sheriff Deputy authorized by law or by a government agency to engage in or supervise the prevention, detection, or investigation of any violation of criminal law. This includes full and part-time personnel.

Manufacture or Manufacturing: the production, blending, infusing, compounding or other preparation of marijuana concentrate and marijuana products, including, but not limited to, marijuana extraction or preparation by means of chemical synthesis.

Marijuana means the leaves, stems, flowers and seeds of a marijuana plant, whether growing or not.

Marijuana Business: Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Testing Facility, Registered Dispensary, Registered Caregiver Retail Store, Adult Use Marijuana Cultivation Facility, Adult Use Marijuana Products Manufacturing Facility, Adult Use Testing Facility, or Adult Use Marijuana Store licensed under this Ordinance.

Medical Marijuana Cultivation Facility: a facility licensed under this ordinance to cultivate, prepare and package medical marijuana at a location that is not the residence of the Registered Caregiver or Qualifying Patient.

Medical Marijuana Manufacturing Facility: a registered tier 1 or tier 2 manufacturing facility or a person authorized to engage in marijuana extraction under section 2423-F.

Medical Marijuana Testing Facility: a public or private laboratory that:

A. Is authorized in accordance with 22 M.R.S. §2423-A, subsection 10 to analyze contaminants in and the potency and cannabinoid profile of samples; and

B. Is accredited pursuant to standard ISO/IEC 17025 of the International Organization for Standardization by a 3rd-party accrediting body or is certified, registered or accredited by an organization approved by the State of Maine.

Medical Use: the acquisition, possession, cultivation, manufacture, use, delivery, transfer or transportation of marijuana or paraphernalia relating to the administration of marijuana to treat or alleviate a qualifying patient's medical diagnosis or symptoms for which a medical provider has provided the qualifying patient a written certification under this chapter.

Plant Canopy: the total surface area within the licensed premises of an Adult Use Marijuana Cultivation Facility that is authorized for use at any time by the cultivation facility licensee to cultivate mature marijuana plants. The surface area of the plant canopy must be calculated in square feet and measured using the outside boundaries of the area and must include all of the area within the boundaries. If the surface area of the plant canopy consists of non-contiguous areas, each component area must be separated by identifiable boundaries. If a tiered or shelving system is used by the cultivation facility licensee, the surface area of each tier or shelf must be included in calculating the area of the plant canopy. Calculation of the area of the plant canopy may not include the areas within the licensed premises of a cultivation facility that are used by the licensee to cultivate

immature marijuana plants and seedlings and that are not used by the licensee at any time to cultivate mature marijuana plants.

Pre-School: A public or private institution that provides instruction to children who are 3 to 5 years of age

Qualifying patient: a person who has been a resident of the State for at least 30 days and who possesses a valid written certification regarding medical use of marijuana in accordance with section 2423-B.

Registered caregiver: a person or an assistant of that person that provides care for a qualifying patient and who is registered by the State of Maine pursuant to 22 M.R.S. §2425-A.

Registered Caregiver Retail Store: a facility licensed to sell harvested marijuana to qualifying patients for the patients' medical use.

Registered Dispensary: an entity registered under 22 M.R.S. § 2425-A that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses marijuana or related supplies and educational materials to qualifying patients and the caregivers of those patients.

Testing or test: the research and analysis of marijuana, marijuana products or other substances for contaminants, safety or potency.

H. License Required:

No person may establish, operate or maintain a Marijuana Business without first obtaining a Certificate of Occupancy from the CEO and a license from the City Council.

It is a violation of this Ordinance for any person to operate a Marijuana Business without a valid Marijuana Business license issued by the City pursuant to this Ordinance.

Pursuant to 28-B M.R.S. § 402, an applicant seeking to operate an Adult Use Marijuana Business may not submit an application for a license unless the applicant has been issued a conditional license by the State of Maine to operate the Adult Use Marijuana Business.

Marijuana Business Licenses shall be administered on a first come, first served basis based upon the date the application is deemed complete.

The cultivation, manufacturing, testing or sale of adult use marijuana from a residence is prohibited, unless it is for personal use in accordance with 28-A M.R.S. § 1502. Home cultivation of adult use marijuana for personal use is exempt from the licensing requirements of this Ordinance. Provided, however, that outdoor cultivation of adult use marijuana for personal use is prohibited, unless the residence is located in an agricultural zoning district.

I. Application Procedure:

A. An application for a license must be made on a form provided by the City.

B. All applicants must be qualified according to the provisions of this Ordinance. Applicants shall provide sufficient information to demonstrate that they meet all qualifications and standards established in this Ordinance.

C. Application to establish a Marijuana Business

1. If the applicant who wishes to operate a Marijuana Business is a single individual, this person must sign the application for a license. If the applicant who wishes to operate a Marijuana Business is more than one individual, each person who has an interest in the business must sign the application for a license as applicant. Each applicant must be qualified under the following section and each applicant shall be considered a licensee if a license is granted.
2. The completed application for a Marijuana Business license shall contain the following information and shall be accompanied by the following documents:
 - a. If the applicant is an individual: The individual shall state their legal name and any aliases, and submit proof that they are at least twenty-one (21) years of age.
 - b. If the applicant is a partnership: The partnership shall state its complete name, and the names of all partners, whether the partnership is general or limited, submit a copy of the partnership agreement, if any, and submit proof that all partners are at least twenty-one (21) years of age.
 - c. If the applicant is a corporation: The corporation shall state its complete name, the date of its incorporation, evidence that the corporation is in good standing under State law, the names and capacity of all officers, directors and principal stockholders, the name of the registered corporate agent, the address of the registered office for service of process, and submit proof that all officers, directors and principal stockholders are at least twenty-one (21) years of age.
 - d. If the applicant is a limited liability company (LLC): The LLC shall state its complete name, the date of its establishment, evidence that the LLC is in good standing under State law, the names and capacity of all members, a copy of its operating agreement, if any, the address of its registered office for service of process, and submit proof that all members are at least twenty-one (21) years of age.
 - e. If the applicant intends to operate the Marijuana Business under a name other than that of the applicant, they must state the Marijuana Business' name and submit the required registration documents.
 - f. If the applicant, an officer, member or employee has been convicted of criminal activity under State and/or federal law, they must list the specified criminal activity involved, and the date, place, and jurisdiction of each conviction.
 - g. If the applicant has had a previous license under this Ordinance or other similar Marijuana Business license applications in another town, city or state denied, suspended or revoked, they must list the name and location of the Marijuana Business for which the license was denied, suspended or revoked, as well as the date of the denial, suspension or revocation, and they must list whether the applicant has been a partner in a partnership or an officer, director, or principal stockholder of a corporation that is permitted/licensed under this Ordinance, whose

license has previously been denied, suspended or revoked, listing the name and location of the Marijuana Business for which the permit was denied, suspended, or revoked as well as the date of denial, suspension or revocation.

- h. If the applicant holds any other permits/licenses under this Ordinance or other similar Marijuana Business license from another town, city, or state the applicant shall provide the names and locations of such other permitted/licensed businesses.
 - i. The type of Marijuana Business for which the applicant is seeking a license.
 - j. The location of the proposed Marijuana Business, including a legal description of the property, street address, and telephone number.
 - k. Sufficient documentation demonstrating possession or entitlement to possession of the proposed licensed premises of the Marijuana Business pursuant to a lease, rental agreement, purchase and sale agreement or other arrangement for possession of the premises or by virtue of ownership of the premises.
 - l. The applicant's mailing address and residential address.
 - m. Recent passport-style photograph(s) of the applicant(s).
 - n. The applicant's driver's license.
 - o. A sketch showing the configuration of the subject premises, including building footprint, interior layout with floorspace to be occupied by the business, and parking plan. The sketch must be drawn to scale with marked dimensions.
 - p. A copy of a City Tax Map depicting: the subject property lines and the property lines of other properties within one thousand (1,000) feet of the subject property; measured in accordance with Section J.A.3.
- 3. All applications for a Marijuana Business license shall be kept confidential by the City.
 - 4. All applicants, including all individuals, officers, directors, managers, members, and partners, for any Adult Use Marijuana Business license, excepting Adult Use Marijuana Testing Facilities, must be residents of the State, as defined in 28-B M.R.S.A. §102, and a majority of shares, partnership interests, and membership interests, or other equity interests in corporate applicants must be held or owned by persons who are residents.

All applicants, including all individuals, officers, directors, managers, members, and defined partners, for any Medical Marijuana Business license must be residents of the State, as in 22 M.R.S. § 2422.

- 5. If an applicant is a person, the person must be a resident as that term is defined in the application. If the applicant is a corporation, partnership, or limited liability company, every officer, and managing partner must be a person who is a resident, and a majority of shares, partnership

interests, or other equity interests must be held or owned by persons who are residents. The residency requirement does not apply to applicants for testing licenses.

D. Application and License Fees All applications must be submitted with a *(SEE SCHEDULE A)* fee. If an application is approved, the following license fees must be paid before the City will issue a license:

Marijuana Store: Annual Operation License Fee: *(SEE SCHEDULE A)*

Marijuana Manufacturing Facility: Annual Operation License Fee: *(SEE SCHEDULE A)*

Marijuana Testing Facility: Annual Operation License Fee: *(SEE SCHEDULE A)*

Adult Use Marijuana Cultivation:

Tier 1: 0 to 500 SF of plant canopy: Annual Permit/Licensing Fee: *(SEE SCHEDULE A)*

Tier 2: 501-2,000 SF of mature plant canopy: Annual License Fee: *(SEE SCHEDULE A)*

Tier 3: 2,001-7,000 SF of mature plant canopy: Annual License Fee: *(SEE SCHEDULE A)*

Tier 4: > than 7,000SF of mature plant canopy: Annual License Fee*(SEE SCHEDULE A)*

Medical Marijuana Cultivation: Annual Operation License Fee: *(SEE SCHEDULE A)*

Adult Use Marijuana Nursery Cultivation: Annual License Fee: *(SEE SCHEDULE A)* (Plant canopies of individual Nursery Cultivations are permanently capped at 1,000 SF.)

Renewal applicants for Adult Use Marijuana Cultivation licenses may seek an increase to a higher tier if they comply with the requirements in this section. Applicants for Adult Use Marijuana Cultivation licenses may not hold more than three (3) such licenses or a total combined plant canopy in excess of 30,000 SF.

J. Standards for Permit:

A. General

1. All Marijuana Businesses shall comply with applicable state and local laws and regulations.
2. Marijuana Businesses shall only be located within the zoning districts permitted in section E. below.
3. Marijuana Businesses may not be located on property within one thousand (1,000) feet of the property line of a preexisting public or private school (K-12). For the purposes of this Ordinance, "school" includes a public school, private school as defined in 20-A M.R.S.A. §1:
Required setbacks shall be measured as the most direct, level, shortest, without regard to the intervening structures or objects, straight-line distance between the school property line and the property line of the parcel of land on which the Marijuana Business is located. If the Marijuana Business is located within a commercial subdivision, the required setback shall be measured from the front door of the Marijuana Business to the property line of the school. Presence of a town, city, county, or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this Section.
4. Marijuana Businesses may not be located on property within one hundred fifty (150) feet of the property line of a parcel containing one or more other Marijuana Businesses, a Church, Pre-School, Day Care, or Community Center. Required setbacks shall be measured as the most direct, level, shortest, without regard to the intervening structures or objects, straight-line distance between the front doors of existing primary structures of the parcels of land on which the Marijuana Businesses are located. If the

Marijuana Business is located within a commercial subdivision, the required setback shall be measured from the front door of each of the Marijuana Businesses. Presence of a town, city, county, or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this Section.

Adult Use and Medical Marijuana Cultivation Facilities and Adult Use and Medical Marijuana Manufacturing Facilities operating within the industrial zoning district are exempt from this setback requirement.

5. No outside cultivation or storage of marijuana, marijuana products, or related supplies is permitted, except that outdoor cultivation of marijuana in the Agricultural Farming / Forestry District is permitted.
6. Pursuant to 22 M.R.S. §2429-D(3), Registered Caregiver Retail Stores, Registered Dispensaries, Medical Marijuana Testing Facilities, and Medical Marijuana Manufacturing Facilities, as well as Medical Marijuana Cultivation Facilities, that were operating with City approval prior to December 13, 2018, are grandfathered in their current location and current use and shall be treated as legally non-conforming uses in accordance with Article III of the Presque Isle Zoning Ordinance if their location or use is not in conformance with this ordinance or applicable zoning ordinances, provided, however, that said Marijuana Businesses shall apply for and obtain a license.

The holder of a license for a Medical Marijuana Cultivation Facility or a Medical Marijuana Manufacturing Facility that complies with all applicable provisions of this Ordinance and the Presque Isle Zoning Ordinance, may exchange their license for an Adult Use Cultivation Facility or Adult Use Manufacturing Facility license in the same location, provided they meet all requirements and standards to operate an Adult Use Cultivation Facility or Adult Use Manufacturing Facility, with the exception of the required setbacks between facilities and schools. Said holder must file an application and pay a (*SEE SCHEDULE A*) fee.

The holder of a license for a Registered Caregiver Retail Store that complies with all applicable provisions of this Ordinance and the Presque Isle Zoning Ordinance may exchange their license for an Adult Use Marijuana Store license in the same location, provided they meet all requirements and standards to operate an Adult Use Marijuana Store. Said holder must file an application and pay a (*SEE SCHEDULE A*) fee.

7. All Adult Use Marijuana Stores and Registered Caregiver Retail Stores must be operated from permanent locations, which may utilize telephone and internet orders as long as the buyer pays for and picks up such orders in the store on the day the order is made, an exception is made for Registered Caregiver Retail Stores whereas it may be a necessity for the business to deliver medical marijuana to a patient. These deliveries will be made by the business and no contracted/paid delivery service will be authorized. Delivery must be made directly to the Qualified Patient and proper identification is verified.
8. Adult Use Marijuana Stores and Registered Caregiver Retail Stores may not use vending machines for sales, may not have "drive-through" or "drive-up" window serviced sales, and may not have internet-based sales with credit/debit card payment and delivery by USPS, UPS, FedEx, DHL, or any other global or local delivery service or courier.
9. Security measures at all Marijuana Business premises shall include, at a minimum, the following:

- a. Security surveillance cameras installed and operating twenty-four (24) hours a day, seven (7) days a week, with thirty (30) day video storage, to monitor all entrances, along with the interior and exterior of the premises, to discourage and facilitate the reporting of criminal acts and nuisance activities occurring at the premises; and
- b. Door and window combination video and motion detector intrusion system with audible alarm and smart phone monitoring, maintained in good working condition; and
- c. A locking safe permanently affixed to the premises that is suitable for storage of all marijuana, marijuana products, and cash stored overnight on the licensed premises; and
- d. Exterior lighting that illuminates the exterior walls of the licensed premises during dusk to dawn, that is either constantly on or activated by motion detectors, and complies with applicable light pollution standards established in the Technical Assistance Bulletin (Lighting Manual) produced by the State Planning Office; and
- e. Deadbolt locks on all exterior doors and any other exterior access points, excepting windows which shall have locks; and
- f. Methods to ensure that no person under the age of twenty-one (21) shall have access to marijuana and marijuana products.

10. Ventilation

All Marijuana Businesses are required to be in compliance with Odor Nuisance Control and Abatement Performance Standards, and all Marijuana Cultivation facilities shall have odor mitigation systems and a plan sufficient to mitigate potential nuisance conditions at property lines.

11. Operating Plan

Marijuana Businesses which cultivate, test, and/or manufacture are required to submit an operation plan that at a minimum addresses the following:

- a. wastewater; and
- b. disposal of waste.

12. Required Notices

There shall be posted in a conspicuous location inside each Marijuana Store, at least one legible sign containing the following information: On-site consumption of marijuana is illegal; Open and public consumption of marijuana in the State of Maine is illegal; The use of marijuana or marijuana products may impair a person's ability to drive a car or operate machinery; No one under the age of twenty-one (21) may purchase marijuana or marijuana products, except a minor with medical marijuana card; Loitering prohibited.

13. Signs

All signs used by and all marketing and advertising conducted by or on behalf of the marijuana business may not involve advertising or marketing that has a high likelihood of reaching persons under 21 years of age or that is specifically designed to appeal particularly to persons under 21 years of age. The signs, marketing, or advertising is prohibited from making any health or physical benefit claims. All signage shall meet the City's Land Use Sign standards and may use an image or images of the marijuana plant or plants, or parts thereof, as long as they do not exceed 20% of the sign face, but there shall be no pictorial representations of other marijuana products, by-products, or paraphernalia associated with the use or distribution of retail marijuana.

The exterior of all Marijuana Stores shall display a 1' x 1' image of any universal symbol for Medical or adopted by the State's Department of Administration and Financial Services.

B. **Right of Access/Background Check/Inspection** Every Marijuana Business shall allow law enforcement officers and the Presque Isle Code Enforcement Officer (“CEO”) to enter the premises at reasonable times for the purpose of checking compliance with all applicable State laws and this Ordinance. All premises managers for Marijuana Businesses shall submit emergency contact information to the Presque Isle 911 Communication Center. All business assets shall be reported to the City Assessor annually. Due to fire, explosion, and other hazards inherent in Marijuana Cultivation, Testing, and Manufacturing facilities, including, but not limited to, heavy electrical loads, hot lighting fixtures, CO2 enrichment, extraction solvents (acetone, butane, propane, ethanol, heptane, isopropanol, CO2, etc.), high-pressure extraction methods (CO2, etc.), and flammable contents, the owners of all such facilities shall agree to be inspected annually by the Presque Isle Fire Department and have a Knox Box installed at the structure's exterior entrance for emergency access. Knox Boxes shall be obtained and installed in coordination with the Presque Isle Fire Department.

C. **Indemnification** By accepting a license issued pursuant to this Ordinance, the licensee waives and releases the City, its officers, elected officials, employees, attorneys, and agents from any liability for injuries, damages, or liabilities of any kind that result from any arrest or prosecution of any Marijuana Business owners, operators, employees, clients, or customers for a violation of local, State or federal laws, rules, or regulations.

By accepting a license issued pursuant to this Ordinance, the permittee/licensee agrees to indemnify, defend, and hold harmless the City, its officers, elected officials, employees, attorneys, agents, and insurers against all liability, claims, and demands on account of any injury, loss or damage, including without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever arising out of or in any manner connected with the operation of a permitted/licensed Marijuana Business.

D. **State Law**

In the event the State of Maine adopts any additional or stricter law or regulation governing the sale, cultivation, manufacture, distribution, or testing of Marijuana or Marijuana products, the additional or stricter regulation shall control the establishment or operation of any Marijuana Business in Presque Isle.

Compliance with all applicable State laws and regulation shall be deemed an additional requirement for issuance or denial of any license under this Ordinance, and noncompliance with State laws or regulations shall be grounds for revocation or suspension of any license issued hereunder.

E. **Zoning**

All applications for business subject to review by this ordinance shall be submitted to the CEO for initial review for conformance with the standards of this ordinance. Within 10 business days of receipt of an application the CEO shall inform the applicant in writing in the event that the application is found to be incomplete.

F. A Certificate of Occupancy shall be issued by the Code Officer upon inspection of the premises and finding that the building or buildings are in compliance with applicable Building, Electrical, and Plumbing Codes adopted by the City of Presque Isle.

LAND USE CHART			
CLASSIFICATION	ALLOWABLE ZONES	PERMITTING AUTHORITY	MINIMUM LOT SIZE

Marijuana Store	B, RB, DRB, SC, AFF, GD	CEO	None
Marijuana Manufacturing Facility	B, I, LI, AFF	CEO	5 AC
Marijuana Testing Facility	B, I, LI, RO	CEO	None
Marijuana Cultivation Facility			
<i>Tier 1 0 to 500 SF mature canopy</i>	B, I, LI, AFF, AHZ	CEO	.25 AC
<i>Tier 2 501 to 2,000 SF mature canopy</i>	B, I, LI, AFF, AHZ	CEO	.5 AC
<i>Tier 3 2,000 to 7,000 SF mature canopy</i>	B, I, LI, AFF, AHZ	CEO	.5 AC
<i>Tier 4 > 7,000 SF mature canopy</i>	B, I, LI, AFF, AHZ	CEO	1 AC
Nursery - Marijuana Cultivation	B, I, LI, AFF, AHZ	CEO	1 AC

K. Enforcement

A. Violations

1. Any violation of this Ordinance, including failure to comply with any condition, may be enforced in accordance with 30-A M.R.S. §4452. Every day a violation exists constitutes a separate violation.
2. Commencement of any Marijuana Business without a City license for same shall be a violation of this Ordinance. Any party committing such a violation shall immediately cease operations, whether of a construction, renovation, or business nature, upon notification by the Code Enforcement Officer (CEO). Upon such CEO notification, the City can pursue fines and/or penalties under 30-A M.R.S. §4452.

B. Law Enforcement Officer ("LEO") and Code Enforcement

Law enforcement officers and the CEO may at any reasonable time conduct on-site inspections to ensure compliance with all applicable laws and conditions attached to license approvals and shall investigate all complaints of alleged violations of the Ordinance.

1. If the LEO or CEO finds that any provision of this Ordinance is being violated, they shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it, including but not limited to, discontinuance of illegal use of land, buildings, or structures, or work being done, removal of illegal buildings or structures, and abatement or mitigation of violations. A copy of such notices shall be submitted to the City Council and be maintained as a permanent record.
2. The LEO or CEO shall keep a complete record of all essential transactions of the LEO or CEO, including Marijuana license applications submitted, permits/licenses granted or denied, training certifications, revocation actions, revocation of permits/licenses, appeals, court actions, violations investigated, violations found, and fees collected.

C. Legal Actions

When the above notification and/or inspection actions do not result in the voluntary correction or abatement of the violation by the subject Marijuana Business, the City Council, upon receiving written notification from the LEO or CEO, may institute any and all actions and proceedings, either legal or equitable, including injunctions of violations and the impositions of penalties and/or fines in order to enforce the provisions of this Ordinance.

The City Council, or their authorized agent, are hereby authorized to enter into administrative consent agreements for the purpose of eliminating violations of this Ordinance and recovering fines without court action.

D. Penalties/Fines

Any person, including but not limited to, a Marijuana Business owner, a property owner where such business is located, or any agent or contractor for same, who orders or conducts any activity in violation of this Ordinance, or fails to comply with any of its requirements, shall be penalized in accordance with 30-A M.R.S. §4452. Fines of \$100.00 to \$5,000.00 per day, as levied by the City Council may result. All fines will be paid to the City of Presque Isle.

L. Training:

A. Individuals who sell marijuana and marijuana products, pursuant to a Marijuana Store business license, must complete responsible marijuana vendor sales practices training, if and when such training is available. This training may be completed online and an employee must be certified within 30 days of employment.

B. Recordkeeping

Marijuana Store licensees shall maintain on the licensed premises, written records of the vendor training programs completed by individuals who sell marijuana and marijuana products and shall produce those records upon request by the CEO or LEO with the Presque Isle Police Department.

C. Failure to comply with the training requirements

Failure to meet the training requirement imposed by L. A., may result in the denial/revocation of a Marijuana Business license.

M. Appeals:

If the City of Presque Isle fails to act on a person's request for local authorization to operate a marijuana establishment within the municipality within 90 days after the date the person submitted the request to the City, the request is deemed denied and the denial constitutes a final government action that may be appealed to the Superior Court in accordance with rule 80B of the Maine Rules of Civil Procedure, except that, if the City notifies the person in writing prior to the expiration of the 90-day period that the request cannot be processed prior to the 90-day period, the request is deemed

denied and the denial constitutes a final government action only if the City fails to act on the request within 180 days after the date the person submitted the request to the City.

N. Fees & Application:

The fee schedule of this Adult Use and Medical Marijuana Businesses Ordinance shall be reviewed and set annually each December by the Presque Isle City Council.

City staff shall design an application form that is compliant with this ordinance to be used for all Marijuana Business applications. Changes to this form will be reported to the City Council at the next available Council Meeting.

O. 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.

PRESQUE ISLE CITY COUNCIL MEETING

For:

March 3, 2021

AGENDA ITEM # 9

SUBJECT

NEW BUSINESS: Fire Capital Reserve Adjustment

INFORMATION

1) Memo from Darrell White, dated February 17, 2021

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to relocate \$30,000 from the Fire Apparatus Account to the Pickup Account.



Presque Isle Fire Department

The Office of

Fire Chief

Darrell K. White

Email: dwhite@presqueisleme.us

MEMORANDUM

TO:	Honorable City Councilor's
FROM:	Darrell White
DATE:	February 17, 2021
RE:	Capital Reserve Adjustments

During the 2021 budget process the Finance Director and Fire Chief presented adjustments to the Fire Department Capital Reserve Accounts. Presented was a cleaned-up version of projects that were completed in previous years and had small amounts of funds remaining where moved to an account called undesignated funds. With the purchase of a second-hand fire apparatus we were able to fund that project completely with funding within the Capital Reserve Fire Apparatus Account leaving a remaining balance of around \$54,000.00. To that end we had then proposed within the budget moving \$30,000 to the Pickup Replacement Account and the remaining funds to the designated fund. This would allow us to replace the pickup this year which really needs to happen.

Though the budget was past we are unsure if you the Council approved the adjustment to the Fire Department Capital as proposed by the Finance Director and Fire Chief. Therefore, we are looking for one of two things for Council to acknowledge that the adjustments to capital where approved as presented. Or make a motion to relocate \$30,000 from the fire apparatus account to the pickup account allowing for the replacement of the 2010 ford pickup.

Respectfully Submitted

Darrell White, Fire Chief

PRESQUE ISLE CITY COUNCIL MEETING

For:

March 3, 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:

March 3, 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, March 3rd, 2021

- If anyone has any interest in joining a Board or Committee please see the City Clerk or apply online.
- There will be Goal Settings Workshop on Wednesday, March 24th, 2021 at 3:00pm at Sargent Family Community Center.
- The next regularly scheduled meeting of the Presque Isle City Council is on Wednesday, April 7, 2021 at 6:00 PM in the Council Chambers at City Hall.