



Presque Isle City Council Meeting
Wednesday, January 5th, 2022
5:15 PM
Sargent's Family Community Center

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 2022
3. Election of City Council Deputy Chair for 2022
4. 2022 Appointments
 - City Attorney (*City Charter – Article 4.10*): Richard Currier
 - City Clerk (*City Charter – Article 4.10*): Kimberly Finnemore
 - 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): Tim St. Peter
 - Airport Advisory Board: (One Seat – Economic Development – Four Year Term – Expires 12-31- 2025)
 - Aroostook Waste Solutions: (Two Seats – One Year Terms – Expires 12/31/22) and (One Alternate Seat – One Year Term – Expires 12/31/22)
 - Audit Committee: (One Seat – One Year Term – Expires 12-31-2022) and (Two Councilor Seats – One Year Term – Expires 12/31/22)
 - Board of Assessment Review: (Two Seats – Three Year Term – Expires 12-31-2024) and (One Alternate Seat – One Year Term – Expires 12/31/22)
 - Finance Committee (Two Councilor Seats – One Year Term – Expires 12/31/22)
 - Library Board of Trustees: (One Seat – Three Year Terms – Expires 12-31-2024 and One Seat – One Year Term – Expires 12/31/22) and (Two Alternate Seat – One Year Term – Expires 12/31/22)
 - Planning Board: (Two Seats – Four Year Term – Expires 12/31/2025), (Two Alternate Seat – One Year Term – Expires 12/31/22)
 - Presque Isle Development Fund Board of Trustees: (Two Seats – Three Year Terms – Expires 12-31-2024) and (Two Councilor Seats – One Year Term – Expires 12/31/22)
 - Presque Isle Downtown Revitalization Committee: (Two Seats – Four Year Terms – Expires 12-31-25, One Seat – Two Year Term- Expires 12/31/23 and One Seat – One Year Term – Expires 12/31/22)

- Presque Isle Downtown TIF Advisory Committee: (Two Seats – One Year Terms – Expires 12/31/2022) and (Two Council Seats – One Year Terms – Expires 12/31/2022)
 - Presque Isle Industrial Council Board of Directors: (One Seat – Three Year Term – Expires 12/31/24) and (One Council Seat – Three Year Term – Expires 12/31/24 or the remainder of the his/her term, whichever is less)
 - Recreation & Parks Advisory Committee: (Two Seats – Four Year Term – Expires 12-31-2025)
 - Zoning Board of Appeals: (One Seat – Three Year Term – Expires 12-31-2024), (One Seat – Three Year Term – Expires 12/31/2022) and (One Alternate Seat – One Year Term – Expires 12-31-2022)
5. Set City Council meeting times and places for 2022

Recess

Presque Isle Industrial Council Annual Membership Meeting
City Council Reconvenes

Public Hearing

6. Request to re-pass Ordinances due to “Sunset Provision”
- Chapter 7 Assessors and Board of Assessment Review
 - Chapter 16 Parts A, B, C, D Land Use and Development
 - Chapter 16 Land Use & Development
 - Chapter 16A Shoreland Zoning
 - Chapter 25B Existing Building Code
 - Chapter 25C Energy Conservation
 - Chapter 39 Public Assemblies
 - Chapter 41A Special Amusement
 - Chapter 48 General Assistance
 - Chapter 50 Advisory Board
 - Chapter 51 City Council Compensation
 - Chapter 52 Nudity
 - Chapter 57 Emergency Management

Citizen Comments

Consent Agenda

7. Approve Minutes from December 1, 2021 meetings
8. Approve 2021 Warrants #46 - #48, totaling \$1,969,572.74
9. Approve Policy on Treasurer’s Disbursement Warrants for Employee Wage and Benefits
10. Approve Municipal Officers’ Policy on Disbursement of Municipal Education Costs
11. 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 (Three Ex-Officio Seats – One Year Term – Tom Powers, Martin Puckett and Galen Weibley)
- Presque Isle Downtown TIF Advisory Committee (Three Ex-Officio Seats- One Year Term- Martin Puckett, Brad Turner and Galen Weibley)
- Presque Isle Industrial Council Board of Directors (Two Ex-Officio Seats – One Year Term – Galen Weibley and Martin Puckett)

Old Business

12. City Hall Update

New Business

13. 2022-2023 Goal Settings

14. Taxi Cab Ordinance

15. Schedule Public Hearing for changes to Chapter 16 Land Use and Development for February 2, 2022

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)(C) to discuss Real Estate

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 20, 2021
RE:	Wednesday January 5th Council Meeting, Sargent Family Community Center

Please note 5:15pm Start time

Call to Order

Roll Call

Pledge of Allegiance

1. Administer Oath of Office to newly elected City Councilors: the City Clerk will read the oath for Gary Nelson. Can be done prior to meeting.
2. Election of City Council Chair for 2022: 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 2022: same process as above.
4. 2022 Appointments: The list below can be approved with one motion to appoint the individuals interested in volunteering. Please note the vacancies that we will advertise for: PI Downtown (3), ZBA (3), Audit Committee (1), and Library alternate (1).

City Attorney: Richard Currier

City Clerk: Kimberly Finnemore

Alternate CEO: George Howe

AWS: Dana Fowler to Aroostook Waste Solutions Board and Puckett as the alternate

Airport Advisory Board: Robert Clark

Audit Committee: Vacancy

Assessment Board of Review: Stewart Libby and Gregory Roderick

Library: Elaine Sipe, Nicole Cote. Alternates Steven McGlenn and one vacancy.

Planning Board: Brandon McDonald and Jane Farin

PI Development Fund: Michael Cyr and Bruce

PI Downtown: Christy Daggett and three vacancies

PI Downtown TIF: Floyd Rockholt and Shawn Norderhold

PI Industrial Council: Margo Dyer

Rec and Parks: Kevin Sipe and Angel Hebert

Zoning Board of Appeals: Three vacant alternate positions

The list below is for councilor positions on boards and will need separate motions:

AWS 1 seat. Meets once per month, typically second to last Friday 8am to 10am

Audit Committee: 2 seats. Selects audit firm when contract expires, meets annually with auditor.

Finance Committee: 2 seats. Must meet weekly on Thursday prior to noon to approve warrants.

PI Development Fund: 2 seats. Meets 4th Wednesday of the month at 4pm when there are applications.

PI Industrial Council: 1 seat. Meets 2nd Thursday of the month at 8am -10:30.

5. Set City Council meeting times and places for 2022: We have been meeting the first Wednesday of the month at 6pm. Will be held at Sargent Family Community Center until chambers are renovated.

Recess: PI Industrial Council Annual Membership Meeting, Council reconvenes at conclusion.

Public Hearing

6. Ordinances due to "Sunset Provision" Staff recommends reenacting ordinances. Some changes to the land use code will be made in the upcoming months.
 - Chapter 7 Assessors and Board of Assessment Review
 - Chapter 16 Parts A, B, C, D Land Use and Development
 - Chapter 16 Land Use & Development
 - Chapter 16A Shoreland Zoning
 - Chapter 25B Existing Building Code
 - Chapter 25C Energy Conservation
 - Chapter 39 Public Assemblies
 - Chapter 41A Special Amusement
 - Chapter 48 General Assistance
 - Chapter 50 Advisory Board
 - Chapter 51 City Council Compensation
 - Chapter 52 Nudity
 - Chapter 57 Emergency

Citizen Comments

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

7. Approve Minutes from December 1, 2021 meeting
8. Approve 2021 Warrants
9. 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.
10. Approve Municipal Officers' Policy on Disbursement of Municipal Education Costs: Same as above.
11. Ex-Officio Appointments to Boards and Committees: Below are ex-officio, non-voting seats on committees. They can be done with one recommendation.
 - Airport Advisory Board: Martin Puckett, Tom Powers and Scott Wardwell
 - Library Board of Trustees: Sonja Eyler and Bradley Turner

- PI Development Fund Board of Trustees: Tom Powers, Martin Puckett and Galen Weibley
- PI Downtown TIF Advisory Committee: Martin Puckett, Brad Turner and Galen Weibley
- Presque Isle Industrial Council Board of Directors: Galen Weibley and Martin Puckett

Old Business

12. City Hall Update: Members of the committee will provide updates at meeting.

New Business

13. Essential Air Services Proposals: As of the date of this memo, bids have not been posted by the USDOT. Bids will be presented at the meeting for review and discussion.
14. 2022-2023 Goal Settings: The goals established last year are included in this packet for review. I would recommend looking at calendars to set a workshop date(s) that works for all.
15. Taxi Cab Ordinance: There has been a request to increase rates for taxi cabs. The rates are tied to the IRS mileage rates. To change the ordinance, we are required to hold a public hearing. I have included a summary of other municipalities' current rates. I do expect taxi operators to attend the meet to hear their thoughts. For discussion, but council can decide to hold a public hearing at a future meeting if they want to alter the ordinance.
16. Schedule Public Hearing for changes to Chapter 16 Land Use and Development for February 2, 2022: The planning board has been reviewing the land use code and is requesting a public hearing. DECD Director will explain the planning board's recommendations.

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 Real Estate

Adjournment

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 5, 2022

AGENDA ITEM # 1

SUBJECT

ORGANIZATION: Administer Oath of Office to newly elected
City Councilors

INFORMATION

REQUESTED ACTION

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 5, 2022

AGENDA ITEM # 2

SUBJECT

ORGANIZATION: Election of City Council Chair for 2022

INFORMATION

REQUESTED ACTION

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 5, 2022

AGENDA ITEM # 3

SUBJECT

ORGANIZATION: Election of City Council Deputy Chair for
2022

INFORMATION

REQUESTED ACTION

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 5, 2022

AGENDA ITEM # 4

SUBJECT

ORGANIZATION: 2022 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

KIMBERLY FINNEMORE as the City Clerk per Article 4.10 of the City Charter.

AROOSTOOK WASTE SOLUTIONS

DANA FOWLER (term expires 12/31/22) to Aroostook Waste Solutions Board and **MARTIN PUCKETT** as the alternate (term expires 12/31/22).

CODE ENFORCEMENT OFFICER

TIM ST. PETER as the Code Enforcement Officer, Building Inspector, Housing Inspector, Electrical Inspector Local Health Inspector, and Plumbing Inspector.

GEORGE HOWE as the Alternate Code Enforcement Officer, Building Inspector, Housing Inspector, Electrical Inspector, and Plumbing Inspector.

AIRPORT ADVISORY BOARD

Robert Clark (terms expire 12/31/25) to the Airport Advisory Board.

AUDIT COMMITTEE

TBD for a one-year term on the Audit Committee, term to expire on 12/31/22.

BOARD OF ASSESSMENT REVIEW

Stewart Libby (terms expire 12/31/24) and **Gregory Roderick** (term expires 12/31/22) as an alternate.

LIBRARY BOARD OF TRUSTEES

Elaine Sipe (terms expires 12/31/24) **Nicole Cote** (term expires 12/31/22) and **Steven McGlenn** and **TBD** as Alternates (terms expire 12/31/22) to the Library Board of Trustees.

CITY/BOARD/COMMITTEE APPOINTMENTS

PLANNING BOARD

Brandon McDonald and **Jane Farin** (term expires 12/31/2025) to the Planning Board.

PRESQUE ISLE DEVELOPMENT FUND BOARD OF TRUSTEES

Michael Cyr and **Bruce Roope** (term expire 12/31/24) to the Presque Isle Development Fund Board of Trustees.

PRESQUE ISLE DOWNTOWN REVITALIZATION COMMITTEE

Christy Daggett and **TBD** (terms expire 12/31/25), **TBD** (term expire 12/31/22) and **TBD** (term expires 12/31/23) to the Presque Isle Downtown Revitalization Committee.

PRESQUE ISLE DOWNTOWN TIF ADVISORY COMMITTEE

Floyd Rockholt and **Shawn Norderhold** (terms expire 12/31/22) to the Presque Isle Downtown TIF Advisory Committee.

PRESQUE ISLE INDUSTRIAL COUNCIL

Margo Dyer (term expire 12/31/24) to the Presque Isle Industrial Council.

RECREATION & PARKS ADVISORY COMMITTEE

Kevin Sipe and **Angel Hebert** (terms expire 12/31/25) to the Recreation & Parks Advisory Committee.

ZONING BOARD OF APPEALS

TBD (terms expire 12/31/24) and **TBD** (term expires 12/31/22) and **TBD** (term expires 12/31/22) as an alternate to the Zoning Board of Appeals.

COUNCIL APPOINTMENTS

AROOSTOOK WASTE SOLUTIONS

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to appoint Councilor _____ (terms expire 12/31/22) to the Aroostook Waste Solutions Board.

Currently Kevin Freeman

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 12/31/22.

Currently Kevin Freeman & Jake Shaw (typically Chair & Deputy Chair)

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 12/31/22.

Currently Craig Green & Randy Smith

These two Councilors sign the weekly warrants

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 12/31/22.

Currently Kevin Freeman & Jeff Willette

PRESQUE ISLE DOWNTOWN TIF ADVISORY COMMITTEE

BE IT RESOLVED by Councilor_____, seconded by Councilor_____to appoint Councilor_____and Councilor_____for a one year term on the Presque Isle Downtown TIF Advisory Committee, term to expire on 12/31/22.

Currently Jake Shaw

PRESQUE ISLE INDUSTRIAL COUNCIL BOARD OF DIRECTORS

BE IT RESOLVED by Councilor_____, seconded by Councilor_____to nominate **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.

Currently Kevin Freeman & Randy Smith (Randy's term ends 12/31/21)

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 5, 2022

AGENDA ITEM # 5

SUBJECT

ORGANIZATION: Set City Council meeting times and places for 2022

INFORMATION

1) 2022 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 5, 2022

Re: 2022 Meeting Schedule (Based on Past Practices)

Please find the following schedule for the 2022 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 2, 2022	Wednesday	6:00 PM
March 2, 2022	Wednesday	6:00 PM
April 6, 2022	Wednesday	6:00 PM
May 4, 2022	Wednesday	6:00 PM
June 1, 2022	Wednesday	6:00 PM
July 6, 2022	Wednesday	6:00 PM
August 3, 2022	Wednesday	6:00 PM
September 7, 2022	Wednesday	6:00 PM
October 5, 2022	Wednesday	6:00 PM
November 2, 2022	Wednesday	6:00 PM
December 7, 2022	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 5, 2022

AGENDA ITEM # 6

SUBJECT

PUBLIC HEARING: Ordinances due to the Sunset Provision

INFORMATION

- Chapter 7 Assessors and Board of Assessment Review
- Chapter 16 Parts A, B, C, D Land Use and Development
- Chapter 16 Land Use & Development
- Chapter 16A Shoreland Zoning
- Chapter 25B Existing Building Code
- Chapter 25C Energy Conservation
- Chapter 39 Public Assemblies
- Chapter 41A Special Amusement
- Chapter 48 General Assistance
- Chapter 50 Advisory Board
- Chapter 51 City Council Compensation
- Chapter 52 Nudity
- Chapter 57 Emergency Management

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to approve ordinances listed.

Legal Notices

NOTICE OF PUBLIC HEARING CITY OF PRESQUE ISLE LEGAL NOTICE

NOTICE IS HEREBY given that the Presque Isle City Council will hold a **PUBLIC HEARING** on **January 5, 2022 at 5:00 PM** at the Sargent Family Community Center at 24 Chapman Road, to consider re-passing the following ordinances due to the "Sunset" provision:

- Chapter 7 Assessors and Board of Assessment Review
- Chapter 16 Parts A, B, C, D Land Use and Development
- Chapter 16 Land Use & Development
- Chapter 16A Shoreland Zoning
- Chapter 25B Existing Building Code
- Chapter 25C Energy Conservation
- Chapter 39 Public Assemblies
- Chapter 41A Special Amusement
- Chapter 48 General Assistance
- Chapter 50 Advisory Board
- Chapter 51 City Council Compensation
- Chapter 52 Nudity
- Chapter 57 Emergency Management

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:

January 5, 2022

AGENDA ITEM # 7

SUBJECT

CONSENT AGENDA: 2021 Minutes

INFORMATION

1) December 1, 2021 Minutes

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to approve minutes from December 1, 2021.



Presque Isle City Council Meeting

December 1st, 2021

6:00 PM

Sargant Family Community Center

Call to Order - Roll Call

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

Councilor D. Cyr arrived at 6:07pm

City Manager Martin Puckett and City Clerk Kimberly Finnemore were also present.

Pledge of Allegiance

Chairman K. Freeman called the meeting to order at 6:04 PM and led those present in the Pledge of Allegiance.

Public Hearing

1. Consider adopting changes to the City of Presque Isle Comprehensive Plan

Chairman K. Freeman opened the Public Hearing at 6:05 PM.

City Manager M. Puckett spoke on the changes to the Comprehensive Plan
Galen Weibley spoke on a few items with the Comprehensive Plan Ex: Pool, skate park.

There were no citizen comments.

Chairman K. Freeman closed the Public Hearing at 6:15 PM.

BE IT RESOLVED by Deputy Chairman J. Shaw, seconded by Councilor J. Willette to adopt the changes made to the Presque Isle Comprehensive Plan with the revision's council requested.

Vote: 7- 0

2. Approval of Credit Enhancement Agreements for Presque Isle Inn & Convention Center, Griffith Honda and Presque Isle Holding, LLC.

Chairman K. Freeman opened the Public Hearing at 6:15 PM.

City Manager M. Puckett spoke on the Credit Enhancement Agreements

There were no citizens comments.

Councilor C. Green moved to have the vote moved to the January 5th. 2021 Council meeting

Chairman K. Freeman closed the Public Hearing at 6:17 PM

BE IT RESOLVED by Chairman K. Freeman, seconded by Councilor C. Green to discuss in Executive Session

Vote: 7-0

3. A Hearing to condemn a dangerous building pursuant to M.R.S.A. Title 17 § 2851 owned by: Matt & Carleen Elliott-38 Elizabeth Street.

Chairman K. Freeman opened the Public Hearing at 6:18 PM.

City Manager M. Puckett asked Reginald Elliot to come to meeting to discuss his plans to fix 38 Elizabeth St.

Code enforcement George Howe spoke on the foundation is a total collapse. There are cellar jacks but only 2. Concerns about some of the electrical and sheetrock that has been done is compromised

There were no citizens comments.

Reginald Elliot spoke on behalf of property owners.

Chairman K. Freeman closed the Public Hearing at 6:30 PM.

BE IT RESOLVED by Deputy Chairman J. Shaw, seconded by Councilor J. Willette Based upon the evidence presented and the testimony of the Code Enforcement Officer concerning the condition(s) of the premise(s) owned by **Matthew R. Elliott and Carleen Elliott**, located at 38 Elizabeth Street, I hereby 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.

Vote: 7-0

Chief Laurie Kelley announced that Officer Tyler Seeley was promoted to a Detective.

Citizen Comments

There were no Citizen Comments

Consent Agenda

4. Approve Minutes from October 12th, 13th, & 14th and November 3rd, 4th, & 18th, 2021
5. Approve 2021 Warrants #42-#45, totaling \$1,509,867.53
6. Approve Return of Votes Cast for November 2, 2021.
7. Approve Solid Waste Hauler Licenses for Gils's Sanitation, Inc., McNeal's Trucking, Pine Tree Waste & Star City Sanitation, Inc.
8. Approve Holiday Closure.

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

Vote: 7-0

Old Business

9. City Hall Update

Discussion Only

BE IT RESOLVED by Councilor M. Chasse, seconded by Councilor R. Smith to accept the \$140,000 bid for the third-floor renovations.

Vote: 7-0

New Business

10. Order of January Meeting

Discussion only

11. Annual Appointment List for January Meeting

Discussion only

12. Ordinances due to "Sunset Provision"

Discussion only

13. Waiver of Foreclosure

City Manager Martin Puckett said that these were a list of automatic foreclosures by Dec. 16th, 2021 at 4:30PM that the city would liked waved.

BE IT RESOLVED by Councilor M. Chasse, seconded by Chairman K. Freeman that the City council authorize the City Treasurer to waive the foreclosure on those properties listed on Attachment A if payment on the 2019 tax lien is not received by the City prior to close of business on December 16, 2021 at 4:30 PM.

14. Marijuana Ordinance

Discussion only

Councilor C. Green would like to have a public meeting so the public can say what they like or dislike. Councilor M. Chasse agrees

Chairman K. Freeman Recommended that they have a public meeting in February.

15. Approval of Easement for Versant Power

BE IT RESOLVED by Councilor M. Chasse, seconded by Chairman K. Freeman to authorize the City Manager to sign the easement.

Vote: 7-0

BE IT RESOLVED by Councilor C. Green, seconded by Councilor J. Willette to pay full-time workers \$1000.00 bonus and Part-time workers \$250.00 bonus from surplus before Christmas.

Vote: 7-0

Manager's Report

City Manager Martin Puckett Reminded Citizens of the upcoming Election in MSAD #1 Section 15 School Board Election on December 28th, 2021 at the Sargent Family community Center.

Announcements

The next meeting of the Presque Isle City Council will be held at the Sargent Family Community Center on January 5th, 2022 at 6:00 PM. The Holiday Light Parade is December 4th, 2021 at 6:30 PM. Planning meeting on December 16, 2021. Chairman K. Freeman Extended Thanks to Councilor R. Smith for his 12 years of service to the Council.

Adjournment

BE IT RESOLVED by Chairman K. Freeman, seconded by Councilor J. Willette to enter into Executive Session at 7:24 PM pursuant to 1 M.R.S.A. § 405(6)(C) to discuss Real Estate.

Vote: 7-0

Out of executive session at 7:35 PM.

BE IT RESOLVED by Councilor M. Chasse, seconded by Councilor J. Shaw to accept offer of \$25,250.00 from Rebekah Trombley for 16 Judd St.

Vote: 7-0

BE IT RESOLVED by Chairman K. Freeman, seconded by Councilor C. Green to enter into Executive Session at 7:35 PM pursuant to 1 M.R.S.A. § 405(6)(C) to discuss Real Estate.

Vote: 7-0

Out of executive session at 7:53 PM.

BE IT RESOLVED by Deputy Chairman J. Shaw, seconded by Councilor C. Green to approve Griffith Honda CEA with 10% increase, pending verification from DECD.

Vote: 7-0

BE IT RESOLVED by Deputy Chairman J. Shaw, seconded by Councilor C. Green to enter into Executive Session at 7:54 PM pursuant to 1 M.R.S.A. § 405(6)(C) to discuss Real Estate.

Vote: 7-0

Out of executive session at 8:09 PM

BE IT RESOLVED by Councilor C. Green, seconded by Chairman K. Freeman to approve PII & CC CEA as presented.

Vote: 7-0

BE IT RESOLVED by Deputy Chairman J. Shaw, seconded by Councilor M. Chasse to enter into Executive Session at 8:09PM pursuant to 1 M.R.S.A. § 405(6)(C) to discuss Real Estate.

Vote: 7-0

Out of executive session at 8:13 PM no action taken

BE IT RESOLVED by Deputy Chairman J. Shaw, seconded by Councilor M. Chasse to enter into Executive Session at 8:13PM pursuant to 1 M.R.S.A. § 405(6)(C) to discuss Real Estate.

Vote: 7-0

Out of executive session at 8:25 PM

BE IT RESOLVED by Councilor C. Green, seconded by Councilor M. Chasse to approve the sale of the land per agreement to Aroostook Trusses, Inc. and to authorize the city manager to sign associated documents.

Vote: 7-0

BE IT RESOLVED by Chairman K. Freeman, seconded by Councilor J. Willette to adjourn at 8:27 PM.

Vote 7-0

Attested by: _____
Kimberly A Finnemore, City Clerk

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 5, 2022

AGENDA ITEM # 8

SUBJECT

CONSENT AGENDA: 2021 Warrants #46 - #48, totaling
\$1,969,572.74

INFORMATION

1) Warrant #46	\$ 125,625.73
2) Warrant #47	\$ 871,790.29
3) Warrant #48	\$ 972,156.72

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to approve 2021 Warrant #46 - #48, totaling \$1,969,572.74.

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 5, 2022

AGENDA ITEM # 9

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 warrant for **municipal employee's 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, Gary Nelson, Jacob Shaw 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 5, 2022

Michael Chasse

Douglas Cyr

Craig Green

Kevin Freeman

Gary Nelson

Jacob Shaw

Jeffrey Willette

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 5, 2022

AGENDA ITEM # 10

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 5, 2022

Michael Chasse

Douglas Cyr

Craig Green

Kevin Freeman

Gary Nelson

Jacob Shaw

Jeffrey Willette

Attest: _____
Thomas C. King, City Clerk

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 5, 2022

AGENDA ITEM # 11

SUBJECT

CONSENT AGENDA: Ex-Officio Appointment to
Boards and Committees

INFORMATION

1) Resolves for Appointments

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, 2022.

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, 2022.

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, 2022.

PRESQUE ISLE INDUSTRIAL COUNCIL BOARD OF DIRECTORS

BE IT RESOLVED by Councilor_____, seconded by Councilor_____to nominate **MARTIN PUCKETT** and **GALEN WEIBLEY** 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, 2022.

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 5, 2022

AGENDA ITEM # 12

SUBJECT

OLD BUSINESS: City Hall Update

INFORMATION

Verbal update provided at meeting

REQUESTED ACTION

Discussion only.

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 5, 2022

AGENDA ITEM # 13

SUBJECT

NEW BUSINESS: 2022-2023 Goal Settings

INFORMATION

1) 2021-2022 Goal List

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to schedule a Goal Setting Workshop for _____
_____.

Votes	Goal/Concept
8	Upgrades to City Hall to address issues w ADA & wear
7	Reliable internet for the City (especially if city phone systems will be VOIP) Public Works garage needs high speed
6	Continue to support and expand regionalization efforts.
6	Airport marketing to help return to pre-covid number of flights and boardings
5	Create outdoor programs/activities for families & adults
5	Encourage ATV/Snowmobile Club to enhance trail signage, trails & bridge
4	Build on modernization of City Hall technology. A smart System for Chambers.
4	Complete Echo Lake Septic System Redesign
4	Design & Build New PIIC Spec Building
3	Continuing with commercial/industrial improvements to attract new business to the area
3	Investigate use of TIF funds for new traffic lights and streetscape infrastructure
3	Positive PR: through Press releases, in the city articles etc.
3	Smart controls for city buildings (lights, HVAC)
3	PI Rental Housing Report & Registration Ordinance
3	Downtown Façade Historical Design Standards
3	Residential Housing Growth Initiatives
3	Storm drainage system pipe camera assessment
3	Continue partnership with UMPI GIS infrastructure
2	Assimilate previously collected data (high definition aerial photography, curbing, sidewalks, signage, water mains, sanitary sewer mains) into GIS system
2	Public engagement with events
2	Rec conversion process
2	Build EMS long distance transfer roster part-time employees (per-diem).
2	Adopt PI Policy for Tax Acquired Properties
2	Continue City Website Redesign Effort
1	Second phase of MDOT MPI grant: paving Riverside Drive & sidewalk, curbing; loam/seed disturbed areas
1	Initiate goals from Age-Friendly Action Plan
1	Establish new and strengthen partnerships to enhance neighborhood wellness to attract businesses and residents
1	Develop regional service concept with other EMS services.
1	Continue to work with working group NMMC, Cary, N.L. ARG, and Houlton, Caribou Fire and Houlton Fire to develop a better and reliable transfer system.
1	Post pandemic have a citizen's academy (1) show the public what we do first hand (2) draw interest in the Fire and EMS service.
1	Downtown TIF District Policy update/Programs
1	Welcome/How to Start a Business in PI Booklet
1	Forum HVAC System
1	Solar Site Implementation/ New sites

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 5, 2022

AGENDA ITEM # 14

SUBJECT

NEW BUSINESS: Taxi Cab Ordinance

INFORMATION

- 1) Memo from Martin Puckett, dated December 21, 2021
- 2) Ordinance

REQUESTED ACTION

Discussion only.

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, 2021
RE:	Taxi Cab Complaints

We have received a request to adjust our rates. The rate increase is the following: In town \$10.00, Airport \$25.00, Passengers \$2 each, wait time \$1 per minute after 3, trunk \$2, deliveries \$10 in town, \$1.75 per mile thereafter, Pets \$2 if in carrier, \$20.)) if not in carrier.

Discussion

Our ordinance sets the rates for the taxi fees in section 12, (listed below). The method for base rates was apparently established in July of 2005, using the IRS mileage rate as a variable to increase or decrease rates based on fuel prices. The IRS typically adjusts these rates annually but have done midyear adjustments in 2011, 2008, 2005, and 1999. There are some issues with using the IRS rates as a variable in the formula. While the IRS rate uses fuel rates as a consideration, it does not consider Maine's minimum wage that is higher than the national minimum wage. Our regional workforce issues and operating during a pandemic is also a factor to consider.

Base Rate Calculation

Section J describes the method for establishing the base rate: a ratio of the 6/2005 rate of \$0.405 per mile equaling a base rate of \$5.50, rounded down to the nearest \$0.10. To illustrate, at the 2011 IRS rate of \$0.51, the base rate would be \$6.90 $((5.50 \times 0.51) / (0.405)) = \6.92 , rounded down to \$6.90

With the current IRS rate of \$.56, the calculation would be:

Base rate of \$5.50 X IRS 2021 \$.56 = \$3.08 divided by .405 = \$7.6049, rounded down to \$7.60.

The rate for 2021 should be \$7.60.

Rate Comparison

I have looked at other municipalities rates and found a variety of methods. The most prevalent is the fee for the first portion of a mile rather than an "intown" base fee. I do have the ordinances for these towns.

Augusta: \$3.50 first mile, \$1 per mile thereafter

Bangor: First 1/6 mile \$2.50 .35 thereafter \$21 per hour

Caribou: \$7.50 in town, \$1.25 thereafter

Portland: first 1/10 \$1.90 .30, \$5 addition for jetport,

South Portland: 1/10 \$1.90 .30, \$10 per hour

Bar Harbor & Biddeford: fees not listed in ordinance/ may not set fees

Section 12 Rates

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

A. A base fee shall be set based on the formula found in Section (J) below for one and \$1.50 for each additional person ten (10) years of age and over, from the same point of hire to the same destination, within the compact urban line, excluding the Airport. An additional \$1.00 per mile may be charged for trips outside the compact urban line.

B. A fee may be charged for fares to and from the Airport, equal to the base fee, within the urban line or from any hotel or motel in the City.

C. Trunks may be charged for at the rate of \$1.00.

D. Charges for waiting time may be \$.35 per minute or \$20.00 per hour.

E. Charge for errands may be \$1.00 over the cost of fare.

F. An additional fee of \$1.00 may be charged for delivering groceries, parcels, etc.

G. Children under ten (10) years of age accompanied by adults will be carried without charge.

H. Taxicabs may be employed as sightseeing cabs at the rate of \$20.00 per hour for the first hour and, for each quarter hour thereafter or fraction thereof, \$5.00, provided, however, that no taxicab shall be engaged as a sightseeing cab for a shorter period than one hour.

I. No charge shall be made for the transportation of the first two bags or parcels per passenger. A charge of \$.75 may be charged for more than two bags or parcels.

J. The base fee shall be established based on the IRS allowable mileage rate. Such rate shall be based on a ratio of the 6/2005 rate of \$0.405 per mile equaling a base rate of \$5.50, rounded down to the nearest \$0.10. To illustrate, at the 2011 IRS rate of \$0.51, the base rate would be \$6.90 $((5.50 \times 0.51) / (0.405)) = \6.92 , rounded down to \$6.90

TAXI CAB RATES		
FARES	Initial Charge -----	\$7.30
	To and from Airport, within the urban compact or from any hotel or motel -	\$7.30
	Each additional mile outside the Urban Compact -----	\$1.00
	Additional persons ten and older -----	\$1.50
	Each one(1)minute Waiting -----	\$0.35
	Each Hour Waiting Time -----	\$20.00

<i>Children under the age of (10) accompanied by adults will be carried without charge</i>		
EXTRA	Trunks - - - - -	\$1.00
	Errands - - - - -	\$1.00
	Delivering groceries, parcels, etc - - - - -	\$1.00
	Transportation of more than two bags or parcels - - - - -	\$0.75
	Sightseeing - First Hour - - - - -	\$20.00
	Sightseeing - Each quarter after first hour - - - - -	\$5.00
Note: No taxicab shall be engaged as a sightseeing cab for a shorter period than one hour.		
IF YOU HAVE A COMPLAINT ABOUT THE SERVICE YOU HAVE RECEIVED OR THE FARE YOU HAVE BEEN CHARGED, PLEASE CALL THE CLERK OF THE CITY OF PRESQUE ISLE AT 760-2720.		
TAXI CAB RATES		
FARES	Initial Charge - - - - -	\$7.30
	To and from Airport, within the urban compact or from any hotel or motel -	\$7.30
	Each additional mile outside the Urban Compact - - - - -	\$1.00
	Additional persons ten and older - - - - -	\$1.50
	Each one(1)minute Waiting - - - - -	\$0.35
	Each Hour Waiting Time - - - - -	\$20.00
<i>Children under the age of (10) accompanied by adults will be carried without charge</i>		
EXTRA	Trunks - - - - -	\$1.00
	Errands - - - - -	\$1.00
	Delivering groceries, parcels, etc - - - - -	\$1.00
	Transportation of more than two bags or parcels - - - - -	\$0.75
	Sightseeing - First Hour - - - - -	\$20.00
	Sightseeing - Each quarter after first hour - - - - -	\$5.00
Note: No taxicab shall be engaged as a sightseeing cab for a shorter period than one hour.		
IF YOU HAVE A COMPLAINT ABOUT THE SERVICE YOU HAVE RECEIVED OR THE FARE YOU HAVE BEEN CHARGED, PLEASE CALL THE CLERK OF THE CITY OF PRESQUE ISLE AT 760-2720.		

Conclusion

The rates are set within the ordinance and other than the IRS rate change, we would need to have a public hearing to change the base rates. There are different methods for calculating the "base rate" and most seem to do a portion of the first mile rather than basing it on an urban compact zone.

To allow more flexibility, the council could remove the rate language from the ordinance and annually set the fees like we have done with our other ordinances and make it part of the city's annual fee discussion.

I have asked other towns to submit the fees for taxis and currently this is the list. I would like to explore how other municipalities establish fees that are fair for customers and operators.

CHAPTER 12

CITY OF PRESQUE ISLE

Taxicab Ordinance



Approved by the City Council: May 20, 1991

Amended Section 12: Rates by the City Council: June 3, 1996

Amended Section 12: Rates by the City Council: December 4, 2000

Amended Section 12: Rates and Section 23: Rate Schedule by the City Council: May 3, 2004

Amended Section 12 Rates by the City Council: October 17, 2005

Amended Section 6: Indemnity Insurance Required: March 3, 2008

Amended Section 12: Rates by the City Council: March 3, 2008

Amended Section 12: Rates and Section 23: Rate Schedule by the City Council: June 6, 2011

Amended Section 22: Fee Schedule and Section 24: Penalties by the City Council: March 7, 2016

Repassed by the City Council: January 4, 2016

Repassed by the City Council: January 8, 2020

Attest: _____
Thomas C. King, City Clerk

CHAPTER 12

TAXICABS

Section 1 Definitions

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

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

Section 2 Police Department to Report Violations to Council

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

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

Section 3 Operator's License Required

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

Section 4 Application for License to be Filed; Information Desired

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

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

Section 5 Issuance of License

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

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

Section 6 Indemnity Insurance Required

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

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

Section 7 Fees Prerequisite to Issuance to License

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

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

Section 8 Transfer of Operator’s Licenses

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

Section 9 Suspension, Revocation of License; Hearing

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

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

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

Section 10 Duty to Provide Service; Penalty

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

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

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

Section 11 Taxicabs to be Marked

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

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

Section 12 Rates

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

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

Section 13 Equipment

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

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

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

Section 14 Display of License

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

Section 15 Ordering of Taxicab from Service

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

Section 16 Required

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

Section 17 Application

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

Section 18 Standards for Denial

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

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

Section 19 Transfer

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

Section 20 Automatic Revocation or Suspension

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

Section 21 Grounds for Suspension or Revocation

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

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

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

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

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

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

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

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

Section 22 Fee Schedule

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

<u>Type</u>	<u>Fee</u>
1. Taxicab Operator's License	\$100.00
2. Taxicab Driver's License	\$ 25.00
3. Transfer Request	\$ 5.00
4. Inspection Required by Section 15	\$ 5.00 and \$25.00

Section 23 Rate Schedule

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

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

Section 24 Penalties

Notwithstanding any other provision of this chapter, if found to have violated any provision of this chapter, taxicab operators may be fined up to \$500.00 and taxicab drivers may be fined up to \$50.00 for any violations of this chapter or may also be charged criminally or civilly for any violations of this chapter that also constitute a violation of State law, but not both.

Section 25 Sunset Provisions

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

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 5, 2022

AGENDA ITEM # 15

SUBJECT

NEW BUSINESS: Schedule Public Hearing for changes to Chapter 16 Land Use and Development for February 2, 2022

INFORMATION

1) Memo from Galen Weibley, dated December 17, 2021

REQUESTED ACTION

BE IT RESOLVED by Councilor _____, seconded by Councilor _____ to schedule a Public Hearing for February 3, 2022 to consider adopting changes to Chapter 16 Land Use and Development.



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; & City Councilors
FROM:	Galen Weibley, Director of Economic & Community Development
DATE:	December 17, 2021
RE:	Public Hearing for Adopting Revisions to the Land Use Code

I am pleased to present the City Council with the latest Land Use Code reforms made by the Planning Board in an effort to streamline permitting operations, improve understanding by the general public and enhance economic opportunities throughout Presque Isle. The Planning Board approved sending these recommendations to the Council at their December 16, 2021 board meeting and have been the effort of Planning Board meetings since third quarter of 2020. The revised sections are noted as highlighted throughout the document and consist of restructuring of the Zoned sections into Definitions, Purposes, Use Table, Design Standards Table. In addition, a summary of the reforms are as follows:

- Adding new use of Agri-entertainment to offer farming families new economic growth opportunities
- Streamlining Industrial Park permitting operations by considering all permitted uses by right in the Industrial Zone
- Add new sign standards for zones in easy to read table for residents and businesses
- Add new queuing land standards for drive through establishments to prevent overflow onto Route 1
- Rezone airbase housing that is Urban Residential Zone to Residential Office zone to offer more economic opportunities for an isolated neighborhood
- Redefine Home Occupations to allow by permit online-related and non-customer traffic businesses and a separate use for customer/traffic related businesses in an effort to encourage the entrepreneurial spirit by Presque Isle residents.
- Overlay the Shoreland Zone and remove the Resource Protection Area to aid in compliance efforts by Code

Should you have any questions regarding the draft before you, please do not hesitate to contact me.

Suggested motion: Mr. Chairman, I move that we schedule a public hearing for adopting revisions to the Land Use Code at our February Council Meeting.

PRESQUE ISLE CITY COUNCIL MEETING

For:

January 5, 2022

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 5, 2022

AGENDA ITEM # EXECUTIVE SESSION

SUBJECT

EXECUTIVE SESSION: Pursuant to 1 M.R.S.A. § 405(6)(C) to discuss Real Estate

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)(C) to discuss Real Estate matter.

PRESQUE ISLE CITY COUNCIL ANNOUNCEMENTS

Wednesday, January 5th, 2022

- 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 2, 2022 at 6:00 PM in the Sargent Family Community Center.