

December 12, 2011

11-23

A regular meeting of the Caribou City Council was held 7:00 p.m. on Monday, December 12, 2011 in Council Chambers with the following members present: Mayor Kenneth G. Murchison, Jr., Deputy Mayor Christopher A. R. Bell, David Martin, Miles R. Williams, John R. Boone, and Mary Kate Barbosa. R. Mark Goughan was absent.

Steven R. Buck, City Manager and Stephen Wentworth, Code Enforcement Officer were present.

Time Warner covered the meeting.

Council Agenda Item #1: Public Input. No Public Input.

Council Agenda Item #2: Consider authorizing the minutes of the following meetings:

A. November 28, 2011 Council Meeting

Motion made by C. Bell, seconded by M. Williams, to accept the minutes of the November 28, 2011 Council meeting as presented. (6 yes) So voted.

B. November 28, 2011 Council Workshop

Motion made by C. Bell, seconded by MK Barbosa, to accept the minutes of the November 28, 2011 Council Workshop as presented. (6 yes) So voted.

Council Agenda Item #3: Public Hearing to receive written and verbal input on a proposed Daycare Facilities Ordinance to standardize the licensing, inspection, site requirements, and new application process.

7:02 p.m. Public Hearing Opened.

Code Enforcement Officer Stephen Wentworth provided a brief summary of the proposed Ordinance. Currently the City's Land Use Table requires Planning Board review of Daycare Facilities applications but does not include review criteria. The proposed Ordinance will provide that. As part of their research, the Planning Board has reviewed other communities' Daycare Facilities Ordinances. They have held a Public Hearing and are recommending the adoption of this Ordinance. Once adopted the City will be able to maintain a list of active Daycare Facilities and share this information with the City's Police and Fire Departments. Caribou's twenty-two state licensed facilities will be grandfathered and will not be subject to review. Mr. Wentworth answered several questions concerning signage, fencing, and the inspection requirements.

7:15 p.m. Public Hearing Closed.

Council Agenda Item #4: Consider acting upon the proposed Daycare Facilities Ordinance with or without amendment.

Motion made by M. Williams, seconded by D. Martin, to adopt the Daycare Facilities Ordinance as presented, to be added to General Requirements Section 13-700. (6 yes) So voted.

Council Agenda Item #5: Consider acceptance of the Financial Statements for the period ending November 30, 2011.

The City Manager noted the Revenue Summary Report is closing at 92.84% or 1.17% ahead of projections YTD. The Expense Summary Report is closing at 2.30% under Budget YTD, an increased position of .73%. The net positive cash position YTD compared to Budget is a positive \$207,253, an

increase of \$65,780 as compared to last month. The Net Cash Position YTD is a positive \$269,079 a decrease of \$42,018 compared to last month. Budgeted Revenue, non property tax revenue and tax collections, for 2011 continues to outpace receipts as compared to this same period in 2010. Finance has not invested any of the available cash because of the upcoming change of banking services. A review of current trends indicates a potential shortfall of \$30,000 to \$40,000 in State Revenue Sharing receipts. Currently the County has not paid the Connor Fire Assessment fee. For the Ambulance Department there are several areas of concern including Self Pay category, nonpayment of air transports by Medicaid, and the recovery of bad debt. The mild fall has helped contribute to the Public Works department being 2.43% under budget year to date. During the last plowing event, the department experienced the breakdown of three pieces of equipment. The airport beacon stopped working last evening.

Motion made by C. Bell, seconded by M. Williams, to accept the Financial Statement for the period ending November 30, 2011. (6 yes) So voted.

Council Agenda Item #6: Consider a Summary Presentation of the First Draft 2012 Capital Improvements Program, pursuant to Charter Section 5.07.

Per the Charter, the City Manager presented the First Draft 2012 Capital Improvements Program to the Council. The Capital Improvements Committee has not yet reviewed the Program as this will be done further along in the budget development process. Manager Buck provided a Power Point presentation that summarized the draft CIP. The initial Departmental requests total \$762,650.00 which is \$7,719.00 more than the 2011 adopted CIP plus Debt Service expense. The City Council will act upon the Program in conjunction with the CIP Committee concurrently during the 2012 Budget process.

Council Agenda Item #7: Consider a review of responses pertaining to Wright and Bradley Streets.

Since the last meeting, a letter and a survey was sent to the residents of Bradley and Wright Street outlining two options to help resolve the ongoing maintenance issues. Option 1: To return to the 33' roadway as per the original subdivision plan, placing a stop on Wright Street moving south, and a stop sign on Bradley Street moving east. Option 2: Convert Wright Street into a one-way Street from Washburn progressing south towards the corner and then westerly to the intersection of Bradley and Pond Street with Bradley remaining two-way after Pond. Six of the surveys were returned with one favoring Option 1 and five selecting Option 2.

Council Agenda Item #7a: Consider authorizing a Municipal Quitclaim Deed to Philip Trombley for taxes paid in full on Tax Map 11, Lot 46J.

Motion made by C. Bell, seconded by MK Barbosa, to authorize a Municipal Quitclaim Deed to Philip Trombley for taxes paid in full on Tax Map 11, Lot 46J. (6 yes) So voted.

Council Agenda Item #8: Consider License and Permits for the following:

- a) Restaurant Class Liquor License for Capital Pizza Huts, Inc., d/b/a Pizza Hut, 149 Bennett Drive

Motion made by C. Bell, seconded by D. Martin, to approve the Liquor License for Capital Pizza Huts, Inc., d/b/a/ Pizza Hut, 149 Bennett Drive. (5 yes, 1 abstention, M. Williams) So voted.

- b) Special Entertainment Permit for Capital Pizza Huts, Inc., d/b/a Pizza Hut, 149 Bennett Drive

Motion made by D. Martin, seconded by MK Barbosa, to approve the Special Entertainment Permit for Capital Pizza Huts, Inc., d/b/a/ Pizza Hut, 149 Bennett Drive. (6 yes) So voted.

c) Bingo Game of Chance License for Knights of Columbus, 357 Washburn Road
Motion made by D. Martin, seconded by C. Bell, to approve the Bingo Game of Chance License for the Knights of Columbus, 357 Washburn Road. (6 yes) So voted.

Council Agenda Item #9: Consider the ratification of the AFSCME Public Works Department 2012 Employment Agreement as presented.

In 2009, the Council negotiated a three year contract with AFSCME. The contract did allow for reopening the contract for the negotiating of wages and health insurance. The contract was not reopened during 2010 and 2011 but was for this last year of the contract. AFSCME has accepted the counter proposal developed by the City Council. The local unit has voted to ratify the contract through December 31, 2012.

The two Teamster units representing Fire and Police have not ratified similar proposals and that will be discussed later this evening in Executive Session.

Motion made by C. Bell, seconded by D. Martin, to ratify the AFSCME Local 220 Caribou Public Works Employment Agreement as presented through December 31, 2012. (6 yes) So voted.

Council Agenda Item #10: Updates

The City Manager provided updated information on a variety of topics including:

- Caribou Connector – construction for the season has stopped. Soderberg Construction has completed Contract One. Sargent Corporation's Contract Two is approximately 73% complete.
- Grimes Mill Road land shear – The Public Works Department has accomplished the interim mitigation steps recommended by the engineered study. The Public Works Department continues to follow the developed monitoring program with the road being inspected daily. If any movement is observed then the road will be closed and public safety will be notified.
- Airport – On November 29th, the final inspection of the 2011 On-Site Obstruction Project was completed. The beacon light has failed. The City will receive a recommendation from Stantec regarding the beacon.

Council Agenda Item #11: Other Business

- a. Discussion on future actions pertaining to Fireworks sale and discharge, ordinance actions, or moratorium consideration

The Legislature passed and the Governor signed into law a bill that legalizes the sale, possession and use of fireworks. The new law does allow municipalities to have oversight and to do so a municipality will need to adopt an Ordinance. Both Chief Gahagan and Chief Woods are recommending that the City consider enacting a moratorium for the first of the year until such time as the City may develop amendments to the current Codes regarding Consumer Fireworks sale and discharge.

Motion made by D. Martin, seconded by C. Bell to set a Public Hearing date of January 9, 2012 to consider the adoption of a Fireworks sale and discharge moratorium.

- b. Other

Mayor Murchison expressed his heartfelt thanks on behalf of the community to Deputy Mayor C. Bell, Councilor M. Goughan, and Councilor M. Williams.

December 12, 2011

11-23 Pg. 4

Councilor M. Williams expressed his concern that some property owners are pushing snow into the public ways. Mr. Buck commented that a notice could be placed on the public access channel reminding people not to do this.

Meeting Dates previously set:

- Annual Council Organizational Meeting – January 3, 2012 7:00PM Council Chambers 25 High Street
- Council Meeting January 9, 2011 at 7:00PM Council Chambers
- Council Meeting and Workshop January 23, 2012 at 7:00PM Council Chambers
- Other Committee Meetings as set

Council Agenda Item #12: Executive Session: Consider moving to Executive Session for the purpose of developing next actions and positions pertaining to Teamsters Local 340 Police and Fire and Ambulance Units, pursuant to Title 1 MRSA § 405 6 D.

8:54 p.m. Motion made by C. Bell, seconded by M. Williams, to move to Executive Session for the purpose of developing next actions and positions pertaining to Teamsters Local 340 Police and Fire and Ambulance Units, pursuant to Title 1 MRSA § 405 6 D.

Time Out:

Council Agenda Item #13: Adjourn

Adjourned

Jayne R. Farrin, Secretary