

May 10, 2010

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A regular meeting of the Caribou City Council was held at 7:00 p.m. on Monday May 10, 2010, in Council Chambers with the following member present: Mayor Kenneth G. Murchison, Jr., R. Mark Goughan, David Martin, Mary Kate Barbosa, Christopher A. R. Bell and John R. Boone. Karla M. Bell was absent and excused.

Steven R. Buck, City Manager, Mike Shrewsberry, Director of Community Development, and David Ouellette, Director of Public Works were present.

Also attending the meeting were Katherine Esty, Wayne Belanger, Bryan Harper, Maynard St. Peter, Freeman Cote, Miles Williams, Julie Tucci, Sharon Williams, Jim Cerrato, Doug Morrell, Troy LaPlante and Karin Howe.

Barbara Scott, representing the Aroostook Republican, and Time Warner covered the meeting.

Council Agenda item #1: Public Input

Katherine Esty: Community Development, closing of businesses, options
Ms. Esty is the former owner of Van Buren Road Lodge, she stated her opinions regarding Caribou's vision as listed on the city's website and her experiences since moving to Caribou.

Troy LaPlante: Segment 4

Mr. LaPlante lives at 155 Sweden Street and his house is in the path of the bypass. He is requesting that the Caribou City Council rethink its position on the bypass. He made several points including: 1) The bypass does not meet the purpose and need methodology of the Aroostook County Transportation Policy, 2) a bypass will continue the erosion of the downtown business sector, and 3) he questions the long term effects of this roadway on our community. Mr. LaPlante supports a no build option.

Council Agenda item #2: Public Hearing to disseminate information pertaining to the June 8, 2010 Local Referendum Vote concerning a Charter Commission.

The City Manager gave a PowerPoint presentation outlining the events since June 20, 2009 when five persons filed for a Charter Amendment to Section 5.06 Budget. At the June 8th election, if the majority of votes are NO, then the petition fails, no Charter Commission is formed; the existing Charter can still be amended by petition or by Council action and the current form of governance is maintained by the City Charter that was established in 1967 and as amended over the years. If a majority of votes are YES, then the legal process starts to establish a Charter Commission, to provide for consideration of Revisions to the existing Charter, to allow for the drafting of a new Municipal Charter and for the reexamination of the current form of governance.

A Charter Commission would consist of six elected members and three members appointed by the City Council. Only one of the three appointed members may be a municipal officer. Those wanting to run for election to the Charter Commission would need to take out and return nomination papers. The election would take place November 2, 2010.

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The City Manager outlined a Charter Commission timeline for hearings, reports and time limits.

7:39 p.m. Public Hearing opened.

Maynard St. Peter spoke in favor of establishing a Charter Commission and asked for everyone's support. He stated that the City is out of compliance with the Article VI Board of Education of the current Charter and state law.

7:43 p.m. Public Hearing closed.

In the event a Charter Commission is established, Councilor Goughan questioned whether each proposed revision to the Charter would be voted on separately or would the Charter be voted on as a whole. Council Goughan requested a legal opinion as to which way revisions are voted on and which body makes that determination.

Council Agenda item #3: Consider approval of the minutes of the following meetings:

- April 12, 2010 Council Meeting.
- April 29, 2010 Council Workshop

Councilor Goughan requested that the minutes be voted on separately. Motion made by C. Bell, seconded by D. Martin, to approve the minutes of the April 12, 2010 Council Meeting as printed. (5 yes, 1 abstention, J. Boone) So voted.

Motion made by C. Bell, seconded by D. Martin, to approve the minutes of the April 29, 2010 Council Workshop as printed (5 yes, 1 abstention, M. Goughan) So voted.

Council Agenda item #4: Consider authorizing a Proclamation from the City in recognition of the 2010 Cancer Walk to be held June 4th & 5th in Caribou.

Miles Williams, a member of the Aroostook County Steering Committee for the Relay for Life sponsored by the American Cancer Society, spoke regarding the upcoming event to be held June 4th and 5th at Caribou High School track facilities. A DVD explaining the history, development, and mission of the Relay for Life event was presented. The first Relay for Life was held 1985, and it has since raised more than three billion dollars to fight cancer. Mr. Williams introduced other members of the Aroostook County Steering Committee, the two co-chairs, Karin Howe and Julie Tucci plus Sharon Williams. Currently, fifty-four teams with 579 participants have registered for this event, and \$33,809.13 has been raised.

Motion made by C. Bell, seconded by D. Martin, to set forth a Proclamation in support of the 2010 Cancer Walk in Caribou to be held June 4th and 5th 2010. (6 yes) So voted.

Mayor Murchison read Proclamation in the record.

Council Agenda item #5: Consider authorizing a Community GIS Partnership Agreement with the University of Maine Presque Isle for the development of geospatial information.

The City Manager presented information on the City's progress towards the implementation of a Geographic Information System or GIS. Since 1983, the City has

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spent considerable time in performing needs assessment of City Departments for a GIS system and reviewing various vendors for a web-based GIS system. The City has invested into the Harris Trio accounting system to incorporate various data sets as compiled as part of each Department's daily activities. The missing link is the production of the parcel GIS database which is the digitization of the City's current tax maps.

Public Works Director David Ouellette has developed a working relationship with Professor Chunzeng Wang at the University of Maine at Presque Isle and from this has resulted in the proposed Community GIS Partnership Agreement. Under this Agreement starting in May, students working in the GIS curriculum will digitize the City's parcels and incorporate the City's data. The work will be complete by the fall of 2010. The cost of this agreement is \$8,500.00. The City has available \$11,200.00 in the GIS Ariel Photography account which could cover the cost of this Agreement plus pay the costs for uploading the data through Harris.

Motion made by D. Martin, seconded by C. Bell, to authorize the City Manager to sign and implement the Community GIS Partnership Agreement with the University of Maine Presque Isle for the development of the City's parcel GIS database. Motion made by D. Martin, seconded by C. Bell, to amend the motion not to exceed \$8500.00. (6 yes) So voted.

Council Agenda item #6: Review of history and options for the 2010 Crosswalk applications.

The City Manager presented a report on the history and options for the 2010 Crosswalk application. Starting in 2007, the Public Works Director and Police Chief reviewed the placement and design of crosswalks to improve their visibility and longevity. Additionally in 2007, the City thermally applied vinyl materials on three test sites which then were painted in hopes to improve visibility and longevity. The City wanted to increase the number of crosswalks that had the vinyl materials, and it applied for, but did not receive approval of its grant application.

In 2010, Director Ouellette is looking to increase longevity by using a more durable premium paint from Sherwin Williams versus the use of standard paint. This summer both paints will be used. Next year, Director Ouellette will submit a report to the Council comparing the longevity of crosswalks that were painted with the premium versus those with standard paint. Director Ouellette also answered questions regarding the spring brush removal program. He stated that it went very well.

Council Agenda item #7: Consider authorization of the Financial Statements for the period ending April 30th, 2010.

The City Manager reported the month of April ended with the Revenue Summary Report closing at 10.44% behind projections YTD. He explained that Revenues are lagging primarily because of the delay in billing for the Ambulance Department. It is estimated that there are over \$500,000.00 in outstanding billings to date. The Expense Summary Report is closing with total expenditures of 30.69% or just 2.64% under projections YTD. There has been a net change of \$23,964.89 in Compensated Absences resulting from the

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retirement of three employees with nearly each having 25 years of service to the City. He noted that salaries lines are just above target as a result of five pay periods in April. The City Manager expects the final audit by the first of June and plans to have the Annual Report available the first week of July. The Homestead Exemption is being reduced this year.

Motion made by D. Martin, seconded by M.K. Barbosa, to accept the Financial Statements for the period ending April 30, 2010 as presented. (5 yes, 1 no, Goughan) So voted.

Council Agenda item #8: Consider authorizing the City Manager to submit a Nomination Form for the July 2010 to June 2012 MMA Legislative Policy Committee.

In the past, the City Manager has served on the MMA Legislative Policy Committee, but he did not serve during that past two year cycle. With the advent of a new administration the City Manager would like to contribute and represent Senate District #35 and all of rural Maine. If elected, the City Manager would spend one day a month in Augusta with the MMA paying for all of his travel expenses.

Motion made by C. Bell, seconded by D. Martin, to authorize the City Manager to submit a Nomination Form for the July 2010 to June 2012 MMA Legislative Policy Committee. (6 yes) So voted.

Council Agenda item #9: Consider authorizing Municipal Quitclaim Deeds for the sale of tax acquired properties:

- Yvette Seaman for Map 5 Lot 75
- Robert Green for Map 30 Lot 162-009

Motion made by C. Bell, seconded by M.K. Barbosa, to authorize the Municipal Quitclaim Deeds to Yvette Seaman for Tax Map 5 Lot 75 and to Robert Green for Tax Map 30 Lot 162-009. (6 yes) So voted.

Council Agenda item #10: Consider appointing Jayne R. Farrin as Registrar of Voters for a two year period, pursuant to Title 21-A MRSA § 101.

Motion made by C. Bell, seconded by M.K. Barbosa, to appoint Jayne R. Farrin as Registrar of Voters for a two term, pursuant to Title 21-A MRSA § 101. (6 yes) So voted.

Council Agenda item #11: Consider the renewal of Rubbish Haulers Licenses for the following:

- Rick Chapman d/b/a City Sanitation, Caribou
- Gary Rossignol d/b/a/ Rossignol Sanitation, Caribou
- Pine Tree Waste, Houlton
- Jack S. Herbert d/b/a/ McNeal's Trucking, Caribou

Motion made by D. Martin, seconded by M. K. Barbosa, to renew the Rubbish Hauler Licenses for Rick Chapman d/b/a/ City Sanitation, Caribou, Gary Rossignol, d/b/a/

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Rossignol Sanitation, Caribou, Pine Tree Waste, Houlton and Jack S. Herbert d/b/a/ McNeal's Trucking, Caribou. (6 yes) So voted

Council Agenda item #12: Consider the renewal of a Public Taxi License for Marty Clayton d/b/a Aroostook Cab Company.

Motion made by C. Bell, seconded by D. Martin, approve the renewal of a Public Taxi License to Marty Clayton d/b/a Aroostook Cab Company. (6 yes) So voted

Council Agenda item #13: Consider setting a meeting date and time to discuss the development of a Medical Marijuana Dispensary Ordinance.

Motion made by D. Martin, seconded by M. K. Barbosa, to set the date of May 17, 2010 at 5:30 p.m. in the Council Chambers to discuss the development of a Medical Marijuana Dispensary Ordinance in Caribou. (6 yes) So voted.

Council Agenda item #14: Consider the issuance of a Game of Chance License, Texas Hold'Em, for American Legion Post #15, 67 Sweden Street.

Motion made by M. K. Barbosa, seconded by C. Bell, to approve issuance of a Game of Chance License, Texas Hold'Em for American Legion Post #15, 67 Sweden Street. (6 yes) So voted.

Council Agenda item #14a: Consider appointing Jayne Farrin as Election Warden and Kalen Hill as Deputy Election Warden for the June 8, 2010 election.

Motion made C. Bell, seconded by M.K. Barbosa, to appoint Jayne Farrin as Election Warden and Kalen Hill as Deputy Election Warden for the June 8, 2010 election. (6 yes) So voted.

Council Agenda item #14b: Consider setting the opening time for polls for the June 8, 2010 election. (Recommend 8:00 a.m.), pursuant to MRSA Title 21-A Section 626.

Motion made by M.K. Barbosa, seconded by D. Martin, to set opening time for polls for the June 8, 2010 election at 8:00 a.m. pursuant to MRSA Title 21-A Section 626. (6 yes) So voted.

Council Agenda item #16: Other Business

- First Read – Draft Memorandum of Understanding between the City and RSU 39 for the cooperative use and maintenance of shared playgrounds
The City of Caribou and Eastern Aroostook RSU 39 have developed a Memorandum of Understanding regarding the future shared use and maintenance of numerous playgrounds. The MOU outlines the shared playgrounds and responsibilities.
- First Read – Draft of considerations for the first meeting to develop a Medical Marijuana Dispensary Ordinance and resulting Land Use Table amendments

The date to discuss this has been set for 5:30 p.m. on May 17, 2010. The City Manager has reached out to other communities regarding Medical Marijuana Dispensaries Ordinances. The Maine Department of Health and Human Services has released the rules covering the Dispensaries for Distributing Medical Marijuana. The application period

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closes at 2:00 p.m. on June 25, 2010, and on July 9, 2010 the State will announce the successful applicants.

- Workshop Items for May 24th, 2010

Councilor Martin suggested that Council discuss whether to take a position on the upcoming vote on the Charter Commission. Council Goughan requested on the school budget.

Council Agenda item #15: Updates

The City Manager provided information on several topics, including:

- State Revenues as reported by the State of Maine for March are above estimates by \$26.2 million.
- Brush Removal went very smoothly this year.
- HUD Notice – received funding for the City’s Family Self-Sufficiency Program
- LED lighting conversion program
- Communication from Congressman Michaud regarding health care
- Boat Ramp has received damage and has been repaired
- Technology Center
- Three retirements – Judy-Ann Corrow, Valdine Hedstrom, and Mark Baker
- Audit is going very well
- City-Wide Reappraisal Proposal Review

Meeting Dates previously set:

- Council Meeting May 17, 2010 at 5:30 p.m. in the Council Chambers
- Council Meeting May 24, 2010 at 7:00 p.m. in the Council Chambers
- Council Workshop May 24, 2010 following the conclusion of the Regular Council meeting
- Council Meeting with MDOT June 16, 2010 at 6:00 p.m. Council Chambers – Segment 4
- MDOT Public Forum June 17, 2010 at 6:00 p.m. at the CPAC – Segment 4

Council Agenda item #17: Consider moving to Executive Session to receive information on a Personnel Matter Pursuant to Title 1 MRSA § 405 (6) (E):

9:55 p.m. Motion made by D. Martin, seconded C. Bell, to move to Executive Session to receive information on a Personnel Matter Pursuant to Title 1 MRSA § 405 (6) (E). (6 yes) So voted.

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10:31 p.m. Returned from Executive Session.

Council Agenda item #18: Adjourn.

10:31 p.m. Meeting adjourned.

Jayne R. Farrin, Secretary