

January 23, 2012

12-03

A regular meeting of the Caribou City Council was held 7:00 p.m. on Monday, January 23, 2012 in Council Chambers with the following members present: Mayor Kenneth G. Murchison, Jr., Deputy Mayor David Martin, Mary Kate Barbosa, John R. Boone, Gary Aiken, and Bryan Thompson. Philip McDonough, II was absent and excused.

Steven R. Buck, City Manager and Michael Shrewsberry, Community Development Director.

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

Also attending the meeting were Milo Haney, Priscilla Haney, Freeman Cote, Jim Cerrato, Wayne Belanger, and Wilfred Martin.

Council Agenda Item #1: Public Input

Non-Agenda Item: Milo Haney for Citizens for Responsible City Management.

Mr. Haney read into the record a letter from Citizens for Responsible City Management; in which, they requested a complete list of City equipment plus the number of full and part-time employees for each department. (See Exhibit A)

Council Agenda Item #2: Updates from City Administration

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

- State Revenue Sharing – The City’s receipts from State Revenue Sharing have declined even though the State’s revenues are nearly nine million above projections.
- Airport Beacon Light – There has been an addendum added to the Airport On-Site Obstruction Removal Project. The current contractor, Soderberg Construction Inc, will be responsible in the procurement and reinstallation of the beacon light on top of the water tower. It is expected to be completed within the next three weeks. The City’s share is estimated to be \$470.00, which is 2-1/2% of the total cost.
- North-South Highway – The Manager reviewed correspondence on the North-South Highway which noted the progress that has been done on the Caribou Connector and the selection of a route for the Presque Isle bypass.

Council Agenda Item #3: Consider authorizing the minutes of the following meetings:

A. January 9, 2012 Council Meeting

Motion made by D. Martin, seconded by J. Boone, to accept the minutes of the January 9, 2012 Council Meeting as presented. (6 yes) So voted.

B. January 9, 2012 Council Workshop

Motion made by G. Aiken, seconded by MK Barbosa, to accept the minutes of the January 9, 2012 Council Workshop as presented. (6 yes) So voted.

Council Agenda Item #4: Review of the pending RC-2 Tax Increment Financing District establishment and application to the State of Maine Department of Economic and Community Development.

Community Development Director Michael Shrewsberry presented and commented on the revised RC-2 Tax Increment District Development Program and Financing Plan application. The revised application was developed after environmental questions were raised by Caribou residents living in the RC-2. Recently, the Code Enforcement Officer has received noise monitoring equipment which will allow for the enforcement of the City’s noise and sound levels limits. During the Public Hearing, the RC-2 residents expressed concern about increasing the emphasis on commercial development rather than the

residents of this zone. The revised application proposes using dedicated revenues to study the highest and best use of the RC-2 development area and to resolve incompatibility issues between adjoining residential and commercial properties. The Councilors asked several questions concerning noise levels, power surges, extension of public utilities, and Spring Brook.

Motion made by D. Martin, seconded by MK Barbosa, to authorize Administration to submit an Application to the Maine Department of Economic and Community Development to establish a Tax Increment Finance District for the current RC-2 off Route 1 as amended to include the modification for the Shoreland Zoning requirements for Spring Brook. (6 yes) So voted.

Council Agenda Item #5: Consider approval of the Financial Statements for the period ending December 31, 2011.

The City Manager noted the Expense Summary Report is closing with total expenditure of \$8,944,101.25 or 99.26% or just 0.74 under target for YTD. Unexpended Budget ending the year is a positive \$66,928.77 as compared to \$63,436.35 for the year ending 2010. The Revenue Summary Report is closing at 98.07% or 1.93% behind projections YTD. Revenues underperformed by \$172,083.85 for the year. The underperformance is comprised of two major areas: \$142,665 of uncollected Ambulance Revenue and \$46,000 uncollected under Community and Economic Development. The Net of Governmental Operations, absent adjustments due to receivable or other funding sources, is a negative \$105,155.08 prior to audit and resulting audit adjustments.

On the General Ledger, the ending Cash balance is \$2,934,590.43. As of December 31<sup>st</sup>, the outstanding Real Property tax balance is \$561,698.15 which represents 9.20% of the total commitment as compared to 9.10% for the same period for 2010.

Manager Buck reviewed the City's six major revenues noting items that affected their end of year totals including the Ambulance Revenue which was 93.35% of projection even though 2011 saw 375 more Ambulance runs than in 2010.

Manager Buck reviewed each department and offered explanations for those departments that ended in an overdraft.

Motion made by D. Martin, seconded by MK Barbosa, to authorize the departmental overdrafts for:

1. Department 17 Health and Sanitation in the amount of \$352.40
  2. Department 18 Municipal Building in the amount of \$2,723.47
  3. Department 31 Ambulance in the amount of \$51,039.61
  4. Department 35 Police in the amount of \$333.59
  5. Department 38 Protection in the amount of \$4,446.77
  6. Department 51 Parks in the amount of \$523.07
  7. Department 60 Airports in the amount of \$599.69
- (5 yes, 1 abstention, G. Aiken) So voted.

Motion made by MK Barbosa, seconded by D. Martin, to accept the Financial Statement for the period ending December 31, 2011 as amended. (5 yes, 1 abstention, G. Aiken) So voted.

Council Agenda Item #6: Authorization to restore the Underage Drinking Enforcement Grant Reserve Balance.

In 2010, Police Department unexpended grant funding was lapsed to Fund Balance G-1-600-00 and should have been transferred to the Reserve Account Drink Grant Personnel G-1-485-00. These Reserve Account monies are used to fund the Department's regional training initiative for Responsible Beverage Service Training.

Motion made by MK Barbosa, seconded by G. Aiken, to credit Fund Balance G-1-600-00 an amount of \$9,792.12 and to debit G-1-485-00 Drink Grant Personnel the same to restore the Reserve Balance. (6 yes) So voted.

Council Agenda Item #7: Consider issuing a Letter of Commendation to Sergeant Paul Vincent for his work in cost effective acquisitions.

Over the years, Sergeant Paul Vincent has worked to locate government surplus equipment that is needed by the City of Caribou. Defense Reutilization and Marketing Offices (DRMO) and e-bay are two of the resources used by Sergeant Vincent.

Mayor Murchison read the Letter of Commendation into the record. (Exhibit B)

Motion made by MK Barbosa, seconded by D. Martin, to issue a Letter of Commendation to Caribou Police Sergeant Paul Vincent for his dedicated work in procuring equipment through the Defense Reutilization and Marketing Offices for Caribou and our Region. (6 yes) So voted.

Council Agenda Item #8: Consider setting a Public Hearing date of February 13, 2012 to consider amending the RC-2 District Land Use Table to allow Agricultural Product Storage Buildings.

It is the recommendation of the Caribou Planning Board that the City Council hold a Public Hearing to amend the Land Use Table to allow Agricultural Product Storage Buildings in the RC-2 Zone.

Motion made by MK Barbosa, seconded by D. Martin, to set a Public Hearing date of February 13, 2012 to consider amending the RC-2 District Land Use Table to allow Agricultural Product Storage Buildings. (6 yes) So voted.

Council Agenda Item #9: Consider setting a Public Hearing date of February 13, 2012 to consider expanding the definitions under Section 13-700 §17 Kennels.

It is the recommendation of the Caribou Planning Board that the City Council hold a Public Hearing to consider recommended changes to the Code, Definitions and Land Use Table. One of the changes includes an expanded definition of Kennels.

Motion made by D. Martin, seconded by MK Barbosa, to set a Public Hearing date of February 13, 2012 to consider amending Section 13-700 Subsection 17 to expand the definitions of Kennels and associated changes to the Land Use Tables. (6 yes) So voted.

Council Agenda Item #10: Consider authorizing the issuance of Per Capita Bills for the 2012 Ambulance services to participating communities.

Motion made by D. Martin, seconded by J. Boone, to authorize the issuance of the 2012 Ambulance Inter Local Agreements with the per Capita Bills to participating communities for Ambulance services:

Woodland	\$13,039.75	
New Sweden	6,471.50	
Westmanland	666.50	
Stockholm	2,719.75	
Connor	4,912.75	
Perham	4,149.50	
T16R4	1,200.47	
LDA	10,653.25	(6 yes) So voted.

Council Agenda Item #11: Consider a review of the 2012 Interlocal Fire Agreements and issuing bills for the 2012 calendar year to participating communities.

Motion made by D. Martin, seconded by MK Barbosa, to authorize the issuance of the 2012 Inter Local Fire Agreements:

Connor	\$29,951.24	
New Sweden	25,817.22	
Westmanland	3,645.36	
Woodland	49,531.40	
T16R4	1,159.28	(6 yes) So voted.

Council Agenda Item #12: Consider the appointment to the Library Board of Trustees due to recently vacated seat.

Motion made by D. Martin, seconded by MK Barbosa, to appoint Michael Quinlan to fulfill the remaining term of Hedricus Lulofs on the Caribou Library Board of Trustees. (6 yes) So voted.

Council Agenda Item #13: Consider approval of the following licenses:

- A. Hotel Liquor License for KBS Enterprises, Inc. d/b/a Caribou Inn & Convention Center, 19 Main Street.
- B. Special Amusement Permit for KBS Enterprises, Inc. d/b/a Caribou Inn & Convention Center, 19 Main Street.
- C. Golf Club Liquor License for Caribou Country Club New Sweden Road
- D. Special Amusement Permit for Caribou Country Club New Sweden Road

Motion made by D. Martin, seconded by J. Boone to authorize the renewal of Liquor Licenses and Special Amusement Permits for KBS Enterprises and Caribou Country Club. (6 yes) So voted.

Council Agenda Item #14: Other Business

- a. First Read: Draft of Storage and Sales of Consumer Fireworks to address the current Moratorium of the same

The Planning Board has reviewed the draft ordinance prepared by the Police and Code Enforcement Departments. Councilor Martin suggested extending the hours fireworks are permitted to be used and requested a clarification as to the meaning of the section prohibiting the manufacturing of fireworks within the City of Caribou.

- b. First Read: Review of current Public Input Policy for amendments pursuant to New Charter, Section 2.10 (a)(i)(b).

The New Charter allows for public input at the beginning of each regularly scheduled meeting. This 15 minutes time slot is available for Caribou residents or tax payers to comment on agenda or non-agenda

items. All requests will be honored but the Council maintains authority to adopt Rules of Procedure. City Manager Buck reviewed the 2001 Council adopted Rule of Procedure for Addressing the Council and noted the changes that need to be done to bring this adopted policy into line with the wording in the New Charter. Mr. Buck will redraft the policy noting the changes suggested by the Councilors.

c. Thank you letters

Motion made by B. Thompson, second by MK Barbosa, to authorize and sign Letters of Appreciation addressed to Caribou Middle School Development Asset Team members including Nic Sleeper, Noah Heidorn, Connor Spencer, Kelsey Keihn, Megan Theriault, Kate Finnemore, Anna Soderberg, and Ben Ezzy. (6 voted) So voted.

Meeting Dates previously set:

- CIP Workshop – February 1, 2012 at 6:00PM Council Chambers
- Council Meeting – February 13, 2012 at 7:00PM Council Chambers
- Council Meeting – February 27, 2012 at 7:00PM Council Chambers
- Council Workshop – February 27, 2012 following Council meeting, Council Chambers
- Others as set for Budget, CIP, others

Council Agenda Item #15: Executive Session: Consider moving to Executive Session to discuss the future disposition of real property for economic development purposes, pursuant to MRSA Title 1 Chapter 13 Section 405 (6)(C).

9:40 p.m. Motion made by MK Barbosa, seconded by D. Martin to move to Executive Session to discuss the future disposition of real property for economic development purposes, pursuant to MRSA Title 1 Chapter 13 Section 405 (6)(C). (6 yes) So voted.

9:59 p.m. Returned from Executive Session.

No actions were taken pursuant to the received information.

Council Agenda Item #16: Executive Session: Consider moving to Executive Session to discuss a personnel matter, pursuant to MRSA Title 1 Chapter 13 Section 405 (6)(A).

10:00 p.m. Motion made by MK Barbosa, seconded by D. Martin, to move to Executive Session to discuss a personnel matter, pursuant to MRSA Title 1 Chapter 13 Section 405 (6)(A).

10:35 p.m. Returned from Executive Session.

No actions were taken pursuant to the received information.

Council Agenda Item #17: Adjourn

Meeting adjourned at 10:35 p.m.

No Workshop was held that evening.

Jayne R. Farrin, Secretary