

June 28, 2010

10-14

A regular meeting of the Caribou City Council was held at 7:00 p.m. on Monday, June 28, 2010, in Council Chambers with the following members present: Mayor Kenneth G. Murchison, Jr., Deputy Mayor Karla M. Bell, R. Mark Goughan, David Martin, Christopher A. R. Bell, and John R. Boone. Mary Kate Barbosa was absent and excused.

Steven R. Buck, City Manager and Kathleen A. Mazzuchelli, Supt. of Parks and Recreation.

Also attending the meeting were Leon Dorr, Paul Theriault, Freeman Cote, Priscilla Haney, Milo Haney, Lucas Butler, Doug Morrell and Wilfred Martin.

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

Council Agenda item #1: Public Input. There was no public input.

Council Agenda item # 2: Public Hearing to receive written and verbal comment on an application for an Automobile Graveyard/Junkyard Permit by Leon Dorr, 25 Ayer St., Oakland, Maine, pursuant to Code Sections 7-701 – 7-704.

7:02 p.m. Public Hearing opened.

OneSteel Recycling, Inc. has applied for an Automobile Graveyard/Junkyard Permit. Project Manager Leon Dorr explained that the business plans to locate a scrap recycling facility off Limestone Street. OneSteel Recycling will lease property from MM&A Railroad. Rather than an automobile graveyard, Mr. Dorr explained that the business will be more of a scrap recycling facility where ferrous and nonferrous materials will be prepared to ship. The materials will be shipped via rail and trucks. The Planning Board process has been completed and there are not any issues regarding the issuance of a permit.

Mr. Dorr answered several questions from the Council.

7: 10 p.m. Public Hearing closed.

Council Agenda item #3: Consider acting upon the request for a Junkyard Permit by Leon Dorr for property Tax Map 33, Lot 11, off Limestone Street.

Motion made by C. Bell, seconded by K, Bell to authorize the Junkyard Permit for Leon Dorr pursuant to Caribou Code Section 7-701. (6 yes) So voted.

Council Agenda item #4: Consider authorizing the minutes of the June 14th, 2010 Council meeting.

Councilor Goughan requested that Council Agenda item #9 include the \$324,500 cost of the Contract for Services for Revaluation of Real and Personnel Property with RJD Appraisal be included in the minutes.

Motion by K. Bell, seconded by C. Bell to approve the minutes of the June 14, 2010 Council Meeting as amended. (6 yes) So voted.

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Council Agenda item #5: Consider authorizing amendments to the 2010 Municipal Budget prior to tax commitment.

Manager Buck reviewed the proposed amendments to the 2010 Municipal Budget.

Revenue Budget Adjustments:

- State Revenue Sharing – reduction of \$150,000.00
- Ambulance Revenue – increase of \$200,000.00

Expense Budget Adjustments:

- Health Insurance Adjustments – reduction of \$13,811.14
- Winter Salt Reductions – reduction of \$15,000.00
- Payroll Impact 53rd Pay Period – increase of \$69,844.00
- Public Works Wage Correction – increase of \$1,007.88
- Annual Report – increase of \$4705.75 to produce 3000 copies versus the historical 800 copies. The Annual Report to include an eight page color insert to commemorate the events of Caribou's 150th anniversary.

Motion made by C. Bell, seconded by D. Martin to authorize the amendments to the 2010 Municipal Budget as summarized by Manager Buck. (5 yes, 1 no, M. Goughan) So voted.

Council Agenda item #6: Consider setting a Mil Rate for the commitment of the 2010 Property Taxes.

Manager Buck presented a PowerPoint slideshow entitled "2010 Municipal Tax Rate Calculation".

A few of the area he noted were:

- For 2010, the City of Caribou's local taxable real estate valuation is \$257,734,100 and the personal property valuation is \$14,261,200.
- The reimbursement for the Business Equipment Tax Exemptions program (BETE) has been reduced from 90% to 80%.
- The State has reduced the Homestead Exemption from \$13,000 to \$10,000 and with the City's Assessment Ratio of 85% the exemption will be \$8,500.
- The 2010 County Tax payment is \$354,010 and \$2,930,775 is the City's share of RSU #39's budget. As approved by the City Council, the Municipal Appropriation is \$8,811,491.77.
- All the numbers to calculate the Mil Rate have been set or decided up to this point by a majority vote of the City Council.
- The minimum Mil Rate necessary to support the previously set budgets is \$23.71 per thousand and the maximum Mil Rate as defined in MRSA Title 36 could be \$24.90 per thousand.
- Mil Rate has been \$24.00 per thousand for the years 2008 and 2009.

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There was discussion among the Councilors regarding State Revenue projections, Tri-Community Landfill, and question what a \$24.25 Mil Rate would provide for an overlay.

Motion made by D. Martin, seconded by C. Bell, to set the 2010 Mil Rate at \$24 for the commitment of the 2010 Property Taxes. (3 yes, D. Martin, C. Bell, K. Murchison, 3 no, K. Bell, M. Goughan, J. Boone) Motion failed.

Motion made by D. Martin, to set the 2010 Mil Rate \$23.99 for the commitment of the 2010 Property Taxes. Motion died on the table for the lack of a second.

Councilors continued to discuss and debate the Mil Rate. Councilor C. Bell asked a Point of Order regarding who could make a motion for a previous voted on Mil Rate.

Motion made by D. Martin, seconded by C. Bell, to set the 2010 Mil Rate at \$24.10 for the commitment of the 2010 Property Taxes (5 yes, 1 no, M. Goughan) So voted.

Council Agenda item #7: Consider setting the date of Commitment for the 2010 Property Taxes to be committed to the Tax Collector as July 1, 2010, pursuant to MRSA Title 36, §505 (1).

Motion made by K. Bell, seconded by J. Boone, to set the 2010 Tax Commitment Date as July 1, 2010 for the Board of Assessors to commit the same to the Tax Collector. (6 yes) So voted.

Council Agenda item #8: Consider establishing a date that the 2010 Property Taxes will be due and payable, pursuant to MRSA Title 36, §505 (2). Recommend July 1, 2010.

Motion made by K. Bell, seconded by C. Bell, to make the 2010 Property Taxes due and payable as July 1, 2010. (6 yes) So voted.

Council Agenda item #9: Consider establishing a date for interest to begin accruing on any delinquent 2010 Property Taxes, pursuant to MRSA Title 36, §505 (4).

Motion made by C. Bell, seconded by K. Bell, to set the date for interest to begin accruing on any delinquent 2010 Property Taxes as October 1, 2010. (6 yes) So voted.

Council Agenda item #10: Consider establishing a Rate of Interest to be charged on delinquent 2010 Property Taxes, pursuant to MRSA Title 36, §505(4).

Motion made by D. Martin, seconded by K. Bell, to Set the Rate of Interest for Delinquent 2010 Property Taxes at the maximum rate set by the State pursuant to MRSA Title 36, §505(4), Treasurer of State recommendation of 7%. (6 yes) So voted.

Council Agenda item #11: Consider establishing a Rate of Interest for the Overpayment and or Abatement of property taxes for 2007, pursuant to MRSA Title 36 § 506-A.

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Motion made by K. Bell, seconded by D. Martin, to set the rate of interest for the overpayment and or abatement of property taxes for 2010 as 4% less than the State rate of 7% for delinquent taxes, or 3% pursuant to Title 36 § 506-A. (6 yes) So voted.

Council Agenda item #12: Consider authorizing the Caribou Parks and Recreation Department to be the Fiscal Agent for the Maine Department of Conservation for improvements to the Bangor & Aroostook multi-use trail system.

Supt. Kathleen A. Mazzuchelli provided details as to what responsibilities the Parks and Recreation Department would have being the Fiscal Agent for the Maine Department of Conservation. Under this \$58,637.20 project the City of Caribou will coordinate repairs to a State owned recreational trail. The City needs to provide a 20% match that can be in kind services. The trail system and this project go beyond the Caribou city limits.

Motion made by D. Martin, seconded by C. Bell, to authorize Administration to sign the division of Purchases' Sole Source Authorization Form to be the Fiscal Agent for pending repairs to the B&A multi-use trail system. (6 yes) So voted.

Council Agenda item #13: Consider authorizing a Resolution against the Great Maine Forest Initiative.

Summer Intern Lucas Butler provided additional information and a map explaining the Great Maine Forest Initiative. Individually the Councilors expressed concern regarding adopting the Resolution.

Motion by K. Bell, seconded by D. Martin, to table a Resolution against the Great Maine Forest Initiative. (6 yes) So voted

Council Agenda item #14: Consider voting for two (2) positions to the 2010-2012 MMA Legislative Policy Committee.

Motion made by K. Bell, seconded by D. Martin, to vote Paul A. Soucy and Steven R. Buck for the 2010-2012 Maine Municipal Association Legislative Policy Committee for Senate District 35. (6 yes) So voted.

Council Agenda item #15: Consider setting a summer schedule of Council meetings for July and August.

Motion made by C. Bell, seconded by D. Martin, to set the dates of July 19th and August 16th as the City Council summer meeting schedule for the Regular and Workshop meetings. (5 yes, 1 no, M. Goughan) So voted.

Council Agenda item #16: Consider authorizing a Municipal Quitclaim Deed to Brock Toothaker for taxes paid in full, Map 19 Lot 19.

Motion made by K. Bell, seconded by D. Martin, to authorize Municipal Quitclaim Deed to Brock Toothaker, Map 19 Lot 19, for taxes paid in full. (6 yes) So voted.

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Council Agenda item #17: Consider the renewal of a Restaurant Class Liquor License for Chris Richards d/b/a The Par & Grill, 118 Bennett Drive.

Motion by K. Bell, seconded by D. Martin, to renew the Restaurant Class Liquor License for Chris Richards d/b/a The Par & Grill, 118 Bennett Drive. (6 yes) So voted.

Council Agenda item #17a: Consider the renewal of a Game of Chance License for Caribou Senior Citizens Bingo located at American Legion Hall, Post #15, Sweden Street.

Motion by D. Martin, seconded by K. Bell, to authorize a Game of Chance License for Caribou Senior Citizens Bingo located at American Legion Hall, Post #15, Sweden Street. (6 yes) So voted.

Council Agenda item #18: Updates

- Ambulance Budget - July 6th Medicare Reimbursement rate is increasing by 3%.
- Building Codes - State has finalized their rule-making process regarding the International Building Codes – public hearings are scheduled for July 7th and 26th.
- NMDC will host a Wind Symposium on July 13th – Representatives from the Code Enforcement and Community Development Departments will be attending.
- Howe Corner Update.
- Local Fines Structure Ordinance will be a topic at the July 19th Workshop.
- Limestone Street Building

Council Agenda item #19: Other Business

- a. Review and discussion of a communication from the Veterans' Memorial Park Association
The Veterans Memorial Park Association are no longer interested in the Glen Street property and are expressing an interest in a parcel of land next to the north section of the airport.
Brownfield Funding Phase I for the Glen Street property moves forward.
- b. Void Ballots
Councilor Goughan asked about the high number of void ballots that were recorded at RSU #39 budget vote. It was explained that void ballots are the same as blank ballots.

Meeting Dates previously set:

- *Note: Cary/Council Workshop June 17th, 2010 has been rescheduled to June 30th, 2010 at 5:00PM

Council Agenda item #20: Executive Session: Consider moving to Executive Session for the purpose of appointing three (3) Charter Commission members as provided under Title 30-A MRSA §2103 (1)(B)., pursuant to Title 1 §405 (6)(A).

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9:09 p.m. Motion made by C. Bell, seconded by K. Bell, to move to Executive Session for the purpose of appointing three (3) Charter Commission members as provided under Title 30-A MRSA§2103 (1)(B)., pursuant to Title 1 §405 (6)(A). (6 yes) So voted.

9:50 p.m. Returned from Executive Session.

The Council had discussed in Executive Session potential candidates for consideration as the three Charter Commission members to be appointed by the Council pursuant to State law.

Councilor David Martin submitted his name for nomination. Mayor Murchison seconded the nomination.

Councilor Mark Goughan submitted his name for nomination. Councilor David Martin seconded the nomination.

Votes were taken by show of hand

Councilor Martin receiving 5 votes

Councilor Goughan receiving 1 vote

Motion by made C. Bell, seconded by K. Bell, to appoint Patricia Collins and John Swanberg as the remaining two Council appointments to the pending Charter Commission.

Further discussion ensued as to the merits of each proposed appointee.
(6 yes, 1 no, M. Goughan) So voted.

Council Agenda item #21: Executive Session: Consider moving to Executive Session for the purpose of receiving attorney client privileged information, pursuant to Title 1 MRSA § 405 (6)(E).

9:54 p.m. Motion by made by C. Bell, seconded by K. Bell, to move to Executive Session for the purpose of receiving attorney client privileged information, pursuant to Title 1 MRSA § 405 (6)(E). (6 yes) So voted.

10:01 p.m. Returned from Executive Session.

No motions or actions were taken pursuant to the Council's receipt of information.

10:01 p.m. Meeting adjourned.

Workshop Meeting followed.

Jayne R. Farrin, Secretary