

February 22, 2010

10-05

The Caribou City Council held a regular meeting at 7:00 p.m. on Monday, February 22, 2010, in Council Chambers with the following members present: Mayor Kenneth G. Murchison, Jr., Karla M. Bell, Christopher A.R. Bell, R. Mark Goughan, David Martin, Mary Kate Barbosa, and John R. Boone.

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

Also attending the meeting were Paul Theriault, Joan Theriault, Freeman Cote, Milo Haney, Priscilla Haney, Doug Morrell, and Jim Cerrato.

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

Council Agenda item #1: Public Input – No public input

Council Agenda item #2: Consider approval of the minutes of the following meetings:

- a. February 8, 2010 Council Meeting.
- b. February 8, 2010 Council Workshop

Motion made by D. Martin, seconded by K. Bell, to approve the minutes of the February 8, 2010 Council meeting and the February 8, 2010 Council workshop as printed. (6 yes, 1 abstention, M. Goughan) So voted.

Council Agenda item #3: Public Hearing to receive written and verbal comments on the 2010 Capital Improvements Program, pursuant to Charter Section 5.09.

The City Manager gave a power point presentation outlining the CIP, which was originally submitted in the amount of \$565,135, an increase of 22.95% over the program for 2009. The Council succeeded in reducing the original amount by \$192,745 while still preserving all long-term programs. Reserve line reductions were outlined and included fire vehicles, ambulance vehicles, Public Works equipment and road work, Parks improvement (land surveying), Groomer Reserve reduction of \$2,000, the elimination of planning and engineering for one year and all new projects except for the completion of the Library's two-year project. The resulting Council recommended CIP for 2010, less debt service, totals \$372,390. The remaining debt service balance of \$559,132 plus \$36,818 in interest has been reviewed to determine the most cost saving method to pay it down. There is the potential for saving \$31,227 by paying the loan early. The loan was taken out at an agreeable interest rate of 4.39% interest rate, however, with current interest on investments being approximately 1%, the idea of using cash reserves to diminish the debt and save on interest is being weighed. This would require careful planning to avoid a cash flow issue, especially if other funds would be used out of the cash reserves.

7:26 p.m. Public Hearing opened.

Mayor Murchison asked about the possibility of finding more savings in the Public Works expense line since there had been fewer snowstorms to contend with. The City

Manager, noting that there had already been \$54,000 in net savings in January, said the expenses would be revisited in February to seek more savings there as well.

Councilor K. Bell asked about doing a cash flow needs analysis on the investment piece of the Wellness Center prior to accepting the debt service as part of the CIP. The City Manager replied that it would depend on what, if any, amount would be taken from cash reserves to offset taxation.

Milo Haney said he was not aware that there would be a public hearing on the CIP at this meeting, adding that he was not prepared to present the several questions he had. Mayor Murchison noted that the public hearing had been publicized as required by the Charter.

7:31 p.m. Public hearing closed.

Council Agenda item #4: Consider acting upon the 2010 Capital Improvements Program, pursuant to Charter Section 5.09.

Motion made by C. Bell, seconded by K. Bell, to adopt the 2010 Capital Improvements Program, pursuant to Charter 5.09, with one amendment – that we appropriate the interest payment on the debt service for the 2010 year and do a cash flow needs analysis on the payoff of the Wellness Center. Councilor Goughan asked for clarification that the debt service was not part of the motion and any payment would be decided after a cost analysis is done. His interpretation of the motion was said to be correct. (6 yes, 1 no, M. Goughan) So voted.

Mayor Murchison took a moment to acknowledge and commend the Caribou High School Nordic ski teams. He noted the girls were first in the combined Nordic event and the boys were first in the Free Style and third overall.

Council Agenda item #5: Consider setting a Public Hearing date to consider re-zoning a portion of lots Tax Map 26, Lots 48 & 79 from C-2 and R-2 to C-2, only.

Motion made by C. Bell, seconded by D. Martin, to set a public hearing date of March 8, 2010 to consider re-zoning a portion of lots Tax Map 26, Lots 48 & 79 from C-2 and R-2 to C-2, only. (7 yes) So voted.

Council Agenda item #6: Consider tabling the adoption of the International Building Codes as mandated by the State, pursuant to MRSA Title 30-A Section 4451.

Motion made by K. Bell, seconded by D. Martin, to table the adoption of the International Building Codes pursuant to Title 30-A MRSA Section 4451 until such time as the State of Maine completes the associated Rule Making processes. (7 yes) So voted.

Council Agenda item #7: Consider directing City Administration to develop a Moratorium on Medical Marijuana Dispensaries pending the State's Task Force finalization of rule making.

Motion made by K. Bell, seconded by M.K. Barbosa, to direct City Administration to develop a Medical Marijuana Dispensary Placement Moratorium, pursuant to Title 30-A MRSA, 4301. (7 yes) So voted.

Council Agenda item #8: Consider ratification of a successive Employment Agreement with the Caribou Public Works Department, AFSCME Local 220.

Motion made by C. Bell, seconded by K. Bell, to ratify the Employment Agreement with the Caribou Public Works Department, AFSCME Local 220 for the calendar year of 2010. (6 yes, 1 no, M. Goughan) So voted.

Councilor Martin pointed out that increases were due to insurance and employment steps and there was no COLA

Council Agenda item #9: Consider ratification of successive Employment Agreements for Teamsters Local 340 for:

- a. Caribou Police Department
- b. Caribou Fire & Ambulance Department

Motion made by D. Martin, seconded by K. Bell, to ratify successive Employment Agreements for Teamsters Local 340 for the Caribou Police Department and the Caribou Fire and Ambulance Department for the calendar year of 2010. (6 yes, 1 no, M. Goughan) So voted.

Mayor Murchison added that these contracts also did not include COLA, only insurance and employment step increases.

Council Agenda item #10: Consider authorizing the Request for Proposals for a CityWide Reappraisal to Maintain Equitable Assessments.

The City Manager explained that a one page cover letter would be posted electronically on the State wide and New England wide Assessors network list serves to invite qualified firms to request a Specifications for Proposals twenty-two page package from the City. Proposals are to be submitted by March 31, 2010 at 1:00 p.m. and will be reviewed jointly by the Council and the Board of Assessors during the weeks of April 5 and 12, 2010. After the interview period during the week of April 19, 2010, the best firm will be selected no later than May 7, 2010. Reappraisals will be done during 2011 and 2012, no later than April 1, 2012, in time for the 2012 tax commitment to be based on the new valuations will. There was a short discussion on various points of the proposals and the steps to complete the reappraisal process.

Motion made by K. Bell, seconded by D. Martin, to advertise the Request for Proposals for a CityWide Reappraisal to maintain equitable assessments and to start the process of awarding a contract as outlined. (7 yes) So voted.

Council Agenda item #11: Consider issuing a Construction Overlimit Permit for MDOT PIN No. STP-1681(300)X for paving on Route 89, pursuant to Title 29-A MRSA §2382.

The City Manager noted that this would allow the City to issue permits per contractor request for moving a large piece of machinery that cannot be broken down.

Motion made by C. Bell, seconded by D. Martin, to issue a Construction Overlimit Permit for MDOT PIN No. STP-1681(300)X, mill and resurfacing of Route 89, pursuant to Title 29-A MRSA §2382. (7 yes) So voted.

Council Agenda item #12: Consider further actions on Tax Acquired Properties pursuant to Policy on the following parcels:

- |                        |                            |
|------------------------|----------------------------|
| a. Map 004 Lot 025 A   | 261 West Presque Isle Road |
| b. Map 030 Lot 162-009 | 45 Railroad Street         |
| c. Map 034 Lot 184     | 203 Limestone Street       |
| d. Map 011 Lot 028 C   | Access Highway             |
| e. Map 005 Lot 075     | 800 E. Presque Isle Road   |
| f. Map 23 Lot 10A      | 54 Lafayette St.           |
| g. Map 34 Lot 91       | 23 Bennett Drive           |

The City Manager explained that the Council has the authority to put these properties out to bid as all requirements for notification have been met. He pointed out that property (g) Map 34 Lot 91 at 23 Bennett Drive had been cleared and would not need to be addressed, and he expected property (f) Map 23 Lot 10A at 54 Lafayette Street would also totally paid by the owner within days.

Motion made by D. Martin, seconded by C. Bell, to send properties (a) through (f) out to bid. The City Manager intercepted the vote and requested tabling this item so that assessments could be done on each property to determine reasonable minimum bids to clear title and liens, etc. Motion withdrawn, second withdrawn

Motion made by D. Martin, seconded by C. Bell, to table this item until the next regular meeting when minimum bids would be determined for each property. (7 yes) So voted.

Council Agenda item #13: Consider issuing a Municipal Quitclaim Deed to Louis Lavoie for Map 30 Lot 13 for taxes paid in full.

Motion made by K. Bell, seconded by C. Bell, to issue a Municipal Quitclaim Deed to Louis Lavoie for Map 30 Lot 13 for taxes paid in full. (7 yes) So voted.

Council Agenda item #14: Consider authorizing a Game of Chance License for Texas Hold-Em for the American Legion Post #15, 67 Sweden Street, for March 6, 2010.

Motion made by D. Martin, seconded by M.K. Barbosa, to authorize a Game of Chance License for Texas Hold-Em for the American Legion Post #15, 67 Sweden Street, for March 6, 2010. (7 yes) So voted.

Council Agenda item #15: Consider the renewal of a Bingo Game of Chance license for the Lister-Knowlton VFW Post 9389, 253 Van Buren Road.

Motion made by C. Bell, seconded by D. Martin, to approve the renewal of a Bingo Game of Chance license for the Lister-Knowlton VFW Post 9389, 253 Van Buren Road. (7 yes) So voted.

Council Agenda item #16: Updates

The City Manager present material on several current topics, some of which included:

- Hows Corner – The final cash out settlement has been accepted by the U. S. Court – FAME to pay \$150,808.90 on the City's behalf to settle the City's portion of the cost to remediate, treat, and monitor the site for the next 100 years – An additional funds left over from the sale of the bonds to be reallocated to City on a proportional basis to pay toward prior settlements of \$63,305 – Settlements are in the form of two CD's held jointly by the City and FAME – Final payment (the CD's turned over to FAME) to clear the City's obligations is anticipated to take place after remediation is complete approximately one year from now
- State Revenue Sharing – Recent estimates are up by \$30 million – February payment was higher than last year – Probable recommendation of increase for 2010 budget
- American Ambulance Association – Super Rural Ambulance relief extensions removed from previous health care debate and included in recently submitted draft jobs creation bill (Hiring Incentives to Restore Employment Act) – Bill would be retroactive to January 1<sup>st</sup> – House and Senate on same page – The Medicare Ambulance Access Preservation Act sponsored by Senate would provide permanent Medicare increases (6%) and extend base payment of 22.6% for transports originating in super-rural areas
- Efficiency Maine – City's application is funded for \$71,000 to bid for changeover of downtown street lights from incandescent to LED – Replacement of lighting at the airport runway also included
- Paving – Main Street Scoping meeting with MDOT and CUD was held – Milling and resurfacing curb to curb – Shimming and final resurfacing – CUD to replace six inch water main with a twelve inch – Work to begin in July with final paving in August – Summer events should not conflict with road work
- Clerk Position – City Clerk Judy Corrow plans to retire at the end of April – Deputy Clerk Jayne Farrin will move into the clerk position – Advertising is being done to hire a new deputy – Applications close March 5<sup>th</sup> followed by the interview process - Position anticipated to be filled by the third week in April
- Tri-Community Landfill – Board of Directors continues to pursue the construction of an underground pipeline to transport leachate from retention ponds to the CUD – Would eliminate transporting over roads and allow constant flow for treatment purposes and

maintain better capacity in retention pond – Construction this year – Operational by next spring

- Border Patrol – City Manager recruited to attend fifteen hours (5 weeks – 3 hours per week) – Sector Citizen Academy administered by Houlton Border Patrol out of Fort Fairfield facility – Education on history, legal authority, missions of operations, and partnerships – Partnerships crucial to Homeland Security funding

Council Agenda item #17: Other Business

- c. First Read: Presentation of Highway Protection Committee information for the February 24, 2010 meeting
- d. Other Business

Meeting Dates set:

- Highway Protection Committee for February 24, 2010 at 5:30 p.m. in the Council Chambers
- Budget Workshop with Dept. Heads Wednesday, March 3, 2010 at 5:30 p.m. in Council Chambers.
- Combined Planning Board/Council Workshop on Noise Ordinance: 4:30 p.m. March 4, 2010 in the Council Chambers
- City Council Meeting March 8, 2010 at 7:00 p.m. in Council Chambers

8:57 p.m. Motion made by C. Bell, seconded by K. Bell, to adjourn. (7 yes) So voted.

Council moved to a Workshop for further work on the 2010 Municipal Budget

Judy-Ann Corrow, Secretary