

March 12, 2012

12-06

A regular meeting of the Caribou City Council was held 7:00 p.m. on Monday, March 12, 2012 in Council Chambers with the following members present: Mayor Kenneth G. Murchison, Jr., Deputy Mayor David Martin, Mary Kate Barbosa, John R. Boone, Philip McDonough II, Gary Aiken, and Bryan Thompson.

Steven R. Buck, City Manager, and Michael Gahagan, Police Chief.

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

Also attending the meeting were: Mike McCarthy and Steve Sperry, Fire Captains for the Caribou Fire & Ambulance Department, James Cerrato, Vice-Chair Caribou Planning Board, Joyce Knorr, American Red Cross Aroostook Branch Manager, Lynn Bossie, member of the board of directors for the American Red Cross, Paul L. Barnes, Donna McCrossin, Lynn & Betty McNeal, Jarvis Kelley, Rod Guerrette, Cindy Reiff, Ovilla D. Michaud, and Bob LeBlanc.

Council Agenda Item #1: Public Input. None

Council Agenda Item #2: Updates from City Administration

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

- Tax Relief – President Obama has signed the Middle Class Tax Relief and Job Creation Act of 2012. Section 3007 Extension of Ambulance Add-On Payments contains two provisions that are extremely important for the City – (1) the provision relating to air ambulance services and (2) the provision relating to ground ambulance service that increases the base rate – known as the “super rural” bonus. These provisions are extended through December 31, 2012.
- Tax Environment – A new report from the Tax Foundation has been released. The report has several rankings as related to business activities for the State.
- CCH-ATX – They have requested that the City’s Attorney draft the purchase and sales agreement as this will speed up the process.
- Budget & CIP – Public Hearings to be held March 19<sup>th</sup>.
- Cary Medical Finance & Pines – They have combined their fiscal services and have relocated to 24 Sweden Street.
- State Revenue Sharing – Manager Buck will be providing testimony concerning LD1835 An Act to Restore Equity in Revenue Sharing.

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

A. February 21, 2012 Council Workshop

Motion made by P. McDonough, seconded by G. Aiken, to approve the minutes of the February 21, 2012 Council Workshop as presented. (4 yes, 3 abstentions, MK Barbosa, J. Boone, B. Thompson) So voted.

B. February 27, 2012 Council Meeting

Motion made by P. McDonough, seconded by MK Barbosa, to approve the minutes of the February 21, 2012 Council meeting as presented. (6 yes, 1 abstention, D. Martin) So voted.

C. February 27, 2012 Council Workshop

Motion made by P. McDonough, seconded by MK Barbosa, to approve the minutes of the February 27, 2012 Council Workshop as presented. (6 yes, 1 abstention, D. Martin) So voted.

March 12, 2012

12-06 Pg. 2

D. March 2, 2012 Council Workshop

Motion made by P. McDonough, seconded by G. Aiken, to approve the minutes of the March 2, 2012 Council Workshop as presented. (5 yes, 2 abstentions, J. Boone, D. Martin) So voted.

E. March 5, 2012 Council Workshop

Motion made by P. McDonough, seconded by D. Martin to approve the minutes of the March 5, 2012 Council Workshop as presented. (5 yes, 2 abstentions, MK Barbosa, J. Boone) So voted.

Council Agenda Item #4: Consider authorizing a Proclamation proclaiming March 2012 as American Red Cross Month.

Joyce Knorr, American Red Cross Aroostook Branch Manager, explained that March was first proclaimed to be American Red Cross Month by President Roosevelt in 1943. Every President since then has designated March to be American Red Cross Month. In Aroostook County, the American Red Cross works closely with Aroostook County Emergency Management Agency. In the past eight months, the local branch has responded to 17 emergency situations involving nearly 60 individuals, assisted 23 military families, and trained nearly 150 individuals in lifesaving skills. Nearly 91 cents of a dollar is invested in assisting people in need. (See Exhibit "A")

Motion made by P. McDonough, seconded by MK Barbosa, to authorize a proclamation recognizing March 2012 as American Red Cross Month in Caribou. (7 yes) So voted.

Council Agenda Item #5: Public Hearing to receive written and verbal input on a proposed rezoning of Tax Map 11 Lot 5H, 6 Carroll Street, from I-2 to C-2 pursuant to the recommendation of the Planning Board.

7:25 p.m. Public Hearing Opened.

Manager Buck presented a map to show the location of Tax Map 11 Lot 5H. The lot is contiguous to C-2.

7:27 p.m. Public Hearing Closed.

Council Agenda Item #6: Consider acting upon the rezoning of Tax Map 11 Lot 5H, 6 Carroll Street, from I-2 to C-2.

Motion made by P. McDonough, seconded by G. Aiken, to re-zone Tax Map 11 Lot 5H, 6 Carroll Street from its current designation of Industrial 2 to Commercial 2 pursuant to the recommendations of the Caribou Planning Board. (7 yes) So voted.

Council Agenda Item #7: Public Hearing to receive written and verbal input on a proposed Consumer Fireworks Ordinance, Article VI Fireworks, pursuant to Planning Board recommendations.

7:29 p.m. Public Hearing Opened.

The Planning Board has developed the proposed ordinance and is recommending its adoption. If adopted the ordinance would prohibit the manufacture of fireworks within Caribou. Councilor Martin questioned whether this is business friendly and should it be eliminated from the ordinance.

7:40 p.m. Public Hearing Closed.

March 12, 2012

12-06 Pg. 3

Council Agenda Item #8: Consider acting upon the proposed Consumer Fireworks Ordinance, Article VI Fireworks.

Motion made by D. Martin, seconded by P. McDonough, to delete *Sec. 5-605 Manufacture* and to adopt the Consumer Fireworks Ordinance, Article VI Fireworks as amended. (7 yes) So voted.

Council Agenda Item #9: Public Hearing to receive written and verbal input on a proposed Wireless Telecommunications Facilities Ordinance, pursuant to Planning Board recommendations.

7:43 p.m. Public Hearing Opened.

Lynn McNeal, resident of 62 Paris Snow Drive, thanked the Planning Board and City Council for the work that has been done in developing the proposed ordinance. Mr. McNeal encouraged the Council to adopt the proposed ordinance.

7:45 p.m. Public Hearing Closed.

Council Agenda Item #10: Consider acting upon the proposed Wireless Telecommunications Facilities Ordinance.

Motion made by P. McDonough, seconded by D. Martin, to adopt the Wireless Telecommunication Facilities Ordinance as presented. (7 yes) So voted.

Motion made by D. Martin, seconded by J. Boone, to terminate the Moratorium Ordinance Regarding Wireless Telecommunications Towers adopted by the Council on November 14, 2011, to be effective in 30 days. (7 yes) So voted.

Council Agenda Item #11: Consider acting upon bids for two tax acquired properties:

A. Tax Map 38 Lot 83 – 135 Limestone Street (min. \$3,500)

Bid #1: Jarvis Kelley \$6,100.00

Bid #2: Roderick Guerrette \$6,100.00

Jarvis Kelley withdrew his bid.

Motion made by P. McDonough, seconded by D. Martin, to accept the bid of Roderick Guerrette for Tax Map 38 Lot 83, 135 Limestone Street, in the amount of \$6,100.00. (7 yes) So voted.

B. Tax Map 29 Lot 39 – 13 View Street (min. \$3,500)

Bid #1: Ricky L. Willey \$12,425.00

Motion made by P. McDonough, seconded by D. Martin, to accept the bid of Ricky L. Willey, R.L.W. Management, Inc. for Tax Map 29 Lot 39, 13 View Street, in the amount of \$12,425.00. (7 yes) So voted.

Council Agenda Item #12: Authorization of two Municipal Quitclaim Deeds for taxes paid in full to:

A. Pamela Thompson for Tax Map 34 Lot 63

Motion made by P. McDonough, seconded by D. Martin, to authorize a Municipal Quitclaim Deed to Pamela Thompson for Tax Map 34 Lot 63 for taxes paid in full. (7 yes) So voted.

B. Robert & Stacie Seidell for Tax Map 18 Lot 31-62

Motion made by P. McDonough, seconded by MK Barbosa, to authorize a Municipal Quitclaim Deed to Robert & Stacie Seidell for Tax Map 18 Lot 31-62 for taxes paid in full. (7 yes) So voted.

Council Agenda Item #13: Review and action on Public Safety Director position versus re-hiring a Fire/Ambulance Chief.

A study has been completed comparing the hiring of a Public Safety Director versus a Fire Chief. The Police Chief and the three Fire Captains contributed to its preparation. Information was gathered from several communities that have adopted the Public Safety Director model; including, Westbrook and Hampden. The Manager noted that the City's Codes contains many references to Fire Chief and they would need to be amended if the City hires a Public Safety Director but an amendment to the City Charter would not be necessary.

Fire Captains Mike McCarthy and Steve Sperry commented that the Department needs a full-time Fire Chief rather than a Public Safety Director. It was noted by Captain McCarthy that if a Public Safety Director Position is established that the individuals that have applied from within the Fire Department would not be eligible for the position. A Public Safety Director, if commanding Police, must by Statute be a licensed officer. Police Chief Gahagan recommends the hiring of a full-time Fire Chief.

Council consensus: To hire a Fire/Ambulance Chief rather than create a Public Safety Director position. For financial considerations a new Fire Chief will not be hired until April 11<sup>th</sup>.

Council Agenda Item #14: Consider the appointment of municipal ballot clerks for the two year period of May 2012 to May 2014, pursuant to MRSA Title 21-A §503.

Motion made by P. McDonough, seconded by D. Martin, to table until the April 9, 2012 Council Meeting. (7 yes) So voted.

Council Agenda Item #15: Consider setting one Regular Council Meeting for the month of April as April 9, 2012.

Motion made by P. McDonough, seconded by D. Martin, to hold one regular Council Meeting in April on April 9, 2012. (7 yes) So voted.

Council Agenda Item #16: Consider authorization of a Municipal Quitclaim Deed to resolve a paper street dividing two properties off Lincoln Street.

Motion made by P. McDonough, seconded by MK Barbosa, to authorize the City Manager to sign a Municipal Quitclaim Deed to the heirs of the L. St. Peter Life Estate conveying that portion of an unnamed paper street lying between Tax Map 25 Lots 130 and 132 as set forth the Deed prepared by Attorney Solman. (7 yes) So voted.

Council Agenda Item #17: Other Business

- a. First Read: Title 36 MRSA §1483-A Local option exemption for residents permanently stationed or deployed for military service outside of the State

In 2011, the State passed Legislation that allows municipalities a local option exemption for residents permanently stationed or deployed for military service outside of Maine. If a local ordinance is developed and adopted, then residents who are permanently station or deployed would be exempted from excise tax for the vehicles owned by them.

- b. Notice of intent the CUD may perform water main upgrades on High Street prior to anticipated MDOT reconstruction for 2014

Caribou Utilities District's application for State Revolving Fund (SRF) funding for High Street Water Main Project has been approved by the State.

March 12, 2012

12-06 Pg. 5

- c. Presentation of Tax Acquired Properties currently being processed for future request to Bid

A list of 20 Tax Acquired properties was given to the Council for their review.

- d. Copies of the Third Draft of the 2012 Municipal Budget for March 19, 2012 Public Hearing

Copies are available on the City's Website and in the City Clerk's Office.

- e. Other

Attorney Solman has researched whether the City could file a civil proceeding in an effort to recoup the City's recent legal expense. He knows of no precedent and sees this as a part of doing business.

Connor Fire – City Manager is going to meet with Paul Bernier to discuss the matter.

This past week-end the RSU #39 held a Vision Café. Councilor Thompson suggested that the Council work on developing goals and a vision for the City; including an updating of the City's Comprehensive Plan.

Meeting Dates previously set:

- Public Hearing/s Budget & CIP March 19, 2012 at 7:00PM Council Chambers
- Investment Committee Meeting – March 20, 2012 at 5:30 PM Council Chambers
- Council Meeting – March 26, 2012 at 7:00 PM Council Chambers
- Council Workshop – March 26, 2012 Council Chambers following the Meeting
- Highway Protection Committee Meeting – March 27, 2012 at 5:30 PM Council Chambers

Council Agenda Item #18: Adjourn

Motion made by P. McDonough, seconded by D. Martin to adjourn the meeting. (7 yes) So voted.

Meeting adjourned at 8:53 p.m.

Jayne R. Farrin Secretary