

December 13, 2010

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A regular meeting of the Caribou city council was held 7:00 p.m. on Monday December 13, 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, Mary Kate Barbosa, and John R. Boone.

Steven R. Buck, City Manager, David Ouellette, Director of Public Works, Michael Gahagan, Police Chief, Kevin St. Peter, Police Officer, and Philip McDonough II, Planning Board Chair.

Also attending the meeting were Kevin T O'Leary, Leon Dorr, Jeff Michaud, John Haney, Milo Haney, James Cerrato, James Cyr, and Peter Doebener.

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

Mayor Murchison wished everyone a Happy Holiday.

Council Agenda item #1: Public Input. No Public Input.

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

a. Council Meeting of November 22, 2010

Motion made by K. Bell, seconded by MK Barbosa, to accept the minutes of the November 22, 2010 meeting without amendments. (6 yes, 1 abstention, D. Martin) So voted.

b. Council Workshop of November 22, 2010

Motion made by C. Bell, seconded by D. Martin, to accept the minutes of the November 22, 2010 Workshop without amendments. (7 yes) So voted.

c. Special Council Meeting of December 1, 2010

Motion made by D. Martin, seconded by K. Bell to accept the minutes of the December 1, 2010 Special meeting without amendments. (5 yes, 2 abstentions, C. Bell and M. Goughan) So voted.

Council Agenda item #3: Public Hearing to receive written and verbal input on amendments to Chapter 7 Licenses and Permits to require Seller/Server Training for all persons serving/selling alcoholic beverages under license.

7:04 p.m. Public Hearing Opened.

Police Chief Gahagan presented information and answered questions regarding this proposed amendment. If adopted it would require employees of businesses that serve or sell alcoholic beverages to be trained. The training is five hours long. The Caribou Police Department has officers who can provide this training. Several individuals asked questions and expressed their opinions regarding the proposed amendments. There were concerns about adding additional costs to business owners.

7:35 p.m. Public Hearing Closed.

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Council Agenda item #4: Consider acting upon recommendations, amendments, or adoption to the proposed amendments to Chapter 7 Licenses and Permits, Seller/Server Training requirements.

Motion made by K. Bell, seconded by D. Martin, to table the proposed amendments to Chapter 7 Licenses and Permits, Seller/Server Training requirements until the Council receives answers to their questions and can find a more cost efficient manner to deliver this program to the vendors in our area. (7 yes) So voted.

Council Agenda item #5: Receive a presentation from the Planning Board concerning the operations of One Steel Recycling and their proposed expansion of operations.

Planning Board Chair Philip McDonough II updated the Council regarding the operation of One Steel Recycling and the Company's proposed expansion of operation to 203 Limestone Street. Several neighbors had voiced concerns and the Planning Board has tabled making a decision concerning this expansion. The Planning Board wanted the neighbors to have an opportunity to express their dissatisfaction to the City Council. None of the concerned neighbors were in attendance.

One Steel Recycling Project Manager Leon Dorr provided additional details and outlined the company's intentions for 203 Limestone Street and the yard across the street.

Council Agenda item #6: Consider acceptance of the Financial Statements for the period ending November 30, 2010.

The City Manager noted the Revenue Summary Report is closing 5.60% behind projections YTD, a negative response of 1.07%. The Expense Summary Report is closing at 2.70% under Budget YTD, a positive gain of 0.95% as compared to last month. Revenues are projected to make Budget for year end with Tri-Community Landfill payments and Ambulance receipts being current. The outstanding 2010 Tax Receivable is \$797,158.89 which represents 12.83% of the total commitment as compared to 13.43% in 2009. Payments were received on several Personal Property taxes due to the ongoing Tax Amnesty program.

Excise Tax continues to perform ahead of annualized projections with the outstanding balance being \$57,178.00. Historically December receipts have exceeded this amount. State Revenue Sharing continues a two month trend of decreasing performance with the outstanding balance to make Budget is \$103,003.00. Manager Buck reported that the collection of Code Enforcement permit fees continue to be strong with new projects still being permitted; furthermore, the Department Revenues exceeds Expenses. The furnace of the Nylander has been replaced. The Police Department continues to struggle with short staffing with two officers finishing the Academy, one remains out on medical, one is returning from an outside of work injury, and another on light duty.

Motion made by C. Bell, seconded by D. Martin to accept the Financial Statements for the period ending November 30, 2010 as presented. (6 yes, 1 no, M. Goughan) So voted

Council Agenda item #7: Consider a Summary Presentation of the First Draft 2011 Capital Improvements Program, pursuant to Charter Section 5.07.

Per the Charter, the City Manager presented the First Draft 2011 Capital Improvements Program to the Council. The Capital Improvements Committee has not yet reviewed the Program as this will be done further along in the budget development process. Manager Buck provided a Power Point presentation that summarized the draft CIP.

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Council Agenda item #8: Reconsider the revised Transportation Project Agreement with Maine DOT for the future construction of sidewalk on North Main Street.

It was reported by the City Manager that it would take approximately 2,000 gallons of diesel with a direct cost of \$6,000.00 to complete this project. The Council asked several questions of the City Manager and Public Works Director David Ouellette regarding this project; including the cost of plowing additional sidewalks miles, how this could fit into the 2011 summer work schedule, and the drainage problems in the area.

Motion made by D. Martin, seconded by C. Bell, to negotiate with Maine Department of Transportation as to whether a flat sidewalk would be acceptable. (4 yes, 3 no, MK Barbosa, M. Goughan, K. Bell) So voted.

Council Agenda item #9: Consider the renewal of licenses for Capital Pizza Huts, Inc., d/b/a Pizza Hut, 149 Bennett Drive:

- a. Restaurant Class Liquor License
- b. Special Entertainment Permit

Motion made by D. Martin, seconded by J. Boone, to renew the Restaurant Class License and Special Entertainment Permit for Capital Pizza Huts, Inc., d/b/a/ Pizza Hut, 149 Bennett Drive. (7 yes) So voted.

Council Agenda item #10: Consider the renewal of a Beano Game of Chance License for the Knights of Columbus #1870, 357 Washburn Road.

Motion made by K. Bell, seconded by MK Barbosa, to renew the Beano Game of Chance License for the Knights of Columbus #1870, 357 Washburn Road. (7 yes) So voted.

Council Agenda item #11: Consider a single application for a Texas-Hold-Em Game of Chance License for the American Legion Post #15, 67 Sweden Street, for January 1, 2011.

Motion made by D. Martin, seconded by C. Bell, to authorize the single date application for a Texas-Hold-Em Game of Chance License for the American Legion Post #15, 67 Sweden Street, for January 1, 2011. (7 yes) So voted.

Council Agenda item #12: Consider the renewal of a Safari Game of Chance License for Caribou Senior Citizens Bingo, American Legion Hall Post #15, 67 Sweden Street.

Motion made by K. Bell, seconded by MK Barbosa, to authorize a Safari Game of Chance License for Caribou Senior Citizens Bingo, American Legion Hall Post #15, 67 Sweden Street. (7 yes) So voted.

Council Agenda item #13: Updates

The City Manager provided updated information on several topics including:

- Ambulance billing and the future of retaining the Super Rural Designation
Currently there is a bill before the US Senate that would allow the extension of the Super Rural designation through 2011. This bill also includes the reimbursement funding needed to reimburse Caribou Ambulance the monies not received under the Super Rural Designation for the first six months of 2010. This represents between \$68,000 to \$115,000 additional monies for the Ambulance Department.

- Caribou Connector – Segment 4
Bid Results:
 - Sargent Corporation Base Bid: \$14,989,334.00, Quality Score: 89.82, and Basis of Award: \$16,668,188.60.
 - Soderberg Company Base Bid: \$22,873,000.00, Quality Score: 86.40, and Basis of Award: \$26,473,379.63.
 - Sargent Corporation was awarded the bid.
 - In January, there will be a partnership meeting in which Stakeholders may attend. The City is listed as a Stakeholder and the City Manager will be attending this meeting.
 - Update on a new Park and Ride.

Council Agenda item #14: Other Business

- a. Review of latest Stakeholder Report concerning the Hows Corner Waste Oil Site remediation program and potential reimbursement of past costs

The City Manager reviewed a communication from Eaton Peabody pertaining to the Hows Corner Plymouth Waste Oil Site.

- b. Discussion of key elements from the December 8, 2010 Legislative Policy Committee meeting

The City Manager presented highlights from the December 8th meeting including:

- Municipal Revenue Sharing – establish an Irrevocable Local Government Trust Fund
- Streamlined Sales and Use Tax Federal Agreement by 2012
- Homestead Property Tax Exemption
- Municipal Option to rent space on utility poles for street lights

- c. Update on the Caribou Connector – was covered under Agenda Item #13
- d. Other-none.

Meeting Dates previously set:

- Council Meeting – December 27, 2010 7:00PM Council Chambers 25 High Street
- Council Workshop – December 27, 2010 following Council meeting
- Charter Commission Public Hearing – December 15, 2010 at 6:30PM, Caribou Performing Arts Center, Sweden Street
- Personnel Committee – December 14, 2010 5:00PM Council Chambers, 25 High Street
- Union Negotiations, Teamsters – December 14, 2010 6:00PM Council Chambers, 25 High Street
- Annual Council Organizational Meeting – January 3, 2011 7:00PM Council Chambers 25 High Street

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Council Agenda item #15: Executive Session: Consider moving to Executive Session to discuss economic development initiatives for a pending development, pursuant to Title 1 MRSA §405 6 C.

9:45 p.m. Motion made by K. Bell, seconded by D. Martin, to move to Executive Session for the purpose of discussing economic development initiatives for a pending development, pursuant to Title 1 MRSA §405 6 C. (7 yes). So voted.

10:20 p.m. Returned from Executive Session.

No actions taken pursuant to the information presented.

Motion by K. Bell, seconded by MK Barbosa, to suspend the second meeting on December 27, 2010 and not have another meeting until the Organizational Meeting scheduled for January 3, 2011. (7 yes) So voted.

Council Agenda item #16: Adjourn

Meeting adjourned at 10:21 p.m.

Jayne R. Farrin, Secretary