

October 12, 2011

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A regular meeting of the Caribou City Council was held 7:00 p.m. on Wednesday, October 12, 2011 in Council Chambers with the following members present: Mayor Kenneth G. Murchison, Jr., Deputy Mayor Christopher A. R. Bell, R. Mark Goughan, David Martin, Miles R. Williams and Mary Kate Barbosa. Absent and excused was John R. Boone.

Steven R. Buck, City Manager was present.

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

Also attending the meeting was Philip McDonough II, Planning Board Chair. Other members of the public were Carroll P. St. Peter, Douglas Michaud, Mr. & Mrs. Paul L. Barnes, Brian Doody, Bob LeBlanc, Linda Sheldon, Lynn & Betty McNeal, Kevin O'Bar, Mark Michaud, Cuppy Johndro, Diana Chapman, and Mark McCrossin.

Council Agenda Item #1: Public Input. A formal request for Public Input was submitted but because the topic is Agenda Item 8, the Mayor determined that the requester may speak when Agenda Item 8 is presented.

Council Agenda Item #2: Consider authorizing the minutes of the following meetings:

A. September 26, 2011 Council Meeting

Motion made by C. Bell, seconded by M. Williams, to accept the minutes of the September 26, 2011 Council Meeting as presented. (5 yes, 1 abstention, D. Martin) So voted.

B. September 26, 2011 Council Workshop

Motion made by M. Williams, seconded by C. Bell, to accept the minutes of the September 26, 2011 Council Workshop as presented. (5 yes, 1 abstention, D. Martin) So voted.

Council Agenda Item #3: Public Hearing to receive verbal and written comment of the proposed amendments to Chapter 13 Section 830 to establish a Regional Zoning Board of Appeals.

7:03 p.m. Public Hearing Opened.

Mr. Buck provided background information. Historically it has been difficult for the City to maintain a seven member Zoning Board of Appeals (ZBA) because of the necessary training involved and the infrequency of appeals. Other Aroostook communities have the same issue of maintaining a viable ZBA. Development of a Regional ZBA will be a step towards solving this matter. Changes need to be made to Caribou's Code for the city to participate. These changes would allow nonresidents to participate and to reduce the number of board members from seven to five. Caribou Code Enforcement Officer would not participate on Caribou's ZBA but would serve on ZBAs for other communities.

7:10 p.m. Public Hearing Closed.

Council Agenda Item #4: Consider acting upon amendments to Caribou Code Section 13-830 to establish a Regional Zoning Board of Appeals.

Motion made by C. Bell, seconded by MK Barbosa, to adopt the amended Caribou Code Section 13-830 as presented to become effective after 30 days. (5 yes) So voted.

Council Agenda Item #5: Public Hearing to receive written and verbal comment of the proposed changes to the 2011-2012 State of Maine General Assistance Maximums.

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7:11 p.m. Public Hearing Opened.

General Assistance Administrator, Jayne R. Farrin, provided details on the proposed Appendices A, B, and C. Appendix A is the proposed overall maximum levels of assistance, Appendix B is the proposed Thrifty Food Plan and Appendix C is the proposed unheated and heated housing maximums for 2011-2012.

7:17 p.m. Public Hearing Closed.

Council Agenda Item #6: Consider acting upon recommendations to adopt the 2011-2012 State of Maine General Assistance Maximums.

Motion made by C. Bell, seconded by M. Williams, to authorize the 2011-2012 General Assistance Maximums as presented and to submit the same to the Department of Health and Human Services.

(6 yes) So voted.

Council Agenda Item #7: Consider authorizing a Memorandum of Agreement with the Veterans Memorial Park Association for Map 31, Lot199 lying between Nylander and Lyndon Streets for a remembrance park.

The Veterans Memorial Park Association has been working for two years towards the development of a Veterans Memorial Park. A Memorandum of Agreement (MOA) between the City of Caribou and the Association has been prepared. The Manager reviewed the Agreement and other accompanying documents; including, a description prepared by Blackstone Land Surveying, Municipal Quitclaim Deed, and a sketch of the proposed park site. The Manager suggested that the Association be given 10 years to construct the park and, if not constructed, then the City would have 2 years to consider reacquiring the Property. The Councilors had concerns and questions regarding long-term maintenance of the Park. Association Member Carroll P. St. Peter fielded their questions. It was discussed adding language to the Association's Disillusionment Clause that would return the Park to the City if the Association dissolved.

Motion made by M. Williams, seconded by C. Bell, to authorize the City Manager to enter into a Memorandum of Agreement with the Veterans Memorial Park Association for the purposes of establishing a Veterans Memorial Park between Nylander and Lyndon Streets. (6 yes) So voted.

Council Agenda Item #8: Consider acting upon the recommendations of the Caribou Planning Board pursuant to the setback requirements and placement of broadcast towers.

Mark McCrossin, a resident of Paris Snow Drive, addressed the Council expressing his concerns about the proposed construction of Broadcast Towers in his neighborhood. These concerns include potential health issues, resale home values, and it be located near Hilltop Elementary School. Local x-ray technician Cuppy Johndro spoke about the dangers of locating this type of tower in a school area.

The Manager reviewed the research that he has completed on this subject. It was noted under the current Code that setback is the only issue that can be considered. The Planning Board has recommended the enactment of a Moratorium. Mr. Buck explained the difference between adopting an Ordinance and Emergency Ordinances.

Motion made by C. Bell, seconded by D. Martin, to direct Administration to draft a Moratorium on the construction of Broadcast Towers for 180 days until such time as the Planning Board can develop amendments to our land use zoning towards such future construction. (6 yes) So voted.

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Motion made by C. Bell, seconded by D. Martin, to set a Public hearing Date of November 14, 2011 to consider the enactment of a Moratorium on Broadcast Towers for 180 days, pursuant to Charter Section 2.13. (6 yes) So voted.

Council Agenda Item #9: Consider acceptance of the Audited Financials for 2010.

Felch & Company conducted the audit for compliance in accordance with auditing standards as contained within the Government Auditing Standards and OMB Circular A-133. 2010 was the first full operating year absent the school department. During the audit process, Management recognized through the Management Discussion and Analysis (MDA) and audit summary the extraordinary transfer of assets, entirely cash, to the RSU #39. The Auditors did not find any material weaknesses.

Motion made by C. Bell, seconded by M. Williams, to accept the Audited Financials for 2010 as audited by Felch and Company as presented. (6 yes) So voted.

Council Agenda Item #10: Consider setting a Public Hearing Date of November 14, 2011 to consider establishing a Tax Increment Financing District for the Rural Commercial 2 (RC-2) Zone off Route 1.

Recently there has been development in the Rural Commercial 2 (RC-2) Zone off Route 1. The developer requires 3-phase power and the price to extend it is between \$22,000 and \$24,000. He has approached the City seeking ways to accomplish this extension.

To assist the developer and to encourage future development along this corridor, Management has been working on the development of a Tax Increment Financing (TIF) District that would extend from Dow Siding Road and along Route 1 to the Doyle Road.

Motion made by C. Bell, seconded by M. Williams, to set a Public Hearing for November 14, 2011 to consider establishing a Tax Increment Financing District for the Rural Commercial 2 (RC-2) Zone off Route 1. (6 yes) So voted.

Council Agenda Item #11: Consider setting the opening times for the November 8, 2011 Elections as 8:00AM, pursuant to MRSA title 21-A §626.

Motion made by D. Martin, seconded by M. Williams, to set the opening times for the polls for the November 8, 2011 Elections as 8:00 a.m. pursuant to MRSA title 21-A §626. (6 yes) So voted.

Council Agenda Item #12: Consider appointing Jayne R. Farrin as Election Warden and Kalen Hill as Deputy Election Warden for the November 8, 2011 Elections.

Motion made by D. Martin, seconded by M. Williams, to appoint Jayne R. Farrin as Election Warden and Kalen Hill as Deputy Election Warden for the November 8, 2011 Elections. (6 yes) So voted.

Council Agenda Item #13: Consider License and Permits for the following:

- a) Bingo License for Lister Knowlton VFW Auxiliary, 253 Van Buren Road

Motion made by M. Williams, seconded by D. Martin, to approve a Bingo License for Lister Knowlton VFW Auxiliary, 253 Van Buren Road. (6 yes) So voted.

Council Agenda Item #14: Updates

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

- State Revenue Sharing – State Revenues improved during the month of August.
- Grimes Road – Stantec will complete the core sampling this week and submit their final report by the end of the October. The City plans to place this out to bid before the end of the year.

- GIS – The City continues to solicit and review options for web hosted GIS solutions.
- MPS poles – Pole permits have been issued for the replacement of aged MPS poles along South Main Street. During the replacement process, there will be a time when there are double poles along the east side of the road. This will shift which sidewalk along South Main Street is plowed this winter.
- Airport – On October 4th, the Manager attended an Airport 5-year CIP meeting at MDOT in Augusta. 2011 plan – on-site obstructions removal, 2012 plan – off-site obstructions removal, 2013 plan – complete mill and fill of both runways, 2014 plan – update of the Master Plan. 2015 and 2016 plan – more hanger storage. MDOT will present this to FAA for their review.
- RFP for Banking Services – Administration plans to prepare a RFP for Banking Services and sent it out to banks and credit unions with branches in Aroostook County. The goal is to have the Council Finance Committee or the full Council review the submittals prior to year end.
- Segment 4 – information on bridge construction and potential traffic delays plus information on the new Park ‘n Ride.

Council Agenda Item #15: Other Business

a. Other - None

Meeting Dates previously set:

- Council Meeting October 24, 2011 at 7:00PM Council Chambers
- Council Workshop October 24, 2011 at 7:00PM Council Chambers
- October 26, 2011 – Meeting with Unions
- Other Committee Meetings as set

Council Agenda Item #16: Adjourn

Motion made by M. Williams, seconded by C. Bell, to adjourn the meeting. (6 yes) So voted.

8:35 p.m.

Jayne R. Farrin, Secretary