

September 12, 2011

11-17

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

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

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

Also attending the meeting were Charter Commission Members: John Swanberg, Ronald Willey, Roy Alden, Patricia Collins, James Savage, and Sandra Huck. Other members of the public were Jim Cyr, Norma Milton, and Robyn Smith.

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

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

- a) August 15, 2011 Council Meeting
- b) August 15, 2011 Council Workshop
- c) August 25, 2011 Special Council Meeting

Motion made by D. Martin, seconded by J. Boone, to accept the minutes of the August 15, 2011 Council Meeting, August 15, 2011 Council Workshop, and the August 25, 2011 Special Council Meeting as presented. (4 yes) So voted.

Council Agenda Item #3: Presentation and Review by the Charter Commission of their Final Report.

Charter Commission Chair Patricia Collins addressed the Council and presented the Charter Commission's Final Report. The Report includes two copies of the Charter with one copy showing proposed changes in red and other is the final copy that will be filed with the City Clerk. (Exhibit A) The Final Report is substantially the same as the Preliminary Report with some minor changes including those recommended by the City Attorney. The City Attorney recommends that the Charter Revision be presented on the ballot as one question. Mrs. Collins provided an overview of the proposed changes. Mayor Murchison thanked the Charter Commission for all their hard work.

Council Agenda Item #4: Consider setting a Public Hearing date for the Charter Commission's Final Report.

The City Manager reviewed the timeline outlining the events that need to occur prior to the November 8, 2011 Referendum Vote. It is necessary for the Council to set a Public Hearing Date which can be set during this meeting or at the September 26, 2011 Council Meeting. The Manager recommends that the Public Hearing be held October 24, 2011, which is the last regularly scheduled Council Meeting that meets the timeline. The purpose of the Public Hearing is to disseminate information only.

Motion made by MK Barbosa, seconded by D. Martin, to table setting a Public Hearing date for the Charter Commission's Final Report until September 26, 2011. (4 yes) So voted.

Council Agenda Item #5: Continued review of Welcome to Caribou sign design and cost estimates.

Community Development Director Michael Shrewsberry presented an updated rendition of the proposed sign which includes three lines for changeable lettering. This new sign would be 60 inches by 96 inches,

September 12, 2011

11-17 Pg. 2

craved and gilded, and the cost includes mounting irons. The cost for the sign including delivery is \$3,750.00 and to include the three lines for changeable lettering is \$600.00. The City would be responsible for installation. Mr. Shrewsberry will approach area sign businesses requesting proposals for signs similar to this design; additionally, he will solicit sign sponsorship from local service organizations.

Council Agenda Item #6: Consider authorizing a multi-year Telecommunications Contract Agreement for phone services.

The City Manager reviewed the information that has been gathered regarding telecommunication agreements for enhanced phone services. After complete review, OTT Communications remains the strongest option for the City. The OTT quote will provide for fully Hosted PBX services plus the redundancy that is needed. The proposed contract between OTT Communications and the City has been reviewed by City Attorney Solmon.

Motion made by D. Martin, seconded by J. Boone, to authorize the City Manager to implement a 5 year contract for services with OTT Communications for a Telecommunications Agreement for phone services. (4 yes) So voted.

Council Agenda Item #7: Consider authorizing the Financial Statements for the Period ending August 31, 2011.

The City Manager noted the Revenue Summary Report is closing at 71.52% or 4.85% ahead of projections YTD. The Expense Summary Report is just 1.06% under target YTD. The Net Cash Position YTD is a positive \$351,801 an increase of \$75,963 compared to last month. Budgeted revenue, non property tax revenue and tax collections, for 2011 continues to outpace receipts as compared to this same period in 2010. Revenue through the end of August is \$6,060,890 as compared to \$5,530,488 in 2010 leading by a positive \$530,402 YTD. The City has received from the State the last quarterly Homestead reimbursement payment of \$54,306. The Ambulance Department continues not to receive payments under MaineCare for Air Ambulance transports; furthermore, the Department has not yet received any 2010 Medicare retro-payments. The Police Department has purchased eight new bullet proof vests. Typically the Justice Department reimburses the Department for 50% of the purchase price, but this year the Department is requesting 100% reimbursement because financial hardship. This August, the City received \$60,315.14 in State Revenue Sharing which is the lowest amount received in the month of August for the last four years. All Chip Sealing has been complete, in-town paving started today, and striping is nearly complete. Stockpiling of winter sand is nearly complete.

Motion made by D. Martin, seconded by MK Barbosa, to accept the Financial Statements for the period ending August 31, 2011 as presented. (4 yes) So voted.

Council Agenda Item #8: Consider authorizing a License and Service Agreement with eCivis for grant consultation services.

The City Manager provided additional information on the services available through eCivis which includes grant management software, searchable national data base of Federal, State, and Foundation funding, web based training, and a catalog of successful applications. Their rate of success is 85%. The City has monies available in the Community and Economic Development budget under Contract Services to cover this expense.

September 12, 2011

11-17 Pg. 3

Motion made by D. Martin, seconded by MK Barbosa, to authorize the Manager to implement a Service Agreement with eCivis for a 12 month period at the rate of \$5,880.00 for comprehensive grant research and procurement services. (4 yes) So voted.

Council Agenda Item #9: Consider authorizing amendment to the Emergency Operations Center (EOC) Utilization Plan.

Motion made by MK Barbosa, seconded by D. Martin, to approve and sign the amended Emergency Operations Center Utilization Plan as presented. (4 yes) So voted.

Council Agenda Item #10: Consider authorizing a Municipal Quitclaim Deed for taxes paid in full to David Guerette Tax Map 17 Lot 13.

Motion made by D. Martin, seconded by John Boone, to authorize a Municipal Quitclaim Deed for taxes paid in full to David Guerette Tax Map 17 Lot 13. (4 yes) So voted.

Council Agenda Item #10a: Consider acting upon a resignation from the Nylander Board of Trustees.

Motion made by MK Barbosa, seconded by D. Martin, to accept with regret the resignation of Mary Kirkpatrick from the Nylander Board of Trustees. (4 yes) So voted.

Council Agenda Item #11: Consider License and Permits for the following:

- a) Restaurant Class Liquor License for Tammie Crouch d/b/a Caribou Bowladrome & Sports Inn, 97 Bennett Drive
- b) Special Entertainment Permit for Tammie Crouch d/b/a Caribou Bowladrome & Sports Inn, 97 Bennett Drive
- c) Texas Hold'Em Game of Chance for the American Legion Post #15, 67 Sweden Street for October 1, 2011

Motion made by D. Martin, seconded by MK Barbosa, to approve the slate of License and Permits applications. (4 yes) So voted.

Council Agenda Item #12: Updates

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

- Public Works – The Department is nearly caught-up completing the summer work plan and then the Department will be getting ready for winter changeover.
- Airport – The onsite obstruction process is nearly complete. Stantec has met with all but two property owners regarding the offsite obstruction project and they are working to address property owners concerns. Appraisals of the properties will be done before and after the vegetation has been removed. These appraisals is will be used to negotiate a purchase/sale agreement which will come with an easement that will limit the height of future growth. The trees will be removed in 2012.
- Caribou Connector – The project is ahead of schedule. The Manager showed several pictures of the progress being made. Soderberg Construction was awarded the contract for the City's new Park'n Ride facility.
- Tri-Community Landfill – Construction of the leachate pipeline continues. There have been problems with the crossing of the Madawaska River because of water volume.
- Shared Services – Mayor Murchison, J. Boone, and Manager Buck attended the Elected Officials Shared Services Workshop that was held on September 1st in Presque Isle.

- Chamber of Commerce – The move to the Nylander is complete. The new Chamber Board will meet for the first time on Friday, September 16th at 1:00 p.m.

Council Agenda Item #13: Other Business

- a. First Read: Consider amending Caribou Code Section 13-830 to allow non-residents to be a member of the Zoning Board of Appeals – established the ability to utilize a Regional ZBA of all Certified Code Enforcement Officers

It has been difficult for the City to recruit, train, and maintain a full Zoning Board of Appeals. There has been discussion among Aroostook CEOs of creating a Regional ZBA made up of Certified Code Enforcement Officers. Caribou's Code would need to be amended to participate in a Regional ZBA as under the current language only Caribou residents are able to serve. The Manager envisions this Regional ZBA being chaired by an area attorney.

- b. Review of actions pertaining to Caribou Pet Rescue and the associated zoning issue. The Manager provided a timeline and correspondence regarding this issue. Currently this is a Planning Board matter. In the future, this could come to the City Council for consideration. The three areas that may involve Council review are the signing of a Consent Agreement that would allow the activity to continue for a set period of time, review of City owned property to see if there is a more suitable location available, and reviewing the City's contract for animal shelter services. Caribou Pet Rescue Operator Norma Milton addressed the Council.

- c. Review of amendments to the Demolition Permit Application, definitions, and charges associated with disposal at Tri-Community Landfill.

Over the years, the Council and Tri-Community Landfill have discussed demolition projects and the associated disposal costs. The Manager provide information regarding future amendment of the City's Demolition Permit process and the charging of a per ton fee for qualify projects.

- d. Review of the licensing process and future fees for Mobile Home Parks pursuant to Caribou Code Section 13-408.

The City has not been fully enforcing the licensing process for Mobile Home Parks per Caribou Code. The Manager would like to place this topic on the agenda of the next Council Workshop.

- e. Review of actions pertaining to the Grimes Mill Road

No change in land shear has been observed since spring. FEMA has released funding for an engineered solution. MDOT has preformed geological sampling. By the end of September, Stantec will have prepared an engineered solution. Administration is recommending the installation of "Hazard Shoulder" signs and to reduce the speed to an advisory 35 mph.

- f. Other – Mayor Murchison attended and commented on the first responder ceremony held September 11th at the Fire Station.

Meeting Dates previously set:

- Elected Officials Workshop – September 13, 2011, 4:00PM Presque Isle Convention Center
- Nylander Board of Trustees September 15, 2011
- Council Meeting September 26, 2011 at 7:00PM Council Chambers
- Council Workshop September 26, 2011 at 7:00PM Council Chambers

September 12, 2011

11-17 Page 5

Council Agenda Item #14: Executive Session: Consider moving to Executive Session to discuss finalizing an employment Agreement with the Caribou Police Sergeants, pursuant to Title 1 MRSA Section 405 (6)(D).

9:40 p.m. Motion made by MK Barbosa, seconded by D. Martin, to move moving to Executive Session to discuss finalizing an employment Agreement with the Caribou Police Sergeants, pursuant to Title 1 MRSA Section 405 (6)(D).

Time Out: 10:03 p.m.

Council consensus is to hold consideration of approving the Sergeant's Contract until the next Council meeting with a larger attendance. There will be a recommendation that the Council approved the Sergeants Contract as currently presented with a start day of January 1, 2012 the start date is in recognition of this year's Budget as well as pending work with other Units.

Council Agenda Item #15: Executive Session: Consider moving to Executive Session to discuss an appointment to the Tri-Community Landfill.

10:04 p.m. Motion made by D. Martin, seconded by J. Boone to move to Executive Session to discuss an appointment to the Tri-Community Landfill.

Time Out: 10:07 p.m.

Motion by D. Martin, seconded by MK Barbosa, to appoint Shane McDougal to the Tri-Community Landfill Board of Directors. (4 yes) So voted.

Council Agenda Item #16: Adjourn

Meeting adjourned at 10:09 p.m.

Jayne R. Farrin, Secretary