

November 14, 2011

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A regular meeting of the Caribou City Council was held 7:00 p.m. on Monday, November 14, 2011 in Council Chambers with the following members present: Mayor Kenneth G. Murchison, Jr., Deputy Mayor Christopher A. R. Bell (arrived at 8:28 p.m.), R. Mark Goughan, David Martin, Miles R. Williams, John R. Boone, and Mary Kate Barbosa.

Steven R. Buck, City Manager; Michael Shrewsbury, Community Development Director; Stephen Wentworth, Code Enforcement Officer were 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 community members attending were Paul Barnes, Paula Barnes, Philip Bosse, Denise Bosse, David Michaud, Lillian Michaud, Kevin T. O'Leary, Stewart Cousins, Mark McCrossin, Donna McCrossin, Roland St. Peter, Lynn McNeal, Betty McNeal, Anne Lagasse, and Steven Lagasse.

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

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

- A. October 24, 2011 Council Meeting
- B. October 24, 2011 Council Workshop

Councilor MK Barbosa noted that the Council Workshop minutes were dated November 24, 2011 rather than October 24, 2011.

Motion made by M. Williams, seconded by MK Barbosa, to accept the minutes of the October 24, 2011 Council Meeting and October 24, 2011 Council Workshop as amended. (6 yes) So voted.

Council Agenda Item #3: Public Hearing to receive written and verbal input on a proposed Moratorium on the installation of Telecommunication Towers.

7:03 p.m. Public Hearing Opened.

Lynn McNeal and Mark McCrossin, both Paris Snow Drive residents, requested that the Council support the proposed Moratorium on the installation of Telecommunication Towers.

Manager Buck reviewed the three options available for Council consideration and recommended that the Council adopt Option 3. The major components of Option 3 are:

- An Ordinance , not an Emergency Ordinance, effective 30 days after a vote of the Council
- Effective for 180 days
- Ordinance can be extended by an additional 180 days
- Moratorium would apply to any pending application, regardless of status

7:10 p.m. Public Hearing Closed.

Council Agenda Item #4: Consider acting upon the proposed Moratorium Ordinance for the installation of Telecommunications Towers, pursuant to Title 30-A MRSA §4356.

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Motion made by D. Martin, seconded by J. Boone, to adopt the Moratorium Ordinance Regarding Wireless Telecommunications Towers, Option 3, as an Ordinance pursuant to Charter Section 2.12, said Moratorium to apply to any pending application, regardless of status and will become effective in 30 days. (6 yes) So voted.

Council Agenda Item #5: Public Hearing: to receive written and verbal input on the annual renewal of Junkyard Permits for the following locations, pursuant to 30-A MRSA §3754:

- a. Anderson's Salvage
- b. Gilbert's Salvage
- c. Mark's Towing
- d. One Steel Recycling, Inc.

7:15 p.m. Public Hearing Opened.

Councilor D. Martin asked if the complaints with One Steel Recycling, Inc. regarding dust, noise, and fumes had been resolved. Mr. Buck noted that One Steel Recycling has made several improvements; including, plans to develop earthen berms, updating equipment, adding concrete to the yard, and adding crushed stone to the driveway. Code Enforcement Officer Wentworth agreed with Mr. Buck that One Steel Recycling has made improvements and have plans to make more. Kevin T. O'Leary, Safety and Environment Officer for One Steel Recycling, stated that 400 feet of concrete has been laid to help reduce the amount of mud that had been going out into the street, there are plans to develop larger earthen berms to help reduce noise, load inspections are being done to ensure they do not contain contaminants, and equipment is being inspected looking for ways to reduce fumes. Councilor Goughan asked Mr. O'Leary about the importance of the railroad to their operation. Mr. O'Leary stated that the availability of the railroad is extremely important to One Steel Recycling's success.

7:22 p.m. Public Hearing Closed.

Council Agenda Item #6: Consider acting upon applications for Junkyard Renewals pursuant to Caribou Code Section 7-701 and Title 30-A MRSA §3753 for:

- a. Anderson's Salvage
- b. Gilbert's Salvage
- c. Mark's Towing
- d. One Steel Recycling, Inc.

Motion made by M. Williams, seconded by D. Martin, to renew the applications of Anderson's Salvage, Gilbert's Salvage, Mark's Towing, and One Steel Recycling, Inc. for a Junkyard Permit without conditions, pursuant to Caribou Code Section 7-701 and Title 30-A MRSA §3753. (6 yes) So voted.

Councilor Goughan spoke about the Aroostook River being an asset to the City and how the City needs to plan its development so that it is preserved.

Council Agenda Item #7: Public Hearing to receive written and verbal input on the proposed application to the State of Maine to establish a Tax Increment Financing District for the RC-2 Zone on Route 1.

7:30 p.m. Public Hearing Opened.

Philip Bosse asked a series questions about the proposed application to establish a Tax Increment Financing District (TIF). Mr. Buck provided background information on the proposed TIF application

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including the goals that any dedicated revenues would support. The immediate investment in the TIF would be the extension of three-phase electrical power which has an estimated cost of \$24,000. Mr. Buck explained that any improvements in the TIF would not be speculative but done as development warrants it.

Forty-eight landowners were sent notification of this meeting. Anne and Steve Lagasse expressed their concerns about retaining property values for their home and others in the area. Denise Bosse spoke about living in their home since 1976 and how the area has changed from residential to increased commercial use. The Bosse's have experienced problems with their electricity, noise levels, and light pollution since the building and use of the Ayer potatoes storage facility.

Mr. Shrewsbury commented that any development will have to go through site planning and Planning Board review. So far the Planning Board has not been involved in the planning of the proposed TIF.

Mr. Bosse wants the Council to remember that this zone is a Residential Commercial.

8:23 p.m. Public Hearing Closed.

Council Agenda Item #8: Consider authorizing the continuation of the application to the State of Maine to establish a Tax Increment Financing District for the RC-2 Zone on Route 1.

Motion made by M. Williams, seconded by D. Martin to direct Administration to complete the RC-2 Tax Increment Financing District application to the State of Maine and to submit the same for Council authorization prior to submission. (2 yes, M. Williams, D. Martin, 4 no, J. Boone, MK Barbosa, M. Goughan, K. Murchison, 1 abstention, C. Bell) Motion failed.

Motion made by MK Barbosa, seconded by M. Goughan, to direct Administration to continue to work on the RC-2 Tax Increment Financing District application to the State of Maine and to submit the same for Council authorization prior to submission. (5 yes, J. Boone, M. Goughan, MK Barbosa, D. Martin, K. Murchison, 1 no, M. Williams, 1 abstention, C. Bell) So voted.

Council Agenda Item #9: Consider acceptance of the Financial Statements for the period ending October 31, 2011.

The City Manager noted the Revenue Summary Report is closing at 86.54% or 3.21% ahead of projections YTD. The Expense Summary Report is closing at 1.57% under Budget YTD, an increased position of 1.08%. The net positive cash position YTD compared to Budget is a positive \$141,473, an increase of \$97,319 as compared to last month. The Net Cash Position YTD is a positive \$311,097 an increase of \$82,523 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. Ambulance's Medicare retro payments due from January to June 2010 have started to be received. Revenue Sharing continues to falter with October's receipt being \$96,316.10 as compared to \$129,220 in 2008, \$118,721 in 2009 and \$101,252 in 2010. Increased Ambulance run volumes have impacted the salary lines. Councilor Goughan asked about Account 11 Community Development on the Revenue Summary Report. Mr. Buck stated that this account will be reconciled before the end of the year.

Motion made by C. Bell, seconded by MK Barbosa, to accept the Financial Statements for the period ending October 31, 2011. (6 yes, 1 no, M. Goughan) So voted.

Council Agenda Item #10: Consider the review of two maintenance support positions for the Recreation Department.

Manager Buck noted that “two” in the agenda item should have been “one” as there is only one vacate maintenance support position in the Recreation Department. The position is a regular part time position without benefits. This position is not a new but rather the filling of an open position.

Council consensus supported maintaining the maintenance support position and for Administration to pursue the re-hiring of the regular part-time position for 35 hours.

Council Agenda Item #11: Request by Chief Woods to purchase a required 12 lead Cardiac Monitor.

The cost for a new unit is \$34,000. Chief Woods has been working with Sgt. Vincent and the Defense Reutilization and Marketing Service (DMRO). They have located four 12 lead Cardiac Monitors that are “in the box” and they are being shipped to Caribou.

Motion made by C. Bell, seconded by M. Williams, to table the purchase of 12 lead Cardiac Monitors. (7 yes) So voted.

Council Agenda Item #12: Consider the appointment of 5 persons to the newly formed Regional Zoning Board of Appeals.

Motion made by C. Bell, seconded by M. Williams, to appoint Bob Ouellette, Lewis Cousins, George Howe, Don Cote, and Kevin Tingley to the Caribou Board of Appeals for a 3-year term pursuant to the amended Chapter 13-380. (7 yes) So voted.

Council Agenda Item #13: Consider a counter offer on the sale of a parcel of donated land, Tax Map 35 Lot 103.

Motion made by M. Williams, made by D. Martin, to authorize the sale of donated land, Tax Map 35 Lot 103 for \$1500.00. (6 yes, 1 abstention, C. Bell) So voted.

Motion made by D. Martin, seconded by MK Barbosa, to place the \$1500.00 received from the sale of donated land, Tax Map 35 Lot 103, in T/A Property Remediation Reserve Account Number G-01-490-00. (7 yes) So voted.

Council Agenda Item #14: Consider authorizing a Municipal Quitclaim Deed to James Wright and Jessica Hartley for Tax Map 15 Lot 36-003 for taxes paid in full.

Motion made by D. Martin, seconded by C. Bell, to authorize a Municipal Quitclaim Deed to James Wright and Jessica Hartley for Tax Map 15 Lot 36-003 for taxes paid in full. (7 yes) So voted.

Council Agenda Item #15: Consider placing to Bid Tax Map 29 Lot 39, 13 View Street.

Motion made by D. Martin, seconded by J. Boone, to place to Bid Tax 29 Lot 39, 13 View Street with notification to abutting property owners. (7 yes) So voted.

Council Agenda Item #16: Consider License and Permits for the following:

- a) American Legion Post #15 Texas Hold’Em Game of Chance for December 3, 2011
- b) American Legion Post #15 Cards

Motion by D. Martin, seconded by C. Bell to approved the License applications for American Legion #15 for Texas Hold’Em Game of Chance for December 3, 2011 and Cards. (7 yes) So voted.

Council Agenda Item #17: Updates

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

- Municipal Revenues – Maine Municipal Association has gathered fiscal data from more than 220 municipalities. MMA reports that in 2010 municipal revenues dropped by 6% causing reductions in services provided by municipalities.
- Caribou Connector – The Manager provided status of each contract including the Park ‘n Park and the City’s snow dump.
- Mayor Murchison praised the Chamber of Commerce and how positive the move to the Nylander Musesum has been for both organizations.

Council Agenda Item #18: Other Business

- a. Consider the review of a request to eliminate a Paper Street off Lincoln Street.

The Council consensus was for Administration to work with Attorney Solman in the preparation of a deed and the necessary Council actions to vacate the paper street.

- b. Consider providing for Notary of Public Weddings at City Hall and discussion of a fee for service.

The Council consensus was to move forward on the developing a fee for Public Weddings at City Hall solemnized by a Notary that works for the City.

- c. Report on Banking RFP as pending

The Bank RFP was delivered November 4th to the six financial institutions that have branches in Caribou and responses are due by 3:00 p.m. on Friday November 18th.

- d. Other-Councilor Goughan asked a question about cable service. Mr. Buck will research the question.

Meeting Dates previously set:

- Contract Negotiations with AFSCEM Public Works November 17, 2011 at 6:00PM EOC at the Lion’s Building
- Council Meeting November 28, 2011 at 7:00PM Council Chambers
- Investment Committee meeting for November 22, 2011 at 5:00PM Council Chambers

Council Agenda Item #19: Executive Session: Consider moving to Executive Session for the purpose review and development of Mediation Materials for Teamsters Local 340 Police and Fire and Ambulance Units, pursuant to Title 1 MRSA § 405 6 D.

9:42 p.m. Motion made by M. Williams, seconded by MK Barbosa to move to Executive Session for the purpose review and development of Mediation Materials for Teamsters Local 340 Police and Fire and Ambulance Units, pursuant to Title 1 MRSA § 405 6 D

Time Out: 10:42 p.m.

Responses were developed to counter proposals stemming from mediation with Teamster Units, Fire and Ambulance, and Police. Manager will provide the responses to the Mediator and will report to the Council at the next meeting.

Council Agenda Item #20: Executive Session: Consider moving to Executive Session for the purpose review and development of Negotiation Positions for AFSCME Local 220 Public Works, pursuant to Title 1 MRSA § 405 6 D.

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10:43 p.m. Motion made by C. Bell, seconded by M. Williams to move to Executive Session for the purpose review and development of Negotiation Positions for AFSCME Local 220 Public Works, pursuant to Title 1 MRSA § 405 6 D.

Time Out: 11:20 p.m.

Negotiation materials, to include health insurance offerings for the 2012 year, were developed for the Manager to present to AFSCME for the pending November 17, 2011 negotiation session.

Council Agenda Item #21: Adjourn

Meeting adjourned at 11:21 p.m.

Jayne R. Farrin, Secretary