

January 24, 2011

11-03

A regular meeting of the Caribou City Council was held 7:00 p.m. on Monday January 24, 2011 in Council Chambers with the following member present: Mayor Kenneth G. Murchison, Jr., R. Mark Goughan, David Martin, Christopher A.R. Bell, Mary Kate Barbosa, and John R. Boone. Deputy Mayor Karla M. Bell was absent and excused.

Steven R. Buck, City Manager, David Ouellette, Director of Public Works, and Stephen Wentworth, Code Enforcement Officer.

Also attending the meeting were James Cerrato, Marvin Hedstrom, Dwight Stickle, and Danny Raymond.

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

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 December 13, 2010

Motion made by C. Bell, seconded by MK Barbosa, to accept the minutes of the December 13, 2010 meeting without amendments. (6 yes) So voted.

b. Council Meeting of January 3, 2011

Motion made by C. Bell, seconded by MK Barbosa, to accept the minutes of the January 3, 2011 meeting without amendments (4 yes, 2 abstentions, M. Goughan, J. Boone) So voted.

c. Council Workshop of January 10, 2011

Motion made by C. Bell, seconded by D. Martin, to accept the minutes of the January 10, 2011 workshop without amendments. (6 yes) So voted.

d. Council Workshop of January 18, 2011

Motion made by C. Bell, seconded by D. Martin, to accept the minutes of the January 18, 2011 workshop with amendments. (5 yes, 1 abstention, M. Goughan) So voted.

Council Agenda item #3: Consider a request from the Caribou Snowmobile Club to use a portion of sidewalks on Bennett Drive for a Snowmobile Parade, February 19th, as part of Winter Carnival.

Danny Raymond presented a request from the Caribou Snowmobile Club to use the City's sidewalks along Bennett Drive on February 19th for a Snowmobile Parade. This Winter Carnival activity will have the parade of snowmobiles go from the High School to Skyway Plaza and then along Bennett Drive to the recreation ball field.

Motion made by C. Bell, seconded by J. Boone, to authorize the use of the sidewalks along the Westside of Bennett Drive from Skyway Drive to Park Street for the purpose of a snowmobile parade on the afternoon of February 19, 2011. (6 yes) So voted.

Council Agenda item #4: Consider a review of and setting a public hearing pursuant to the adoption of the Maine Uniform Building and Energy Code.

Code Enforcement Officer Stephen Wentworth explained that the City of Caribou's Code includes outdated language as a result of the State adoption of the Maine Uniform Building and Energy Code.

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Motion made by C. Bell, seconded by D. Martin to set a Public Hearing date of February 14, 2011 to receive written and verbal comments on the adoption of two Code Amendments to comply with Maine Uniform Building and Energy Code (MUBEC). (6 yes) So voted.

Council Agenda item #5: Consider a review of Residential and Commercial Electrical Permit Fee adjustments pursuant to the implementation of MUBEC.

Stephen Wentworth outlined several of the changes and increased time needed for inspections resulting from the State's adoption of the Maine Uniform Building and Energy Code. Mr. Wentworth has calculated that it will take 20% more of his time to provide the additional review of plans. He is recommending that building permit fees be increased by 20% to cover the additional work involved. This would increase the fee from \$5.00 to \$6.00 per thousand of project value. Mr. Wentworth feels that this increase would cover the City's costs. Furthermore the Code Enforcement Officer is recommending that the City establish two different electrical permits and fee schedules with one for residential and another for commercial.

Motion made by D. Martin, seconded C. Bell, to set a Public Hearing date of February 14, 2011 to amend the residential and commercial electrical permit fee schedule to correspond with Maine Uniform Building and Energy Code (MUBEC). (6 yes) So voted.

Council Agenda item #6: Consider a review of an Intellectual Property request and actions as necessary.

The Councilors have received a legal review and a recommendation from Attorney Solman.

Motion made by D. Martin, seconded by C. Bell, to accept recommendation of legal counsel and to negotiate a settlement not to exceed \$1000.00. (5 yes, 1 no, J. Boone) So voted

Council Agenda item #7: Consider acceptance of the Financial Statements for the period ending December 31, 2010.

The City Manager noted the Expense Summary Report is closing at 99.26% or just 0.74 under Budget for year end. The net positive cash position for year end compared to budget is a positive \$63,436.35. The Revenue Summary Report is closing at 99.37%, falling short of projection by 0.63%. The net position for Revenue ends the year at a negative \$53,370.92. The Net Cash Position ending 2010 is a positive \$10,065.43. This represents one of the lowest net cash positions of Revenue minus Expenses in at least ten years.

On the General Ledger, the ending Cash balance is \$2,876,594.98. Finance is exploring investment options. As of December 31st, the outstanding Real Property tax balance is \$565,513.03 which represents 9.10% of the total commitment as compared to 8.91% for the same period of 2009.

Manager Buck reviewed the City's six major revenues offering explanation for each revenue end of year totals including the Ambulance Revenue which was 93.92% of projection.

All departments came in below budget except Fire, Ambulance, and Caribou Emergency Management Departments. Mr. Buck offered explanation for those overdrafts; which included, retirement payouts, Family Medical Leave Act outages, and repairs to a radio system. The City Manager noted that the Code Enforcement Department, which includes inspection services, code enforcement, and Section 8 Housing, received \$11,398.65 more in revenue than what was projected.

Motion made by C. Bell, seconded by D. Martin, to authorize the Department overdraft for Department 30 Fire in the amount of \$8,905.49. (6 yes) So voted.

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Motion made by C. Bell, seconded D. Martin, by to authorize the Department overdraft for Department 31 Ambulance in the amount of \$73,159.18. (6 yes) So voted.

Motion made by D. Martin, seconded by C. Bell, to authorize the Department overdraft for Department 39 Caribou Emergency Management in the amount of \$337.13. (6 yes) So voted.

Motion made by D. Martin, seconded by MK Barbosa, to accept the Financial Statement for the period ending December 31, 2010 as amended. (5 yes, 1 no, M. Goughan). So voted.

Council Agenda item #8: Consider a review of the January 12, 2011 Highway Protection Committee meeting and recommendations.

Councilor J. Boone, Manager Buck, and Public Works Director Ouellette provided updated information and photographs on a land shear problem found off the Grimes Mill Road. Currently the land shear is approximately 150 feet in length. The State has a similar problem on the Grimes Road. Test borings will need to be done to determine how deep a trough could develop. Manager Buck provided a summary of the topics discussed by the Highway Protection Committee, which included signalized crosswalks, downtown parking fine structure, and gateway sign designs.

Council Agenda item #9: Consider setting a Public Hearing date of February 14, 2011 to act upon a recommendation from the Highway Protection Committee to relocate a handicap space on Sweden Street.

Motion made by D. Martin, seconded by MK Barbosa, to set a Public Hearing date of February 14, 2011 to act upon recommendations to reconfigure the location of handicap spaces on Sweden Street in the Downtown. (6 yes) So voted.

Council Agenda item #10: Consider acting upon the recommendations of the Highway Protection Committee for a reduction in winter sidewalk maintenance as presented.

Councilor C. Bell spoke about the plowing of sidewalks on Teague Street and his concerns for children safety.

Motion made by D. Martin, seconded by J. Boone, to allow the Director at his discretion to eliminate plowing one sidewalk on those streets that have two sidewalks as discussed in committee with the exception of Sweden Street. (6 yes) So voted.

Council Agenda item #11: Consider a one-time application for a B.Y.O.B Function by Harry McCarthy to be held at Spruce Haven, 214 Doyle Road.

Police Chief Gahagan recommends the approval of this one-time application for a B.Y.O.B. Function.

Motion made by C. Bell, seconded by D. Martin, to approve the one-time application for a B.Y.O.B Function by Harry McCarthy to be held at Spruce Haven, 214 Doyle Road. (6 yes) So voted.

Council Agenda item #12: Consider the renewal of the following for the Caribou Country Club:

- a. Golf Club Class Liquor License
- b. Special Entertainment Permit

Motion made by MK Barbosa, seconded by C. Bell, to authorize the renewal of the Golf Club Class Liquor License and Special Entertainment Permit. (6 yes) So voted.

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Council Agenda item #13: Consider the renewal of a Game of Chance License, Safari, to the Knights of Columbus, 357 Washburn Road.

Motion made by MK Barbosa, seconded by D. Martin to renew the Game of Chance License, Safari, to the Knights of Columbus, 357 Washburn Road. (6 yes) So voted.

Council Agenda item #14: Consider a one-time application for a Texas Hold'Em Game of Chance License for the American Legion Post #15, 67 Sweden Street.

Motion made by D. Martin, seconded by MK Barbosa, to authorize the application for a Texas Hold 'Em Game of Chance License for the American Legion Post #15, 67 Sweden Street for February 5, 2011. (6 yes) So voted.

Council Agenda item #15: Updates

The City Manager provided updated information on several topics including:

- American Ambulance Association – Last year the members of the Ambulance Billing Department went through a series of training regarding Red Flag Rules and now the Department has learned that they are exempt from the Red Flag Rules.
- Medicare/Medicaid – On December 15, 2010, the President signed the Medicare and Medicaid Extenders Act of 2010 which ensures that the Caribou Ambulance will be reimbursed at the Super Rural designation through December 31, 2011.
- Caribou Connector – On February 3rd, there will partnering meeting which will be attended by the City Manager and several Department Heads.
- Leachate Pipeline – Tri-Community Landfill has received clearance from Maine DEP for the construction of a 2.4 mile leachate pipeline.
- Railroad – Federal Railway Administration has cleared the way for the State of Maine to purchase the Montreal, Maine & Atlantic Railway system. The State has issued a RFP looking for short rail operator.
- CCC&I – An informational letter and ballot concerning restructuring were sent to CC&I members. Approximately 50% of the issued ballots were returned and forty-five voted in favor of the reconstruction as presented, ten voted against, and five abstained.
- Airport – The Manager has attended two scoping meetings discussing obstructions at the airport.
- Parks & Recreation Foundation – The Foundation has met twice in the last month to review annual business and finances. The Foundation voted to transfer \$10,000.00 to the City for the purpose of retiring debt service for the gymnasium construction project.
- Biomass Boiler – The Manager and Michael Shrewsberry continue to meet with Trane. Mr. Shrewsberry is being assisted by Trane in completing a grant application for moneys to complete a full feasibility study.
- Budget – First Draft – Has been presented to the Council.

Council Agenda item #16: Other Business

- a. Update on the Caribou Connector
At the Partnering Meeting there will be discussion on a Park & Ride.

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- b. Review of CIP Materials for January 27, 2011 – questions
The Manager will be meeting with Departments Head prior to the Council/CIP Workshop January 27th meeting.
- c. Other - None

Meeting Dates previously set:

- Council/CIP Workshop to present & discuss the 2011 CIP – January 27, 2011 5:30PM
Council Chambers 25 High Street
- Council Meeting – February 14, 2011 7:00PM Council Chambers 25 High Street

Council Agenda item #17: Executive Session: Consider moving to Executive Session for the purpose of discussing individuals for board appointments to the Nylander Board of Trustees, pursuant to Title 1 MRSA §405 6 A.

9:08 p.m. Motion made by C. Bell, seconded by D. Martin, to move to Executive Session for the purpose of discussing individuals for board appointments to the Nylander Board of Trustees, pursuant to Title 1 MRSA §405 6 A.

9:18 p.m. Returned from Executive Session.

Motion made D. Martin, seconded by C. Bell, to appoint Philip McDonough, Deborah Nichols, and Sandra Huck for three year terms to Nylander Board of Trustees. (6 yes) So voted.

Council Agenda item #18: Executive Session: Consider moving to Executive Session for the purpose of discussing a personnel matter, pursuant to Title 1 MRSA §405 6 A.

9:20 p.m. Motion made by C. Bell, seconded by D. Martin, to move to Executive Session for the purpose of discussing a personnel matter, pursuant to Title 1 MRSA §405 6 A. (6 yes) So voted.

9:47 p.m. Returned from Executive Session.

No actions were taken, briefing of the Council.

Council Agenda item #19: Adjourn

Adjourn 9:47 p.m.

Jayne R. Farrin, Secretary