

September 26, 2011

11-18

A regular meeting of the Caribou City Council was held 7:00 p.m. on Monday, September 26, 2011 in Council Chambers with the following members present: Mayor Kenneth G. Murchison, Jr., Deputy Mayor Christopher A. R. Bell, R. Mark Goughan, John R. Boone, Miles R. Williams and Mary Kate Barbosa. Absent and excused was David Martin.

Steven R. Buck, City Manager; Stephen Wentworth, Code Enforcement Officer; Michael Shrewsberry, Community Development Director; and Diane DuBois, Library Director were present.

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

Also attending the meeting were Jan Murchison, Library Board of Trustee member and Philip McDonough II, Planning Board Chair. Other members of the public were Bryan Harper, Carroll P. St. Peter, Paul Theriault, Joan Theriault, Gloria Kidney, 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 September 12, 2011 Council meeting.

Motion made by MK Barbosa, seconded by J. Boone, to accept the minutes of the September 12, 2011 meeting as presented. (3 yes, MK Barbosa, J. Boone, and K. Murchison, 3 abstained, M. Goughan, M. Williams, and C. Bell) Motion failed.

Council Agenda Item #3: Submission of Charter Commission's Final Report and New Charter to referendum vote, November 8, 2011, pursuant to Title 30-A MRSA §2103 (6).

Attorney Solman has reviewed the proposed Charter and determined that the changes are so substantial that the document is a New Charter and therefore must be presented to the voters as one question. The question to the voters will be "Shall the Municipality approve the Charter Revision recommended by the Charter Commission?"

Motion made by C. Bell, seconded by M. Williams, to submit the charter Commission's New Charter to referendum vote set for November 8, 2011, pursuant to Title 30-A MRSA §2103 (6). (6 yes) So voted.

Council Agenda Item #4: Consider setting a Public Hearing date of October 24, 2011 for the purposes of disseminating information pertaining to the New Charter as submitted for referendum vote November 8, 2011, pursuant to Title 30-A MRSA §2528 (5).

Copies of the New Charter are available on the City of Caribou website and in the City Clerk's Office.

Motion made by C. Bell, seconded by M. Williams, to set a Public Hearing date of October 24, 2011 to present information on the New Charter as compiled by the Charter Commission, pursuant to Title 30-A MRSA §2528 (5). (6 yes) So voted.

Council Agenda Item #5: Consider authorizing an Employment Agreement with the Caribou Police Sergeants effective January 1, 2012.

At September 12th Council Meeting, it was the consensus to hold consideration of approving the Sergeant's Contract until this evening's meeting with a larger attendance. Eight amendments or discussion items were reviewed on the 12th and after reviewing the amendments, the Councilors were accepting of them. The Sergeants have been without a contract for several years. Throughout this process the two Sergeants have not had outside representation and they are not members of a union.

September 26, 2011

11-18 Pg. 2

Motion made by M. Williams, seconded by MK Barbosa, to authorize the Sergeants Employment Agreement to become effective January 1, 2012 with the wage tables adjusted pursuant to any COLA or other such considerations awarded to other Contracts. (6 yes) So voted.

Council Agenda Item #6: Review of new quotes for the creation of Welcome to Caribou signs.

Community Development Director Michael Shrewsbury has obtained information from four vendors.

1. Miller Signs & Graphics of Newport has provided an estimate of \$5,000.00 for one sign made out of western red cedar. Delivery would be extra.
2. SignWorks of Farmington luded.
3. Sign-Tech of Caribou has has provided an estimate of \$3,950.00 for one sign made out of red cedar. Delivery inc provided an estimate of \$1,200.00 for one sign made out of aluminum laminate.
4. Caribou Public has provided an estimate of \$200.00 (materials only) for one sign made out of sign backer board with vinyl graphics.

The goal is to have a sign with a 10 to 12 years life expectancy. There is \$4,500.00 available in the sign account. Mr. Shrewsbury to will contact area service organizations regarding sponsorship to help pay for the signs.

Mayor Murchison extended his thanks and appreciation to the committee that has worked on this project.

Motion made by M. Williams, seconded by C. Bell, to authorize the purchase and installation of two Welcome to Caribou signs to be purchased from Sign-Tech, Bennett Drive, Caribou, Maine at the price of \$1,200.00 each with one sign installed off of Route 1 south and the other installed off of Route 161 north of the Caribou Connector. (6 yes) So voted.

Council Agenda Item #7: Consider delegating the authority to approve B.Y.O.B. permit applications to the Chief of Police and or Sergeant/s, pursuant to Title 28-A MRSA §163 (2) (E).

Under State statues the Council has the ability to delegate the authority to review and approve B.Y.O.B. permit applications.

Motion made by C. Bell, seconded by J. Boone, to designate the Chief of Police or Sergeants in his absence to review and authorize B.Y.O.B. permits as provided for under Title 28-A MRSA §163 (2) (E). (6 yes) So voted.

Council Agenda Item #8: Consider acting upon bids received on a 2007 Crown Victoria Police Cruiser.

Bids received:

Chicago Motors	\$1,507.00
A & Silver Auto Sales	\$ 924.00
Peter Trudel	\$ 602.00

Administration is recommending the reject of all bids. Manager Buck answered questions about the progress being made on obtaining Border Patrol vehicles.

Motion made by M. Williams, seconded by C. Bell, to reject all bids and to retain the Cruiser for parts, sell for salvage after the retirement of the last of the discontinued Crown Victoria models. (6 yes) So voted.

September 26, 2011

11-18 Pg. 3

Council Agenda Item #9: Consider moving the regularly scheduled Council meeting of October 10th to October 12, 2011.

Motion made by C. Bell, seconded by MK Barbosa, to move the October 10, 2011 regularly scheduled meeting to October 12, 2011 due to the holiday and scheduling conflicts. (6 yes) So voted.

Council Agenda Item #10: Consider setting a Public Hearing Date of October 10th or 24th for amendments to Caribou Code Section 13-380 to establish the creation of a Regional Zoning Board of Appeals.

Manager Buck provided additional information and details on the development of proposed amendments to Caribou Code Section 13-380 to establish the creation of a Regional Zoning Board of Appeals (ZBA). It has been difficult to fill vacancies on the local ZBA. Board members require a great of training but the need to hear appeals occurs infrequently. The proposed amendments would allow nonresidents to service. In the region, there are five trained Code Enforcement Officers that have offered to serve on a Regional ZBA. Mr. Buck has calculated that the application fee is sufficient enough to pay a small stipend plus mileage to the nonresidents that serve on this Regional Board. The City Council would retain the authority to appoint Board members.

Motion made by C. Bell, seconded by MK Barbosa, to set a Public Hearing for the next regularly scheduled meeting. (6 yes) So voted.

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

- a) Club Liquor License for the American Legion Post #15, 67 Sweden Street for October 1, 2011
- b) Special Amusement Permit for the American Legion Post #15, 67 Sweden Street for October 1, 2011

Motion made by MK Barbosa, seconded by C. Bell to renew the Club Liquor License and Special Amusement Permit for the American Legion Post #15, 67 Sweden Street for October 1, 2011. (5 yes, 1 abstention, M. Williams) So voted.

Council Agenda Item #12: Consider authorizing a Delegate and Alternate Voting Delegate for the Maine Municipal Association's Annual Meeting.

Motion made by C. Bell, seconded by M. Williams, to appoint Steven Buck as Delegate and Wanda Ouellette as the Alternate Delegate to the Maine Municipal Association Annual Meeting held October 6, 2011. (6 yes) So voted.

Council Agenda Item #13: Consider authorizing a Municipal Quitclaim Deed to Ralph Nichols for taxes paid in full on Tax Map 5 Lot 28D.

Motion made by C. Bell, seconded by M. Williams, to authorize the Municipal Quitclaim Deed to Ralph Nichols for taxes paid in full on Tax Map 5 Lot28D. (6 yes) So voted.

Motion made by C. Bell, seconded by M. Williams, to appoint James Cerrato to the Loring Development Authority Planning Board. (6 yes) So voted.

Council Agenda Item #14: Updates

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

- High Street Road Project – It is expected that it will be included in the 2014-2015 MDOT Workplan. It is estimated to be a \$3,000,000 project with \$2,500,000 being construction costs.

- Caribou Connector – Contract 1: The binder is down on the majority of it. Contract 2: Work continues on four bridges, much of the work is at final grade and being prepared for binder.
- Park ‘n Ride – Contract was awarded to Soderberg Construction. The contract requires for a functioning snow dump and trail access facility prior to the closeout of the construction season.
- eCivis – The contract has been signed and the Community Development Director has started to use the service.
- OTT Communication – The contract was signed last week and it is anticipated that the installation will occur over the next four to six weeks.
- Ambulance Billing – Today \$38,038.95 of the 2010 retro Medicare payments was received; additionally, the City received a payment from MaineCare for an air transport.
- Airport – The project is substantially complete.
- Grimes Mill Road – Stantec has completed the onsite survey work. The geo probing work should be completed next week. Per Council approval, signage has been installed.
- Tri-Community Landfill Pipeline – Has been completed.
- Recognitions - Alana Margeson, a teacher at Caribou High School was named 2012 Maine Teacher of the year. Caribou Police Chief Michael W. Gahagan was named the 47th president of the Maine Chiefs of Police Association.

Council Agenda Item #15: Other Business

- a. First Read: Review of Easement Deed and Agreement with the Caribou Utilities District on Map 12 Lot 5A, Grimes Road Freezer Plant.

The Caribou Utilities District owns a parcel of land adjacent to a parcel acquired by the City for nonpayment of taxes. CUD has requested a deeded easement across the City’s parcel.

- b. Review of actions pertaining to Caribou Pet Rescue and the associated zoning issue.

Attorney Sarah LeClaire has filed complaints for review of governmental actions with Superior Court on behalf of Norma Milton and Caribou Pet Rescue. Attorney Solman has accepted receipts of the fillings and has filed a response.

- c. First Read: Review of a Memorandum of Agreement – Option to Purchase to the Veterans Memorial Park Association for park land off Nylander Street.

The Memorandum of Agreement outlines a series of agreements that occurred over several meetings. The MOA provides for sale of the land to the Veterans Memorial Park Association for \$1.00. The Association has obtained a survey of the property. The original design has been configured to fit on the proposed site. The MOA outlines when the project would be considered complete. Councilor Williams requested that language be included in the MOA that states that the City may purchase the property back from the Association if the Association wants to sell the property.

- d. Notice from MMA on receipt of dividend payment from Workers Compensation Fund

The City has received a dividend check of \$6,083.00.

- e. Other – None.

Meeting Dates previously set:

- Council Meeting October 12, 2011 at 7:00PM Council Chambers
- Council Meeting and Workshop October 24 2011 at 7:00PM Council Chambers
- Other Committee Meetings as set

September 26, 2011

11-18 Pg. 5

Council Agenda Item #13a: Executive Session: Consider moving to Executive Session for the purpose of appointing a position to the Loring Development Authority Planning Board, pursuant to Title 1 MRSA 405 (6) (A).

8:26 p.m. Motion made by C. Bell, seconded by MK Barbosa to move to Executive Session to discuss an appointment to the Loring Development Authority Planning Board.

Time Out: 8:31 p.m.

Council Agenda Item #16: Adjourn

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

Jayne R. Farrin, Secretary