

May 9, 2011

11-09

A regular meeting of the Caribou City Council was held 7:00 p.m. on Monday, May 9, 2011 in Council Chambers with the following members present: Deputy Mayor Christopher A.R. Bell, David Martin, Mary Kate Barbosa, R. Mark Goughan, John R. Boone and Miles R. Williams. Mayor Kenneth G. Murchison, Jr. was absent and excused.

Steven R. Buck, City Manager, Michael Gahagan, Police Chief, and Michael Shrewsbury, Community Development Director.

Also attending the meeting were Douglas Michaud, Milo Haney, Priscilla Haney, Russell Levesque, Wilfred Martin, Ben Rosser, and Fred Ormezzani.

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 of the April 11, 2011 Council meeting.

Motion made by D. Martin, seconded by J. Boone, to accept the minutes of the April 11, 2011 Council meeting as presented. (6 yes) So voted.

Council Agenda Item #3: Public Hearing to receive written and verbal input on amendments to Chapter 7 Licenses and Permits to require Seller/Server Training for all persons serving/selling alcoholic beverages under license.

7:01 p.m. Public Hearing Opened.

C & J Service owner Milo Haney read into the record his position on the proposed Seller/Server Training. See Exhibit A. The Councilors asked Mr. Haney several questions. Mr. Haney stated that he is not opposed to Seller/Server training but rather to the regulation of the training.

Chief Gahagan stated that there is a need for training and the department wants to provide this service for area businesses. The Chief answered several questions.

Dodos Market owner Russell Levesque addressed the Council. Mr. Levesque stated that he supports training, his employees have been trained, and the training cost him \$168.00. He disagrees with the training being mandated.

Mr. Wilfred Martin does not disagree with Seller/Server training, but rather with it being required.

Pizza Hut Manager Ben Rosser asked if Pizza Hut's training program would be sufficient under the proposed amendments. The Chief answered that it was.

7:40 p.m. Public Hearing Closed.

Council Agenda Item #4: Consider acting upon recommendations, amendments, or adoption to the proposed amendments to Chapter 7 Licenses and Permits, Seller/Server Training requirements.

The Councilors stated their positions on the amendments.

Motion made by M. Goughan, seconded by D. Martin, to direct the Police Department to continue with the program they have designed and to offer it to both servers and c-stores, if they so chose, and the Council will revisit it within a year. (4 yes, 2 no, C. Bell and M. Williams) So voted.

Motion made by D. Martin, seconded by MK Barbosa, to adopt Article XII Licenses for Sale of Liquor as amended with the removal of Section 1202 (7) - Seller/Server Training Required. (6 yes) So voted.

May 9, 2011

11-09 Pg. 2

Council Agenda Item #5: Public Hearing to receive written and verbal input on proposed amendments to Chapter 10 Community Development.

7:51 p.m. Public Hearing Opened.

Manager Buck provided a brief summary outlining the history and development of the proposed amendments to Chapter 10 Community Development.

Wilfred Martin asked several questions. Mr. Martin expressed concerns about the proposed amendments and with Chamber of Commerce being added to City Government.

8:12 p.m. Public Hearing Closed.

Council Agenda Item #6: Consider acting upon proposed amendments to Chapter 10 Community Development.

Motion made by M. Williams, seconded by D. Martin, to amend Chapter 10 to add Section 10-103 Chamber of Commerce as presented. (5 yes, 1 no, M. Goughan) So voted.

Motion made by M. Williams, seconded by J. Boone, to amend Chapter 10 Section 10-102 from a department of Community Development to a department of Community and Economic Development as presented. (5 yes, 1 no, M. Goughan) So voted.

Council Agenda Item #7: Consider acting upon bids for the 2011 Chip Sealing Program with MS-2/Latex modified emulsion product of approximately 120,000 yd².

2011 Chip Seal Bids:

Aroostook Asphalt Applicators, Inc., Presque Isle	\$3.26/gallon
Sunrise Materials, Orono	\$4.14/gallon

Motion made by M. Williams, seconded by D. Martin, to accept the Bid of Aroostook Asphalt Applicators, Inc. in the amount of \$3.26/gallon for MS-2 latex additive for chip sealing application. (6 yes) So voted.

Council Agenda Item #8: Consider acting upon bids for the 2011 Bituminous Concrete application of approximately 2,700 tons.

2011 Paving Bids:

Northern Paving, Limestone	\$85.00/ton
Trombley Industries, Limestone	\$81.80/ton
Lane Construction, Presque Isle	\$88.35/ton

Motion made by D. Martin, seconded by M. Williams, to accept the Bid of Trombley Industries for the anticipated 2,700 tons of asphalt paving for the 2011 construction season. (6 yes) So voted.

Council Agenda Item #9: Consider acting upon bids for the 2011 Bituminous Concrete patch and shim of approximately 750 tons.

2011 Shim & Patch Bids:

Lane Construction, Presque Isle	\$73.65/ton
Trombley Industries, Limestone	\$74.25/ton

May 9, 2011

11-09 Pg. 3

Motion made by D. Martin, seconded by M. Williams, to accept the low bid of Lane Construction for the 2011 anticipated quantity of skim and patch. (6 yes) So voted.

Council Agenda Item #10: Consider adoption of a Resolution raising awareness of the impacts upon the regional transportation provider of Aroostook Regional Transportation System's stemming from new CMS Brokerage Rules.

Community Development Director Michael Shrewsberry summarized the potential changes that are being considered by the State. These changes would jeopardize funding for the Aroostook Regional Transportation System (ARTS). Mr. Shrewsberry has work with ARTS to develop this Resolution. See Exhibit B.

Motion made by M. Williams, seconded by MK Barbosa, to authorize a Resolution in support of preserving the full range of public transportation services rendered by ARTS and requesting the State to exempt the rural based transportation providers from the Single Non-Risk Ambulatory health Plan Single Provider. (6 yes) So voted.

Council Agenda Item #11: Consider acceptance of the Financial Statements for the period ending April 30, 2011.

The City Manager noted the Revenue Summary Report is closing at 31.64% or 1.69% behind projections YTD. The Expense Summary Report is closing at 2.7% under Budget YTD. The net positive cash position YTD compared to Budget is a positive \$243,512 differing by just \$902.00 from last month. The Net Cash Position YTD is a positive \$155,368.00, an improvement of just \$29,349.00 compared to last month. Ambulance receipts have started to exceed Budget for the first time this year and April run volumes are up by 43% compared to 2010. 2010 Medicare retro payments are being received. The twenty-one applications received for the Chamber position are being scored and it is planned to hold interviews the week of the 17th. Account General Assistance City may reach the 90% reimbursement level before June 30th. Preparations are being made for the moving of the Chamber of Commerce to the Nylander Museum.

Motion made by M. Williams, seconded by D. Martin to accept the Financial Statements for the period ending April 30, 2011 as presented. (5 yes, 1 no, M. Goughan) So voted

Council Agenda Item #12: Consider authorizing the receipt of a 2006 Dodge Dakota pursuant to criminal forfeiture State of Maine v. Terry A. Tompkins.

If authorized by the Council, the State of Maine is willing to transfer this vehicle to the City. If the vehicle is sold, the proceeds cannot go into the City's General Fund but must be turned over to the Police Department. The Department plans to add it to their fleet.

Motion made by D. Martin, seconded by MK Barbosa, to accept the transfer of a 2006 Dodge Dakota pursuant to Title 15 MRSA §5826 (8) (B) in the matter of State of Maine v. Terry A. Tompkins. (6 yes) So voted.

Council Agenda Item #13: Consider authorizing the acceptance of a Bid and Grant Submission for the 2011 onsite Airport Obstruction Removals AIP Project No. 3-23-0012-13-2011.

The Manager provided information concerning the Airport's on-site and off-site obstructions. The 2011 project will address on-site obstructions only. The Manager has worked with Stantec developing the Federal Aviation Administration (FAA) approved scope of work. The 2011 obstruction removal will

May 9, 2011

11-09 Pg. 4

focus on trees that have grown to a height as to penetrate the air surface. Stantec prepared bid specification, advertised, and performed a pre-bid conference. Five bids were submitted

2011 Obstruction Removal Bids:

Soderberg Company, Inc., Caribou	\$197,335.00
Gary M. Pomeroy Logging, Herman	\$199,427.20
Larry's Construction, Caribou	\$231,776.70
McGillan, Inc., Fort Fairfield	\$244,005.40
Sargent Corporation, Bangor	\$313,069.80

Stantec reviewed all five bid submissions and deemed each to be complete. The Airport Committee has meet has meet and is recommending the acceptance of the bid by Soderberg Company, Inc. and to complete the Grant application to FAA seeking reimbursement for the Project. The City's share is 2.5% which is estimated to be \$7,250.00 with the balance being paid by the FAA and the State.

Motion made by D. Martin, seconded by M. Williams, to accept the bid of Soderberg Company, Inc. in the amount of \$197,335.00 and to make an application to FAA in the amount of \$290,000 for engineering and construction of the 2011 onsite Airport Obstructions removal. (6 yes) So voted.

Council Agenda Item #14: Authorization of the Warrant and Notice of Election calling the Regional School Unit #39 Budget Validation Referendum.

Motion made by MK Barbosa, seconded by M. Williams, to authorize the Warrant and Notice of Election calling the Regional School Unit #39 Budget Validation Referendum. (6 yes) So voted.

Council Agenda Item #15: Consider appointing Jayne R. Farrin as Election Warden and Kalen Hill as Deputy Election Warden for the June 14, 2011 RSU Budget Referendum election.

Motion made by MK Barbosa, seconded by J. Boone, to appoint Jayne R. Farrin as Election Warden and Kalen Hill as Deputy Election Warden for the June 14, 2011 RSU Budget Referendum election. (6 yes) So voted.

Council Agenda Item #16: Consider setting the opening times for the June 14, 2011 Elections as 8:00AM, pursuant to MRSA title 21-A §626.

Motion made by M. Williams, seconded by MK Barbosa, to set the opening times for the polls for the June 14, 2011 Election as 8:00 a.m., pursuant to MRSA title 21-A §626. (6 yes) So voted.

Council Agenda Item #17: Consider the 2011 appointment of two persons to the NMDC General Assembly.

Motion made by D. Martin, seconded by M. Williams, to appoint Steven Buck and Christopher Bell to the general Assembly of the Northern Maine Development Commission for the year. (5 yes, 1 abstention, C. Bell) So voted.

Council Agenda Item #18: Consider an application for a BYOB Function by Dennis Anderson at the Lister Knowlton VFW Post 9389 for June 4, 2011.

Motion made by D. Martin, seconded by MK Barbosa, to authorize the application for Dennis Anderson for a BYOB function at the Lister-Knowlton VFW Post #9389 for June 4, 2011. (5 yes, 1 abstention, M. Williams) So voted.

May 9, 2011

11-09 Pg. 5

Council Agenda Item #19: Consider a single date Game of Chance License for the American Legion Post.

Motion made by D. Martin, seconded by MK Barbosa, to authorize the Texas Hold 'Em Game of Chance application for the American Legion Post #15 for June 4, 2011. (6 yes) So voted.

Council Agenda Item #20: Consider authorizing a Proclamation from the City in recognition of the 2011 Cancer Walk to be held June 3 & 4, 2011.

Councilor M. Williams offered additional details surrounding the events that will take place at the 2011 Cancer Walk that will be held at Caribou High School on June 3 & 4, 2011. Deputy Mayor C. Bell read the Proclamation in to the record. See Exhibit C.

Motion made by MK Barbosa, seconded by D. Martin, to set forth a Proclamation in support of the 2011 Cancer Walk in Caribou to be held June 3 & 4, 2011. (6 yes) So voted.

Council Agenda Item #21: Updates

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

- Retail sales are up - The Manager commented that if State Revenue Sharing was true Revenue Sharing then the Caribou would see an increase in the City's share.
- State Budget Shortfall – The State has announced that there is a new \$164 million budget gap.
- Maine Military Authority has received a contract to refurbish fifty 5- ton trucks.

Council Agenda Item #22: Other Business

a. First Read: Consider a request to donate land to the City, 0.41 acres, off Goldfrank Street. The owners of the property across from the Fire Department off Goldfrank Street – Map 31 Lot 151 have offered to donate the land to the City. Currently the Fire Department does not see a need for this parcel.

b. Update on the Caribou Connector

Caribou Connector updates are available on the City of Caribou's website. The Manager provided a brief verbal update.

c. Farmers Market initiative

Caribou Chamber is looking to start a Farmers Market and for it to be located at the former Department of Motor Vehicle site.

d. Update on CDBG Planning Grant application for the River Front

On April 21st, the Citizens Advisory Committee met and approved the application. The application is ready to be shipped and needs to be in Augusta by May 13th.

e. Other

- Councilor D. Martin stated a concern about library staffing and hours. The Manager will place this as an action item on the next Council agenda.
- The Ayer potato house and zoning – This is being reviewed by the Planning Board.
- Councilor M. Goughan requested the population numbers for each of the RSU #39 communities.
- Mr. Shrewsbury anticipates bringing a grant application to the Council for review under the Communities for Maine's Future Bond Program. The funding was approved by Maine voters in June 2010.
- Councilor MK Barbosa commented on the potholes on Park Street.

May 9, 2011

11-09 Pg. 6

- Deputy Mayor C. Bell reminded the viewing audience that the Public Works Department is holding the City's one week single pass brush and leaves removal program this week.

Meeting Dates previously set:

- Council Meeting May 23, 2011 at 7:00PM Council Chambers
- RSU Budget Meeting May 25, 2011 at 7:00PM Caribou Performing Arts Center
- Council Meeting June 13, 2011 at 7:00PM Council Chambers
- RSU budget Referendum Election June 14, 2011

Council Agenda Item #23: Adjourn

Motion made by M. Williams, seconded by D. Martin, to adjourn the meeting.

Meeting adjourned at 9:37 p.m.

Jayne R. Farrin, Secretary