

January 9, 2012

12-02

A regular meeting of the Caribou City Council was held 7:00 p.m. on Monday, January 9, 2012 in Council Chambers with the following members present: Mayor Kenneth G. Murchison, Jr., Deputy Mayor David Martin, Mary Kate Barbosa, John R. Boone, Gary Aiken, Philip McDonough, II, and Bryan Thompson.

Steven R. Buck, City Manager; Kathleen Mazzuchelli, Director Parks & Recreation and "Let's Move" Task Force team member; Jenny Coon, Caribou Area Chamber of Commerce Director and "Let's Move" Task Force team member; and Michael Shrewsbury, Community Development Director.

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

Also attending the meeting were David Arena, Erin Buck, and Duane P. Walton. Others in attendance included "Let's Move" Task Force team members Pamela D. Buck, Allison Heidorn, and Kim Jones. The "Let's Move" presentation included Caribou Middle School Development Asset Team members: Nic Sleeper, Noah Heidorn, Connor Spencer, Kelsey Keihn, Megan Theriault, Kate Finnemore, Anna Soderberg, and Ben Ezzy.

Council Agenda Item #1: Public Input. None for non-agenda or agenda items

Council Agenda Item #2: Updates from City Administration

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

- State Revenues – State revenues have been fluctuating resulting in a larger State Budget gap.
- State Legislature – The Legislature is back in session.
- Medicaid (MaineCare) – There are no projected decreases to the City's ground or air ambulance transportation fees. The State of Maine is considering changing eligibility requirements for MaineCare which could result in an increase of medical requests through the General Assistance Program.
- MMA Legislative Policy Committee Meeting – Manager Buck plans to attend the January 19<sup>th</sup> meeting.
- Caribou Connector – All work has been suspended for the winter months. The City has met with Maine Department of Transportation (MDOT) and T. Y. Lin representatives concerning business signage for the Connector.
- Park 'n Ride – The new Park 'n Ride is up and in operation for the winter season.
- Airport – The replacement of the airport beacon has been worked into an addendum to the City's ongoing On-Site Obstruction Removal Project. Once authorized the City's share to replace the beacon should be less than \$1,000. A scoping meeting for the Off-Site Obstruction Removal Project will be held January 11<sup>th</sup>. The plan for Off-Site Obstruction Removal Project has been prepared by Stantec.
- FEMA and Grimes Mill Road – The City will be submitting an update to FEMA concerning the land shear on the Grimes Mill Road. The discussion will center on two available solutions to repair the road. The Manager will bring this back for Council review once the solution has been determined and cost estimates have been developed.
- Northern Maine Regional Airport – Three carriers have submitted proposals to provide air flight service to the Presque Isle airport.

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Council Agenda Item #3: Consider authorizing the minutes of the following meetings:

A. December 12, 2011 Council Meeting

Motion made by MK Barbosa, seconded by D. Martin, to accept the minutes of the December 12, 2011 Council meeting as presented. (4 yes, 3 abstentions, G. Aiken, P. McDonough, B. Thompson) So voted.

B. January 3, 2012 Council Meeting

Motion made by P. McDonough, seconded by G. Aiken, to accept the minutes of the January 3, 2012 Council meeting as presented. (7 yes) So voted.

Council Agenda Item #4: Presentation of the Let's Move Initiative for 2012.

Kathy Mazzuchelli introduced fellow Task Force Members: Pamela Buck, Allison Heidorn, and Kim Jones. In July 2011, the City Council issued a Proclamation registering the City of Caribou as a "Let's Move" City. The goal of the "Let's Move" Initiative is to help fight childhood obesity. Each Task Force Member provided updated information on activities and events that are occurring in Caribou to encourage healthier individuals and families. Caribou Middle School Development Asset Team members sang and presented t-shirts to the Council.

Council Agenda Item #5: Public Hearing to receive written and verbal input on a proposed Moratorium Ordinance on the sale and discharge of Consumer Fireworks as provided under MRSA Title 8 § 221-A.

7:35 p.m. Public Hearing Opened.

Background information on new State Consumer Fireworks law and the development of the proposed local Moratorium Ordinance was provided by the City Manager. Both Chief Gahagan and Chief Woods have reviewed the law and the actions of other communities. The Chiefs are recommending the enactment of an Ordinance so the Planning Board would have the time to develop amendments to the City's current Codes. The proposed Moratorium Ordinance was prepared by Attorney Solman. The proposed ordinance will go into effect immediately if adopted as an Emergency Moratorium Ordinance and would be limited to 60 days unless extended. The passing of a non-emergency ordinance could be in effect up to 180 days and extended for another 180 days.

7:51 p.m. Public Hearing Closed.

Council Agenda Item #6: Consider acting upon the proposed Moratorium Ordinance on the sale and discharge of Consumer Fireworks.

Motion made by P. McDonough, seconded by MK Barbosa, to adopt the Emergency Moratorium Ordinance regarding the sale or use of Consumer Fireworks, to become effectively immediately, and to remain in effect for 60 days unless otherwise revoked by the Council, and to further direct the Planning Board to complete the review and or recommendation for amendment of current code to account for Consumer Fireworks in a timely manner. (7 yes) So voted.

Council Agenda Item #7: Consider setting a Cost of Living Increase (COLA) to be implemented for the 2012 Budget year.

The Council has finalized 2012 wages for the Public Works Union and the Sergeant's Contract which included a 2% Cost of Living Increase (COLA). There was discussion among the Councilors as to whether any COLA adjustment should be considered now or later on in the budget process. The financial impact to the City has been included in the first draft of the 2012 Budget and represents a little over \$66,000.

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Motion made by D. Martin, seconded by MK Barbosa, to set the 2012 Cost of Living Adjustment at 2% for the Non-Union Employees. (5 yes, 2 no, G. Aiken, P. McDonough) So voted.

Council Agenda Item #8: Consider authorizing a Municipal Quitclaim Deed for taxes paid in full to Roberta Murray for Map 2, Lot 47C.

Motion made by D. Martin, seconded by P. McDonough, to authorize a Municipal Quitclaim Deed for taxes paid in full to Roberta Murray for Map 2, Lot 47C. (7 yes) So voted.

Council Agenda Item #9: Consider the abatement of interest and lien costs on two accounts due to past payment arrangements and issue Municipal Quitclaim Deeds for:

- a. Arthur Fortin, Jr., Tax Map 29 Lot 44
- b. Howard & Cuc Thi Getchell Tax Map 7 Lot 20A

The payment arrangements for these individuals were made several years ago with the former Finance Director. Under these arrangements, interest is accruing at such a rate that the individuals will never be able to become current and able to reacquire their former property. Finance Director Wanda Ouellette recommends the discontinuance of the payment agreements and for the Council to authorize municipal quitclaim deeds and return the property to the former owners.

Motion made by D. Martin, seconded by P. McDonough, to authorize municipal quitclaim deeds to Arthur Fortin, Jr. for Tax Map 29 Lot 44 and Howard & Cuc Thi Getchell for Tax Map 7 Lot 20A and thereby discontinue prior Payment Agreements on said properties and return the properties to the full ownership of said individuals and subject to property taxation again for 2012 with the condition that these individuals enroll in the 2012 Tax Club. (7 yes) So voted.

Council Agenda Item #10: Consider placing to Bid the following tax acquired properties:

- a. Tax Map 38 Lot 83 located at 135 Limestone St.
- b. Tax Map 29 Lot 39 located at 13 View Street

Motion made by J. Boone, seconded by D. Martin, to authorize placing to Bid the tax acquired properties at Tax Map 38 Lot 83 located at 135 Limestone Street and Tax Map 29 Lot 39 located at 13 View Street with the minimum bid requirement of \$3,500.00. (7 yes) So voted.

Council Agenda Item #11: Consider the abatement of property taxes against Tax Map 10 Lot 50-73.

Motion made by D. Martin, seconded by G. Aiken, to abate the amount of \$70.74 against Tax Map 10 Lot 50-73. (7 yes) So voted.

Council Agenda Item #12: Consider setting Council Committees for 2012, pursuant to Charter Section 2.03.

Personnel Committee

David Martin, Chair  
Gary Aiken  
Philip McDonough  
Kenneth Murchison

Airport Committee

Mary Kate Barbosa, Chair  
Philip McDonough  
Bryan Thompson

Highway/Protection Committee

Philip McDonough, Chair  
Mary Kate Barbosa  
John Boone

Investment Committee

John Boone, Chair  
Gary Aiken  
David Martin

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Nylander Board  
Mary Kate Barbosa

Tri-Community Landfill  
Shane McDougal  
Kenneth Murchison

NMDC  
Gary Aiken  
Steven Buck

Caribou Economic Growth Council  
Bryan Thompson  
Steven Buck

Planning Board Liaison  
Philip McDonough

Cadet  
Mary Kate Barbosa

Municipal Buildings Committee  
David Martin, Chair  
Kenneth Murchison  
John Boone

Council Agenda Item #13: Other Business

a. First Reads

- RC2 – Amendments to the land use table to allow for agricultural storage buildings: There have been two occurrences in the RC2 requiring the need for the building of agricultural storage facilities. In the first situation, an amendment was made to the district carving that portion with the agricultural storage building out and adding it to the R3. With the second situation, the Council gave a Consent Letter to the farmer allowing the facility to be built. Since then the Planning Board has completed their work and is recommending an amendment to the land use table to allow agricultural storage buildings in the RC2. Councilor Barbosa asked how the City will address the sound issues the neighbors of Ayer Farms complained about at a recent Council meeting. Manager Buck stated that the City has a new sound meter and will work with the farmer to complete testing to see if sound levels are within those acceptable in the City's land use codes.
- 13-700 subsection 17- Kennels – The Planning Board has completed work on this section of the City's land use codes.
- Both of these items will be on the Agenda for the January 23<sup>rd</sup> Council Meeting.

Meeting Dates previously set:

- Combined Council & CIP Committee First Review of the 2012 CIP – January 18, 2012 at 6:00 p.m. Council Chambers
- Council Meeting – January 23, 2012 at 7:00 p.m. Council Chambers
- Council Workshop – January 23, 2012 following Council meeting, Council Chambers

Council Agenda Item #14: Executive Session: Consider moving to Executive Session to discuss the future disposition of real property for economic development purposes, pursuant to MRSA Title 1 Chapter 13 Section 405 (6)(C).

8:39 p.m. Motion made by D. Martin, seconded by MK Barbosa, to move to Executive Session to discuss the future disposition of real property for economic development purposes, pursuant to MRSA Title 1 Chapter 13 Section 405 (6)(C). (7 yes) So voted.

9:51 p.m. Returned from Executive Session.

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Consensus was to submit a proposal to the business entity in question and open for negotiations if interest is identified.

Council Agenda Item #15: Executive Session: Consider moving to Executive Session to discuss a personnel matter, pursuant to MRSA Title 1 Chapter 13 Section 405 (6)(A).

9:52 p.m. Motion made by P. McDonough, seconded by G. Aiken, to move to Executive Session to discuss a personnel matter, pursuant to MRSA Title 1 Chapter 13 Section 405 (6)(A).

10:10 p.m. Returned from Executive Session.

No actions were taken only the presentation of updated information from legal counsel for an ongoing personnel matter.

Council Agenda Item #16: Adjourn

Meeting adjourned at 10:12 p.m.

Jayne R. Farrin, Secretary