

February 8, 2010

10-04

The Caribou City Council held a regular meeting at 7:00 p.m. on Monday, February 8, 2010, in Council Chambers with the following members present: Mayor Kenneth G. Murchison, Jr., Christopher A.R. Bell, David Martin, Karla M. Bell, Mary Kate Barbosa, and John R. Boone. Councilor R. Mark Goughan was absent and excused.

Steven R. Buck, City Manager, and Stephen Wentworth, Code Enforcement Officer, were present.

Also in attendance were Bill Flagg, Paula Parent, David Silsbee, Miles R. Williams, Paul Theriault, Freeman Cote, Doug Morrell, and Caribou High School FFA Chapter members Colby Conroy, Megan Wood, and Desiree Lavallee.

Time Warner covered the meeting.

Council Agenda item #1: Public Input. There was no public input.

Council Agenda item #2: Consider approval of the minutes of the following meetings:

- a. January 25, 2010 Council Meeting.
- b. January 25, 2010 Council Workshop.

Motion made by K. Bell, seconded by MK Barbosa, to accept the minutes of the January 25, 2010 Council Meeting and Workshop as printed. (6 yes) So voted

Council Agenda item #3: Consider authorizing a Proclamation declaring the week of February 20 – 27, 2010 as Future Farmers of America week.

Colby Conroy, FFA Chapter Treasurer, thanked the Council for the opportunity to make the request to observe FFA Week in February. He described some of the activities planned for the week. Mayor Murchison read the proclamation. See Exhibit "A"

Motion made by C. Bell, seconded by D. Martin, to proclaim the week of February 20 – 27, 2010 as Future Farmers of America Week in Caribou. (6 yes) So voted.

Council Agenda item #4: Consider authorizing a letter of recognition for Cary Medical Center for its numerous achievements in 2009.

Motion made by C. Bell, seconded by K. Bell, to authorize a Letter of Recognition for outstanding achievements by Cary Medical Center during 2009 for Quality Health Services and outstanding patient care. Councilor K. Bell, noting that her mother had been a nurse at Cary for 42 years, said she agreed that Cary was very deserving of this recognition. (6 yes) So voted. See Exhibit "B"

Council Agenda item #5: Presentation by Code Officer Stephen Wentworth on the City's Adoption of the International Codes as mandated by the State, pursuant to MRSA Title 30-A Section 4451.

Stephen Wentworth reported on the State's recently adopted Maine Building and Energy Code that will take effect June 1, 2010 and mandated to be adopted and implemented by the City as of December 1, 2010. He named the many international codes included under the new legislation which he suggested the City adopt in time for the spring construction season. In addition, he proposed revising the building permit fees to address the extra time that would be required for the planning reviews and inspections. He recommended raising fees according to the project cost, \$25 fees would increase to \$50 for projects under \$5,000; projects of \$5,000 to \$10,000 would be \$75, projects \$10,000 to \$49,000 would be \$100, and projects \$50,000 and above would be charged \$5 per thousand. The plans for any commercial buildings would have to be sent to Augusta for a plan review.

The Councilors discussed the guidelines of the new code with the CEO. Councilor Martin suggested having a permit fee of \$5.00 per \$1,000 for all projects. Steve W. pointed out that was something the Council could choose to do. Upon learning that there is but one person assigned in Augusta to review plans for all commercial buildings in the State, the Council was apprehensive that progress would be greatly hindered by what they perceived would be an inevitable bottleneck at the State level. Steve W. said he had sent communication to the legislative delegation concerning this, he has not yet heard from anyone. He was optimistic that the issue would be resolved to the satisfaction of all.

Motion made by D. Martin, seconded by K. Bell, to set a public hearing date of April 12, 2010 to consider the adoption of the International Codes, pursuant to MRSA Title 30-A Section 4451. (6 yes) So voted.

Council Agenda item #6: Consider ratification of a successive Employment Agreement with the Caribou Public Works Department, AFSCME Local 220.

The City Manager said that there is work yet to be done on Article 28, Unpaid sick leave. He expected the issue to be resolved this week and he would provide the Council with the revised contract prior to the meeting on the 16th of February with AFSCME.

Motion made by K. Bell, seconded by D. Martin, to table item #6 until the February 22, 2010 Council meeting. (6 yes) So voted.

Council Agenda item #7: Consider authorizing a Public Hearing Date of February 22, 2010 to receive public and written comment on the 2010 Capital Improvements Program, pursuant to Charter Section 5.09.

Motion made by D. Martin, seconded by K. Bell, to set a public hearing date of February 22, 2010 to receive public and written comment on the 2010 Capital Improvements Program, pursuant to Charter Section 5.09. (6 yes) So voted.

Council Agenda item #8: Consider a review of Budgetary Actions being considered and the resulting Budget Summary to date.

The City Manager gave a summary of the actions that are being considered in workshop sessions to address the actual and anticipated budget impacts, some of which the City has little to no control over. Increased expenses, due mainly to restoration of the CIP and health insurance costs, along with the anticipated loss of State and Federal funding amount to a \$1,236,862 overall impact. Expense reductions being considered include a decrease in the CIP of \$192,745 and a series of reductions throughout all departments of the City. The possibility of partial

restoration of some State and Federal revenues and reimbursements would assist in minimizing the final impacts. He closed by saying, "The Council, administration, departments, and all persons will need to assist in this work to mitigate these detrimental impacts due to the current economic recession."

Council Agenda item #9: Consider acceptance of the 2010 Council Goals for the City Manager.

Mayor Murchison read the five goals that had been formulated and agreed upon in a recent workshop session: Continue to strengthen Caribou's position as a Regional Service Center Community, Preserve the City's overall position on Segment 4 leading up to and including construction, Educate the public on the pending June election as it pertains to a Charter Commission, Maintain due diligence over Budget Administration and minimize the impacts pending in the 2010 Municipal Budget, and Preserve the City's position in the acquisition and re-use of the Loran C Station in Caribou and establish public-private partnerships to expand regional economic development from the re-use.

Motion made by C. Bell, seconded by D. Martin, to adopt the Manager's Goals for 2010 as presented. (6 yes) So voted.

Council Agenda item #10: Consider authorizing two Municipal Quitclaim Deeds for taxes paid in full to:

- a. Howard & Carolyn Clapp for Map 32 Lot 24
- b. Jody R. Smith & Sven E. Bondeson for Map 28 Lot 120

Motion made by K. Bell, seconded by D. Martin, to authorize a Municipal Quitclaim Deed for taxes paid in full to: Howard & Carolyn Clapp for Map 32 Lot 24. (6 yes) So voted.

Motion made by K. Bell, seconded by D. Martin, to authorize a Municipal Quitclaim Deed for taxes paid in full to Jody R. Smith & Sven E. Bondeson for Map 28 Lot 120. (6 yes) So voted.

Council Agenda item #11: Consider authorizing a Municipality Agreement for Vegetation Control with Maine Public Service, pursuant to MRA Title 35-A, Chapter 2522.

Motion made by K. Bell, seconded by C. Bell, to authorize the City Manager to return the Municipality Agreement for Vegetation Control Form requesting no further notification or information for this year. (6 yes) So voted.

Council Agenda item #12: Consider the renewal of two licenses for KBS Enterprises, Inc., d/b/a Caribou Inn & Convention Center:

- c. Hotel Class Liquor License
- d. Special Entertainment Permit

Motion made by D. Martin, seconded by C. Bell, to approve the renewal of a Hotel Class Liquor License and a Special Entertainment Permit for KBS Enterprises, Inc., d/b/a Caribou Inn & Convention Center. (6 yes) So voted.

Council Agenda item #12B: Consider adopting the regular production of a Council Informational Update for distribution to the public.

The City Manager explained the proposal that would provide information to the public on what is being discussed in workshop sessions. The written updates would be obtainable through various means including the Aroostook Republican.

Councilor K. Bell pointed out that the updates would be non-opinionated, non-editorial and would contain the facts to help the public understand what the issues are and how they are being handled. Councilor M K Barbosa had offered to produce the articles. The public was also invited to offer written comments on issues addressed to the Council via the City Manager's office.

Motion made by D. Martin, seconded by C. Bell, to adopt a regular production of a Council Informational update for distribution to the public. (6 yes) So voted.

Council Agenda item #13: Updates

The City Manager presented information on several topics including:

- Rail Closure – Public hearing was held on LD1678 to create a task force to study impact on rail closure – There may not be enough time to complete the study before actual closure – The consultant is still working on the proposed plan to increase uses and increase business for the MMA rail line - Legislative bond bill being submitted for State purchase of rail line – February 5th MMA filed notice of intent to abandon and would initiate the process on or before February 24th – Consultant's proposals scheduled to be presented to the Standing Committee on transportation on February 18th
- Segment 4 – Tier 1 (from Sherman to the Valley) Record of Decision signed by EPA and received by MDOT on February 1st – All but 2 out of 11 segments deferred – Tier 2 ROD also signed and received by MDOT – Segment 4 an official project - Highway Authority expected to release funds for final design work – Intersection design is next step - No word on TIGER grant – Highway Authority has given authority to MDOT to move forward with the Caribou 4.2 mile connector between Route 1 and Route 161 – Jim Ferguson, Project Manager for Segment 4 construction says MDOT will be able to meet MOA that was signed by the Governor – He expects to meet with City in near future to scope the project – MDOT to finalize corridor alignment and overpass locations starting with intersection design – City to be involved in process and kept informed of progress on a regular basis – Project specs to be prepared for August 25th – Tentative advertising for project bids September 1st – Site setup, establishment of stock pile areas and limited rough grading planned for this fall – Actual construction spring of 2011
- MDOT – South Main Street scheduled for mill and fill this summer – Project to start at Hatch Drive and continue to Wilbur Avenue and may continue to compact line – Scoping meeting set for Tuesday at 1:30 p.m. for project before bidding process on or before March 17th – CUD to be involved also with possible plans to do a water main replacement in the area – City's obligations to be established – Proposal will be made to have the tailings from the mill and fill trucked to the City's stockpile area to be used for City construction purposes – City to negotiate trucking the tailings in exchange for the value of the product
- Bio-Mass – Communication from USDA concerning bio-mass facilities as they relate to the proposed bio-mass boiler at the high school – School may be eligible to receive a subsidy for

the transport of biomass as long as its being used for heat or electrical generation purposes as opposed to using petroleum products – State Director of Farm Service Agency will be part of phone conference on Tuesday to learn if the biomass boiler would be considered a biomass conversion facility

- Loran C – Station signal was turned off earlier in the day – Signal to Canada continues for up to one year or until there is an agreement to discontinue – Re-uses and or disposition being studied
- Planning Board – Council is requested to attend a workshop session on March 4, 2010 at 4:30 p.m. regarding the proposed changes to noise ordinance
- Highway/Protection – Suggestion to meet in the near future to study the 20 out of 45 of the surveys have been returned – Responses have been summarized and mapped out – Second notices may go out to businesses in most critical situations that have not responded
- Hows Corner – Consent Decree has been signed – City’s liability has been resolved – 2 CD’s still being held until FAME makes final payment on prior assessments or other arrangements are determined

Council Agenda item #14: Other Business

- e. First Read: Request for Proposals for a City-Wide Reappraisal to Maintain Equitable Assessments

Council would review information for consideration at the next regular meeting. The RFP’s would be sent out immediately with the plan being to have the re-valuation take place in 2011 and ready for implementation by April 1, 2012. Tax commitments in June would be with new valuations.

- f. Setting of Times for Budget Workshop/s or Committees
- g. Other Business

Meeting Dates previously set:

- February 16, 2010 5:30 p.m. Council Chambers, Personnel Committee for AFSCME Local 220 Public Works and Teamsters
- February 22, 2010 7:00 p.m. Council Chambers, Regular Council Meeting, Council Workshop to follow conclusion of Regular meeting
- February 24, 2010 5:30 p.m. Council Chambers Highway/Protection Committee
- March 4, 2010 4:30 p.m. Council Chambers Planning Board Workshop

Council Agenda item #15: Executive Session: Consider moving to Executive Session for the purpose of an appointment to the Nylander Board of Trustees, pursuant to MRSA Title 1 §405 (6)(A).

8:52 p.m. Motion made by C. Bell, seconded by K. Bell, to move to Executive Session for the purpose of an appointment to the Nylander Board of Trustees, pursuant to MRSA Title 1 §405 (6)(A). (6 yes) So voted.

9:08 p.m. Returned from Executive Session.

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Motion made by K. Bell, seconded by D. Martin, to appoint Leslie Randolph to a three-year term to the Nylander Board of Trustees. (6 yes) So voted.

9:10 p.m. Meeting adjourned.

Judy-Ann Corrow, Secretary

A workshop immediately followed the regular session.