

October 11, 2010

10-19

A regular meeting of the Caribou city council was held at 7:00 p.m. on Monday, October 11, 2010, in Council Chambers with the following members present: Mayor Kenneth G. Murchison, Jr., Deputy Mayor Karla M. Bell, R. Mark Goughan, David Martin, Mary Kate Barbosa, Christopher A. R. Bell and John R. Boone.

Steven R. Buck, City Manager and Mike Shrewsberry, Director of Community Development.

Also attending the meeting were Donald M. Goughan, Wilfred Martin, Doug Morrell, and James Cyr.

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 September 27, 2010

Motion made by C. Bell, seconded by D. Martin, to approve the minutes of the September 27, 2010 Council Meeting as printed. (5 yes, 2 abstentions, K. Murchison and MK Barbosa) So voted.

b. Council Workshop of September 27, 2010

Motion made by C. Bell, seconded by K. Bell, to approve the minutes of the September 27, 2010 Council Workshop of September 27, 21010 as printed. (5 yes, 2 abstentions, K. Murchison and MK Barbosa) So voted.

Council Agenda item #3: Consider authorizing a Proclamation declaring November National Adoption Month in the City of Caribou.

Motion made by D. Martin, seconded by K. Bell, to issue a Proclamation declaring November National Adoption Month in Caribou. (7 yes) So voted.

Council Agenda item #4: Consider acceptance of the Financial Statements for the period ending September 30, 2010.

The City Manager noted the Revenue Summary Report is closing at 68.27% or 6.73% behind projections YTD. The Expense Summary Report is closing with total expenditures of \$6,368,772.96 or 73.97%, just 1.03% under target YTD. The net positive cash position YTD compared to Budget is a positive \$88,684.00 a net gain of \$60,271.00 compared to last month. The Revenue Summary Report is closing at 6.73% behind projections YTD, a decrease of 3.62%. The net position for Revenue is a negative \$360,379.00 a net decrease for the month of \$193,845.00. The two factors impacting Revenues are the non-linear receipt of booked funds from Tri-Community of \$510,000.00 and the six week suspension of Ambulance billings. Tax receipts as of September 2010 for both Real and Personnel Property taxes are up by \$222,527.00 as compared to September 2009.

The City Manager reviewed the General Ledger Summary Report and noted that the Police Department has purchased several narrow banding compliant radios and the first payment has been issued to the Revaluation Company.

Councilor Goughan asked about the BETE Program and how certain are we that the State will pay the City.

On the Expense Summary Report, Manager Buck noted a correction on the Revenue versus Expense Report for Code Enforcement and Housing YTD. The presented report indicates that 90% of Expenses for these two accounts has been funded by fees and the correct percentage is 98.65%.

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Motion made by D. Martin, seconded by C. Bell, to accept the Financial Statements for the Period ending September 30, 2010. (6 yes, 1 no, M. Goughan) So voted.

Council Agenda item #5: Consider issuing two Proclamations for persons celebrating their 50th Wedding Anniversaries.

It was suggested that Council Proclamations be posted on the public access television channel.

Motion made by K. Bell, seconded by MK Barbosa, to issue Proclamations in recognition of the 50th Wedding Anniversary for these couples as requested by family members. (7 yes) So voted.

Council Agenda item #6: Review of Release Agreements drafted for the disposition of surplus and or tax acquired properties.

The Council has received copies of two types of releases prepared by Attorney Solman for the disposition of surplus and tax acquired properties. The first release specifically addresses the pending demolition of the old Beacon Tower at the Caribou Airport. The second release is a generic type that the City could use regarding the salvage of goods or materials from tax acquired property slated for demolition or disposal, or demolition without salvage.

Council Agenda item #7: Consider authorizing a Transportation Enhancement Project Agreement with Maine DOT for construction of a sidewalk on North Main Street.

The City Manager gave a brief history on the development of a sidewalk on North Main Street. The proposed agreement has a sidewalk being developed from the current end point by the Airport to the entrance of Cary Medical Center. The estimated cost of the project is \$248,187.24 with 20% being the City's share. The City will have nearly a mile of new sidewalk for the cost of \$41,583.00 which is for the equipment and man hours. Cary Medical will not be helping with the costs but they will have to maintain the sidewalk on their campus.

Motion made by C. Bell, seconded by D. Martin, to authorize the City Manager to sign and implement the Transportation Enhancement Project Agreement for Construction of sidewalks along North Main Street to the Cary Medical Center entrance. (7 yes) So voted.

Council Agenda item #8: Review of a Phase II Draft Environmental Site Assessment for 83 Glenn Street.

Director of Community Development Mike Shrewsbury has worked with the Department of Environmental Protection to fund a Phase II Environmental Assessment of the 83 Glenn Street property. The Assessment has been completed and the Manager presented the results.

The Veterans Memorial Park Association would like to meet with the Council at the earliest possible date once the Assessment information has been received and reviewed.

Councilor Martin asked about the possible location of a wood boiler for city facilities and the use of Glenn Street property.

Council Agenda item #9: Consider making future appointments for the Capital Improvements Committee.

CIP member David Ouellette finds it difficult to attend the meetings and is willing to be replaced. The other four CIP members are willing to continue to serve on the Committee. There is nothing in the Charter that would prevent a Councilor from serving on the Committee.

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Council Agenda item #10: Consider setting the opening times for the November 2, 2010 Elections as 8:00 AM, pursuant to MRSA title 21-A §626.

There was a brief discussion regarding the proposed 8:00 AM opening time for the polls and whether it should be earlier and the words used to instruct voters as to the number of candidates that can be voted for.

Motion made by K. Bell, seconded by MK Barbosa, to set the opening times for the polls for the November 2, 2010 Election as 8:00 AM, pursuant to MRSA title 21-A §626. (7 yes) So voted.

Council Agenda item #11: Consider appointing Jayne R. Farrin as Election Warden and Kalen Hill as Deputy Election Warden for the November 2, 2010 Elections.

Motion made by K. Bell, seconded by MK Barbosa, to appoint Jayne R. Farrin as Election Warden and Kelen Hill as Deputy Election Warden for the November 2, 2010 Elections. (7 yes) So voted.

Council Agenda item #12: Consider authorizing the November 2, 2010 Notice of Municipal Election as presented, pursuant to MRSA Title 30-A §2551 and MRSA Title 21-A §622-A.

Motion made by K. Bell, seconded by John Boone, to authorize the posting of the Notice of Municipal Election. (7 yes) So voted.

Council Agenda item #13: Consider the issuance of a Texas Hold'Em Game of Chance license to the American Legion Post #15, 67 Sweden Street, for November 6, 2010.

Motion made by MK Barbosa, seconded by D. Martin, to issue a Texas Hold'Em Game of Chance license to the American Legion Post #15, 67 Sweden Street for November 6, 2010. (7 yes) So voted.

Council Agenda item #14: Consider the renewal of a Special Entertainment License for the American Legion Post #15, 67 Sweden Street.

Motion made by K. Bell, seconded by C. Bell, to issue a Special Entertainment License for the American Legion Post #15, 67 Sweden Street. (7 yes) So voted.

Council Agenda item #14b: Consider renewal of a Bingo Game of Chance License for Caribou Senior Citizens Bingo, American Legion Post #15, 67 Sweden Street.

Motion made by C. Bell, seconded by D. Martin, to issue a Bingo Game of Chance License for Caribou Senior Citizens Bingo, American Legion Post #15, 67 Sweden Street. (7 yes) So voted.

Council Agenda item #15: Updates

The City Manager provided updated information on several topics including:

- South Main Street project is on track to be completed by the October 15th deadline. The Public Works Department will complete painting and striping as weather permits.
- Caribou Connector – Ground breaking ceremony will take place October 25th at 1:00 PM Moir Farm access road off Route 161. Mayor Murchison suggested that LEAD members should be invited as the project was started by them. A reception will be held in NMDC's conference room.

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- Airport Engineering – The Manager is in the process of reviewing a contract that will be between Stantec and the City. The contract will be filed with the state once it has been reviewed and signed.
- Cavendish Farms – The City and Cavendish Farms have ongoing communication regarding the relocation of their fertilizer distribution plant. The goal is to keep the plant in Caribou.
- Arts & Crafts Fair – To be held October 16th & 17th at Caribou High School.
- MicMac Contract – Since the last Council Meeting a revised contract for inspection services between the City and the MicMacs was sent to them for their review. The City Manager has not received a signed contract or any other information regarding this matter.

Council Agenda item #16: Other Business

- a. Review of communications to Congressional Offices pursuant to pending Medicare retroactive payments from January 1, 2010 to June 30, 2010

The Congressional Offices have been contacted to inform them as to the importance of Medicare retroactive payments. The amount due to the Caribou Ambulance Department is \$115,000.00. The American Ambulance Association (AAA) continues to push the Centers for Medicare and Medicaid Services (CMS) to find and pay carrier and authorize the reprocessing of claims. Both Senator Collins and Representative Michaud have joined others in supporting the extensions of Medicare Ambulance Relief.

- b. Review of communications from Eaton Peabody pertaining to the Hows Corner Plymouth Waste Oil Site and pending FAME actions

The stakeholders are very near a recommended resolution that will be presented to the Legislature. The proposed resolution includes 1) FAME loans would be forgiven, 2) The balance in reserve in the FAME loan fund would be used to pay administration costs for the bond issued in 2009, and 3) The proceeds of the premiums on motor oil that are collected above a certain threshold are paid out pursuant to the priority that will be agreed to by all of the stakeholders.

- c. Review of actions taken towards the renewal of the Maine Military Authority lease for the 60 Access Highway facility

Congress adjourned for the November elections prior to passing the federal budget therefore the Army National Guard is operating under Continuing Resolution which prevents the issuing of new work contracts as the funding is not yet authorized. Thus far the City has not heard anything regarding this issue.

- d. Reminder of Ordinance to Regulate Medical Marijuana Dispensaries Public Hearing set for October 25, 2010
- e. Review of Permit Issuances year to date within Code Enforcement

The Code/Housing has generated 98.65% of the revenue needed to support all combined expenses to date. This includes Section 8 Housing Administration fee and a variety of permits issued through the Code Enforcement Office.

- f. Other – Councilor Martin asked a question about the City’s \$6,337.00 unemployment refund check.

Meeting Dates previously set:

- Council Meeting – October 25, 7:00 PM Council Chambers 25 High Street
- Council Workshop – October 25, 2010 following Council meeting
- Steering Committee – October 14, 7:00 AM Council Chambers, 25 High Street
- Highway Protection Committee – October 14, 5:30 PM Council Chambers, 25 High Street
- Caribou Connector Ground Breaking Ceremony – (tentative) October 25, 1:00 PM, field access road off Route 161, top of hill – details pending
- Personnel Committee – Workshop to set Points of Negotiations – Set time and date
The Personal Committee Workshop will be held October 19, 2010 at 5:00 PM
- Veteran Memorial Park Committee Meeting will be held after the November 2, 2010 election.

Council Agenda item #17: Executive Session: Consider moving to Executive Session for the purpose of receiving pending economic development considerations, pursuant to Title 1 MRSA § 405 (6)(C).

8:26 p.m. Motion made by C. Bell, seconded by K. Bell, to move to Executive Session for the purpose of receiving pending economic development considerations, pursuant to Title 1 MRSA § 405 (6)(C). (7 yes) So voted.

9:10 p.m. Returned from Executive Session.

No motions or actions were made or taken after returning from Executive Session. The Council received a summary of proposed development that may or may not request future considerations from the City to assist in said development. Until such time as the Developer is ready to make an application to the City, the Council will hold any future actions. Administration will work with the Developer towards said application.

Council Agenda item #18: Adjourn

Meeting adjourned at 9:11 p.m.