

April 28, 2014

14-10

A regular meeting of the Caribou City Council was held 7:00 p.m. on Monday, April 28, 2014 in Council Chambers with the following members present: Mayor Gary Aiken, Deputy Mayor David Martin, Philip McDonough II, Joan L. Theriault, David R. Genthner, Sr., Shane McDougall, and Kenneth G. Murchison, Jr.

Austin Bleess, City Manager and Tony Mazzucco, Assistant City Manager were present.

Department Managers: Penny G. Thompson, Tax Assessor; Scott Susi, Fire Chief; and Diane DuBois, Library Director.

Natalie De La Garza, representing the Aroostook Republican; and Time Warner covered the meeting.

Council Agenda Item #1: Public Input

None

Council Agenda Item #2: Declaration of Conflicts of Interest from the City Council regarding any agenda item.

Councilor S. McDougall stated his conflict of interest with Agenda Item 8.

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

a) April 14, 2014 Council Meeting

Motion made by P. McDonough, seconded by D. Genthner, to accept the minutes of April 14, 2014 Council meeting as presented. (6 yes) So voted.

Council Agenda Item #4: Consent Agenda

a) June 10, 2014 Elections

1. Approval of an 8:00 a.m. opening time
2. Appointment of Jayne R. Farrin as Election Warden and Kalen Hill as Deputy Election Warden
3. Approval for the Notice of Special Municipal Election
4. Countersign the Warrant and Notice of Election calling Regional School Unit #39 Budget Validation Referendum

b) Approval of Licenses

1. Taxi License Renewal –Aroostook Cab Company
2. Rubbish Hauler License Renewal – Caldwell’s Sanitation, Crown of Maine Sanitation, Gil’s Sanitation, Pine Tree Waste, and Rossignol Sanitation.

Motion made by D. Martin, seconded by P. McDonough, to approve the Consent Agenda with Business Items A and B as presented. (6 yes) So voted.

Council Agenda Item #5: Municipal Service Fees Ordinance

Per request of the Council, research has been done on the implementation of a Municipal Service Fee Ordinance that could be adopted by Council under MRSA Title 36 Section 508. Caribou Gardens, Central Aroostook Association, Facilities, Inc., and Rose Acres are four of the organizations that would be affected if the Council adopts the proposed ordinance. Currently Caribou Gardens pays a PILOT that is based on the same formula outlined in the proposed ordinance.

April 28, 2014

14-10 Pg. 2

7:03 p.m. Public Hearing opens.

Philip St. Peter – connected with Rose Acres for over 45 years – Mr. St. Peter provided a brief history of this development which was started in 1969 with the donation of land by Rose Corriveau for the development of elderly and low income housing and a nursing home. From the beginning an amount equaling 10% of their gross income has been paid In Lieu of Taxes to the City. Over the past 10 years, this amounts to approximately \$405,000 with \$44,960 being paid in 2013. He wants everyone to know that Rose Acres does contribute to the City.

Brian Ostlund – Facilities – wants the Council to realize that non-profits run on small margins. He will be discussing this with his board at their next meeting. He requested that the Ordinance be tabled.

7:18 p.m. Public Hearing closed.

Motion made by K. Murchison, seconded by D. Genthner, to table until additional information has been gathered. (5 yes, 1 no, S. McDougall) So voted.

Council Agenda Item #6: Heritage Road Abandonment

The City has received a request from Rick Solman on the behalf of him and his siblings regarding Map 35 Lots 185 and 179. These lots run along a portion of Heritage Road that was created in 1956 through a subdivision, but was never used as a street. There isn't any historical documentation that any road maintenance had ever been done on the portion of the street in question. At the April 14, 2014 meeting, the Council voted to schedule a public hearing and to move forward with the declaration of abandonment for this section of Heritage Road, as State Statute allows the City to consider a street abandoned after 30 years of no municipal maintenance. Any person affected by the presumption of abandonment may seek declaratory relief in Superior Court.

7:26 p.m. Public Hearing opened.

Rick Solman stated that he supports the Presumption of Abandonment.

7:28 p.m. Public Hearing closed.

Motion made by K. Murchison, seconded by J. Theriault, to authorize Manager Bless to move forward with the Presumption of Abandonment for this section of Heritage Road. (6 yes) So voted.

Council Agenda Item #7: Consent Agreement with Stoneland Holdings

Andy Ayer, Stoneland Holdings , LLC plans to build new housing for their migrant workers. The current mobile homes will be replaced with new stick built units. Even though this site has been used for migrant housing since the 1960s, there isn't any record that a subdivision review has been done by the City. Staff is recommending that a Consent Agreement be signed between Mr. Ayer and the City outlining the history of the land, allowing construction of new buildings, and requiring the removal of the mobile homes. The Consent Agreement would be recorded at the Registry of Deeds once it is signed by both the Council and Mr. Ayer.

The Council had several questions for Mr. Ayer and Attorney Solman. Councilor Theriault agrees with the changes being proposed by Mr. Ayer, but will not sign the agreement as presented. Her concerns are the with the sentence, "City through the Legislative Body of the City Council will agree that this subdivision has existed since before the Subdivision Ordinance was enacted in 1971."

Stoneland Holdings plans to recycle what can be recycled from the mobile homes and then bury what remains. It estimated that the project will cost \$200,000 to complete. A building permit has been issued by the Code Enforcement Officer and Mr. Ayer plans to move forward with the project.

Councilor McDonough questioned whether this project meets the definition of a subdivision. He wants the City to do what is correct and is not trying to stand in the way of this project.

Council consensus to change in the Consent Agreement the sentence where the "City Council agrees that a subdivision has existed since before the Subdivision Ordinance was enacted in 1971" to the "City Council agrees that this land has been utilized as migrant worker housing since at least the mid-1960s".

Motion made by K. Murchison, seconded by S. McDougall, to approve the amended Consent Agreement with Stoneland Holdings, LLC. (5 yes, 1 no, P. McDonough) So voted.

Council Agenda Item #8: Library Steps Replacement Project

In 2013, the Library was awarded a grant in the amount of \$15,000 to replace the front steps. The roofing project has been completed leaving a balance of \$14,383 in Library Roofing Reserve. Recently this project was placed out to bid, and the City received only one bid in the amount of \$23,500 from BMB Construction LLC from Hampden.

Motion made by P. McDonough, seconded by D. Martin, to accept the bid from BMB Construction LLL in the amount of \$23,500, with \$15,000 to be paid through a grant award and the balance to come from the Library Roofing Reserve. (5 yes, 1 abstention, S. McDougall) So Voted.

Council Agenda Item #9: Fire Department Mutual Aid Agreement

North Lakes Volunteer Fire Department has requested that the City of Caribou no longer provide first response coverage for Fire Service, and instead go with a Mutual Aid Agreement.

Fire Chief Susi answered several questions from the Council.

Motion made by D. Martin, second by P. McDonough, to approve a Mutual Aid Agreement with North Lakes Volunteer Fire Department. (6 yes) So voted.

Council Agenda Item #10: Approval of 2014 Municipal Budget

During the budget discussion held at the last Council Meeting, it was the consensus of Council to support a mil rate increase up to 1.4 mils. To achieve the Council's goal, Manager Bleess presented a list of proposed changes to the Budget. Mr. Bleess emphasized that with the reduction in Revenue Sharing, the use of one-time funds in revenue, and cutting of Capital Reserves, the Council is going to have to make tough choices for future budgets as to what services are going to be reduced or be eliminated or how high of a mil rate the city is willing to tolerate.

Changes to budget since the April 8<sup>th</sup> version:

\$37,145	Overlay
\$ 7,000	Assessing Reserve ¼ Review
\$ 2,000	Fire Computer Reserve
\$ 2,000	Ambulance Computer Reserve
\$10,000	Ambulance Reserves
\$15,000	Municipal Building Reserve
\$ 3,000	Christmas Light Reserve

\$ 5,000	LED Street Lights
\$10,300	PW Reserves
\$ 1,000	Health Ins 70-18-01
\$10,000	Code Enforcement
\$10,000	Abatements
\$ 3,000	Parking Lot Reserve
\$ 5,000	General Assistance
\$(2,500)	General Assistance Revenues
\$ 2,000	Boilers
\$ 2,500	Police OT
\$ 2,000	Police Gun Reserve
\$ 1,000	Rec Center Improvements Reserve
\$ 1,500	Parks Vehicle Reserve
\$ 300	Mower Reserve
\$13,000	City Owned Property Rev
\$ 2,500	Recreation Revenues (Increase)
\$142,745	Total

The Mayor stated that majority of the reductions are being made to the Reserve Accounts so the money won't be there when the City needs to replace something. He stated that the City is really playing games with numbers and that holding the mil rate this year is really increasing it twice as much next year.

Councilor McDougall stated that is time for the City to make fundamental changes on what services are needed and required. He stated that there isn't any more fat to be trimmed. For the mil rate to go down there is only one thing to do and that is to cut services and he understands that is not the popular thing to do.

Councilor McDonough questioned whether the service life of those items impacted by the Reserve Account reductions has been extended. Manager Bless stated that most of the staff's recommendations do fall along those lines.

Manager Bless stated that the City will continue to look at other areas to combine services or combine departments; such as, what is being done with Assessing and Code Enforcement.

Councilor McDonough doesn't like to talk about mil rates because they are unpredictable and that we are trying to drive a budget when all the facts are not available. Councilor McDonough believes this budget is within the ballpark, furthermore the Council has not given specific places to make cuts and whenever cuts are discussed the Council seems to leave it very open ended. Then Staff suggests areas to cut where they feel it can be made without jeopardizing too much. Maybe the time has come for Council to provide specific direction where the cuts should be made.

Motion made by D. Martin, seconded by K. Murchison, to approve the revenue budget as presented and the revised expense budget. (4 yes, 2 no, D. Genthner, P. McDonough) So voted.

Council Agenda Item #11: Other Business

- A. Spring clean up week will be held in May.
- B. The City is unable to prevent trucks from coming through the City rather than using the Caribou Connector.

Motion made by K. Murchison, seconded by D. Genthner, to adjourn the meeting at 8:17 p.m. (6 yes) So voted.

April 28, 2014

14-10 Pg. 5

Upcoming Meeting Dates:

Regular City Council Meeting, May 12, 2014 at 7:00 p.m.

Regular City Council Meeting, June 9, 2014 at 7:00 p.m.

Jayne R. Farrin, Secretary