

June 23, 2014

14-13

A regular meeting of the Caribou City Council was held 7:00 p.m. on Monday, June 23, 2014 in Council Chambers with the following members present: Mayor Gary Aiken, Deputy Mayor David Martin, Philip McDonough II, Joan L. Theriault, Shane McDougall, David R. Genthner, and Kenneth G. Murchison, Jr.

Austin Bless, City Manager and Tony Mazucco, Assistant City Manager were present.

Department Managers: Penny G. Thompson, Tax Assessor and Scott Susi, Fire Chief.

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

Council Agenda Item #1: Public Input

None.

Swear in Kenneth G. Murchison, Jr. to the Caribou City Council.
(City Clerk, Jayne R. Farrin)

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

None.

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

- a) June 9, 2014 Council Meeting

Motion made by P. McDonough, seconded by D. Genthner, to accept the minutes of June 9, 2014 Council meeting as presented. (5 yes, 1 abstention, K. Murchison) So voted.

Council Agenda Item #4: Consent Agenda

- a) CDBG Grant Application Documents
 1. Residential Antidisplacement & Relocation Assistance Plan
 2. Resolution 2014-2 Fair Housing Resolution for Community Development Block Grant Program
 3. Standards of Conduct
 4. Equal Employment Opportunity Policy Statement
 5. Resolution 2014-3 A Resolution for the City of Caribou Application to the Maine Department of Community and Economic Development Community Development Block Grant Program
 6. City of Caribou Procedures for Handling CDBG Complaints

Motion made by K. Murchison, seconded by P. McDonough, to approve the Consent Agenda with Business Item A as presented. (6 yes) So voted.

Council Agenda Item #5: Public Hearing on Declaration of Dangerous Building

Location: Map 28 Lot 57,
Map 27, Lots 74, 74A, 74B, 74C, 74E
Map 25 Lots 2B 146.

On June 9, 2014, the Council voted to continue the Public Hearing to the June 23, 2014 meeting to allow the property owner Steve Nasiff the opportunity to attend.

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7:05 p.m. Public Hearing reopened.

Steve Nasiff listed the activities that have occurred at this site since he acquired it, including removal of partial frozen products, extensive environmental cleanup, removal of machinery, and he has sold off two buildings. Mr. Nasiff spoke about the environmental issues having to do with soils, transformers, and buildings with asbestos. He agreed that some buildings need to be knocked down and he is working to obtain estimates to do this. When questioned, Mr. Nasiff stated that his timeline is ASAP. Mr. Nasiff wants to develop an overall plan for the property, but at this time does not have any plans for the freezer building. He referred to the property as a "clean eyesore". When asked, Mr. Nasiff stated that he does not have any insurance on the buildings. He stated that he has tried to be a good neighbor.

Fire Chief Scott Susi stated the Fire Department considers these buildings to be "non-entry buildings." He commented on the poor condition of the buildings and how people continue to go in and out of them. He expressed his concerns about the lack of insurance coverage.

7:53 p.m. Public Hearing closed.

Motion made by K. Murchison, seconded by D. Genthner, to approve a Consent Agreement with Steve Nasiff, to declare that the site meets the definition of Dangerous Building(s) under MRSA Title 17 § 2851, and to give until October 31, 2014, to secure, demolish, and otherwise prep this site for redevelopment. (2 yes, K. Murchison, D. Genthner, 5 no, J. Theriault, S. McDougall, D. Martin, P. McDonough, G. Aiken) Motion failed.

Motion made by D. Martin, seconded by J. Theriault, to declare that the site meets the definition of Dangerous Building(s) under MRSA Title 17 § 2851, to accept the Findings of Fact (Exhibit A), and order, pursuant MRSA Title 17 § 2851, the property as a whole to be secured within seven days, and a plan for cleanup shall be presented to the Council within 30 days. (5 yes, J. Theriault, D. Genthner, S. McDougall, D. Martin, P. McDonough, 1 no, K. Murchison) So voted.

Council Agenda Item #6: Abatement Request

On June 9, 2014, the Council voted to consult with an attorney as to whether the Council can abate past due taxes. The City's legal team has advised against the Council abating the 2012 and 2013 taxes for the property at 501 Main Street owned by Joseph and Laura Corbin as the request is based upon an argument that there was an error in the valuation of the property.

Motion made P. McDonough, seconded by D. Genthner, to deny the abatement request. (6 yes) So voted.

Councilor Murchison suggested that the Caribou Economic Growth Council (CEGC) might be a resource for Tracy and Chris Corbin as they move forward with their business plan.

Council Agenda Item #7: Resolution to approve joining the MMA Property and Casualty Pool

The City of Caribou is gathering quotes from Property and Casualty Insurance providers including Maine Municipal Association (MMA). Staff recommends the adoption of a Council resolution that allows the option to join the MMA Property and Casualty Pool. (Exhibit B)

Motion made by K. Murchison, seconded by P. McDonough, to approve the Resolution providing participation in the Maine Municipal Association Property and Casualty Pool. (6 yes) So voted.

Council Agenda Item #8: Administration Ordinance Changes

8:09 p.m. Public Hearing opened.

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Manager Bleess reviewed changes made to the ordinance after the Council's review and discussion of the Administration Ordinance at the June 9, 2014 Council meeting.

- Capping vacation bank at the number of hours in the employees' bank as of December 31, 2014.
- Allow vacation to be rolled over and used by the last day of February.
- Capping sick leave bank payout at the number of hours the employee has in the bank as of December 31, 2014. Employees can still accrue up to 960 hours.
- The verbiage of the last paragraph in the introduction section of the ordinance.

No public input was received.

Council discussion.

8:14 p.m. Public Hearing closed.

Motion made by D. Martin, to adopt the proposed changes to the Administration Ordinance as presented with the exception of changing December 31, 2014 to December 31, 2015. Motion died for a lack of a second.

Motion made by P. McDonough, seconded by D. Genthner, to adopt Ordinance No. 1, 2014 Series, an ordinance amending Chapter 2 – Administration, Short Title: An ordinance amending the Personnel Policy of the City of Caribou as presented. (4 yes, J. Theriault, D. Genthner, P. McDonough, G. Aiken, 3 no, K. Murchison, S. McDougall, D. Martin) So voted.

Council Agenda Item #9: Setting 2014 Mil Rate

Motion made by D. Martin, seconded by K. Murchison, to approve Revenue budget adjustment for the property taxes, overlay, BETE and Homestead Reimbursement lines as reflected on the Mil Rate Calculation Sheet, to set the 2014 Mil Rate at 22.30 for the commitment of the 2014 Property taxes, to set the 2014 Tax Commitment Date as July 1, 2014 for the Board of Assessors to commit the same to the Tax Collector, to make the 2014 Property Taxes due and payable as of July 1, 2014, pursuant to MRSA Title 36 § 505(2), to set the date for interest to begin accruing on any delinquent 2014 Property Taxes as October 1, 2014, pursuant to MRSA Title 36 § 505(4), and to set the rate of interest to be charged on delinquent 2014 Property Taxes at 7% the maximum rate set by the State, pursuant to MRSA Title 36 § 505(4). (4 yes, J. Theriault, K. Murchison, S. McDougall, D. Martin, 2 no, D. Genthner, P. McDonough) So voted.

Council Agenda Item #10: Other Business

- a) The City Manager will keep the Council informed with any updates from Steve Nasiff.
- b) The Mayor encouraged channel 8 viewers, who are experiencing sound quality issues, to call Time-Warner Cable to complain. Councilor Martin requested information on what needs to be done by the City so meetings can be streamed.

Motion made by P. McDonough, seconded by D. Genthner, to adjourn the meeting at 8:21 p.m. (6 yes) So voted.

Upcoming Meeting Dates:

Regular City Council Meeting, July 14, 2014 at 7:00 p.m.

Jayne R. Farrin, Secretary