

June 9, 2014

14-13

A regular meeting of the Caribou City Council was held 7:00 p.m. on Monday, June 9, 2014 in Council Chambers with the following members present: Mayor Gary Aiken, Deputy Mayor David Martin, Philip McDonough II, Joan L. Theriault, Shane McDougall, and David R. Genthner. Kenneth G. Murchison, Jr. was absent and excused.

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

Department Managers: Penny G. Thompson, Tax Assessor; Scott Susi, Fire Chief; and Wanda Raymond, Finance Director.

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

Council Agenda Item #1: Public Input

Howard Getchell, II, York Street, spoke about the poor condition of York Street and that it needs to be rebuilt.

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

Councilor Genthner will be abstaining on agenda item #3 as he did not attend the meetings.

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

- a) May 12, 2014 Council Meeting
- b) June 3, 2014 Council Workshop

Motion made by D. Martin, seconded by P. McDonough, to accept the minutes of May 12, 2014 Council meeting and June 3, 2014 Council Workshop as presented. (4 yes, 1 abstention, D. Genthner) So voted.

Council Agenda Item #4: Consent Agenda

- a) Approval of May 2014 Financials
- b) Approval of May 2014 Police Department Report
- c) Approval of May 2014 Fire Department Report
- d) Approval of Lunch Wagon Application
  1. James Smith d/b/a The Happy Belly
- e) Approval of Licenses
  1. Par and Grill renewal Liquor and Special Amusement
- f) Approval of Quit Claim Deeds
  1. Shelley Massey – Map 27, Lot 48
  2. Moiye Corporation – Map 15, Lot 33#11
- g) Appointment of Deputy Local Health Officer
  1. Tony Mazzucco

Motion made by P. McDonough, seconded by D. Genthner, to approve the Consent Agenda with Business Items A, B, C, D, E, F, & G as presented. (5 yes) So voted.

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

At the May 12<sup>th</sup> meeting, the Council voted to schedule a Public Hearing for the June 9<sup>th</sup> Council meeting to gather public comments on the property commonly referred to as the Birdseye site. The owner Steve Nasiff was unable to attend this evening and he requested that the Council postpone the hearing to June 23<sup>rd</sup>. Manager Bleess recommended that the Council open the hearing and then vote to continue the hearing to the 23<sup>rd</sup>.

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

7:07 p.m. Public Hearing Opened.

Tony Mazzucco, Assistant City Manager, reviewed his code enforcement findings, which include health and safety issues for both the general public and the City's first responders.

James Smith, adjacent property owner, spoke in favor of the City taking steps to improve the Birdseye site.

Fire Chief Susi stated that he is more concerned about buildings collapsing rather than a fire occurring.

Howard Getchell, II, York Street, stated that the property is an eyesore.

7:13 p.m. Public Hearing Closed.

Motion made by P. McDonough, seconded by J. Theriault, to continue the Public Hearing on the Declaration of Dangerous Building for the former Birdseye facilities to June 23, 2014 so the property owner can attend. (5 yes) So voted.

Council Agenda Item #6: Electrical Code Ordinance

7:17 p.m. Public Hearing Opened.

No public input.

7:18 p.m. Public Hearing Closed.

Motion made by P. McDonough, seconded by D. Martin, to approve Ordinance No. 5, 2014 Series, an ordinance amending Chapter 4 Building and Housing, Short Title: An Ordinance Removing the Electrical Code. (5 yes) So voted.

Council Agenda Item #7: Ordinance Amending Land Use Codes

7:19 p.m. Public Hearing Opened.

No public input.

7:20 p.m. Public Hearing Closed.

Motion made by P. McDonough, seconded by D. Genthner, to approve Ordinance No. 4, 2014 Series, An ordinance amending Section 13-204 of Chapter 13 Land Use Ordinance, Short Title: Adding Condominiums to the Land Use Table of the City of Caribou. (5 yes) So voted.

Council Agenda Item #8: Event Closing of Thompson Road

Spud Speedway owner Troy Haney requested closing of the Thompson Road in front of Spud Speedway from July 9<sup>th</sup> to 13<sup>th</sup> to facilitate parking and space for an event being held there.

Motion made by D. Martin, seconded by P. McDonough, to approve closing a section of the Thompson Road from July 9<sup>th</sup> to 13<sup>th</sup>. (5 yes) So Voted.

Council Agenda Item #9: Council Survey on Election Day

Motion made by D. Martin, seconded by P. McDonough, to approve the Council survey questions and to conduct the survey at the Wellness Center on election day. (5 yes) So voted.

Council Agenda Item #10: Abatement Request

Tracy and Chris Corbin plan to acquire the property at 501 Main Street from Joseph and Laura Corbin. Their goal is to construct a new building and relocate their family business to this location. Currently 2012 and 2013 property taxes are outstanding with a principle amount of \$5,249.62 due. After a site visit on March 10, 2014, the Tax Assessor has reduced the assessment from \$131,000 to \$48,600. Tracy and Chris Corbin are requesting abatements for the 2012 and 2013 tax years based on the new 2014 assessment thus reducing taxes for those two years. Discussion.

Motion made by D. Martin to use the new 2014 assessment to recalculate the 2012 and 2013 taxes amounts and to abate the amount over the recalculation. Motion died for the lack of a second.

Motion made by P. McDonough to table request to June 23, 2014 Council meeting. Motion died for the lack of a second.

Motion made by S. McDougall, seconded by J. Theriault, to abate the interest and costs for the 2012 and 2013 taxes. (4 yes, S. McDougall, D. Genthner, J. Theriault, G. Aiken, 2 no, D. Martin, P. McDonough) So voted.

Motion made by S. McDougall, seconded by D. Genthner, to rescind the motion to abate the interest and costs for the 2012 and 2013 taxes. (4 yes, S. McDougall, D. Genthner, D. Martin, G. Aiken, 2 no, J. Theriault, P. McDonough) So voted.

Motion made by S. McDougall, seconded by D. Genthner, to abate the interest and costs for the 2012 and 2013 taxes until the 2012 and 2013 principal tax amounts are paid. (4 yes, D. Genthner, S. McDougall, D. Martin, G. Aiken, 2 no, P. McDonough, J. Theriault) So voted.

Motion made by D. Martin, seconded by D. Genthner, to consult with an attorney as to whether the Council can abate past due taxes. (4 yes, 1 no, J. Theriault) So voted.

Council Agenda Item #11: Consent Agreement with Joey Cowett

Joey Cowett built an addition to an existing building without a building permit. Under the Consent Agreement, Mr. Cowett agrees to apply for a building permit and additionally pay a \$250 penalty.

Motion made by P. McDonough, seconded D. Genthner, to accept a Consent Agreement between Joey Cowett and the City of Caribou. (5 yes) So voted.

Council Agenda Item #12: Authorization for Tax Anticipation Note

Motion made by D. Martin, seconded by P. McDonough, to approve a Resolution authorizing Municipal Officials to utilize a Tax Anticipation Note Pursuant to Title 30-A MRSA §5771. (5 yes) So voted.

Council Agenda Item #13: Resolution for NBRC Grant Application

If approved, the grant would be used to assist the owner of the Caribou Cabins to add a recreational vehicle campground to their land. The grant request is \$250,000 with an additional \$75,000 coming from local sources.

Motion made by D. Martin, seconded by P. McDonough, to approve a Resolution of support for the City of Caribou application to the Northern Border Regional Commission (NBRC) Fiscal year 2014 Federal Grant Program. (5 yes) So voted.

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Council Agenda Item #14: Administration Ordinance Changes

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

Motion made by P. McDonough, seconded by D. Genthner, to accept what is presented with the following amendments: 1) cap vacation bank at December 31, 2014, 2) allow vacation roll over to be used by the last day of February, and 3) cap sick leave at the number of hours the employee has as of December 31, 2014. (4 yes, P. McDonough, J. Theriault, D. Genthner, G. Aiken, 2 no, S. McDougall, D. Martin) So voted.

Motion made by P. McDonough, seconded by J. Theriault, to hold a Public Hearing on the proposed Ordinance at the June 23, 2014 Council Meeting. (4 yes, 1 no, S McDougall) So voted.

Council Agenda Item #15: Other Business

- A. MMA Policy Committee – Motion made by P. McDonough, seconded by D. Martin, to nominate Tony Mazzuco to the MMA Policy Committee. (5 yes) So voted.

Council Agenda Item #16: Executive Session pursuant to Title 1 MRSA §405(6)(E) to discuss a pending legal issue.

8:55 p.m. Motion made by P. McDonough, seconded by D. Genthner, to move to executive session with City Manager and Assistant City Manager pursuant to MRSA Title 1 §405 (6)(E) to discuss a pending legal issue. (5 yes) So voted.

9:22 p.m. Motion made by P. McDonough, seconded by D. Martin, to move out of executive session. (5 yes) So voted.

No action taken.

Motion made by J. Theriault, seconded by D. Martin, to adjourn the meeting at 9:23 p.m. (5 yes) So voted.

Upcoming Meeting Dates:

Regular City Council Meeting, June 23, 2014 at 7:00 p.m.

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

Jayne R. Farrin, Secretary