

November 12, 2013

13-27

A regular meeting of the Caribou City Council was held 7:00 p.m. on Tuesday, November 12, 2013 in Council Chambers with the following members present: Deputy Mayor Kenneth G. Murchison, David Martin, Philip McDonough II, Joan L. Theriault, David R. Genthner, Sr., and Shane McDougall. Mayor Gary Aiken was absent and excused.

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

Department Manager: David Ouellette, Public Works Director; Elizabeth O'Bar, Tax Assessor; Scott Susi, Fire Chief; William Tasker, Chamber of Commerce Director; Lisa Plourde, Housing Director; Michael Gahagan, Police Chief; Wanda Raymond, Finance Director; and Kathleen Mazzuchelli, Supt. of Parks & Recreation.

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

Council Agenda Item #1: Swearing in of new City Councilors

The City Clerk administered the oath of office to Shane McDougall to serve as Councilor until December 31, 2014.

Council Agenda Item #2: Public Hearing on Proposed 2014 Budget

The City Manager read into the record his memorandum summarizing the 2014 Proposed Budget. Following direction from the Council, the budget presented this evening is \$581,593 lower than was presented in October.

7:05 p.m. Public Hearing opened.

Wilfred Martin questioned why the Budget Public Hearing was being held before Public Input.

Paul R. Camping, 710 Grimes Road, spoke against the use of TIF money to support the Chamber of Commerce and the Snowmobile Trail Fund. Mr. Camping commented that the revised 2014 Budget is a budget that protects the status quo and next year will lead the City down the path of financial crisis. He supports Caribou working with the City of Presque Isle regarding the sharing of services and equipment. His other recommendations include: reduce labor costs by not filling positions and having five unpaid furlough days, cap the City's insurance contributions at 2013 rates, stop the population decline of the City, keep Caribou an affordable place to live, have Council appoint a committee to explore the City's withdrawal from RSU #39, make our assets work for us by producing additional revenues, and create a County task force which would work with the local delegation in sponsoring legislation to allow for an increase in local sales taxes.

Councilor Martin questioned why funding for Aroostook Area Agency on Aging was not included in the budget. The Manager stated that it can be added back if that is the Council's wishes.

7:20 p.m. Public Hearing closed.

Council Agenda Item #3: Public Input

Wilfred Martin requested that prior year expenses be included in the 2014 budget. He was informed that this information is included in the 2014 budget.

Mr. Martin spoke about the November Election, the filling of the two one-year Council positions, and the Charter requirement that requires prior taxes to be paid to qualify to serve on Council.

After seeking legal advice, Manager Bleess explained that two people were elected to City Council but one is not eligible to hold the office of City Councilor; therefore Joan Theriault is still sitting in that seat because she was appointed until her successor was elected. In January, Joan Theriault will be sworn into her new position which will then create a vacancy. At that point the Council will have 30 days to appoint someone and could call for a special election. There is no prohibition as to who can be a candidate for City Council; the eligibility factor comes into place as to who can hold the office.

Dick St. Peter, a local contractor, expressed his concerns about Code Enforcement staffing levels and his ability to obtain permits in a timely matter. He suggested that this might be an area that the Cities of Caribou and Presque Isle could work together allowing for increased code enforcement coverage.

Paul R. Camping, 710 Grimes Road, stated his opinion regarding the actions of the City Clerk, the results of November 5, 2013 election, and the ineligibility of one of the elected candidates to serve as a City Councilor. Mr. Camping wants the Council to declare Norma Milton a duly elected councilor-elect. He stated that the results of the election are in dispute and until they are settled fair and equitable for all parties concerned, he recommends and encourages the Council not to follow the attorney's course of action as this will drag the City in a protracted civil law suit. Ms. Milton has retained legal counsel, who is in the process of preparing a civil lawsuit against the City Caribou. He stated that he proudly voted for Ms. Milton, as did his wife, and 456 other citizens of Caribou. He plans to donate to the Norma Milton legal defense fund. He ended his comments by imploring the Council to immediately declare Ms. Milton Councilor-elect to avoid a lawsuit.

Council Agenda Item #4: Declaration of Conflicts of Interest from the City Council regarding any agenda item.

None.

Council Agenda Item #5: Consider authorizing the minutes of the following meetings:

- a) October 28, 2013 Council Meeting
- b) October 21, 2013 Council Workshop
- c) October 23, 2013 Council Workshop

Councilor McDonough stated that he attended both the October 21st and 23rd Council Workshops. The minutes as presented have him showed as absent and excused.

Motion made by P. McDonough, seconded by J. Theriault, to accept the minutes October 28, 2013 Council Meeting as presented, October 21, 2013 Council Workshop with a correction to show that Councilor McDonough was in attendance, and October 23, 2013 Council Workshop with a correction to show that Councilor McDonough was in attendance. (4 yes, 1 abstention, S. McDougall) So voted.

Council Agenda Item #6: Consent Agenda

- a) Approval of October 2013 Financials
- b) October 2013 Fire Department Report
- c) October 2013 Police Department Report

Motion made by P. McDonough, seconded by D. Martin, to approve the Consent Agenda with Business items A, B, & C as presented. (4 yes, 1 abstention, S. McDougall) So voted.

Council Agenda Item #7: Sale of Tax Acquired Property

Motion made by P. McDonough, seconded by D. Martin, to accept the high bid of \$3,100 from David Lewis for the tax acquired property located on Map 28, Lot 122 47 York Street. (5 yes) So voted.

Motion made by P. McDonough, seconded by D. Martin, to accept the high bid of \$16,500 from Derrell Richerson for the tax acquired property located on Map 15, Lot 51B 15 Bog Road.

Discussion occurred between the Council, Caribou Tax Assessor, representatives from Cain Realty Trust, Derrell Richerson, and Wilfred Martin.

D. Martin withdrew his second, P. McDonough withdrew his motion to accept the high bid of \$16,500 from Derrell Richerson for the tax acquired property located on Map 15, Lot 51B 15 Bog Road.

Motion by P. McDonough to table. P. McDonough withdrew his motion to table.

Motion made by D. Martin, seconded by J. Theriault, to reject the bid from Derrell Richerson, for Map 15, Lot 51B, and to sell to Derrell Richerson Map 15, Lot 51B and Lot 51B-001 for \$10,000 and \$18,000 respectively for a total of \$28,000. (5 yes) So voted.

Motion made by D. Martin, seconded by D. Genthner, to sell to Cain Realty Trust Map 15 Lot 51 for \$72,000 and to put all \$72,000 from the sale into G 1-490-00. (5 yes) So voted.

Council Agenda Item #8: Introduction of Fire Permit Ordinance

Councilor McDonough introduced Ordinance No. 16, 2013 Series, An Ordinance amending Section 5-106 Fire Prevention – Permits, Short Title: An ordinance establishing Fire Permit Fees.

Council Agenda Item #9: Second Council Meeting in December

Motion made by P. McDonough, seconded D. Martin, to have only one Council Meeting in December. (5 yes) So voted.

Council Agenda Item #10: Christmas Eve Holiday

Motion made by P. McDonough, seconded by J. Theriault, to authorize a Christmas Eve Holiday of four hours for City Staff. (5 yes) So voted.

Council Agenda Item #11: Other Business

None.

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Council Agenda Item #13: Executive session pursuant to MRSA Title 1 Chapter 13 Section 405 (6)(D) to discuss personnel issues.

8:15 p.m. Motion made by P. McDonough, seconded by D. Genthner, to move to executive session with City Manager, Assistant City Manager, and Fire Chief pursuant to MRSA Title 1 Chapter 13 Section 405 (6)(D) to discuss personnel issues. (5 yes) So voted.

8:35 p.m. time out. No action taken.

Council Agenda Item #12: Executive session pursuant to MRSA Title 1 Chapter 13 Section 405 (6)(D) to discuss Labor Negotiations with AFCSME.

8:36 p.m. Motion made P. McDonough, seconded by D. Genthner, to move to executive session with City Manager and Assistant City Manager pursuant to MRSA Title 1 Chapter 13 Section 405 (6)(D) to discuss Labor Negotiations with AFCSME. (5 yes) So voted.

8:45 p.m. time out. Motion made by P. McDonough, seconded by J. Theriault, to accept modifications to the agreements. (5 yes) So voted.

Council Agenda Item #13: Executive session pursuant to MRSA Title 1 Chapter 13 Section 405 (6)(D) to discuss personnel issues.

8:46 p.m. Motion made by P. McDonough, seconded by D. Genthner, to move to executive session with City Manager pursuant to MRSA Title 1 Chapter 13 Section 405 (6)(D) to discuss a personnel issue. (5 yes) So voted.

8:50 p.m. time out. No action taken.

Motion made by P. McDonough, seconded by D. Genthner, to adjourn the meeting at 8:50 p.m.

Upcoming Meeting Dates:

Workshop Meeting with Cary Medical, November 13, 2013 at 5:00 p.m. Chan Center

Workshop Meeting with Caribou Economic Growth Council, November 14, 2013 at 5:00 p.m.

Community Vision Follow-Up Session, November 16, 2013 at 10:00 a.m. to noon, Caribou Wellness Center

Joint Workshop Meeting with Presque Isle City Council, November 19, 2013 at 6:00 p.m. Presque Isle

Regular City Council Meeting, November 25, 2013 at 7:00 p.m.

Regular City Council Meeting, December 9, 2013 at 7:00 p.m.

Jayne R. Farrin, Secretary