

September 9, 2013

13-20

A regular meeting of the Caribou City Council was held 7:00 p.m. on Monday, September 9, 2013 in Council Chambers with the following members present: Mayor Gary Aiken, Deputy Mayor Kenneth G. Murchison, Jr., David Martin, Philip McDonough II, Joan L. Theriault, David R. Genthner, Sr., and Aaron P. Kouhupt.

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

Department Managers: Scott Susi, Fire Chief & Ambulance Director, Michael Gahagan, Police Chief, David Ouellette, Public Works Director, Stephen Wentworth, Code Enforcement Officer and William Tasker, Chamber of Commerce Director.

Lisa Wilcox, representing the Aroostook Republican and Time Warner covered the meeting.

Council Agenda Item #1: Public Input

- Robert Fern - stated his interest in purchasing the parking lot on Water Street. There are 14 parking spaces used by 6 businesses and 13 apartments in 4 buildings. He questioned if the City owned the parking lot. Manager Bleess stated that the City owns a portion of the parking lot.
- Cheryl St. Peter – stated that she and her husband own an office building in downtown Caribou. She asked Manager Bleess to share with the Councilors an email that she has sent him. She requested that the Councilors review her email prior to making a decision.
- Patrick Bennett opposed the selling of City owned parking lots. A vibrant downtown needs room to expand. Downtown workers would have to move vehicles every two hours in the winter.
- Norma Milton spoke regarding two issues – Charter and parking lot situation. Ms. Milton questions the section of the Charter that prohibits anyone owing back taxes from serving on the City Council. She believes this section is probably illegal. She suggested rather than selling parking lots to have some lots metered.
- Brian Bickford stated that the Water Street parking lot serves business owners and customers which otherwise would not have a place to park.
- Seth Williams and his wife own a business on Water Street. They and the other business owners are trying to make Caribou business friendly.

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) August 12, 2013 Council Meeting
- b) August 27, 2013 Council Workshop

Motion made by P. McDonough, seconded by J. Theriault, to accept the minutes of the August 12, 2013 Council Meeting and August 27, 2013 Council Workshop. (6 yes) So voted.

Council Agenda Item #4: Consent Agenda

- a) July 2013 Caribou Police Department Report
- b) August 2013 Caribou Fire and Ambulance Department Report
- c) Approval of August Financials
- d) Approval of Licenses
- e) Abatement of Property Taxes
- f) Approval of Quit Claim Deed

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

Council Agenda Item #5: City owned parking lots

Councilor McDonough asked to rescind the original proposal to sell all parking lots and to hold a workshop on the topic. Councilor Kouhoupt would like this subject to go away. Councilor Martin stated the City doesn't need seven parking lots and should sell the lots that people are interested in buying.

Motion made by P. McDonough, seconded by K. Murchison, to table the selling of all City owned parking lots and to hold a workshop. (4 yes, P. McDonough, K. Murchison, J. Theriault, D. Genthner), (2 no, D. Martin, A. Kouhoupt) So voted.

Council Agenda Item #6: Charter Amendments

Proposed Amendment #1:

Amending Caribou City Charter Section 2.01 (c) to read:

The terms of municipal officials shall begin the first business day of January.

This amendment would allow for City Council terms to start the first business day of the year, which is when we are required, by Charter, to hold our organizational meeting.

7:51 p.m. Public Hearing opened.

Manager Bless stated that the Charter currently has first Monday of January rather than first business day.

7:52 p.m. Public hearing closed.

Motion made by K. Murchison, seconded by P. McDonough to order the proposed amendment #1 to be placed on a ballot at the next regular municipal election. (6 yes) So voted.

Proposed Amendment #2:

Amending Caribou City Charter Section 2.02 to read:

A Councilor may elect to receive all of, a portion of or not to receive compensation for a calendar year.

This amendment would allow Councilors to take some of their pay, rather than all or nothing.

7:53 p.m. Public hearing opened.

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Wilfred Martin asked for additional explanation. Manager Bleess explained the purpose of the proposed charter amendment.

7:56 p.m. Public hearing closed.

Motion made by D. Martin, seconded by P. McDonough, to order the proposed amendment #2 to be placed on a ballot at the next regular municipal election. (6 yes) So voted.

Proposed Amendment #3:

A Charter Amendment which modifies Section 5 of the Caribou City Charter to change the operating fiscal years for the City from a Calendar Year to a July 1 – June 30 Fiscal Year beginning July 1, 2015 and modifies the budget timelines in the Caribou City Charter accordingly.

The Charter would be modified as follows:

The Fiscal year of the City shall begin on the first day of January and end on the last day of December. Beginning the first day of January 2015 the Fiscal Year 2015 shall begin on the first day of January and end on the last day of June. Subsequent fiscal years shall begin on the first day of July and end on the last day of June.

7:56 p.m. Public Hearing opened.

Wilfred Martin asked why we are changing Charter now. The Charter amendment should stay the same, if we do this tax bills would have to change also. Manager Bleess answered questions regarding tax bills to receive a 6 month tax bill or 18 months for Fiscal year 2015.

Councilor Kouhoup *and Councilor Genthner** stated paying same amount of taxes but time frame will be affected which would also affect escrow issues. Councilor Martin clarified the tax bill, received a 6 month January 1st payable April 1st and July 1st received bill for one year payable October 1st. Councilor Murchison would like to look at this closer and all billing cycles would change. Councilor Theriault stated this is going to voters anyway.

**amended per vote of the Council October 15, 2013*

8:02 p.m. Public Hearing closed.

Motion made by P. McDonough, seconded by J. Theriault to order the proposed amendment #3 to be placed on a ballot at the next regular municipal election. (2 yes, P. McDonough, J. Theriault) (4 no, K. Murchison, D. Martin, D. Genthner, A. Kouhoup) Motion failed.

Proposed Amendment #4:

Amending Caribou City Charter Section 2.01 to read:

Only qualified voters of the City, shall be eligible to hold the office of Councilor.

And Caribou City Charter Section 2.06 (b) (6) to be removed:

Fails to pay all annual personal and real property taxes on or before December 31st of the previous year.

This allows people who are delinquent on their property taxes to serve on the City Council.

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8:04 p.m. Public hearing opened.

Wilfred Martin stated taxes are too high and did not speak in favor or opposition to the proposed amendment.

8:11 p.m. Public hearing closed.

Motion made by P. McDonough, seconded by D. Genthner to order the proposed amendment #4 to be placed on a ballot at the next regular municipal election. (6 yes) So voted.

Council Agenda Item #7: Downtown TIF District Plan Approval

Manager Bleess stated the proposed amendments to the downtown Tax Increment Financing District (TIF) plan will give the City more flexibility on the spending of TIF money. Over the life of the TIF District, the City expects to receive about \$9 million. Maine Department of Economic & Community Development (DECD) wants to know how the City plans to spend the \$9 million or even a higher amount. Manager Bleess reviewed a proposed list of projects that totaled \$18,471,200. Manager Bleess stated that the City will not spend more than is taken in from the TIF. The TIF District will end in 2035.

Councilor Martin asked whether the proposed investment to the fire station could be used to remodel the Municipal Building. Manager Bleess stated that DECD does not allow TIF money to be spent on municipal buildings.

Councilor Kouhopt complimented administration for the work done on the proposed amendment.

8:24 p.m. Public Hearing Opened.

Wilfred Martin spoke in opposition to TIF Districts and Credit Enhancement Agreements (CEA).

Mark Reschke spoke in favor of the proposed amendment.

8:34 p.m. Public Hearing Closed

Motion made by A. Kouhopt, seconded by P. McDonough, to approve the proposed Downtown TIF District Plan Amendment. (6 yes) So voted

Council Agenda Item #8: Moratorium on Boarding Houses

City Council introduced the following ordinance to allow the Planning Board and City Staff more time to examine the impact of boarding houses in residential zones of our city. This ordinance introduced on August 12, 2013 and a public hearing being held on September 9, 2013.

8:35 p.m. Public Hearing Opened.

Wilfred Martin asked why the City needed more boarding houses. Assistant City Manager answered his question this is just a moratorium on boarding houses and City will need at least 180 days to study the impact of potential boarding houses in residential zones by Planning Board. Councilor Murchison asked if there were any plans or permits request at this time and the City has none currently.

8:38 p.m. Public Hearing Closed.

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Motion made by P. McDonough, seconded by D. Martin, to approve the moratorium on permitting of boarding houses as defined in the Caribou Land use code. (6 yes) So voted.

Council Agenda Item #9: Introduction of Property Maintenance Ordinance

The City has adopted the 1996 BOCA Property Maintenance Code. City staff believes it is time to update this code. Public hearing to be set at next regular council meeting, scheduled for October 15, 2013. Councilor P. McDonough introduced the ordinance.

Motion made by J. Theriault, seconded by D. Martin, to schedule public hearing for property maintenance ordinance to next meeting October 15, 2013. (6 yes) So voted.

Council Agenda Item #10: Declaration of Dangerous Building

The property located at 201 Old Washburn Road has several safety and environmental issues with it. The Code Enforcement Officer issued a Notice of Violation on June 11, 2013 under Caribou Property Maintenance Code, Sections PM 108 Unsafe Structures, PM 303 Exterior Property Areas, and Maine Statute, Title 17 2851, Dangerous Buildings. The owner was given until July 31 to clean up the property.

Councilor Murchison asked if owner lives locally which Code Enforcement Officer answered yes but not at the property. Councilor Kouhought questioned if someone was living there and yes there is, but there is no written contract or agreement. Code Enforcement Officer answered the councilor questions.

Motion made by P. McDonough, seconded by D. Martin, declare this property at 201 Old Washburn Road a hazard and a nuisance and authorize the Code Enforcement Officer to post the site as Unfit for Human Occupancy. (6 yes) So voted.

Council Agenda Item #11: Purchase of new Ambulance

The City would like to purchase a new ambulance. This ambulance is very similar to the one purchased last year. It is 2013 Chevy G4500 Ambulance Braun Chief XL#6134. The City would be removing two ambulances from our fleet as well. This has been budgeted for in the Capital Reserves and cost of the new rig is \$156,875 which has a balance of \$163,292 in the account at the present time. The sale price includes trade in value. The City can sell one, or both, of these ambulances for at least the trade in value to local services.

The recommendation to Council would be to authorize the purchase of this new ambulance and allow staff to get rid of the two ambulances as necessary, which includes trading them in or selling them.

Chief Susi answered questions from Councilors and also mentioned that new ambulance would have a 100% lifetime warranty.

Motion made by K. Murchison, seconded by P. McDonough, to approve the purchase of a new ambulance. (6 yes) So voted.

Council Agenda Item #12: 2014 Ambulance Contracts

Proposed 2014 Ambulance Service contracts with the following towns/townships. No price increase in the contracts for 2014.

Connor Township	\$5,027.00
Perham	\$4,246.00
New Sweden	\$6,622.00
Stockholm	\$2,783.00
T16-R4	\$1,210.00
Westmanland	\$ 682.00
Woodland	\$13,343.00

Chief Susi answered several questions asked by Councilors and Mayor Aiken.

Motion made by D. Martin, seconded by P. McDonough, to approve 2014 Ambulance contracts. (6 Yes)
So voted.

Council Agenda Item #13: Placing Tax Acquired Properties out for Bid

Motion by K. Murchison, seconded by J. Theriault to place tax acquired properties out for bid. (6 yes)
So voted.

Council Agenda Item #14: Budget Process

Manager Bleess has begun the budget process with Department Heads. As per the Charter the Department Heads need to have their budgets to Manager Bleess by October 1st and have the report to Council by October 15th. Public meetings need to be scheduled to go over the budget. Dates are set for October 16th, 21st, and 23rd at 6 p.m.

Motion made by P. McDonough, seconded by K. Murchison, to approve dates for budget meetings. (6 yes) So voted.

Meeting adjourned at 8:58 p.m. to move to executive session.

Council Agenda Item #15: Executive session pursuant to MRSA Title 1 Chapter 13 Section 405 (6) (C) to discuss economic development.

Motion made by K.Murchison, seconded by J. Theriault, to move to executive session pursuant to MRSA Title 1 Chapter 13 Section 405 (6)(C) to discuss economic development.

Present in the Executive Session was Manager Bleess, Assistant City Manager Mazzucco, Troy Haney and the Councilors. Motion made by D. Martin, seconded by P. McDonough to come out of Executive Session at 9:33 p.m. Motion made by D. Martin, seconded by P. McDonough to authorize City Manager to sign a Development Agreement with Haney's Building Specialties and to execute the necessary documents to complete the sale of land. (6 yes)

Council Agenda Item #16: Executive session pursuant to MRSA Title 1 Chapter 13 Section 405 (6)(A) to discuss a personnel issue.

Motion made by K. Murchison, seconded by D. Genthner to go into executive session at 9:38 p.m. Present in the Executive Session was Manager Bleess, Assistant City Manager Mazzucco, Public Works Director, David Ouellette and the Councilors. Motion made by P. McDonough, seconded by D. Martin to come out of executive session. Motion made by D. Martin, Seconded by P. McDonough to approve the

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contract with City of Presque Isle for contracting the Public Works Director at the price of \$850/week and to authorize the City Manager to sign the necessary documents. (6 yes) So voted.

Motion made by K. Murchison, seconded by P. McDonough to adjourn. (6 yes) So voted.

Meeting adjourned at 10: 35 p.m.

Upcoming Meeting Dates:

City Council Workshop, September 16, 2013 at 6:00 p.m.

Regular City Council Meeting, October 15, 2013 at 7:00 p.m.

Kalen Hill, Secretary Pro-Tem