

June 26, 2017

17-20

A regular meeting of the Caribou City Council was held 6:00 p.m. on Monday, June 26, 2017 in Council Chambers with following members present: Mayor Gary Aiken, Deputy Mayor David Martin, Philip McDonough II, Joan L. Theriault, Jody R. Smith, Timothy C. Guerrette, and Nicole L. Cote.

Michael Gahagan, Interim City Manager.

Department Managers: Penny Thompson, Tax Assessor and Dave Ouellette, Public Works Director.

Christopher Bouchard of the Aroostook Republican and Spectrum covered the meeting.

Council Agenda Item #1: Public Input.

- a) Kermit Staples-Last fall his sister Marie A. Staples died and he is working to settle her estate. As part of the process he is attempting to sell her Spring Street property and is hindered by the paper streets that divide her property. Mr. Staples requested the formal abandonment process be started to abandon Freemont Street and a section of Willow Street as there hasn't been any maintenance by the City for 30 consecutive years.

This will be discussed under Other Business.

- b) Wade Snyder-Resident of Perham-Offered to purchase, for the minimum bid price, nine tax acquired properties that haven't sold through the bid process plus offered \$500 for Map 30 Lot 98 - 32 Fenderson Street for a total of \$3,357. If the Council accepts this offer, Mr. Snyder stated that he would take the house down, and clean the lot by November 15, 2017. If he fails to remove the house and debris by November 15, 2017, he would forfeit his \$500 and ownership of 32 Fenderson Street to the City of Caribou.

This will be discussed under Other Business.

Council Agenda Item #2: Approval of Special Municipal Election Results

Motion made by P. McDonough, seconded by D. Martin, to accept the results of the June 13, 2017 Special Municipal Election as presented. (5 yes) So voted.

Council Agenda Item #3: Swear in Nicole Cote as City Councilor

The City Clerk administrated the oath of office to Nicole Cote with a term ending December 31, 2017.

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

None.

Council Agenda Item #5: Consent Agenda

- a) Approval of the June 12, 2017 City Council Meeting Minutes
- b) Approval of the June 12, 2017 Special City Council Meeting Minutes
- c) Department Reports
 - 1. Events & Marketing Updates – June 21, 2017
 - 2. Library Director's Report – June 26, 2017
- d) Quitclaim Deeds
 - A. Scott Englund – Map 34 Lot 177 – Limestone Street – land only

Motion made by P. McDonough, seconded by J. Theriault, to approve the Consent Agenda Items A-D as presented. (6 yes) So voted.

Council Agenda Item #6: Anna Roberts Sentiment

Councilor Theriault read into the official record Sentiments for Anna Maria Roberts in recognition of her 100 Birthday on July 5, 2017. Anna Maria Roberts was employed by the City of Caribou for 45 years. A signed copy of the Sentiments will be framed and given to Mrs. Roberts. (Exhibit A)

Council Agenda Item #7: Update on Tax Commitment

Tax Assessor Penny Thompson stated that both Maine Municipal Association and Maine Revenue Services are advising communities not to commit taxes until the State Budget has been adopted.

Currently the City's cash flow is fine, but Department Heads have been told not to make any major purchases.

Council Agenda Item #8: Update Tri-Community Landfill-Mark Draper

The Council was updated by Solid Waste Director Draper:

- A non-binding letter of intent has been signed with the City of Presque Isle to add the City of Presque Isle as a co-owner for the Tri-Community Landfill. Current owners are the Towns of Fort Fairfield and Limestone and the City of Caribou.
- Resulting in both landfill operations – City of Presque and Tri-Community – under the ownership and control of Tri-Community Landfill.
- Question of control: The current conceptual proposal has Presque Isle and Caribou having two votes each and Limestone and Fort Fairfield would have one each. There have been discussions as to when there might be a need to have a super majority or 2/3 vote.
- Landfill capacity: Each landfill's licensed capacity is nearly the same. Joining together would allow for efficient use of the capacity.
- Currently we have two very small landfills operating 25 miles apart with duplicating costs and labor.
- Joining forces will not increase costs for Limestone, Fort Fairfield, or Caribou, and hopefully might see some cost benefit.
- Long term: The garbage business is a volume business – the more volume you control the better cost structure.
- Landfill discussions with Presque Isle go back many years including a couple of times during Draper's years at Tri-Community.
- The goal is to finalize the conceptual proposal by January 1, 2018.

Caribou City Council wasn't aware until the recent announcement that this proposed merge was in the works. The Mayor wants to see any list of pros and cons that have been developed for this project.

Mr. Draper suggested the proposed merger is equivalent to two businesses joining together so much of the discussion has been of a sensitive confidential nature. He further suggested that with a new manager starting in July, that would be the perfect opportunity for this Council to establish the routes and types of communication the Council wants from Tri-Community.

The Landfill Board had four major goals:

1. Cannot increase annual costs
2. Take advantage of the value that has already been added by the current owners
3. Minimize “down size risk”
4. Establish local cooperation

According to Draper, Presque Isle Landfill is a competitor with Tri-Community. Information considering both landfills can be sensitive as each have contracted customers.

Councilor Martin questions if more details could be shared in executive session. Draper stated that he doesn't believe he could share more in executive session.

The Mayor commented that the life expectancy of the landfill is to 2042. Draper commented that the life expectancy is based on the license and the shape the landfill can be. According to Draper if Tri-Community continues along the way it is now that the landfill would last additional 35 to 50 years, which is beyond 2042 mentioned by the Mayor. Draper stated that at one time the landfill took in more trash, but with the current trends the life expectancy is pushed beyond the original expectations. The landfill has the capacity of 1.3 million cubic yards. Presque Isle Landfill is located on 800 acres and if the merger takes place all of it will be owned by Tri-Community. Currently Presque Isle Landfill takes in less trash than Tri-Community, has an estimated life expectancy of 75 years, and has about the same capacity as Tri-Community. Draper stated that operational details haven't been decided; such as, whether both landfills would operate at the same time or move all operations to one landfill or the other. Each landfill has debts of 5 to 5.5 million dollars. In 2014, the City of Presque Isle closed the majority of their landfill that was opened in 1982.

Councilor Martin expressed his concerns if the landfill closes in Fairfield and the private individual has to haul his trash to the site of the Presque Isle landfill. Draper stated that the plan for now is to continue operating the landfill in Fairfield. The City of Presque is discussing having a transfer station. On-going maintenance costs for the closed section of Presque Isle Landfill are built into the pro forma budget for the new entity.

At the end of 2016, Tri-Community had 6.5 to 6.6 million dollars set aside for the closure and post-closure costs for the current landfill, plus their equipment reserves are fully funded. The City of Presque Isle projected closure costs are fully funded and if the merger takes then those funds to go to Tri-Community.

The Mayor wants to have a copy of the current Tri-Community Budget. Draper noted that the budget has been provided to the City Manager and Caribou's Tri-Community representatives.

There was a discussion about whether or not Tri-Community and Presque Isle landfill negotiations are eligible to be held in executive session or not, with the Mayor stating that he isn't sure that it fits the definition.

The buy in for the City of Presque Isle is 2 million dollars. The Mayor expressed his concerned that somehow Presque Isle in the future will benefit from this two million that would be held by Tri-Community and the only way to prevent this is to pay out this money to the current owners.

Draper stated that the merger proposal could be shared with the Council.

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Board Representative McDougall would not necessarily vote the way the Council wants him to. McDougall stated that he was appointed to represent the City and if the Council doesn't agree with his decisions, then next year appoint someone else.

Mayor feels that anything having to do with the ownership of the landfill must come back to the Municipal Officers.

Currently Tri-Community has four voting board members. The interlocal agreement for the landfill is 40 years old and hasn't been revised since 1994.

Draper agreed to provide Council: bylaws, letter of intent, percent of breakdown, and budget.

McDougall stated that his priorities were not to increase costs for Caribou and not to allow Presque Isle come in and take over.

Tri-Community serves 35 communities and Presque Isle serves 7.

Council Agenda Item #9: Re-designation of Park Street from State Aid to Town Way

Park Street from Bennett Drive to North Main Street is currently designated as a state aid road. If a portion of that road is to be discontinued in the future for the new school, the road must be re-designated from state aid to town way. Once the state does not have ownership of the road, the City will then be allowed to do a discontinuance of the road for the new school.

The City will lose approximately \$800 to \$850 in Urban Rural initiative Program (URIP) funds as the road is only .33 of a mile.

Motion made by J. Smith, seconded by P. McDonough, to re-designate Park Street from a State Aid Road to Town Way. (6 yes) So voted.

Council Agenda Item #10: First read of the recommendation from the Planning Board to change the zone along Access Highway from Otter Street to Madawaska River, from the RC-2 Zone to the R-3 Zone

Councilor McDonough introduced Ordinance No. 5, 2017 Series, An ordinance amending Chapter 13 Zoning Section 13-202 Official Zoning Map, Short Title: An ordinance amending the Caribou Zoning Map.

Council Agenda Item #11: First read of the recommendation from the Planning Board to change the zone of a portion of Skyway Plaza property along the east side of Solman Street from the R-2 Zone to the C-2 Zone

Councilor McDonough introduced Ordinance No 6, 2017 Series, An ordinance amending Chapter 13 Zoning Section 13-202 Official Zoning Map, Short Title: An ordinance amending the Caribou Zoning Map.

Public Hearing for Ordinances No. 5 and No. 6 was scheduled for the July 10, 2017 Council meeting.

Council Agenda Item #12: Other Business

- A. Motion made by P. McDonough, seconded by T. Guerrette, to vacate the property between Map 32 Lots 67 and 68 on Spring Street, proposed Freemont Street, and revert the property to Mr. Kermit Staples. (6 yes) So voted.

- B. Motion made by J. Smith, seconded by J. Theriault, to accept the Wade Snyder offer to purchase:

Map 5 Lot 14A – Dow Siding Road	\$1.00
Map 5 Lot 14B – Dow Siding Road	\$1.00
Map 30 Lot 23 – 96 River Road	\$1.00
Map 33 Lot 11A – Limestone Road	\$1.00
Map 31 Lot 153 – 17 Fenderson Drive	\$1.00
Map 31 Lot 154 – Fenderson Drive	\$1.00
Map 30 Lot 163C – Broadway Street	\$1.00
Map 25 Lot 60 – 6 Nancy Street	\$850.00
Map 30 Lot 99 – 42 Fenderson Street	\$2,000.00
Map 30 Lot 98 – 32 Fenderson Street	\$500.00

For a total of \$3,357.00 and Mr. Snyder will take the house at 32 Fenderson Street and remove the debris and clean the lot and if he fails to do this by November 15, 2017, he will forfeit his \$500 and ownership of 32 Fenderson Street to the City of Caribou. (6 yes) So voted.

- C. Councilor Martin wants the City staff to find out the procedure to replace Tri-Community Board Members.

Council Agenda Item #13: Executive Session pursuant to 1 MRSA §405(6)(A) for a personnel matter

7:27 p.m. Time in. Motion made by P. McDonough, seconded by J. Smith, to move to executive session pursuant to 1 MRSA §405(6)(A) with Interim City Manager Michael Gahagan. (6 yes) So voted.

7:37 p.m. Time out. Motion made by T. Guerrette, seconded by P. McDonough, to move out of executive session. (6 yes) So voted.

No action taken.

Motion made by P. McDonough, seconded by J. Theriault, to adjourn the meeting at 7:18 p.m. (6 yes) So voted.

Upcoming Meeting Dates:

Regular City Council Meeting Monday, July 10, 2017 at 6:00 p.m.

Regular City Council Meeting Monday, August 14, 2017 at 6:00 p.m.

Jayne R. Farrin, Secretary