

January 11, 2010

10-02

A regular meeting of the Caribou City Council was held at 7:00 p.m. on Monday, January 11, 2010 in Council Chambers with the following members present: Mayor Kenneth G. Murchison, Jr., Karla M. Bell, Christopher A.R. Bell, R. Mark Goughan, David Martin, and John R. Boone. Mary Kate Barbosa was absent and excused.

Steven R. Buck, City Manager; Stephen Wentworth, Code Enforcement Officer; Kathy Mazzuchelli, Director of Parks and Recreation; Michael Gahagan, Chief of Police; Roy Woods, Fire Chief; David Ouellette, Public Works Director; and Michael Shrewsberry, Director of Community Development, were present.

Also attending the meeting were Vernon Ouellette, Jim Cerrato, Doug Morrell, Milo Haney, Freeman Cote, Paul and Joan Theriault, and Wilfred Martin.

Barbara Scott, representing the Aroostook Republican; and Time Warner covered the meeting.

Council Agenda item #1: Public Input – no public input

Council Agenda item #2: Public Hearing to receive written and verbal comment on a Planning Board recommendation to re-zone the current R-2A zone off Donie Street to adjoin the abutting R-3 zone.

7:01 p.m. Public Hearing opened.

Stephen Wentworth requested the zoning change to accommodate anticipated construction of duplexes off Donie Street. The change had the unanimous approval of the Planning Board.

7:03 p.m. Public Hearing closed.

Council Agenda item #3: Consider acting upon the re-zoning of the current R-2A off Donie Street to become R-3.

Motion made by C. Bell, seconded by D. Martin, to eliminate the R-2A zone off Donie Street and to amend this as R-3 to become part of the currently abutting R-3 zone.  
(6 yes) So voted.

Council Agenda item #4: Consider the approval of the Minutes of the following:

- A. Council Meeting of December 14, 2009
- B. Council Organizational Meeting of January 4, 2010

Motion made by K. Bell, seconded by D. Martin, to approve the minutes of the December 14, 2009 Council meeting and the January 4, 2010 Organizational meeting as printed.

Motion amended by K. Bell, second amended by D. Martin, to approve the minutes of the December 14, 2009 Council meeting as printed.

(4 yes, 2 abstentions, C. Bell, J. Boone) So voted.

Motion made by K. Bell, seconded by D. Martin, to approve the minutes of the January 4, 2010 Organizational meeting as printed. (6 yes) So voted.

Council Agenda item #5: Consider a presentation of an Award to Chief Roy Woods by the Aroostook County Emergency Management Authority.

Vernon Ouellette, Director of the Aroostook Emergency Management Agency, presented a Certificate of Recognition to Roy Woods for his "tireless efforts in orchestrating many challenges within the City's Emergency Management Agency which help increase the overall preparedness of the City of Caribou in dealing with disasters." He was also recognized for his work in developing a Community Emergency Response Team. Chief Woods accepted the award with thanks to the County EMA for recognizing him and expressed his appreciation to the Council and the City Manager for their support.

Council Agenda item #6: Consider a request for the second annual Downtown Caribou Ski Race to be held February 20, 2010 in the North Mall parking lot.

Kathy Mazzuchelli made the request to utilize the North Mall parking lot to hold a variety of snow/ski events on Friday and Saturday, February 19 and 20, 2010. She said merchants in the area had been contacted and had offered support of the plans. David Ouellette had presented estimated costs of hauling, setting and removing snow to be used. Costs included enough snow for eighteen inches of packed snow and with all of the work to be done by Public Works. Costs could be less depending on the depth of snow that would be needed. Carl Soderberg had helped in the operation last year and would possibly do the same again, which would also defray some of the costs. Mr. Ouellette's main concern was that a snowstorm event that weekend would mean his crew would have to forgo the project to take care of the roadways.

Councilor K. Bell was reluctant to make a decision without real figures on all of the costs involved, police and ambulance personnel, transporting snow, how much snow would be required, as well as how much, if at all, would Carl Soderberg be involved. Also, where the funds would come from for the project? Councilor Boone agreed. Councilor C. Bell said the cost of the event should be weighed against the value of having people come to the downtown, and he did consider that to be of value. Chief Woods did have safety concerns with this being a larger event than last year.

Kathy said she would have all of the cost information ready for the Councilors to consider at the next regular meeting.

Council Agenda item #7: Consider authorization of the sale price for Tax Acquired Property Tax map 7 Lot 039-031 in the amount of \$2,200.

Motion made by M. Goughan, seconded by C. Bell, to authorize the sale price of \$2,200 for Tax Map 039-031 as negotiated by the City Manager. (6 yes) So voted.

Council Agenda item #8: Consider setting a date and time for a joint meeting between the City Council and the Board of Directors of the Caribou Chamber of Commerce and Industry to discuss the 2010 City Appropriation. (Recommend the January 25<sup>th</sup> Workshop)

Motion made by K. Bell, seconded by C. Bell, to schedule a workshop session with the Board of Directors of the Caribou Chamber of Commerce and Industry to discuss the 2010 City Appropriation on January 25, 2010 following the regular meeting.  
(6 yes) So voted.

Council Agenda item #9: Presentation of a First Draft of the 2010 Municipal Budget.

The City Manager reviewed the Executive Summary with the Council, which he described as a worst case scenario of the potential impacts to the 2010 budgeting process. Expenses increased by \$362,547, or 4.27%, mainly due to reinstating some Capital Improvements, in-town paving projects, and employment costs. There are anticipated losses of State and Federal revenues, including State Revenue Sharing, MDOT URIP funding, interest from Investments, and Super Rural level Medicare reimbursements for ambulance transports. In total, non-property tax revenue decreases amount to \$899,664, which equates to a property tax increase of 3.4 mils, assuming there are no new net valuations and does not account for the anticipated decrease of \$300,000 to \$400,000 in RSU funding. The City Manager has been working toward lessening some of these impacts by communications concerning pending legislative actions. He stressed that it appears that the State is, in effect, trying to balance its budget on the backs of the taxpayers.

Council Agenda item #10: Consider the renewal of a Game of Chance License for the Knights of Columbus 1870, 357 Washburn Road.

Motion made by K. Bell, seconded by D. Martin, to approve the renewal of a Game of Chance License for the Knights of Columbus 1870, 357 Washburn Road.  
(6 yes) So voted.

Council Agenda item #11: Consider authorizing a Game of Chance License for Texas Hold-Em for the American Legion Post #15, 67 Sweden Street, for February 6, 2010.

Motion made by D. Martin, seconded by K. Bell, to approve a Game of Chance License for Texas Hold-Em for the American Legion Post #15, for February 6, 2010.  
(6 yes) So voted.

Council Agenda item #12: Updates

The City Manager presented information on several topics of interest:

- Rail Plan – December meeting at UMPI provided no news on the status of the Montreal, Maine and Atlantic Railway – Consultant working with MMA Railway to gain more business for rail system – Businesses using the rails have been interviewed in regards to anticipated abandonment - Poor downstate connections are one hindrance – Expected date for official abandonment announcement in late January
- Medical Marijuana Laws – Chief Gahagan and Steve Wentworth are looking into what actions might need to be taken by the City in the future as far as implementation of the law – Proposed language for Methadone clinics currently on hold – Channel 9 to air “It’s the Law” throughout January beginning Tuesday, January 12<sup>th</sup> at 7:30 p.m.

and Thursday January 14<sup>th</sup> at 7:30 a.m., 11:30 a.m., and 7:30 p.m. and each Tuesday and Thursday after that throughout January

- Segment 4 – Final FEIS for Caribou Connector published December 24<sup>th</sup> – Possible signing Record of Decision by Federal Highway Authority January 26<sup>th</sup> – Copies are available for review at the library and municipal building - Review was done January 6<sup>th</sup> of draft of Record of Decision documents for the entire Tier 1 and Tier 2 Segment 4 – Wetland mitigation opportunities for Caribou Connector to be presented January 12<sup>th</sup> – 3.7 acres of wetland impacts in Caribou to mitigate – MDOT working on design aspects of Option 4B – Project to contain 3.7 miles of new construction and upgrades to 5.4 miles – Segment 4 would reduce truck traffic in downtown by 50 vehicles hours a day - New construction starting in 2010 – Presque Isle currently going through same process – Ten alignments being studied – Public Forum on Segment 4 in late spring/early
- US Coast Guard – Mayor and City Manager attended recent meeting with Chief Ripley and other Coast Guard members that included representatives from Senator Collins' and Representative Michaud's offices to discuss process of discontinuing transmission of Loran C signal on February 8, 2010 - Treaties with Canada and Russia could extend signal up to a year unless both parties authorize otherwise – Caribou, as stakeholder, will be kept informed as to disposition of property – Chief Ripley assures that Caribou will receive a viable asset and not a liability

Council Agenda item #13: Other Business

- a. First Read: First Draft of an amendment to Chapter 8 Article 5, Placement of Snow in Public Way, to strengthen the current local ordinance and provide for a locally administered fine structure.

The City Manager said this draft had not been submitted to the Planning Board. After reviewing it with the Council for their future consideration, he recommended keeping the current ordinance as it stands.

- b. First Read: Planning Board proposed changes to Article ?? Section ??? Noise Ordinance – relate to Wind Ordinance.

The Planning Board recommends the Council hold a public hearing on these changes, which would increase the noise limits to 65 decibels at all times. The exception would be to prohibit construction activities on property abutting residential use between 10 p.m. and 7 a.m.

- c. First Read: Survey of Downtown Caribou Property Owners & Entrepreneurs – review prior to sending to businesses

Councilor K. Bell thought the survey was too in depth and should ask for only the most pertinent information in order to address only the problems that have been identified. A short single page questionnaire to business owners would be preferred. After some discussion, it was decided to have the Highway/Protection Committee work on this with Mike Shrewsbury. A meeting date of January 12<sup>th</sup> at 7:00 p.m. was decided upon.

- d. Discussion of Workshop topics for the January 25<sup>th</sup> – CCC&I
- e. Other Business

Councilor Goughan asked for clarification that the proposed noise ordinance would allow a louder noise level and that it did not include exemptions for farming and logging

operation noise levels. Noting that he would have the opportunity to bring this up at the public hearing, he thought there should be more research done to include exemptions for agricultural issues.

Meeting Dates previously set:

- January 19<sup>th</sup> & 20<sup>th</sup>, 2010 5:30 p.m. Council Chambers, Personnel Committee for AFSCME Council 93 Contract Negotiations Caribou Public Works
- Setting of Times for Budget Workshops – January 21<sup>st</sup> and February 1<sup>st</sup> at 5:30 p.m. Topics (January 21<sup>st</sup> – Closeout and CIP) (February 1 – Budget)
- January 25, 2010 7:00 p.m. Council Chambers, Regular Council Meeting, Council Workshop to follow conclusion of Regular meeting
- January 26, 2010 5:30 p.m. Council Chambers, Personnel Committee for Teamsters Local 340 Contract Negotiations Police, Fire & Ambulance Units

Council Agenda item #14: Executive Session: Consider moving to Executive Session to discuss the fulfilling vacancies of appointed Board positions pursuant to MRSA Title 1 Chapter 13 Section 405 (6)(A).

8:59 p.m. Motion made by C. Bell, seconded by K. Bell, to move to Executive Session to discuss the fulfilling of vacancies of appointed Board positions pursuant to MRSA Title 1 Chapter 13 Section 405 (6)(A). (6 yes) So voted.

9:11 p.m. Returned from Executive Session.

Motion made by C. Bell, seconded by D. Martin, to rescind the appointment of Steve Wentworth as Health Officer. Council noted the removal of the appointment was by request of Steve Wentworth in lieu of Yvette Seaman requesting to assume the duties of Health Officer. (6 yes) So voted.

Motion made by K. Bell, seconded by C. Bell, to appoint Yvette Seaman as Health Officer for the City of Caribou for 2010. (6 yes) So voted.

Motion made by D. Martin, seconded by K. Bell, to move the slate of remaining appointments as presented.

Board of Assessors – John Weeks for three years

Nylander Board of Trustees – Jessica Feeley and Mary Kirkpatrick for three years (6 yes) So voted.

Council Agenda item #15: Executive Session: consider moving to Executive Session for the annual review process of the City Manager, pursuant to MRSA Title 1 chapter 13 Section 405 (6)(A).

9:14 p.m. Motion made by K. Bell, seconded by C. Bell, to move to Executive Session for the annual review process of the City Manager, pursuant to MRSA Title 1 chapter 13 Section 405 (6)(A). (6 yes) So voted.

9:44 p.m. Returned from Executive Session.

Council ended with a consensus to set a future time to discuss their goals as a Council and for the Manager for the ensuing year. Mayor Murchison requested that all

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Councilors compose a list of their highest priorities such that a manageable set of goals may be set.

9:48 p.m. Meeting adjourned.

Judy-Ann Corrow, Secretary