

Council Agenda Item #1: Roll Call

The Caribou City Council held a regular meeting Monday, May 14, 2018 at 6:00 p.m. in Council Chambers with the following members present: Mayor David Martin, Deputy Mayor Nicole L. Cote, Philip McDonough II, Joan L. Theriault, Timothy C. Guerrette, R. Mark Goughan, and Hugh A. Kirkpatrick.

Dennis L. Marker, City Manager was present.

Department Managers and Staff: Penny Thompson, Tax Assessor; Dave Ouellette, Public Works Director; Gary Marquis, Supt. of Parks & Recreation; Michael Gahagan, Police Chief; Scott Susi, Fire Chief; and Anastasia S. Weigle, Library Director.

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

Council Agenda Item #2: Pledge of Allegiance

The Mayor led the Pledge of Allegiance.

Council Agenda Item #3: Public Input

- Mary Green – Community Manager for the American Red Cross in Aroostook County. Ms. Green thanked the Council for their support. The American Red Cross has been assisting up in the St. John Valley during the recent flooding. During 2017, the local Red Cross assisted 48 families, more than 55 people, and responded to 19 fires. Along with their partners, the Red Cross installs free smoke alarms and offers free safety training. They have installed more than 70 smoke alarms in Caribou. They assist veterans and run blood drives. Red Cross depends on volunteers and in the past year the local office has had 1500 hours of volunteer time. \$0.91 of each dollar goes right back into services.

Council Agenda Item #4: Declaration of Potential Conflicts of Interest

There weren't any Conflict of Interest to declare.

Council Agenda Item #5: Consent Agenda

- a. Approval of March 2018 Financials with First Quarter Investment Report
- b. Approval of April 2018 Financial
- c. Minutes from Council Meeting Held April 9, 2018
- d. Renewal of Trash Hauler Permit for Crown of Maine Sanitation
- e. Approval of Liquor License On-Premise Extension for Northern Maine Brewing Company
- f. Approval of Warrant and Notice of Election for RSU 39

Motion made by P. McDonough, seconded by J. Theriault, to approve Consent Agenda A-F as presented. (7 yes) So voted.

A copy of the detailed Financials Report, starting next month, was requested by Councilor Goughan.

Council Agenda Item #6: Bid Openings, Awards, and Appointments

- a. Appointment of Election Warden and Deputy Election Warden for June 2018 Primary Election and Approval of 8:00 a.m. poll opening time for June 12, Primary Election

Motion made by P. McDonough, seconded by J. Theriault, to appoint Jayne R. Farrin as Election Warden and Kalen Hill as Deputy Election Warden for the June 2018 Primary Election and the approval of 8:00 a.m. poll opening time for the June 12, 2018 Primary Election. (7 yes) So voted.

b. Appointment of City Council Representative to CEGC Board

Motion made by RM Goughan, seconded by P. McDonough, to nominate Councilor Hugh Kirkpatrick as City Council Representative to the CEGC Board. (6 yes, 1 abstention, H. Kirkpatrick) So voted.

c. Nomination of City Manager to Serve on Maine Municipal Association's Legislative Policy

Motion made by P. McDonough, seconded by J. Theriault, to nominate City Manager Dennis Marker to serve on the Maine Municipal Association's Legislative Policy Committee. (7 yes) So voted.

d. Awarding of Various bids for Materials to be used by Public Works

<i>Item</i>	<i>Company</i>	<i>Low Bid</i>
Culverts	Paris Farmers	\$8,326.60
Street Paint	Franklin Paint	\$5,678.25
Shim & Patch	Lane Construction & Soderberg Construction	\$65.00
Paving	Soderberg Construction	\$65.75
Sand	K & M Sand & Gravel	\$9.24
Parking Lot Paving	Trombley Industries	\$17,555.55
½ Crush Stone	Trombley Industries	\$12.85
Chipseal	Soderberg Construction	\$3.73

Motion made by J. Theriault, seconded by T. Guerrette, to accept the low bid for each item. (7 yes) So voted.

e. Awarding of Bid to Clean Up Birdseye Manufacturing Site

Last year the Council accepted a bid from McGillian, Inc. for removal and cleanup of two of the five major buildings located on the Birdseye site. The two buildings were identified as Building Three and Building Five. McGillian, Inc. is willing to hold the 2017 bid prices and complete the remaining work, which will cost approximately \$120,000. The scope of work is to clean up the building sites from the ground up and leaving any concrete pads. In 2017, the City was awarded a \$100,000 grant from the Northern Border Regional Commission (NBRC) with the plan to use it towards cleanup costs. If the City accepts and uses this grant money, then the City will not be able to sell the property for 20 years. The City would be able to lease the property during this 20 year timeframe. Discussion. Councilor Kirkpatrick suggested that the City place out to bid the demolition of the foundations so the Council would know the "true cost" of demolition for the site.

Discussion.

Motion made by J. Theriault, seconded by N. Cote, to accept the NBRC grant funds and complete the previously scoped work. (4 yes, J. Theriault, T. Guerrette, D. Martin, N. Cote, 3 no, RM Goughan, H. Kirkpatrick, P. McDonough) So voted.

Councilor Goughan would be interested in seeing the marketing plan for this site so we will have a goal.

Council Agenda Item #7: Formal Public Hearings

- a. Ordinance 1, 2018 Series, Modifying Tax Increment Policies of the City

Public Hearing opened at 6:31 p.m.

For the audience, the City Manager explained Tax Increment Financing Districts (TIFs) and reviewed the proposed ordinance.

No one from the public spoke.

Public Hearing closed at 6:35 p.m.

Motion made by P. McDonough, seconded by J. Theriault, to adopt Ordinance 1, 2018 Series, An Ordinance Adopting Policies for Creating Tax Increment Finance Districts and the use of Credit Enhancement Agreements, Providing Severability and an Effective Date for the Ordinance as presented. (6 yes, 1 no, RM Goughan) So voted.

Council Agenda Item #8: New Business & Adoption of Ordinances and Resolutions

- a. Resolution 05-01-2018 Authorizing the City to Join a Lawsuit Against Opiate Drug Companies

Motion made by J. Theriault, seconded by N. Cote, to adopt Resolution 05-01-2018 A Resolution Authorizing the City to Join a Lawsuit Against Opiate Drug Companies. (7 yes) So voted.

- b. Adoption of Ordinance 01, 2018 Series, Modifying City Tax Increment Policies

The Ordinance was adopted under Council Agenda Item #8.

- c. Discussion and Possible Action Regarding Statewide Jurisdiction of Caribou Police

Chief Gahagan addressed the Council with his request for Council to authorize and extend Caribou Police's law enforcement authority beyond the jurisdiction of Caribou. Council questions and concerns were answered by Chief Gahagan. Discussion.

Motion made by P. McDonough, seconded by T. Guerrette, to authorize and extend Caribou Police's law enforcement authority beyond the jurisdiction of Caribou. (7 yes) So voted.

- d. Discussion Regarding Surplus Designation of Flora-Dale Park

In a letter dated April 26, 2018 to City Manager Marker, the owner of Burger Boy, Spenser Ouellette expressed an interest in developing a dog park in the City's Flora-Dale Park. Mr. Ouellette is requesting to purchase the park for \$1.00. His intention is to create a dog park on the back half of the park furthest away from Burger Boy and the other half nearest to Burger Boy would be used as a picnic area.

A grant writer with the hospital has reached out to the City about writing a grant for the creation of a dog park. The grant application is due May 16th. Supt. Marquis commented that the City isn't large enough for two dog parks. It is Supt. Marquis' recommendation that the City apply for the grant, and if awarded, develop a dog park at the Park & Ride site off Otter Street. He has discussed this with is Spenser Ouellette and Mr. Ouellette is still interest in the property. According to Supt. Marquis there isn't any liability to the City for a dog park if there is proper signage. Discussion. Questions as to how the City obtain ownership of Flora-Dale Park and the need to follow any City policies regarding its disposal, plus the need to discontinue any paper streets in the area so to clear up any gray areas concerning these items.

Council consensus: To move forward with the title research for Flora-Dale Park so the City can designate it surplus.

Mayor Martin returned to Council Agenda Item #3: Public Input.

- Carolyn Cossiboom – 4 Newton Avenue – The Newton property has become tax acquired. Ms. Cossiboom stated that in June 2017, she come in front of the City Council and that they forgave the 2016 taxes.

The property has been put out to bid and no bids were received.

Motion made by RM Goughan, seconded by T. Guerrette, to give Carolyn Cossiboom until the 15th of June to pay in full the amount owed for taxes on 4 Newton Avenue. (7 yes) So voted.

Mayor Martin moved to Item 8.g.

- g. Introduction of Ordinance 03, 2018, Creating an Airport Advisory Committee

Councilor McDonough introduced Ordinance No. 03, 2018 Series, An Ordinance Establishing A Caribou Municipal Airport Advisory Committee, Providing Severability and an Effective Date for the Ordinance.

A Public Hearing was scheduled for the June 11, 2018 Council Meeting.

Mayor Martin moved to:

Council Agenda Item #9: Reports of Officers, Staff, Boards and Committees

- a. River Road Status

- The City has been working very closely with the County and Darren Woods.
- A rough estimate from James W. Sewall Company to repair the road - \$1.5 to \$2 million and Soderberg Construction estimates \$2.5 million.
- The trigger price to qualify for Federal dollars is \$1.9 million. There is work being done to package the damages from area spring flooding and submit as one package asking for relief. In addition to the River Road damage, the City has experiences \$50,000 to \$60,000 to the trail systems culverts and the wash out of trails.
- Certain procurement procedures need to be followed when using Federal monies. An individual at the State, recommends if the City doesn't have a

procurement process, that the City should follow the State's procurement process.

- The City Manager outlined the proposed timeline to hire an engineering firm.
- It could be a month to six weeks to know if the City will receive Federal monies.
- Discussion about purchasing the four properties.
- Discussion as to how the road could be moved.
- Discussion as to whether the road, if repaired, could be done during 2018.
- Large "Road Closed" signs have been erected and barricades are in place, but people are ignoring the signs and going around the barricades.
- It was suggested that a meeting be held between the four homeowners and the City outside of a Council meeting.
- The City Manager suggested that the City could go ahead and obtain appraisals for the four homes.
- Councilor Goughan wondered if MMA could be a resource for information as there probably have been other communities that have had similar experiences.

Motion made by Mayor Martin, seconded by T. Guerrette, to move forward getting an engineer as quick as possible with a selection date by the end of June and to move forward with the appraisal process in accordance with FEMA guidelines. (7 yes) So voted.

Mayor Martin returned to Item 8.f.

f. Introduction of Ordinance 02, 2018, Allowing Administrative Review of Customary Licenses and Special Operating Permits

Councilor McDonough introduced Ordinance No. 02, 2018 Series, An Ordinance Adopting Policies for Administrative Review of Customary Licenses and Permits, Providing Severability and an Effective Date for the Ordinance.

A Public Hearing was scheduled for the June 11, 2018 Council Meeting.

Mayor Martin returned to Item 8.e.

e. Discussion Regarding Wage Policy Revisions

Discussion about the draft Wages and Salaries Policy. Discussion as to whether the City's policy should be based only on population comparisons or should municipal valuations be a consideration. The draft policy covers approximately 35 nonunion employees.

The Mayor polled the Council:

- Councilor McDonough – use communities with a population 6,000 to 10,000
- Councilor Kirkpatrick – it is the employees' job to demonstrate their value to the organization and this draft policy flips that around
- Councilor Cote – supports using populations
- Councilor Goughan – supports using municipal valuations
- Councilor Guerrette – agrees with Councilor Cote and doesn't agree with a merit basic system

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- Councilor Theriault – prefers using valuation, but could live with using population as the basis. She doesn't care for merit raises or longevity raises.

Council Consensus: Use communities with population from 6,000 -10,000 and not to use valuation.

Mayor Martin moved to:

Council Agenda Item #10: Reports and Discussion by Mayor and Councilors

- a. The Mayor read a letter from Scott Vonnegut. He recently visited Caribou and the Nylander Museum and referred to the Museum as a "gem".
- b. Exhibit A – Councilor Kirkpatrick read a statement concerning eight questions he has about Cary Medical Center. He also requested that this topic be placed on the next Council agenda.

Discussion.

The City Manager will send the questions off to the two hospital boards.

Council Agenda Item #11: Executive Session (May be called to discuss matters identified under Maine Revised Statutes, Title 1, §405.6)

There wasn't a need for an Executive Session.

Council Agenda Item #12: Next Regularly Scheduled Council Meeting – May 28 (Final 2018 Budget Adoption), June 11

The Monday, May 28th Council Meeting was moved to Tuesday, May 29th.

Council Agenda Item #13: Adjournment

Motion made by T. Guerrette, seconded by RM Goughan, to adjourn at 9:11 p.m. (7 yes)
So voted.

Jayne R. Farrin, Secretary

On March 20th I sent an email in response to the March 28th quarterly update meeting invitation for all counselors to attend at the hospital.

In that email I listed 8 questions for the hospital (or any of its entities) to answer at our next council meeting on April 9th.

After that April 9th meeting, where this subject did not appear on the agenda (20 days was probably not enough time to pull all of the information together), I asked the city manager: who was working the 8 questions?

The city manager explained he was working on the list and asked me if it could be addressed at the next council *workshop* on April 30th.

My response was it was my intent the hospital (or any of its entities) would pull the information together and that I did not want it on the April 30th workshop agenda but on the agenda for the May 14th council meeting.

On April 4th I received an invitation from Galen Dickinson to attend a breakfast meeting at the hospital on April 18th.

The same day I responded by email declining the invitation by further explaining it was my expectation the 8 questions I posed will be addressed at the May 14th council meeting "and contemplated publicly".

The city manager was carbon copied on this response.

On April 20th the city manager forwarded a PowerPoint with all the legislative acts detailed and explained which over time created our municipally owned hospital configuration.

In that email, it was declared there *would* be discussion about this PowerPoint and other compiled information at our April 30th workshop.

In response to this email, I replied with a summary of the 8 questions previously submitted with another request they be addressed in the May 14th council packet and a personal assurance from the city manager this request would be executed.

I never received an assurance.

On April 26th the council received an email from the city manager with hospital district meeting minutes and their 2017 audited financial statements.

On April 30th, after our workshop, I asked the city manager if any information not covered by the PowerPoint presentation or the three-ring binder provided that pertained to my 8 questions was forthcoming before the May 14th council meeting and the response was that it was coming from a hospital district meeting on May 10th.

On May 11th I received my council packet for the May 14th meeting scheduled today and there are not only no answered questions but nothing regarding the subject is on the agenda as well.

So, for the record, below are the 8 questions which were asked over 7 seven weeks ago and their current status:

- Why are City Councilors asked to sign an NDA in order to attend a hospital meeting?

Not answered

- Where are the legal documents which create the hospital entities?

Answered April 30

- Why aren't hospital meetings public and treated as such?

Not answered

- Why aren't hospital annual financials audited or complete in the City annual report?

Not answered

- Why do we have a municipal hospital; what are the benefits?

Not answered

- Where is the current lease and what its terms?

Answered April 30

- Why don't the quarterly financial presentations from the hospital conform to the City Charter?

Not answered

- Who is the legal counsel and auditor for the hospital?

Partially answered April 26

I have no reason to believe the hospital is not operated correctly and with the best interests of all stakeholders taken into account.

I believe this information requested will ultimately help not only the Council but all citizens of Caribou better understand the asset of our municipally owned hospital.

Therefore, I respectfully request this topic, with answers to these questions, be placed on the agenda for the next council meeting and not delayed any further.

Thank you
Hugh