

Council Agenda Item #1: Roll Call

The Caribou City Council held a regular meeting Monday, March 11, 2019 at 6:00 p.m. in Council Chambers with the following members present: Mayor R. Mark Goughan, Deputy Mayor Jody R. Smith, David Martin, Joan Theriault, Nicole L. Cote, Hugh Kirkpatrick, and Thomas Ayer.

Dennis L. Marker, City Manager was present.

Department Managers and Staff: Penny Thompson (Tax Assessor); Hope Shafer (Library Director) 6:05 p.m.; Kenneth G. Murchison (Zoning Administrator); Carl Grant (Finance Director); Michael Gahagan (Police Chief); and Danielle M. McLaughlin (Assistant City Clerk).

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

Council Agenda Item #2: Pledge of Allegiance

The Mayor led the Pledge of Allegiance.

Council Agenda Item #3: Public Forum

- Ted Walker – Mr. Walker is a medical marijuana caregiver in a nearby town. He wants to move his operation to Caribou and he has an opportunity to purchase a property that works for his business. He has placed a hold on the project because the City enacted an emergency ordinance placing a moratorium on marijuana businesses. He spoke in opposition to the proposed extension of Ordinance #1 A Moratorium on Marijuana Establishments.

Council Agenda Item #4: Minutes from Regular Council Meeting held February 25, 2019

Motion made by J. Theriault, seconded by J. Smith, to approve the minutes from the February 25, 2019 Regular Council Meeting as presented. (7 yes) So voted.

Council Agenda Item #5: Bid Openings, Awards, and Appointments

a. Selection of Nominees for Spirit of America Award Recognition

There was a motion and a second to move to executive session to discuss this matter. The City Manager recommended that this be done in open session. He offered that more than one person can be recognized. The motion and second were withdrawn. Councilor Cote stated that she recommends Roger Felix, the Caribou VFW Commander. Councilor Ayer recommended Christina Kane-Gibson. Councilors Kirkpatrick and Smith support the selection of Roger Felix, Smith supports the selection of the Rotary Club. Councilor Theriault nominated Barbara Aiken. Councilor Martin supports Dr. Waldermarson. The Manager offered that the Council might consider recognizing volunteers more frequently; such as, one a month.

Motion made by D. Martin, seconded by T. Ayer, to award all that were nominated the Spirit of America Award. (7 yes) So voted.

The Council received a letter from a 100-year-old veteran. Mr. Beachkofski expressed his concern for Caribou because of the amount of snow we have received this winter.

b. Honorary Mayoral Recognition of Robert Beachkofski

Motion made by D. Martin, seconded by J. Theriault, to bestow the title of Honorary Mayor of Caribou upon Mr. Robert Beachkofski. (7 yes) So voted.

Council Agenda Item #6: New Business & Adoption of Ordinances and Resolutions

a. Discussion and Possible Action Regarding Renewal of Liquor License for Mascotos Italian Restaurant at 6 Center Street.

Motion made by H. Kirkpatrick, seconded by T. Ayer, to approve the liquor license renewal for Mascotos Italian Restaurant at 6 Center Street as presented. (7 yes) So voted.

b. Discussion and Possible Action Regarding Sale of Tax Acquired Property Located at 37 Home Farm Road.

Motion made by H. Kirkpatrick, seconded by N. Cote, to sell the tax acquired property located at 37 Home Farm Road for full payment of all past due taxes to the previous owner. (7 yes) So voted.

c. Discussion and Possible Action Regarding Extension of Ordinance #1 A Moratorium on Marijuana Establishments

Staff recommended the Council reenact Ordinance 1, 2019 Series with an effective date of March 15, 2019. Zoning Administrator Murchison discussed the options available to the City including “opt in” or “opt out”. An extension would give the City more time to develop language. Discussion. The Manager stated that he wants to see the City ready to handle marijuana under the State’s new definitions for cultivation and manufacturing facilities. Mr. Murchison stated that there isn’t anything in the City’s code to prevent Mr. Walker from moving to Caribou and operating his medical marijuana caregiver services. Councilor Ayer questioned Mr. Walker as to whether there would be odors coming from the business. Mr. Walker stated that the building is 1000 yards from the nearest neighbor and his plans to use filters to reduce or eliminate odors.

Motion made by J. Theriault, seconded by N. Cote, to reenact Ordinance 1, 2019 A Moratorium on Marijuana Establishments effective March 15, 2019 for 61 days. (2 yes, J. Theriault, N. Cote, 5 no, D. Martin, J. Smith, RM Goughan, H. Kirkpatrick, T. Ayer) Failed.

d. Discussion and Possible Action Regarding Resolution 03-01-2019-Amending Policy for Sale of Tax Acquired Property.

Motion made by J. Smith, seconded by D. Martin, to adopt Resolution 03-01-2019 A Resolution of the Caribou City Council Amending the City’s Tax Acquired Properties Policy as presented. (6 yes, 1 no, RM Goughan) So voted.

e. Discussion and Possible Action Regarding Non-Union Employee Wage Policy

The Manager requested that the Council complete a three-question survey and submit it to him.

- Which of the following community factors is more important in a wage comparison study? Community Population or Distance from Caribou
- Which of the community factors is more important in a wage comparison study? Community Population or Community Valuation
- Which of the following community factors is more important in a wage comparison study? Community Valuation or Distance from Caribou

Council Agenda Item #7: City Manager's Report

a. Discussion Regarding City Lease Interests

The Council received a spreadsheet showing both revenue generating and obligations leases held by the City. Manager Marker reviewed the spreadsheet and responded to questions. In reality, the obligations leases for the wood pellet boilers and fire engine are a financing method and at the end of the leases, the City will own the equipment.

Sitel and parking lots: Discussion as to why the City and Sitel didn't go through with the sale of the parking lots and if there were title issues why weren't they resolved.

Councilor Martin commented that he and the other Council members thought the sale to Sitel had gone through in July 2015. The Mayor noted Council questions.

1. Has Sitel paid through the lease agreement what the City was going to sell the lots for?
2. If the City has been paid, why haven't we gone through with the sale and turn the parking lots over to Sitel?

The Manager explained that according to the purchase sale agreement, the buyer had the right of refusal based on title issues so if Sitel saw a problem they could refuse the property. The Mayor wants to know what options the City has. It was stated by the Mayor that where the City is now wasn't the intent of the Council back then. The Manager will see if he can locate a title report.

The land and building located at 60 Access Highway were purchased with United States Department of Agriculture (USDA) funds. If the City were to sell it then we would have to give fair market value back to the USDA and last summer, it was estimated that it would be about \$380,000. The annual taxes, if privately owned, are estimated to be \$20,000. Councilor Kirkpatrick requested that this be added to the March 25<sup>th</sup> agenda.

Wood pellet boilers: Councilor Kirkpatrick suggested that the City get one contract or one entity to look at all of them and get a maintenance contract, so they could come in and do an annual cleaning service. That way there is one person that gets that kind of corporate knowledge of that product and they would be the only ones to look at it. He suggested getting bids from area people for a service contract. The Manager will send an RFP and see what the response is. The Mayor commented that he believes someone has already evaluated each boiler and that was shared with Council. The Mayor would like to know if the City could sell the boilers.

Discussion about the correct terminology for how the City purchased the wood pellet boilers and fire engine. They are leases and at the end of the leases the City will own the boilers and fire engine, but in effect they are the same as a debt. Continued discussion regarding the amount of debt that requires a vote by Caribou citizens and that neither of these items went out to vote and the use of a Capital Improvement Program.

b. LED Streetlights Conversion

Emera has reviewed the streetlights identified by RealTerm for conversion. Waiting on final report from RealTerm. At the next meeting the Manager should be able to update the Council as to what is being done by other area towns.

c. River Road

This afternoon, the City received the preliminary drawings. The Manager will be having a meeting on Wednesday to review them with staff and CUD. Then the comments will go back to DuBois & King and the City should be much closer to a firm engineer's estimate for the repair costs.

d. High Street

The bids have gone out with a due date of March 20<sup>th</sup> and the City should know after whether the State will be moving forward with the work. The City will put our work out to bid once the State moves forward with theirs.

e. Birdseye Cleanup

The City has completed a grant application for nearly \$500,000 to help with cleanup through Environmental Protection Agency (EPA).

f. Senior Homestead Tax Credit Program

The Council has mentioned bringing this back this year for a policy discussion. It is at the point where the Council needs to determine some of the thresholds for the program for it to move forward.

g. Historical Budget Data

The Council received a spreadsheet with budget revenues and expenses from 2013 to 2019 plus bar graphs for the makeup of revenue and expenses from 2011 to 2019 and net of general accounts 2011 to projected 2019. Councilor Kirkpatrick requested this same information going back to 1994 for three or four different accounts. Trio only goes back to 2004.

Councilor Kirkpatrick asked to have four items added to the next Manager's Report: Sitel parking lots, selling of 60 Access Highway, RFP for pellet boilers, and selling of Flora-Dale Park.

Council Ayer asked to have "Dark Sky Community" looked up as he thinks this might be neat to bring to Caribou. It was stated that the LED lights the City has selected are full cut-off lights. Councilor Kirkpatrick commented on the need for test installs and that the more the better, that they should be in different color temperature, so people can see the difference, and use cut-offs on the fixtures wherever possible. Previously the Council's direction had been no test installations. The Mayor suggested that there be four test installations with three lights each.

The Mayor wants to see something soon on the Ambulance Service in Caribou. He would like to see the report that was prepared by the former Mayor Aiken on this topic. He would like us to look at what it would cost to just serve the people of Caribou. Councilor Kirkpatrick commented that there has been a seven-year trend of revenues going down every year.

Council Agenda Item #8: Reports and Discussion by Mayor and Council Members

a. Economic Development Priorities

The Mayor and Manager will meet to review what is mentioned this evening and then bring it back to Council. What is developed will be used to evaluate the City Manager's job performance in December.

Councilor Ayer spoke about the circle of economics – services we can offer and existing business in town, with people working and spending in Caribou so the money stays here. How can the City make it easier for businesses?

Councilor Kirkpatrick commented on growing the assessed values in Caribou. He wants to make it easier for assessed values to rise. Making the City an inviting place for businesses.

Councilor Cote mentioned being a business-friendly community, family friendly activities, enhancing the businesses we already have and ensuring that they have what they need to be successful. Focus on the positive things the City has. To grow our community, we need young families. Continue with façade improvements to help make our City beautiful so people will want to come here.

Councilor Smith spoke about working with existing businesses, build your base, and then work on attracting new businesses.

Councilor Theriault spoke about business retention, Caribou's quality of life, housing, technology, good medical care, and social wellbeing. She sees the new school as a big plus for the City.

The Mayor noted again that Council wants the Manager to go out to lunch with local business people about one a month.

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

The City Clerk introduced the new Assistant City Clerk Danielle McLaughlin. In addition to learning all the duties and responsibilities of Connie Michaud's position, she is learning all aspects of the City Clerk's job.

The City Clerk reminded everyone that an open house will be held April 8<sup>th</sup> from 2 to 4 in Council Chambers for retiring Connie Michaud. All are welcomed.

Councilor Kirkpatrick extended congratulations to the Caribou High School Boys' basketball team for winning the state championship.

Mayor Goughan spoke about his visit to the new daycare that has relocated to Sweden Street and how impressed he is. The new daycare, new school being built, and with the City's Recreation program, this all makes Caribou very appealing to young professional families.

Council Agenda Item #10: Executive Session (May be called to discuss matters identified under Maine Revised Statutes, Title 1, §405.6)

a. §405(6)(E) Consultations with the City's Attorney Regarding Pending Litigation

8:18 p.m. Time in. Motion made by J. Smith, seconded by H. Kirkpatrick, to enter into executive session under MSRA Title 1, §405(6)(E) Consultations with the City's Attorney Regarding Pending Litigation. (7 yes) So voted.

8:55 p.m. Time out.

No action taken.

b. §405(6)(C) Discussion regarding acquisition of property along the River Road  
8:55 p.m. Time in. Motion made by T. Ayer, seconded by J. Theriault, to enter into executive session under MSRA Title 1, §405(6)(C) discussion regarding acquisition of property along the River Road. (7 yes) So voted.

9:12 p.m. Time out.

Council directed the manager to move forward with negotiations on the Chomka and Willard properties.

c. §405(6)(D) Discussion regarding union contract terms and renegotiations in 2019  
9:13 p.m. Time in. Motion made by J. Smith, seconded by T. Ayer, to enter into executive session under MSRA Title 1, §405(6)(D) discussion regarding labor negotiations. (7 yes) So voted.

9:30 p.m. Time out.

No action taken.

Council Agenda Item #11: Next Meeting(s): March 25 & April 8

Council Agenda Item #12: Adjournment

Motion made by J. Theriault, seconded by T. Ayer to adjourn the meeting at 9:30 p.m. (7 yes) So voted.

Jayne R. Farrin, Secretary