

Council Agenda Item #1: Roll Call

The Caribou City Council held a regular meeting Tuesday, May 18, 2020 at 6:00 p.m. in Council Chambers with the following members present: Mayor R. Mark Goughan, Deputy Thomas Ayer, Joan L. Theriault, Nicole L. Cote, Hugh A. Kirkpatrick, Jody R. Smith, and Douglas C. Morrell.

Dennis L. Marker, City Manager was present in Council Chambers.

Department Managers and Staff: None.

Due to the COVID-19 Pandemic, this meeting was closed to the public and was broadcasted via Spectrum and Caribou's YouTube Channel.

Council Agenda Item #2: Invocation / Inspirational Thought

Mayor Goughan read an invocation.

Council Agenda Item #3: Pledge of Allegiance

The Mayor led the Pledge of Allegiance.

Council Agenda Item #4: Public Forum

Comments were to be submitted to the City Clerk (jfarrin@cariboumaine.org) prior to 5:30 p.m. on the day of the meeting to be read at the meeting. Comments must include the individuals name and address for the record.

Emails received by the City Clerk:

- Gary Aiken – 471 Main Street – disagreed with prior comments made by Council regarding Homestead Exemptions, questioned the benefit of giving \$40,000 in gift certificates to City employees, and stated that he doesn't feel that the gift certificate topic qualified for executive session and should have been done in open session. Email received May 4, 2020 5:54 p.m.
- Laurie Chapman – River Road – spoke in opposition to changing Caribou's Charter if the change would allow active Council member's taxes to be waived and/or not current while serving. Email received May 15, 2020 6:19 p.m.

Council Agenda Item #5: Minutes

- a. City Council Regular Meeting – May 4, 2020

Motion made by J. Smith, seconded by D. Morrell, to accept the May 4, 2020 Council minutes as presented. (7 yes) So voted.

Council Agenda Item #6: Finances

- a. April 2020 Report

Manager Marker reviewed the April Financial Report and provided a cash flow graph that shows the negative effect of delaying the setting of the mil rate. The City delayed the setting of the mil rate in both 2017 and 2019.

Motion made by J. Smith, seconded by H. Kirkpatrick, to accept the April Financial Report as presented. (7 yes) So voted.

Council Agenda Item #7: Bid Awards, Appointments & Recognitions

Councilor Cote read Resolution 04-01-2020 Recognizing Loring Job Corps for Civic Excellence. The Resolution was adopted by Council on the 6th of April and was presented today to Loring Job Corps. A statement from Center Director Kristie Moir was read by Councilor Cote, stating that Loring Job Corps Center is honored for being recognized by the City of Caribou.

Council Agenda Item #8: New Business

- a. Discussion and Possible Action Regarding Renewal of Rubbish Hauler Permit for City Sanitation

Motion made by H. Kirkpatrick, seconded by T. Ayer, to approve the renewal of a rubbish hauler permit for City Sanitation. (7 yes) So voted.

- b. Discussion and Possible Action Regarding Par & Grill Liquor License Relocation

Motion made by D. Morrell, seconded by J. Smith, to approve the liquor license relocation for Par & Grill. (7 yes) So voted.

- c. Discussion and Possible Action Regarding Acceptance of \$20,000 FAA Grant for Airport

Motion made T. Ayer, seconded by J. Theriault to authorize the City Manager to accept a \$20,000 grant from the FAA, which will be used to offset airport operating expenses in 2020. (7 yes) So voted.

- d. Discussion Regarding City Use of Tax Acquired Property Located at 227 Limestone Street

First Read: Discussion.

- e. Discussion Regarding Amendment to SynerGen Solar Agreement for Solar Project on the Ogren Road Landfill Property

Motion made by H. Kirkpatrick, seconded by T. Ayer, to authorize the City Manager to execute an amendment to the SynerGen Solar contract, which sets the rental rate at \$500/acre with the acreage to be determined through the City's site design review process. (6 yes, 1 no, J. Smith) So voted.

- f. Introduction of Ordinance 03, 2020 Series to Amend the City Charter, Removing the Requirement that City Council Candidates be Current on Taxes

First Read: The Mayor read his statement of support for Ordinance 03, 2020* Councilor Cote suggested that there are items in the ordinance that need to be clarified. Councilor Morrell stated his support for the proposed ordinance. Councilor Smith stated that he doesn't support the proposed ordinance.

Discussion.

The Council wants to see any legal opinions on this topic that were received during the development of the current charter.

Ordinance No. 03, 2020 Series, an ordinance to Amend the City Charter allowing City Councilors to have Unpaid Tax Balances wasn't introduced.

Council Agenda Item #9: Old Business & Adoption Ordinances and Resolutions

- a. Resolution 04-03-2020 Regarding Local Preference on Bids

Discussion.

Motion made by D. Morrell, to adopt 04-03-2020 A Resolution of the Caribou City Council Adopting a Local Preference Standard for Bid Submittals. Motion failed for the lack of a second.

- b. Introduction of Ordinance 01, 2020 Series to Amend the City Charter, Adjusting Budget Process Timeframe

Councilor Kirkpatrick introduced Ordinance No. 1, 2020 Series, An Ordinance to Amend the City Charter by Changing Budget Preparation Timeframes.

- c. Introduction of Ordinance 02, 2020 Series to Amend the City Charter, Allowing the Council to Increase Annual Expense Budget

No one introduced Ordinance No. 02, 2020 Series, An Ordinance to Amend the City Charter to Allow the Council to increase the Expense Budget After Adoption in a Fiscal Year. The ordinance doesn't move forward and "dies on the vine".

Council Agenda Item #10: Reports and Discussion by the Mayor and Council Members

Investment Committee meeting report was given by Councilor Smith.

- a. Homestead Tax Credit Training

Manager Marker reviewed a memo from Tax Assessor Penny Thompson dated May 11, 2020 and a graph comparison of Homestead credit and taxes on properties valued \$100,000 since 1997.

- b. 2020 Expense Budget Review

The Council was given a paper copy of the 2020 Expense Budget and it is available on the City's website.

Discussion about setting the mil rate, voting on the RSU 39 Budget, and sending out tax bills.

Council Agenda Item #11: City Manager's Report

The City is reaching out to Pronto Burrito about opening up a location here in Caribou.

Manager Marker reviewed the City Manager's Report dated May 1, 2020.

The Council discussed the proposed snow plowing RFP and how comprehensive it should be. The Mayor wants a draft RFP prepared for the Council to review. There was a discussion as to the length of time for a contract, should it be one or more years. Does the City provide the specialized equipment and operator? The Mayor offered that the City is looking to help alleviate overtime hours for the Public Works Department.

Council direction for the draft snow plowing RFP:

- Urban compact zone
- 3 year
- City supplies specialty equipment

Council Agenda Item #12: Reports by Staff and Appointed Officials

- a. Road Maintenance Program – Manager Marker reviewed the City’s Road Maintenance Program and noted that he will provide them a hard copy. The Program is reviewed every three years. Using 2020 prices and following the City’s Road Maintenance Program, the City will need to spend \$480,000 on road maintenance this year. The 2020 Budget includes \$576,000 for road maintenance.

Councilor Kirkpatrick asked about the chipsealing that was done in town a few years ago. He noted that some of the newer houses in town are located on the streets that were chipsealed.

- b. The City Clerk report – City Clerk Farrin noted that voters can call and request to have an absentee ballot mailed to them for the July 14th election. Ballots will be mailed sometime in June. City Offices opened today after being closed for several weeks. People can walk into the Clerk’s Office but will need appointments to meet with employees from other departments.

Council Agenda Item #13: Executive Session(s) (May be called to discuss matters identified under Maine Revised Statutes, Title 1, §405.6)

- a. Real Estate

8:27 p.m. Motion made by T. Ayer, seconded by J. Theriault, to move to executive session to real estate under MRSA Title 1, §405(6)(C). (7 yes) So voted.

8:53 p.m. Council returned from executive session.

No action taken.

Councilor Cote raised concerns about the code enforcement on the Van Buren Road. One of the property owners is thinking of suing the city. The DEP may have some well protection requirements that weren’t considered when the business was approved by the Planning Board. Concerns were raised about the fencing; business floor drains being connected properly and that the state may have requirements pertinent to “main roads” in rural areas. Councilor Cote was going to verify some of the information with DEP. The Council asked for a written update from the Code Enforcement officer on the case.

Council Agenda Item #14: Next Meeting(s): June 1, 15, 29, July 27

Council Agenda Item #15: Adjournment

Motion made by H. Kirkpatrick, seconded by T. Ayer, to adjourn the meeting at 9:06 p.m. (7 yes) So voted.

Jayne R. Farrin, Secretary, (in Council Chambers)

I would like to thank each councilor for their time and effort that they put forward in helping make Caribou a better place. Every city councilor when they were a candidate expressed (to paraphrase) that one major issue facing Caribou was that of more growth was needed to make Caribou more sustainable. This resolve of more growth is not unique to just Caribou but I would state, to all of Northern Maine.

We may have different solutions to achieve this formidable task (a major reason for having elections) but this needed uptick in growth can only be accomplished with civil discussion among people of diverse opinions, from different backgrounds with their own notable life experiences. At the end of such discussion the majority opinion is the path the community or region should travel. As time goes forward results should judge whether that path was correct. Another reason for having elections is to change that course, modify that path in hopes to have better results in achieving the goals of the community.

This body, the Caribou City Council, should be a representative of the diverse community we proudly hope to grow and prosper with together. People that are college educated along with those that are educated through the school of hard knocks. Both men and women, young and old, black, white and purple, citizens that live in rural Caribou and those that live in urban Caribou should all have the ability to place their name on the ballot from which this diverse body can be formed. The fact that any one candidate brings troubling issues for one electorate, could bring a positive point of experience in solving the growth issue within the community, to another electorate. The decision on that individual candidate can be considered at the election booth.

This country once had a blanket stipulation that an individual had to own land in order to vote and another stipulation was that only men could vote. Luckily our country realized how discriminatory these requirements were, not only to the individuals but to the country, and eliminated them. This allowed the people to express their opinion at the ballot box based on the individual candidate and rebuffed the blanketing of a whole group of people.

The Caribou city charter has such a blanketing clause. Citizens that do not have their taxes paid on time are not qualified to hold the position on the city council.

This clause takes a group of citizens and blankets them into one mold and prejudices their abilities. The reason a pre-election campaign is so important, such as the Caribou candidate's forum, is to allow the voters to judge the individual, on merits both pro and con, and thus create a council that is diverse and representative of the community. A diverse council that brings to the table different points of opinion in solving the issues the community would like to see resolved.

There are some non-land owners that I would not voter for, not because they don't own land but because I do not believe in their philosophy. There are women I would not vote for, not because they are women but because I do not believe in their philosophy of governance. You can choose not to vote for a candidate because they do not have their taxes paid on time, but a blanket clause in the charter takes away from other individuals who would like to vote for that candidate whose philosophy they do support. This clause in the charter is in my opinion the result of small town politics. This clause in the charter in my opinion has a feel of discrimination.

I am going to introduce a motion to the council to remove this clause from the city charter in hopes to garner unanimous support. The city charter is our community's foundation. This clause is a flaw in this foundation. Ask any home builder, the most important part of home construction is a well-built foundation. Gloria and I are lucky enough to have daughters and their families move back and make not only the farm but Caribou their home. As we try to build the farm in hopes of sustaining four families we have made some mistakes and as I tell them, the worse thing we can do is not the mistake but not admitting a mistake was made. Sometimes you have to back-up, correct the issue and move forward to achieve a positive goal. Ask any home builder who wants a straight roof line and didn't resolve the mistake on the foundation. From a simple farmer's point of view.