

October 25, 2010

10-20

A regular meeting of the Caribou city council was held 7:00 p.m. on Monday October 25, 2010 in Council Chambers with the following members present: Mayor Kenneth G. Murchison, Jr. Deputy Mayor Karla M. Bell, R. Mark Goughan, David Martin, Mary Kate Barbosa, and John R. Boone. Christopher A.R. Bell was absent and excused.

Steven R. Buck, City Manager, Kathleen A. Mazzuchelli, Supt. of Parks and Recreation and Stephen Wentworth, Code Enforcement Officer.

Also attending the meeting were Donald M. Goughan, Wilfred Martin, James Cerrato, Leon Dorr, and Mark Nadeau.

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

Mayor Murchison commented on the ceremonial ground breaking held today for the Caribou Connector. He extends his thanks to those individuals that have worked and provided leadership on this project.

Council Agenda item #1: Public Input. No Public Input.

Council Agenda item #1b: Consider the renewal of a Bingo Game of Chance License for the VFW Post #9389 Auxiliary, 253 Van Buren Road.

Motion made by K. Bell, seconded by D. Martin, to renew the Bingo Game of Chance License for the VFW Post #9389 Auxiliary, 253 Van Buren Road. (6 yes) So voted.

Council Agenda item #2: Consider acceptance of the minutes of the October 11, 2010 Council meeting.

Motion made by K. Bell, seconded by D. Martin, to accept the minutes of the October 11, 2010 Council meeting as presented. (6 yes) So voted.

Council Agenda item #3: Public Hearing to receive verbal and written input on a proposed Ordinance to regulate the placement and permitting of Registered Marijuana Dispensaries and Cultivation Facilities, pursuant to Maine Public Law 2009, Chapter 631.

7:05 p.m. Public Hearing Opened.

Several questions regarding the need for an ordinance were asked by Wilfred Martin.

Supt. of Parks and Recreation and co-chair of CADET Kathleen A. Mazzuchelli addressed the Council with CADET's concerns for the Registered Patient and Registered Primary Caregiver section of the law and the lack of oversight that the law allows.

Councilor K. Bell has several concerns with the regulating of mobile marijuana dispensaries and she wondered how this ordinance addresses that issue.

7:23 p.m. Public Hearing Closed.

Council Agenda item #4: Consider acting upon the adoption of the proposed Ordinance to regulate the placement and permitting of Registered Marijuana Dispensaries and Cultivation Facilities.

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Councilor M. Goughan stated that he would not mind a dispensary in Caribou if it was properly controlled but under this state law it cannot be properly controlled.

Manager Buck noted under home rule the municipality is not allowed to regulate the Registered Patients and the Registered Primary Caregivers which includes the location of either of these within the community. In this current draft a mobile marijuana dispensary is required to meet the all the requirements of a fixed dispensary. They would have to have site approval from the Planning Board.

CADET is satisfied with the sixth draft of the ordinance.

The City Manager stated the Council could chose to do nothing and allow the moratorium to lapse, adopt another six month moratorium, or pass the ordinance.

Motion made D. Martin, seconded by K. Bell, to adopt the sixth draft Ordinance as presented. (5 yes, 1 no, M. Goughan) So voted.

Council Agenda item #5: Public Hearing: to receive written and verbal input on the annual renewal of Junkyard Permits for the following locations, pursuant to 30-A MRSA §3754:

- a. Anderson's Salvage
- b. Beaulieu's Auto Salvage
- c. Gilbert's Salvage
- d. Mark's Towing
- e. One Steel Recycling, Inc.

7:40 p.m. Public Hearing Opened.

Code Enforcement Officer Wentworth has conducted his annual inspections of the junkyards and salvage yards. He recommends the approval of all five applications.

Project Manager Leon Dorr addressed the complaints that One Steel Recycling has received since opening here in Caribou.

7:52 p.m. Public Hearing Closed.

Council Agenda item #6: Consider acting upon applications for Junkyard Renewals pursuant to Caribou Code Section 7-701 and Title 30-A MRSA §3753 for:

- a. Anderson's Salvage
- b. Beaulieu's Auto Salvage
- c. Gilbert's Salvage
- d. Mark's Towing
- e. One Steel Recycling, Inc.

Motion made by MK Barbosa, seconded by D. Martin, to approve the Junkyard Permit for one year for Anderson's Salvage, Beaulieu's Auto Salvage, Gilbert's Salvage, Mark's Towing and One Steel Recycling, Inc. pursuant to Title 30-A MRSA §3753. (6 yes) So voted.

Council Agenda item #7: Consider a review of and acting upon pending 2008 tax lien properties pursuant to the Tax Acquired Property Policy.

The City Manager reviewed with the Council the various categories of properties with pending liens, including properties with mortgage holders, without mortgage holders, liens greater than \$1,000.00 and \$3,000.00, trailers with no land, pre-1976 trailers with no land, and land only. The Manager will provide updated information for the November 8<sup>th</sup> Council meeting.

Council Agenda item #8: Consider authorization of two Municipal Quitclaim Deeds:

- a. Shirley Leavitt Map 10 Lot 50-99 for taxes paid in full
- b. Yvette Seaman Map 27 Lot 77 for payment in full on former tax acquired property

Motion made by D. Martin, seconded by MK Barbosa, to authorize a Municipal Quitclaim Deed to Shirley Leavitt Map 10 Lot 50-99 for taxes paid in full and to authorize a Municipal Quitclaim Deed to Yvette Seaman Map 27 Lot 77 for payment in full on former tax acquired property. (6 yes) So voted.

Council Agenda item #9: Consider setting a Public Hearing date for proposed changes to the minimum lot size for multi-family homes in the R-3.

The Caribou Planning Board held a public hearing on October 7, 2010 to consider a change to the minimum lot size for multi-family dwellings in the R-3 Zone. The Planning Board voted unanimously to recommend the council hold a public hearing on the same, and recommended the council also approve the change.

Code Enforcement Officer Stephen Wentworth explained the Planning Board's recommendation would allow an increase in dwelling units on smaller existing parcels of land based on the State's Minimum Lot Size for Multi-Family Dwellings Formula provided by Maine Municipal Association. All requirements of the Maine Subsurface Waste Water Disposal Rules apply in full.

Motion made by K. Bell, seconded by MK Barbosa to set a Public Hearing date for proposed changes to the minimum lot size for multi-family homes in the R-3 District for November 8, 2010. (6 yes) So voted.

Council Agenda item #10: Updates

The City Manager provided updated information several topics including:

- Personal Property Tax letters were mailed last week

The Tax Collector has been contacted by several taxpayers and response appears to be positive.

- Tax Acquired Property

The Tax Collector continues an aggressive approach towards the collection of pass due accounts including any delinquency in payment arrangements.

- Tri-Community Landfill – Phase 3

Tri-Community Landfill continues to work on the Phase 3 project which is a dedicated leachate pipeline from the Tri-Community facility to the Caribou Utilities District. This dedicated line will eliminate the trucking of leachate over the road to the Fort Fairfield or Caribou Utilities Districts. Tri-Community Landfill is in the final steps of the permitting process. If all goes well this will go out to bid at the end of this year. The construction could start as early as this winter.

- Thus far 580 absentee ballots have been issued
- Caribou Connector ground breaking ceremony

The ground breaking ceremony was held today and because of the weather it was held inside the Caribou Inn & Convention Center. Manager Buck spoke about Aroostook County and how well the region works together with LEAD being an example of cooperation; furthermore, this degree of cooperation is not found in other areas the state.

Council Agenda item #11: Other Business

a. Review of Chamber – Economic Development Steering Committee minutes

There has been a petition circulating among the Chamber members requesting an informational meeting to be held. The Board of Directors has set a meeting date for 6:00 p.m. on November 9, 2010 to address the questions included in the petition. This topic will be discussed further in the Workshop that will be held following the adjournment of this meeting.

b. Review of Highway Protection Committee minutes

Committee Chair K. Bell provided updated information on the following:

- Preliminary High Street construction plans.
- Caribou Connector - The Committee discussed naming opportunities for this project. Committee members see many reasons to continue with the name Caribou Connector.
- Herschel Street Retaining Wall – It appears to be holding.
- Parking survey results – Currently none of the parking lots are being used 100% of the time. The committee would like to see the parking lots identified in the Code Book with names rather than a letter.
- Hatch Drive – The committee discussed safety of pedestrian crosswalks and the committee is investigating grants to purchase solar powered pedestrian crossing lights.
- Handicapped parking spaces – The committee is reviewing number of spaces that are needed and what is required by law.

c. First Read: Local Ordinance requiring Server Training for Liquor Licensing

The Aroostook County organization Community Voices has approached the City regarding the adoption of a local ordinance requiring Server Training for Liquor Licensing.

d. Other

Councilor Goughan has questions regarding the 2009 audit and filed with the City Clerk a written request to have this placed on a future Council Agenda.

Meeting Dates previously set:

Election Day – November 2, 2010

Council Meeting – November 8, 2010, 7:00PM Council Chambers 25 High Street

Cary Workshop – November 10, 2010

Council Meeting – November 22, 2010, 7:00PM Council Chambers 25 High Street

Council Workshop – November 22, 2010 following Council meeting

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Council Agenda item #12: Consider moving to Executive Session for the purpose of discussing appointments to the Capital Improvements Committee, pursuant to Title 1 MRSA § 405 6 A.

8:26 p.m. Motion made by K. Bell, seconded by D. Martin, to move to Executive Session for the purpose of discussing appointments to the Capital Improvements Committee, pursuant to Title 1 MRSA § 405 6 A. (5 yes, 1 no, M. Goughan) So voted.

8:29 p.m. Returned from Executive Session.

Council Agenda item #13: Consider making appointments of five persons to the Capital Improvements Committee.

Motion made D. Martin, seconded by K. Bell, to appoint John Swanberg, Karen Chapman, Duane Walton, and Patrick Bennett for a three year term to the Capital Improvements Committee. (6 yes) So voted.

Council Agenda item #14: Adjourn

Meeting adjourned at 8:40 p.m.

Jayne R. Farrin, Secretary