

Council Agenda Item #1: Roll Call

The Caribou City Council held a regular meeting Monday, January 14, 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 Cote, Hugh Kirkpatrick, and Thomas Ayer.

Dennis L. Marker, City Manager was present.

Department Managers and Staff: Penny Thompson, Tax Assessor; Gary Marquis, Supt. of Parks & Recreation; Hope Shafer, Library Director; Michael Gahagan, Police Chief; Scott Susi, Fire Chief; Kenneth G. Murchison, Zoning Administrator; Carl Grant, Finance Director; Christina Kane-Gibson, Director of Events and Marketing; and Sgt. Mark Gahagan.

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

- a. Robert Kerber – Emond Road – Mr. Kerber stated that every resident of Caribou should have available to them dependable and reliable high-speed internet. He does not where he lives on Emond Road. In the past, he has had dial-up and about five years ago he was able to switch to US Cellular 4g lte. He only has 10gbs a month and it is both not dependable or reliable. He compared having internet to having a telephone 40 years ago. Spectrum cable is about 1000 feet from his home.
- b. Diane Gove – River Road – spoke in support of the Council having the River Road design work completed and going out to bid in March or April for reconstruction. If delayed, contractors will have their 2019 work season already scheduled.

Ms. Gove commented about the amount of traffic using the River Road. She thanked the Council for the light at the intersection.

- c. Milo Haney – spoke in opposition to agenda item #9.b discussion and possible action regarding resolution 01-01-2019 supporting construction of a new public safety facility for the Caribou Police, Fire, and EMS Departments. He doesn't believe the City can afford it and requested that the Council postpone such action. Expressed his concerns about the cost of the new RSU school building, the pullout of Limestone from RSU, and stated that "we are in a crisis".

Concerning agenda item 10.b Council priorities and goals for 2019, Mr. Haney stated his support for zero based budgeting and he wants to see Council implement it.

Public Forum period was closed by the Mayor.

The Mayor asked if any Councilors wanted to respond to any of the Public Forum comments.

Councilor Ayer noted that he lives on the Grimes Road, internet is an issue for both his businesses and family. He agrees with Robert Kerber's comments.

Councilor Martin commented that the data in the Council packet about the Charter franchise renewal and number of houses is incorrect because it lists Emond Road as having zero houses on the road.

Councilor Theriault wants to see the bids go out in March for the work to be done on the River Road. She doesn't believe the City should wait until spring thaw for the design work or to go out to bid.

Councilor Smith stated that going out to bid will give the City a solid price.

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

According to Robert's Rules, a member's absence from a meeting doesn't prevent them from correcting or approving the minutes of the meeting they missed.

- a. Minutes from Council Meeting held December 10, 2018

Motion made by H. Kirkpatrick, seconded by N. Cote, to approve Consent Agenda item #5.a as presented. (7 yes) So voted.

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

- a. Appointment of Zoning Appeals Boards and Planning Board Members

Motion made by J. Theriault, seconded by T. Ayer, to appoint Christine Solman to the Planning Board for one year. (7 yes) So voted.

Motion made by J. Theriault, seconded by T. Ayer, to appoint Donald Cote to the Zoning Board of Appeals for three years. (7 yes) So voted.

- b. Discussion and Possible Action Regarding Engineering Service for River Road

In the past, the Council has dealt with the failure of the River Road on three fronts. 1) safety of the homeowners, 2) temporary repair to allow River Road residents access to their community, and 3) and dealing with the repair of the road.

Motion made by J. Theriault, seconded by D. Martin, accept the \$119,420 cost estimate and scope of work for engineering services related to reconstruction of the River Road from DuBois & King, LLC. (5 yes, 2 no. RM Goughan, H. Kirkpatrick) So voted.

Discussion.

Council Agenda Item #7: Financial Report

There weren't any Financial Reports presented.

Council Agenda Item #8: Formal Public Hearings, Discussion and Possible Action Items

There weren't any Formal Public Hearings.

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

- a. Discussion and Possible Action Regarding Emergency Ordinance 01-01-2019 Establishing a Moratorium on Marijuana Related Business Operations

Kenneth G. Murchison, Jr. briefly explained his duties as the City's Code Enforcement Officer and staff person for the Planning Board. The Planning Board is requesting a moratorium of Medical Marijuana Caregiver Business startups to allow the City to digest recent changes of the State Statute and to apply supporting language to the Caribou Code for the regulation of these activities. Several questions from the Council were answered. The emergency moratorium would be for 60 days.

Motion made by D. Martin, seconded by J. Theriault, to adopt Emergency Moratorium Ordinance 01-01-2019 Regarding Medical Marijuana Retail Stores, Dispensaries, Testing Facilities, Cultivation Facilities, and Manufacturing Facilities as presented. (6 yes, 1 no, H. Kirkpatrick) So voted.

- b. Discussion and Possible Action Regarding Resolution 01-01-2019 Supporting Construction of a New Public Safety Facility for the Caribou Police, Fire, and EMS Departments

Resolution 01-01-2019 helps demonstrate to potential funding sources the City's commitment to the project. Discussion. The Mayor stated his concerns about using an outside engineering firm and would rather use a local firm, plus he would rather look at a standalone Police Station rather than what is being presented. Councilor Kirkpatrick wonders what will happen with the current Fire Station if a new one is built.

Motion made by D. Martin, seconded by J. Theriault, to adopt Resolution 01-01-2019 A Resolution of the Caribou City Council Supporting the Construction of a New Public Safety Facility for the Caribou Police, Fire, and EMS Departments as presented. (5 yes, 2 no, RM Goughan, H. Kirkpatrick) So voted.

- c. Discussion and Possible Action Regarding Resolution 01-02-2019 Approving an Agreement between Caribou City and the New England Police Benevolent Association, Local 605.

Motion made by N. Cote, seconded by H. Kirkpatrick, to table action regarding 01-02-2019 approving an Agreement between Caribou City and the New England Police Benevolent Association, Local 605. (7 yes) So voted.

- d. Discussion and Possible Action Regarding Resolution 01-02-2019 Approving a Memorandum of Understanding with the International Fire Fighter Association, Local 5191

Motion made by H. Kirkpatrick, seconded by N. Cote to table action regarding 01-02-2019 approving a Memorandum of Understanding with the International Fire Fighter Association, Local 5191. (7 yes) So voted.

- e. Discussion and Possible Action Regarding Lease with the National Weather Service at the Airport

The current 20-year lease ends at the end of 2019. According to Federal Statute, the City is very limited in what changes can be made other than leasing them the space and the length of the lease. Discussion centered on keeping the National Weather Service and its jobs in Caribou. The Council directed the Manager to prepare a proposed contract.

- f. Discussion and Possible Action Regarding Franchise Agreement with Charter Communications

The current contract ends in 2019. Discussion. Chief Susi informed the Council that currently only one television per building has access to cable. Councilor Theriault stated that everyone, even those that have the most basic cable, have to pay to rent a receiver that can't even be purchased. She offered that the receiver cost should be part of the monthly fee. Councilor Cote reminded Council that Charter Communication's data needs to be updated. Councilor Martin expects the issue of broadband will be addressed by the new Legislature, plus the City should be looking for grants to expand availability to others. The current agreement is five years. Because things might be changing at the state level, the Mayor suggested that the next contract should only be for one year.

g. Discussion and Possible Action Regarding Potential Sale of Airport Property for Redevelopment

Motion made by H. Kirkpatrick, seconded by T. Ayer, to table action regarding potential sale of airport property for redevelopment. (7 yes) So voted.

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

a. Council Committee Appointments by Mayor Goughan

Highway/Protection: Chair Joan Theriault, Nicole Cote, and David Martin
Staff: David Ouellette

Investment: Chair Nicole Cote, Jody R. Smith, and David Martin
Staff: Carl Grant

CECG: Hugh A. Kirkpatrick
City Representative: City Manager Dennis Marker

NMDC: R. Mark Goughan
Staff: City Manager Dennis Marker

Motion made by H. Kirkpatrick, seconded by J. Theriault, to select Nicole Cote as Chair of the Personnel Committee. (7 yes) So voted.

Personnel: Chair Nicole Cote plus all Councilors
Staff: Carl Grant

Motion made by H. Kirkpatrick, seconded by J. Smith, to select Thomas Ayer as Chair of the Airport Committee. (7 yes) So voted.

Airport: Chair Thomas Ayer, Joan Theriault, and Hugh A. Kirkpatrick
Airport Advisory Committee Council Representative: Thomas Ayer
Staff: Airport Manager - **Amended per vote of the Council January 28, 2019 to include:
- David Ouellette*

Nylander Board Council Liaison: Jody R. Smith

Planning Board Council Liaison: Thomas Ayer
Staff: Kenneth G. Murchison, Jr.

Municipal Buildings: Chair Joan Theriault, Nicole Cote, Hugh A. Kirkpatrick, and David Martin
Staff: David Ouellette and Gary Marquis

Agency on Aging: R. Mark Goughan
Staff: Lisa Plourde

Housing Board: Thomas Ayer and City Representative R. Mark Goughan
Staff: Lisa Plourde and Kenneth G. Murchison, Jr.

b. Council Priorities and Goals for 2019

Mayor Goughan asked each Councilor for one or two philosophy type goals for 2019. He plans to have Council go into executive session to allow the current City Manager to openly express to the Council what he believes to be the terms of his employment contract with the City of Caribou. Out of executive session, during the next Council meeting, a report will be generated with objectives to be achieved during the coming year. From this report a job evaluation sheet will be generated and used at year end for the evaluation of the City Manager.

Councilor Cote: Safety (a plan to ensure that sidewalks are maintained and kept clean for pedestrians) and economic development

Councilor Kirkpatrick: Revisit master plan from 2014 (Comprehensive Plan) and reset those goals and objectives.

Councilor Ayer: Complete a risk assessment, have RSU 39 Supt. of Schools Tim Doak come in, at least once month, and update Council, and have Departments Heads attend Council meetings.

Councilor Smith: Economic development and revisit the 10-year plan.

Councilor Martin: Have the Manager visit, by appointment, one local business a month and have the Manager provide a monthly report on economic development.

Councilor Theriault: Safety (LED change over), incentives for people to purchase city owned buildings that they might want to rehab for housing units or for city owned land to be sold and placed back on the tax rolls. To make Caribou attractive, making it the best it can be. The completion of High Street.

Mayor: Education to the public - making our government more informative to our citizens in explaining how it works. Give more information on the budget; such as, quarterly update and where the city will be at the end of the year. Explanation of the term "Undesignated Fund Balance". Provide a flow chart of the city's employment. Flow of information from the Manager to the Council and from Council to the Manager. The Mayor described himself as ultra-conservative.

Council Agenda Item #11: Reports of Officers, Staff, Boards and Committees

The City Clerk reminded everyone to license their dog before February 1st to avoid a \$25.00 late fee.

Council Agenda Item #12: Executive Session (May be called to discuss matters identified under Maine Revised Statutes, Title 1, §405.6)

b. §405.6(d) Labor Contracts and Proposals

7:31 p.m. Time in. Motion made by J. Smith, seconded by J. Theriault, to move to executive session under MRSA Title 1, §405(6)(D) to discuss labor contract and proposal with the New England Police Benevolent Association, Local 605. (7 yes) So voted.

8:09 p.m. Time out.

Motion made by Council D. Martin, seconded by J. Theriault, to adopt Resolution 01-02-2019 Approving an Agreement between Caribou City and the New England Police Benevolent Association, Local 605 as presented. (6 yes, 1 no, H. Kirkpatrick) So voted.

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8:10 p.m. Time in. Motion made by J. Smith, seconded by J. Theriault, to move to executive session under MRSA Title 1, §405(6)(D) to discuss labor contract and proposal with the International Fire Fighters Association, Local 5191. (7 yes) So voted.

8:22 p.m. Time out. Motion made by H. Kirkpatrick, seconded by T. Ayer, to adopt Resolution 01-03-2019 Approving a Memorandum of Understanding with the International Fire Fighter Association, Local 5191 as presented. (7 yes) So voted.

Councilor Martin asked Chief Susi to clarify if all personnel hours, including volunteers, are included in his statistical reports. Chief Susi indicated that they were.

At 8:24 p.m. the Council took a temporary recess.

At 8:27 p.m. the Council returned.

a. §405.6(c) Real Estate and Economic Development

8:27 p.m. Time in. Motion made by T. Ayer, seconded by H. Kirkpatrick, to move to executive session under MRSA Title 1, §405(6)(C) to discuss potential real estate transaction involving airport properties. (7 yes) So voted.

8:50 p.m. Time out.

Motion made by D. Martin, seconded by T. Ayer, the Manager should provide other possible sites for the interested party to consider. (6 yes, 1 no, H. Kirkpatrick) So voted.

Mayor Goughan noted that further discussion on Council goals and priorities will be on the next agenda.

Council Agenda Item #13: Next Meetings(s): January 28, February 11

Council Agenda Item #13: Adjournment

Motion made by D. Martin, seconded by Ayer, to adjourn the meeting at 8:54 p.m. (7 yes) So voted.

Jayne R. Farrin, Secretary