

Council Agenda Item #1: Roll Call

The Caribou City Council held a regular meeting Monday, January 27, 2020 at 6:00 p.m. in Council Chambers with the following members present: Deputy Mayor Thomas Ayer, Joan L. Theriault, Nicole L. Cote, Hugh A. Kirkpatrick, Jody R. Smith, and Douglas C. Morrell. Mayor R. Mark Goughan was absent and excused.

Dennis L. Marker, City Manager was present.

Department Managers and Staff: Penny Thompson (Tax Assessor), Kenneth G. Murchison (Zoning Administrator), Michael Gahagan (Police Chief), and Mark Gahagan (Police Sgt.). Dann Cyr, Scott Dow, and Chad McCartney (Caribou Fire/Ambulance Department).

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

Council Agenda Item #2: Invocation / Inspirational Thought

Deputy Mayor Ayer read a prayer that Council has adopted. The adopted prayer is that used by the Fort Fairfield Town Council. He asked if anyone else would like to give an invocation.

Council Agenda Item #3: Pledge of Allegiance

The Deputy Mayor led the Pledge of Allegiance.

Council Agenda Item #4: Public Forum

- Michelle Smith – Caribou resident – spoke in support of the Fire Department and Ambulance Service and the surrounding communities. Ms. Smith explained the meaning of the two ribbons that she was wearing – a red ribbon supporting Caribou Fire Department and Ambulance Service and a yellow ribbon supporting surrounding communities. She spoke in opposition to not allowing public comments and the amount of time spent in executive sessions. Ms. Smith suggested keeping the vision of Caribou’s Comprehensive Plan – the All-Season Community – to work, play, grow in, and call home.
- Troy Haney – 236 Van Buren Road – Mr. Haney thanked the Council for their service. Mr. Haney stated his concerns with some of the statements made by Councilors. He suggested having a stepped tier program for increasing ambulance service rates to surrounding communities. He commented that the surrounding communities are really Caribou because of their effect on Caribou.
- Milo Haney – spoke in support of having the City purchase products locally and to have that added to the City Charter. Mr. Haney spoke in support of the City using a purchase order system.
- Wilfred Martin – 74 York Street – spoke in support of the ambulance service being provided through the private sector. Mr. Martin asked to have a meeting, during the upcoming week, with the City Manager to discuss the number of fires and the number of hours spent fighting fires by the Fire Department. Mr. Martin questioned the number of Caribou police officers and whether that number is needed. Mr. Martin suggested that the Council establish committees to study each department so it can be determined as to what the City really needs. He stated

the surrounding communities haven't been paying fair share for ambulance service.

Deputy Mayor Ayer read a statement from Mayor Goughan concerning Ambulance and Fire. Mayor Goughan wrote that he doesn't want the City to get out of having these services for the residents of Caribou, but his personal belief is the City should get out of the ambulance business for surrounding communities. A copy of the Mayor's comments were given to Aroostook Republican reporter Christopher Bouchard.

Deputy Mayor Ayer stated that he isn't in favor of getting rid of these services for Caribou citizens.

To his friends and neighbors, Councilor Morrell suggested that they listen to the whole conversation. He stated that the City isn't in the position to contract out services to other communities. He suggested that individuals could email councilors and not wait until a Council meeting to speak out.

Deputy Mayor Ayer pointed out to Ms. Smith that Public Forum is closed and that she should direct her response to Mr. Marker and they will be addressed at the next meeting.

Council Agenda Item #5: City Council Minutes

a. November 18, 2019 Workshop

Motion made by D. Morrell, seconded by N. Cote, to accept the minutes of the November 18, 2019 Workshop meeting as presented. (6 yes) So voted.

b. January 7, 2020 Workshop

Motion made by J. Theriault, seconded by D. Morrell, to accept the minutes of the January 7, 2020 Workshop meeting as presented. (6 yes) So voted.

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

a. Spirit of America Nominations

Caribou residents were encouraged to send in, for Council consideration, the names of an individual or group for this special recognition for 2020.

b. Caribou High School Basketball – Down Syndrome Awareness Campaign

Head High School Boys' Basketball coach Kyle Corrigan spoke about the team's community service project. Coach Corrigan spoke about the community support that was shown to the team during their run to becoming state champions and how they wanted to give back. The team captains came up with the Down Syndrome Awareness cause. He gave a shout out to Assistant Coach Ben Rosser and team captains Alex Bouchard and Parker Deprey. The team has raised \$800 and has 700 pairs of mixed matched socks.

Assistant Coach Ben Rosser extended thanks to the community for stepping up and seeing that last year's team received State Champion jackets.

Deputy Mayor Ayer praised the team and referred to them as a 'class act'.

Council Agenda Item #7: New Business & Adoption of Ordinances and Resolutions

a. Discussion and Possible Action Regarding Liquor License Renewal for Bechard's Grille

Motion made by J. Smith, seconded by D. Morrell, to approve the liquor license renewal for Bechard's Grille as presented. (6 yes) So voted.

b. Discussion and Possible Action Regarding Liquor License Renewal for Mascoto's Restaurant

Motion made by H. Kirkpatrick, seconded by J. Smith to approve the liquor license renewal for Mascoto's Restaurant as presented. (6 yes) So voted.

c. Discussion and Possible Action Regarding 2020 Election (March 3, Presidential Preference Primary & Referendum Elections)

Motion made by H. Kirkpatrick, seconded by D. Morrell, to approve an 8:00 a.m. opening time and the appointment of Jayne R. Farrin as Election Warden and Danielle M. McLaughlin and Cherie Garman as Deputy Election Wardens for the March 3, 2020 Presidential Preference Primary and State Referendum Election. (6 yes). So voted.

d. Discussion and Possible Action Regarding Creation of an Emergency "Rainy Day" Fund

The City Manager outlined the steps necessary to create a Credit Reserve Account as defined by Title 30-A, Part 2 §5801.

To create such a fund, the City can either:

- Appropriate funds directly (i.e. build funds into the budget). Annual appropriations "may not exceed 5% of the current tax commitment" (in 2020 that would mean \$502,200).

OR

- Transfer unencumbered surplus funds to it at the end of the any fiscal year. Historically, all unencumbered funds have been rolled into the general fund balance and used to offset future tax increases.

Motion made by H. Kirkpatrick, seconded by D. Morrell, for the City to create a Credit Reserve Account, as defined by Title 30-A, Part 2 §5801, to be called the Rainy Day Fund in the amount of \$896,029 with four sources: \$324,082 Aroostook Waste Solutions (2020), \$213,163 Aroostook Waste Solutions (2019), \$156,521 2019 additional revenues, and \$202,263 2019 unexpended expenses.

Discussion centered around, following the Charter, as to whether the 2019 additional revenues of \$156,521 should be included in the monies moved to a Credit Reserve Account. Following the City Charter under 5.09(a), these monies are to be used to offset the 2021 budget. Councilor Morrell spoke about City's neglected buildings and then expressed his support for the motion.

Manager Marker stated the state provision states that the Council would have to determine that there was a "period of financial emergency", to necessitate the use of these funds, but doesn't define a financial emergency.

It was expressed by Councilor Theriault that she would prefer to not include the \$156,521 from 2019 additional revenues. She doesn't want to "lose track" of these funds. The Deputy Mayor Ayer suggested that this amount could be earmarked within the proposed Credit Reserve Account. Councilor Cote pointed out the use of the \$156,521 in 2021 is already preplanned and pulling those funds out of a Credit Reserve Account doesn't constitute an emergency.

Discussion closed.

(6 yes) So voted.

- e. Discussion and Possible Action Regarding \$324,000 Payment from Aroostook Waste Solutions

The vote taken on Agenda Item 7.d has the 2020 payment from Aroostook Waste Solutions of \$324,000 going in the newly created Credit Reserve Account named Rainy Day Fund.

- f. Resolution 01-01-2020 Regarding 2019 Year End Appropriations

Exhibit A that is attached to Resolution 01-01-2020 needs to be revised before Council can consider the adoption of Resolution 01-01-2020. The Deputy Mayor said to bring the corrected Exhibit A to the next Council meeting.

- g. Discussion and Possible Action Regarding Extension of Skyway Plaza Agreement

Daniel Rosenberg, owner of Skyway Plaza, attended the meeting. Mr. Rosenberg stated that he has a 15-year deal with the State to keep DHHS and 100 plus jobs at Skyway Plaza.

Motion made by H. Kirkpatrick, seconded by N. Cote, to authorize the City Manager to sign an amendment and extension of a Credit Enhancement Agreement with Caribou Management Company, LLC. (6 yes) So voted.

- h. Discussion and Possible Action Regarding Easement for EMERA Maine at 142 Lower Lyndon Street

The proposed easement is a 30-foot aerial easement.

Motion made H. Kirkpatrick, seconded by J. Theriault, to authorize the City Manager to sign an Aerial Easement with EMERA Maine at 142 Lower Lyndon Street as presented. (6 yes) So voted.

Council Agenda Item #8: Old Business

- a. Discussion and Possible Action Regarding Lease Option for Solar Project on Ogren Dump

The proposed lease is for 30 acres at \$500 an acre for 20 years. Discussion. Because it is a site of a closed dump, the Maine DEP would have to sign-off on any activity at the site. The Manager noted that the dump will not be penetrated without Maine DEP approval. SynerGen Solar, LLC has agreed to fence their equipment and mow any grass.

Motion made by H. Kirkpatrick, seconded by J. Smith, to authorize the City Manager to sign an Option for Lease of Land with SynerGen Solar, LLC as presented. (6 yes) So voted.

- b. Discussion and Possible Action Regarding Lease of 60 Access Highway to a Beamery

Matthew Lajeunesse and Kurt Margeson would like to lease for 6 months an area within 60 Access Highway at \$2.50 per square foot. They are aware that the building is on the market to be sold. Both Councilors Morrell and Kirkpatrick agreed that there must be other places that they could rent. Councilor Morrell doesn't want the City to compete with the private sector.

Motion made by H. Kirkpatrick, seconded by D. Morrell, to table until the next Council meeting any action regarding lease of 60 Access Highway to a Beamery. (6 yes). So voted.

c. Discussion and Possible Action Regarding 2020 Council Priority Projects

Not all of the Council members have turned in their completed ranking of 2020 Council Priority Projects.

By Council consensus it was tabled until the next meeting.

d. Discussion Regarding Employee Wage and Classification Policy

The City Manager reviewed his Non-Union Wage & Classification System Update Council Memo dated January 22, 2020. In the Manager's opinion, there is a conflict between the adopted Charter and Ordinances regarding how to determine staff wages. With the Charter indicating a "basis of merit and fitness" and that the City is to have a "classification of all positions". Chapter 2 of the City's Code Book provides that the City is to maintain "a salary schedule for all positions . . . to keep positional salaries at a comparable rate". City Manager prefers a merit based system.

There was a brief discussion about a performance review software. Deputy Mayor Ayer asked to have the Manager's findings emailed to the Council. He stated that he is very much interested in learning more about the software.

Councilor Morrell wants to make sure that wages are based on averages in Aroostook County. Councilor Theriault stated that she isn't in favor of a merit-based system as it is too subjective.

Council Agenda Item #9: Reports and Discussion by Mayor and Council Members

Councilor Morrell:

- Broadcasting of Council Meetings
City Manager noted that the PEG station was working tonight with both video and audio, but there was only video on YouTube.
- Personal Property \$1,000 credit
City Manager noted that the Tax Assessor has been working on this and has information to come back to the Council when the Council is ready for it.
- Milo Haney's suggestion of Purchase Orders
Councilor Morrell suggested that the Council should be working towards a purchase orders system.
- At the next meeting, Chief Susi and Manager Marker to give a five to ten minute presentation on ambulance transfers.

Deputy Mayor Ayer:

- Asked for the YouTube video to be uploaded by Wednesday.

Councilor Kirkpatrick:

- Asked if YouTube and 1301 (Spectrum) could be tested prior to the Council meetings.

Council Agenda Item #10: City Manager's Report

Council asked to have something out to them in the next day or two.

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Council Agenda Item #11: Reports by Staff and Appointed Officials

No were reports were given.

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

No Executive Sessions were held.

Council Agenda Item #13: Next Meeting(s): February 10 and 24

Council Agenda Item #14: Adjournment

Motion made by D. Morrell, seconded by J. Theriault, to adjourn the meeting at 7:22 p.m. (6 yes) So voted.

Jayne R. Farrin, Secretary