

Council Agenda Item #1: Roll Call

The Caribou City Council held a City Council Meeting on January 11, 2021 at 6:00 p.m. in Council Chambers with the following members present T. Ayer, C. Boma, R.M. Goughan, D. Morrell, J. Theriault, L. Willey and J. Smith

Dennis L Marker, City Manager was also present.

Staff members and parties with interest in agenda items connected through electronic Zoom meeting.

The meeting was broadcasted via Spectrum, and Caribou's YouTube Channel.

Council Agenda Item #2: Invocation/Inspirational Thought

Chaplain Troy Heald led the invocation via Zoom.

Council Agenda Item #3: Pledge of Allegiance

Mayor Smith led the Pledge of Allegiance.

Council Agenda Item #4: Public Forum

There were no public comments.

Council Agenda Item #5: Minutes – Regular Meeting Held December 14, 2020

Motion made by J. Theriault, seconded by L. Willey to approve the December 14, 2020 minutes as written.

Roll Call Vote: T. Ayer - Yes, C. Boma - Yes, R.M. Goughan - Yes, D. Morrell - Yes, J. Theriault - Yes, L. Willey - Yes, J. Smith - Yes (So voted)

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

a. Recognition of Jan Murchison for 14 years of Service on the Library Board

Jan Murchison served on the Library's Board of Trustees for 14 years. During that time, she faithfully served through four directors. She used her professional knowledge to assist the library with various structural projects like roofing projects that fixed leaks in the director's office and the children's room. She assisted with mapping the usable space of the two open floors of the library during the pandemic. Although busy with full-time work, family, and various community service projects, she always found time to volunteer at the library during book sales and various events. Jan is an incredible advocate for the library and will be greatly missed!

The council thanked Jan and she was presented with a desk clock in appreciation of her time on the library board.

b. Recognition of Gil Dufour

It is with sincerest condolences that we recognize the passing of Gil Dufour. Gil was hired onto the Public Works Department on November 29, 1968 at the age of 17. He worked faithfully in the trenches, on the roads and through the snow for 49 years and finally retired from service on December 26, 2017. Although Gil didn't want a lot of fanfare at his passing, we express appreciation for his dedicated service and the positive contribution he made to the City of Caribou.

c. Appointment of a Law Enforcement Officer

Motion made by T. Ayer, seconded by J. Theriault to appoint Hunter Flynn as a Law Enforcement Officer for the City of Caribou.

Roll Call Vote: T. Ayer - Yes, C. Boma - Yes, R.M. Goughan - Yes, D. Morrell - Yes, J. Theriault - Yes, L. Willey - Yes, J. Smith - Yes (So voted)

d. Appointment of Members to Community Advisory Boards

i. Airport Advisory Board

Motion made by J. Theriault, seconded by T. Ayer to appoint Douglas Shrum to the Airport Advisory Committee for a term of three years.

Roll Call Vote: T. Ayer - Yes, C. Boma - Yes, R.M. Goughan - Yes, D. Morrell - Yes, J. Theriault - Yes, L. Willey - Yes, J. Smith - Yes (So voted)

ii. Aroostook Waste Solutions (Formerly Tri-Community Landfill)

Deputy Mayor T. Ayer was appointed by Mayor Smith to be one of the two city representatives on the Aroostook Waste Solutions Board.

Council Agenda Item #7: Reports by Officials and Staff

a. Manager's Report

Manager Marker reviewed the Manager's Report dated January 11, 2021.

A copy of the Manager's report is attached at the end of the minutes.

Manager Marker noted that he would also be subject to the leak investigation and was advised by legal counsel to place Chief Gahagan in charge of finishing the leak investigation.

b. Draft 2021 Budget

Manager Marker presented the 2021 proposed draft budget to the council.

Council Agenda Item #8: Old Business

a. Porvair Filtration Reimbursement

Council had a brief discussion regarding the Porvair Filtration Reimbursement Contract that the city holds and the requirements of receiving the reimbursement. Mr. David Mika was available via Zoom to answer questions and provide the number of people that were employed at the facility.

Motion made by R.M. Goughan, seconded by D. Morrell to award the 2020 Reimbursement to Porvair Filtration in the amount of \$14,694.75.

Roll Call Vote: T. Ayer - Yes, C. Boma - Yes, R.M. Goughan - Yes, D. Morrell - Yes, J. Theriault - Yes, L. Willey - Yes, J. Smith - Yes (So voted)

b. Land Purchase Agreement with Dr. Carla Chomka for property (Map 11, Lot 51)

Manager Marker provided details from the request received by Dr. Chomka. Manager Marker expressed his concern and requested that this be an Executive Session item.

R.M. Goughan suggested that this may be a Capital Budget Committee item to be looked at.

By consensus, the Council directed Manager Marker to research the process to use eminent domain.

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

- a. Reconveyance of Tax Acquired Property for Taxes Paid (Map 30, Lot 142)
- b. Reconveyance of Tax Acquired Property for Taxes Paid (Map 7, Lot 040E)

Motion made by D. Morrell, seconded by T. Ayer to reconvey the properties to the previous owners for the amount owed for both Map 30, Lot 142 and Map 7 Lot 040E.

Roll Call Vote: T. Ayer - Yes, C. Boma - Yes, R.M. Goughan - Yes, D. Morrell - Yes, J. Theriault - Yes, L. Willey - Yes, J. Smith - Yes (So voted)

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

- a. Appointment of City Council Committees. Mayor Smith presented the following appointments for council consent.

Council Committees by Charter, Statute or Agreement		
Role	Member	Committee Purpose
Capital Budget		
Chair	M Goughan	Review capital requests as part of the budget process. Multiple meetings prior to March 15 Council budget approval.
Member	C Boma	
Member	D Morrell	
Staff	City Manager	
CEGC		
Board Member	T Ayer	The CEGC is made up of citizens who manage an economic investment/loan program on behalf of the City and the organization. Meets monthly at 7am on the third Tuesday.
City Rep	City Manager	
Housing Board		
Council Rep	M Goughan	Organizational bylaws requires two Council representatives to attend these board meetings. Councilor Morrell already on. Meet monthly.
Investment		
Chair	J Smith	Conducts annual review of investment policy and considers potential options for economic stimulus funds. Committee may be made up of citizens. Meets as needed.
Member	C Boma	
Member	D Morrell	
Staff	City Manager	
Staff	CFO	
NMDC General Board		
Board Member	Jody Smith	Works with NMDC staff to review regional economic development, tourism, and planning initiatives. Meets annually.
Board Member	City Manager	
Personnel		
Chair	Lou Willey	Discuss Personnel policies with emphasis on policy updates, benefit options, wage surveys. All Councilors are part of this committee unless a smaller citizen's board is established.
Staff	City Manager	
Staff	HR Manager	

Additional Council Committees by Mayor		
Role	Member	Committee Purpose
Airport		
Chair	T Ayer	Review airport consultant contract, annual capital master plan and FBO operations. Investigate charter service opportunities and receive reports on lease operations.
Member	J Smith	
Member	J Theriault	
Staff	Airport Manager	
Highway / Protection		
Chair	J Theriault	Review work plan with PW Director for annual paving. Consider multi-modal transportation services and improvement projects (e.g. sidewalks, street crossings, bus stations, etc.). Consider new street light locations.
Member	M Goughan	
Member	L Willey	
Staff	PW Director	
Staff	Ken Murchison	
Labor Relations		
Chair	City Manager	Act as authorized bargaining agents on behalf of the city council in order to prepare tentative agreements for council approval.
Member	L Willey	
Staff	Legal Counsel Respective Dept. Heads	
Mobile Home Park Closure		
Chair	C Boma	Consider relocation assistance opportunities, park closure and redevelopment options.
Member	J Theriault	
Member	J Smith	
Staff	City Manager	
Municipal Buildings		
Chair	D Morrell	Completion of police station design study and fire station renovation project. Additional consideration of asset management systems.
Member	J Theriault	
Member	M Goughan	
Staff	City Manager	
Staff	Respective Dept. Heads	

Liaison Roles		
Board	Liaison	Committee Purpose
Library	L Willey	Meets monthly to discuss operations, policies and fund-raising opportunities
Nylander Museum	J Theriault	Meets monthly to discuss operations, policies and fund-raising opportunities
Planning Board	T Ayer	Meets monthly to review development proposals, regulations, zoning and land use matters.
Recreation Board	T Ayer	Meets monthly to discuss operations, policies and fund-raising opportunities

R.M. Goughan expressed his concern about being on the Capital Budget Committee, which has a tight deadline for action, because he will be out of the area for vacation.

During the council discussion it was noted that you can be present to a committee meeting via zoom and it still counts towards your attendance. R.M. Goughan stated that he would serve as best he could but wanted it on the record that he had concerns that he was being set up for failure with his plans.

b. Reports and Discussion by Mayor and Councilors

Motion made by C. Boma, seconded by L. Willey to put an end to the leak investigation.

Council had a discussion regarding the leaked information and whether or not it was confidential or public information and how it would be classified.

Manager Marker shared that he and Mayor Smith had previously met with an MMA attorney on the matter and it was explained that Council does not have authority to declare a public document as confidential even if it is discussed in executive session. He explained there are a set of State laws called the Freedom of Access Act (FOAA) and we have people in the building trained to handle document requests. If someone requests a document they should be directed to the FOAA Officer, Danielle Brissette. Manager Marker noted that under the FOAA laws there may be some items that would need to be redacted before a document being out to the public.

Roll Call Vote: T. Ayer - No, C. Boma - Yes, R.M. Goughan - Abstain, D. Morrell - No, J. Theriault - Yes, L. Willey - Yes, J. Smith - Yes (So voted)

D. Morrell left the meeting at 7:51 p.m.

R.M. Goughan explained that his intentions were never for his resignation to call for an investigation and that he just thought that he was doing the right thing and being an adult by admitting his faults and taking action. He had hoped the Council would consider his letter as an opportunity to discuss his standing relative to the forfeiture tests and was disappointed those discussions didn't take place.

Council Agenda Item #11: Executive Session(s) (May be called to discuss matters identified under Maine Revised Statutes, Title 1, §405.6)

a. Personnel matter concerning the City Manager Annual Performance Review §405.6.C

Motion made by T. Ayer, seconded by L. Willey to enter an executive session to discuss a Personnel matter concerning the City Manager Annual Performance Review under §405.6.C. (5 Yes, 1 No R.M. Goughan, 1 Absent D. Morrell)

Council exited executive session at 8:52 p.m.

No Action was taken.

b. Real Estate Transaction with Dr. Chomka under §405.6.C

Mayor Smith asked if there was a need to go into executive session to discuss real estate. Manager Marker indicated that previous discussion and direction about the Chomka property was sufficient.

c. Currently pending litigation of personnel matters under §405.6.E

Motion made by T. Ayer, seconded by L. Willey to enter executive session at 8:55 p.m. to discuss pending litigation matters under §405.6.E.

January 11, 2021

21-02 Pg. 6

Roll Call Vote: T. Ayer - Yes, C. Boma - Yes, R.M. Goughan - No, D. Morrell - Absent, J. Theriault - Yes, L. Willey - Yes, J. Smith - Yes (So voted)

Council exited executive session at 9:13 p.m.

No action was taken.

Council Agenda Item #12: Next meeting

January 25, 2021

Council Agenda Item #13: Adjournment

Motion made by T. Ayer, seconded by J. Theriault to adjourn the meeting at 9:14 p.m.

Danielle Brissette, Secretary