

**Council Agenda Item #1:** Roll Call

The Caribou City Council held a City Council Meeting on Monday, June 14, 2021, in the Council Chambers with the following members present; Councilors Ayer, Boma, Goughan, Morrell, Theriault, Willey and Mayor Smith.

Dennis L Marker, City Manager and Danielle Brissette, City Clerk were present.

Penny Thompson was present at the meeting.

Carolyn Ball, Consultant from Maine Municipal Association was present via Zoom.

**Council Agenda Item #2:** Invocation / Inspirational Thought

There was no invocation offered for the meeting.

**Council Agenda Item #3:** Pledge of Allegiance

Mayor Smith led the Pledge of Allegiance.

**Council Agenda Item #4:** Public Forum

Robert Kerber of the Emond Road in Caribou came to speak regarding his concern for a property located at approximately 529 Van Buren Road that had been burned down in the past. He stated that it needs to be cleaned up and that it could be potentially dangerous and would like to know who is responsible to take care of the property.

Jim Cyr of Smith Street in Caribou came to thank the council for their service to the community and to request more information to be published with the zoning changes. He is also concerned with a gap in the sidewalk behind the movie theatre. He offered words of wisdom and stated that everyone makes a mistake and that cancel culture is toxic.

John Morrell owner of Custom Car Wash came to speak regarding the Caribou Utilities Districts upcoming meeting Thursday morning at 7:30 am at the wellness center. He encouraged the public to attend the Public Hearing regarding the rate increase to the Water and Sewer.

Cuppy Johndro of Noyes Road in Caribou came to speak regarding the Fire & EMS department. She stated that they are the third most significant revenue source in the city. The first committee was formed in 2012 and the research and work showed that it was better to do the transports themselves.

Mayor Smith closed public input at 6:26 p.m.

Mayor Smith presented Dennis with a clock to thank him for his time and service here for the City of Caribou. The Councilors extended their gratitude to him for his work and dedication to the City.

**Council Agenda Item #5:** Minutes

- a. May 17, 2021 Regular City Council Meeting
- b. May 25, 2021 Special City Council Meeting
- c. June 1, 2021 City Council Personnel Meeting
- d. June 8, 2021 City Council Personnel Meeting

Mayor Smith offered Agenda item 5 a - d to be a consent agenda.

Motion made by Councilor Ayer, seconded by Councilor Theriault to accept agenda item #5 Minutes a-d as presented.

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:** Public Hearings and Possible Action Items

a. Ordinance No. 04, 2021 Series, Regarding Tax Acquired Property Disposal Policy (continued)

Continued public hearing at 6:37 p.m.

Manager Marker explained that the City has had a policy from the early 90's and no ordinance has been in place until now. This would codify the policy and make it part of the charter. New information in the proposed ordinance would include securing the property after 60 days and that the city's intent is not to become landlords. It also gives the council the opportunity to retain the property for public purposes or for council to work with non-profit organization for redevelopment.

No comments were provided by the public.

Closed public hearing at 6:37 p.m.

Motion made by Councilor Theriault, seconded by Councilor Boma to approve Ordinance No. 04, 2021 Series, Regarding Tax Acquired Property Disposal Policy as presented.

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. Ordinance No. 05, 2021 Series, Charter Amendment – Councilor Qualifications

Continued public hearing at 6:38p.m.

Manager Marker stated that the payment of taxes obligation is made clearer in that the provision in the charter applies to sitting councilors and not councilor elect, there is some cleanup of the ordinance that states no councilor can take office if they are a paid employee of the city. This is to clarify that if someone is running for office the taxes do not need to be paid at that time but before they take their oath of office.

No comments were provided by the public.

Public hearing closed at 6:45 p.m.

Motion made by Councilor Ayer, seconded by Councilor Willey to accept the Ordinance No. 05, 2021 Series, Charter Amendment – Councilor Qualifications with the following changes of two sentences: All city councilors must have their taxes paid before December 31<sup>st</sup>. All councilors elect need to have their taxes paid before being sworn into office.

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

c. Ordinance No. 06, 2021, Series, Charter Amendment – Councilor Meeting Attendance (continued)

Continued public hearing at 6:46 p.m.

Ordinance No. 06 is to clarify attendance, or the percentage of meetings councilors can miss and continue without forfeiting their seat.

No comments were provided by the public.

Public hearing closed at 6:46 p.m.

Motion made by Councilor Theriault, seconded by Councilor Boma to accept Ordinance No. 06, 2021, Series, Charter Amendment – Councilor Meeting Attendance as presented.

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

d. Ordinance No. 07, 2021 Series, Charter Amendment – City Public Notice Requirements (continued)

Continued public hearing at 6:47 p.m.

This ordinance enables the city to use internet-based platforms to post public notices in addition to notices sent to local newspapers.

No comments were provided by the public.

Public hearing closed at 6:48 p.m.

Motion made by Councilor Theriault, seconded by Councilor Ayer to accept Ordinance No. 07, Series, Charter Amendment – City Public Notice Requirements as presented.

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)

e. Ordinance No. 08, 2021 Series, Charter Amendment, City Real Estate Transaction Requirements

Open Public Hearing at 6:48 p.m.

This ordinance enables the city to enter real estate transactions (sales, leases, etc.) without requiring an ordinance to be passed for each transaction. The change effectively provides that the City real estate contracts are to no longer be treated as binding public law. Public meetings will still be required when any real estate transactions are considered.

No comments were provided by the public.

Closed public hearing at 6:50 p.m.

Motion made by Councilor Theriault, seconded by Councilor Boma to approve Ordinance No. 08, 2020 Series, Charter Amendment, City Real Estate Transaction Requirements as presented.

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

f. Ordinance No. 9, 2021 Series, Rubbish Hauler Licensing

Open Public Hearing at 6:53 p.m.

This ordinance enables the city administration to renew rubbish hauler permits rather than having the applications presented to the City Council.

No comments were provided by the public.

Close Public Hearing at 6:54 p.m.

Motion made by Councilor Morrell, seconded by Councilor Ayer to approve Ordinance No. 9, 2021 Series, Rubbish Hauler Licensing as presented.

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)

g. Ordinance No. 10, 2021 Series, Administrative Amendments to Title 13

Open public hearing at 6:54 p.m.

The ordinance provides a rewrite of administrative elements in the City’s Land Use and Development code, Title 13. Clarifications are made to Planning Board and staff rights and responsibilities as well as terms and definitions used within Title 13.

No comments were provided by the public.

Public hearing was closed at 6:56 p.m.

Motion made by Councilor Ayer, seconded by Councilor Morrell to accept Ordinance No. 10, 2021 Series, Administrative Amendments to Title 13 as presented.

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)

h. Ordinance No. 11, 2021 Series. Amending Campground Standards

Open public Hearing at 6:56 p.m.

This ordinance modifies current campground development standards to allow such in the R-2 zone and clarifies some construction requirements for campground developments.

Troy Haney came to explain his plans to build an RV campground and the different inspections and specifications/requirements that are in place to have and operate a facility.

Public hearing was closed at 7:06 p.m.

Motion made by Councilor Theriault, seconded by Councilor Willey to approve Ordinance No. 11, 2021 Series with the ordinance being amended to change the minimum acreage size to 3 in the R-2 zone and 10 in the R-3 zone.

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)

i. Ordinance 12, 2021 Series, Rezoning 1.3 acres from I2 to C2 at 14 Evergreen Pkwy

Open public Hearing at 7:09 p.m.

This ordinance rezones the old Warehouse restaurant property from industrial (I-2) to Commercial (C-2). The commercial zoning enables more potential uses to be on the property and relaxes some site development requirements.

Closed public hearing at 7:10 p.m.

Motion made by Councilor Ayer, seconded by Councilor Morrell to accept Ordinance 12, 2021 Series, Rezoning 1.3 acres from I2 to C2 at 14 Evergreen Pkwy as presented.

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 #7:** Reports by Staff and Committees

a. Financial report for May 2021

Carl Grant, finance director reviewed the May 2021 Financial Report.

Motion made by Councilor Willey, seconded by Councilor Theriault to accept the May 2021 financial report as presented.

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

b. Manager's Report

Manager Marker reviewed the City Manager's Report dated June 14, 2021

**Council Agenda Item #8:** New Business, Ordinances and Resolutions

a. Resolution 06-01-2021, Establishing the 2021 Property Tax Rates and Related Deadlines.

Manager Marker explained the Resolution 06-01-2021 Property Tax Rates and Related Documents. Manager Marker noted there is an increase in city valuation this year. The city will likely receive unanticipated federal dollars this year, but such cannot be used for operations. Those funds must be used for pandemic infrastructure purposes. There is also a possibility of the RSU receiving over \$237,000 to help offset taxes if the legislature approves. Due to the uncertainty of fund amounts and timing for the additional funds, it is recommended that the mil rate be set based on approved budgets and held at .02355 for 2021.

Councilor Ayer explained that he would like to table the discussion until later so that they can wait to see what is happening at the state level with reimbursements for the RSU.

Motion made by Councilor Ayer, seconded by Councilor Morrell to table the discussion until the next meeting.

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

b. Resolution 06-02-2021, Continuation of MMA Workers' Compensation Incentive Program

Manager Marker explained that this resolution is for the City to continue with the MMA Workers' Compensation Incentive Program that we currently have had in place for reimbursement of insurance premiums. The program reduces the city's premiums by roughly \$6,000.

Motion made by Councilor Ayer, seconded by Councilor Boma to accept Resolution 06-02-2021, Continuation of MMA Workers' Compensation Incentive program as presented.

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)

c. Purchase and Sale Agreement regarding 142 Lower Lyndon Street

Motion made by Councilor Morrell, seconded by Councilor Theriault to accept the Purchase and Sale Agreement for 142 Lower Lyndon Street to Caldwell's Auto, LLC as presented.

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

d. Approving Modification of Summer Meeting Schedule

Manager Marker explained the proposed summer schedule that would reduce the number of meetings and not hold a meeting on the 26<sup>th</sup> of July but would have a special meeting on the 28<sup>th</sup> of June for the Mil Rate.

Motion made by Councilor Ayer, seconded by Mayor Smith to approve the modification of the Summer Schedule removing the meeting from July 26<sup>th</sup> and holding a special meeting on June 28<sup>th</sup> to set the Mil Rate.

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

e. Abatement of taxes at 11 Lower Lyndon Street

Manager Marker explained that the property was on the Tax acquired bid list for several years. The bid accepted by the Council was insufficient to cover all past due taxes and therefore an abatement of remaining taxes is appropriate.

Motion made by Councilor Morrell, seconded by Councilor Theriault to abate the taxes at 11 Lower Washington upon the receipt of the awarded \$3,000.00 for the property.

f. Introduction of Ordinance No. 13, 2021 Series, Charter Amendment, Filling Council Vacancies

g. Introduction of Ordinance No. 14, 2021 Series, Charter Amendment, Employee Political Activities

Councilor Ayer introduced Ordinance No. 13, 2021 Series, Charter Amendment, Filling Council Vacancies and Ordinance No. 14, 2021 Series, Charter Amendment, Employee Political Activities.

**Council Agenda Item #9:** Old Business

a. Discussion and Possible Action Regarding Collective Bargaining Agreement with Local 220, Council No. 93, American Federation of State County and Municipal Employees, AFL- CIO

b. Discussion and Possible Action Regarding Collective Bargaining Agreement with Police Sergeants

Agenda items 9 a & b were moved to executive session for discussion.

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

a. Ambulance Transfer Services Study Committee

Mayor Smith stated that the Ambulance Transfer Service Study Committee is eliminated at this time until there is a clear scope of work and what we want for citizen involvement.

Councilor Willey stated that she was contacted by a citizen who was concerned that Councilors were meeting outside of meetings and that there were four seen at a local restaurant and would like to know how to respond to people when asked questions like this.

Mayor Smith stated that it was false information.

Councilor Morrell stated that he asked for the ambulance committee to look into the facts, there was no hidden agenda.

Councilor Ayer stated that he never intended to get rid of the ambulance service in Caribou and that he is grateful for the service that is offered.

**Council Agenda Item #11:** Executive Session(s)

a. Personnel items under §405.6.A

Motion made by Councilor Ayer, seconded by Councilor Willey to enter executive session at 7:57 p.m. to discuss Personnel items under §405.6.A

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

Council exited executive session at 8:57 p.m.

No action was taken.

Motion made by Councilor Ayer, seconded by Councilor Willey to enter executive session to discuss Collective bargaining agreements under §405.6.D

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 exited executive session at 9:25 p.m.

Motion made by Councilor Willey, seconded by Councilor Boma to approve the collective bargaining agreement with the Public Works Department as tentatively agreed.

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

Motion made by Councilor Willey, seconded by Councilor Boma to approve the collective bargaining agreement with the Police Department Sergeants as tentatively agreed.

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

**Council Agenda Item #12:** Next Regular Meetings

Special Meeting June 28, Regular Meeting July 12

**Council Agenda Item #13:** Adjournment

Motion made by Councilor Ayer, seconded by Councilor Boma to adjourn the meeting at 9:35 p.m.

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)

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Danielle Brissette, Secretary