

Council Agenda Item #1: Roll Call

The Caribou City Council held a City Council Meeting on Monday, August 9, 2021, in the Council Chambers with the following members present; Councilors Ayer, Boma, Goughan, Theriault, Willey and Mayor Smith. Councilor Morrell is absent and excused.

Penny Thompson, Interim City Manager was present at the meeting.

Department managers Kenneth G Murchison (Zoning Administrator), Gary Marquis (Supt. Of Parks and Recreation), Christina Kane-Gibson (Events & Marketing Director), Peter Baldwin (Librarian), and Carl Grant (Tax Collector)

Hannah Catlin of the Aroostook Republican covered the meeting, and it was broadcasted via Spectrum and YouTube.

Council Agenda Item #2: Invocation / Inspirational Thought

Troy Heald of Woodland First Baptist Church offered the invocation.

Council Agenda Item #3: Pledge of Allegiance

Mayor Smith led the Pledge of Allegiance.

Council Agenda Item #4: Public Forum

Deputy Mayor Ayer read a letter from Andrew Ketch:

"Dear Town Council Members, Town of Caribou, and Surrounding Community,

My name is Andrew Ketch, I own Ketch Farms in Woodland, ME, but most importantly am a Great Great Grandson of Olof O. Nylander and was the former President of the Olof O. Nylander Foundation which originated as the "Friends of the Nylander Museum." I also own and maintain Olof O. Nylander's original farm. I have been fortunate in my life to walk in Olof's footsteps and collect specimens on my own in the same locations he did during his lifetime. I hold on to many family heirlooms of his, photo albums, writing desk, walking cane, books from his library, letters, etc. During my time as President of the organization I gave multiple tours to anyone who requested one whether it was one person, a family, or an organization. I also participated every February when the first grade students were brought to the Museum for presentations. I brought my own Crinoid collection that I collected over time right here in our own backyard at Square Lake for the children to examine and handle. Crinoids are fossilized sea creatures Olof discovered in multiple places in Aroostook County.

After being President of the Foundation for two years I resigned professionally with an offer to continue to have a consulting role and most importantly be available to do what I love which is be in more of a teaching role. I freely enjoy sharing what knowledge I have about Olof O. Nylander and his life's work to anyone who asks. Unfortunately for some reason I was not invited that following February to teach the first grade students, which was an odd surprise. I have never been contacted again by the Board of Trustees of the Nylander Museum for any questions relating to Olof O. Nylander's life or his work and have never been asked to do any presentations to the public there. I would like to hear from the Trustees why.

Now the main purpose of this letter is to shed light on the history of the Foundation, in response to a very recent public post by the Trustees of the Nylander Museum, that was full of false information and accusations. It was mysteriously deleted with no public apology whatsoever. I have a screenshot of that

post which I will forward on as well. It was a disgrace to me, my family, the current board of the Foundation and Olof O. Nylander's legacy. I would like to know if the Trustees voted as a board, and if they did, why would they agree to make a public post with false information and accusations of the Olof O. Nylander foundation using funds against donors wishes, the Foundation becoming a scholarship fund, and then use it as a recruitment to "gain back access to YOUR donations" as they put it. Did they call the Board fo the Foundation and ask if they restructured into a scholarship fund? No they never called. I simply called the board and got that answer. Did they see scholarships being offered in local schools and being awarded to students by the Foundation? No, there has never been a scholarship available in the history of the Foundation. So why, would the town appointed Trustees who are entrusted with the protection and preservation of my Great Great Grandfather Olof O. Nylander's work pull a stunt like this?

So to be clear, the Olof O. Nylander Foundation is a 501c3 Non Profit and a complete separate entity from the Nylander Museum. I discovered it was a separate entity instantly as I became President of the Foundation and informed the Trustees of the Museum. I made it clear that the Trustees do not have direct access to the funds, proposals for funding need to be submitted, the board of the Foundation will then vote. Simple, basic, by the book operations. I had to remind the Trustees here and there that they couldn't start a fundraiser for the Foundation on their own and couldn't do things publicly under the name of the Foundation. For example, posting things on their Facebook speaking for the Foundation without the Foundations request. All operations of the Foundation needed to be voted on by the Board of the Foundation as they were a separate entity. Again, just simple, by the book procedures. The Friends of the Nylander was eventually changed to the Olof O. Nylander Foundation to eliminate confusion and show a separation, and most importantly to carry on Olof's legacy as does the Harold Alfond Foundation by using the persons name.

After a few months of being President of the Foundation I was tipped by a Trustee that two other Trustees were headed to meet with Attorney Engals in Presque Isle to discuss the Foundation and to see if the Trustees had any control of the Olof O. Nylander Foundation. I was not previously told about this, wasn't recently questioned by the Trustees about the matter, completely blind sided. I dropped everything on the Farm, grabbed all my paperwork and was sitting in that Attorney's office before those Trustees arrived. I sat through a meeting listening to the Attorney tell them everything that I had explained to them. The Olof O. Nylander Foundation is a separate entity, the Trustees have no jurisdiction over it, etc.

The Foundation was given an anonymous donation of \$10,000 with a challenge to match these funds. Let me be clear here. The Olof O. Nylander Foundation was given this donation. Not the Nylander Museum, as that would have been a donation to the Town of Caribou and the town would be overseeing these funds. The donor came forth during this recent public social media attack by the Trustees. My good friend Debbie Nichols is the donor. I will not speak for her, but I will say she is willing to speak to anyone here today about this matter. I would like to know from the current Trustees why Debbie who was a Trustee for I would guess 25 years or more, who they all knew was the \$10,000 donor at the time of the donation, did not have her seat saved as Trustee when she couldn't make it due to medical reasons to apply for the position which I believe has to be done yearly? Practically my whole life she has been a part of that museum.

On to the most important thing, the funds. All donors funds at my time as President, and a simple phone call to the Treasurer Debbie Tardy, confirmed that they are all accounted for. The donations are itemized by name, amount, donors contact information, donors wishes. For example, donation towards new display cabinets. I would like to know the same for the money thats placed in the donation box at the

Museum. Do the Trustees have records of all donations they receive, and what they spent the money on? Those are donations to a Town owned entity correct? So the Town needs this information for their books I assume.

In the first 2-3 months of being President of the Foundation we matched our fund challenge and surpassed it. We were ready as a Board to fund a TV/sound system for the Museum(which oddly took 9 months for the Trustees to agree on one), we then were going to have shelves built to raise the taxidermy exhibits up off the floor to make room for the next step of having display cabinets built. The Foundation is still waiting to do these same projects. I ask all donors to put the heat on the Town officials to get their Museum in order so your wishes can be granted. I am one of those donors, as is many family members memorial funds which all have specific projects to go towards.

During my time as President there was practically no cooperation from the Trustees. From what I can tell, it was because of wanting control of the funds and not accepting the separation of entities. We were constantly asked by a few trustees how much money the foundation had instead of sending proposals for funding. The locks were randomly changed which took a key away from all of us and a Trustee emailed the Board to tell us a Trustee will have to unlock the Museum to let us in for a meeting, stay the duration of the meeting, then lock up after. We chose to meet elsewhere. Taking that key away from me took away my ability to freely give tours to the public. I would open up the museum special hours for individuals to get a tour. I have a great relationship with USDA and gave a full tour to their entire NRCS office prior to the locks being changed. I would like to know what the advantage was to pushing the Foundation out that financially supports the growth of the Museum, and quite frankly why family was pushed out. My cousin Nelson Ketch has stepped down as well. The town of Caribou has lost the two descendants of Olof O. Nylander that their whole lives have taken interest in his work. While I was still President, all these interactions finally pushed the Foundations events coordinator to resign. It was very unfortunate because the Foundation was making a big presence in the community. She had one of the best exhibits for the kids every Thursday on Sweden. The Foundation was at Bike Maine, the Foundation held a xmas event, and had many more plans. All of which have gone on the back burner until something changes at the Museum.

All I ask, is for the Town Officials, the Town of Caribou, and the surrounding community to put the heat on this Museum. This is as a gem Caribou has with a very high caliber collection of specimens. These aren't just rocks and shells as some will say. His discoveries changed Maines entire Geological Theory at that time. Does anyone know he discovered a fossilized starfish in New Sweden? It was named after him and is one of his many specimens at the Smithsonian Museum. Most of these things can be found around us. So in closing, can someone please bring professionalism and respect to this Museum? Feel free to contact me with anyone questions you have. Thank you for your time, I apologize that we have to waste it on such petty things. Oh and yes, the gold nugget was stolen from the Museum. My family has known that for years.

Andrew Ketch

Owner

Ketch Farms"

Council Agenda Item #5: Minutes –

a. City Council Regular Meeting July 26, 2021

Motion made by Councilor Theriault, seconded by Councilor Willey to accept the council minutes from July 26, 2021 as presented.

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

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

a. National Health Center Week 2021 Proclamation

Mayor Smith read the National Health Center Week, 2021 Proclamation.

Motion made by Councilor Willey, seconded by Councilor Boma to accept the National Health Center Week. 2021 Proclamation as presented.

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

Council Agenda Item #7: Public Hearings and Possible Action Items

There were no public hearings scheduled.

Council Agenda Item #8: Reports by Staff and Committees

a. 2020 audit report by Gisele MacDonald of Felch & Company

Gisele MacDonald from Felch & Company gave a brief description of the 2020 Audit Report and highlighted some key points. It was a clean audit. The city is in good standing.

b. Trail groomer replacement

Gary Marquis explained that he is receiving a grant from the USDA in the amount of \$95,000 to go towards a new piece of grooming equipment. The Caribou Snowmobile Club will also be donating \$30,000 to the purchase. He explained that the current trade in value on his machine would be \$75,000, and at the end of the month there would be \$52,000 in the TIF district groomer reserve (G5-474-00)

Motion made by Deputy Mayor Ayer, seconded by Councilor Boma to authorize the purchase of the new Trail Groomer using the TIF district groomer reserve (G5-474-00).

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

c. Manager's Report

Interim City Manager Thompson reviewed the City Manager's report dated August 5, 2021

Council Agenda Item #9: New Business, Ordinances and Resolutions

a. MaineDOT land on Evergreen Parkway

Gary Gagnon explained that he is working with DOT on purchasing land on Evergreen Parkway. He explained that he would like to have the road discontinued from the City and that he would take over responsibility of that area.

It was suggested by council that once he has obtained both sides of the road to come back for further discussion.

b. First Read: Memo and draft of proposed Chapter 20 (Riverfront)

Council was provided with a draft of proposed Chapter 20 (Riverfront). This is planned to be introduced at the August 23, 2021, as an ordinance.

Council Agenda Item # 10: Old Business

a. Ordinance No. 13, 2021 Series, Charter Amendment, Filling Council Vacancies

b. Ordinance No. 14, 2021 Series, Charter Amendment, Employee Political Activities

Deputy Mayor Ayer explained that the Charter Committee met before the meeting and as of right now there are either 6 or 7 on the ballot. He suggested that the other ordinance changes should be brought forward in June.

Motion made by Deputy Mayor Ayer, seconded by Councilor Boma to table the discussion for Ordinance 13 & 14 2021 Series until the next meeting.

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

c. Tax-acquired property #23 from bid list (tabled from last meeting)

Interim Manager explained that property #23 was for 16 Sincock Street.

Deputy Mayor Ayer explained that he would like to know the intent of the bidder before deciding what to do.

Motion made by Deputy Mayor Ayer, seconded by Councilor Theriault to table the discussion regarding Tax-acquired property #23 until more information is gathered.

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

d. Abatement of taxes: 142 Lower Lyndon Street, 30 North Street

Motion made by Councilor Theriault, seconded by Councilor Willey to abate the taxes and fees associated with 142 Lower Lyndon Street upon receipt of the receipt of the awarded \$10,000 bid for the property.

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

Motion made by Councilor Theriault, seconded by Councilor Boma to abate the taxes at 30 North Street.

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

Council Agenda Item #11: Reports and Discussion by Mayor and Council Members

Deputy Mayor Ayer stated that he has a couple questions, after the board of trustees came in, he has a couple questions. The vista worker was always portrayed as a grant and at no point did, he know they were an employee of the City and that the City paid half of the Vista worker. He stated that he went to visit the Nylander Museum and he noticed that the facilities were not as clean as he was led to believe. He would like to see a discussion regarding the Nylander on the next council agenda.

Councilor Boma stated that as far as the safety building, they are waiting for an update from Artifex.

Councilor Theriault stated that she has received a phone call regarding speeding vehicles on York Street. She explained that there have been many issues on York Street over the last few weeks. They explained to her that the sign coming in from Main Street is rusted and there are bushes hiding the sign. At one point there was a sign to reroute some of the big trucks to Sincock street and that is laying down. The resident is requesting to have one of the signs that shows what speed the driver is doing.

Councilor Willey stated that she has attended a committee meeting for the charter, and it has already been discussed earlier in the meeting.

Mayor Smith stated that he is going to address the Ambulance Committee. He has had three responses from Council about wanting to be on the committee. Councilor Morrell will be the chair, Councilors Willey and Goughan will be on the committee. There is a scope of work of what is being looked at and what is going to be handled by the committee.

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

a. Real Estate and Economic Development under §405.6.C

Motion made by Deputy Mayor Ayer, seconded by Councilor Willey to discuss Real Estate and Economic Development under §405.6.C

Council exited executive session at 7:40 p.m.

Motion made by Deputy Mayor Ayer, seconded by Councilor Willey to direct the Interim City Manager, after determining how many properties in the downtown TIF district currently have a current assessed value less than the original assessed value, to seek and estimate of the cost to engage in legal services to amend the Tax Increment Financing District so that the Credit Enhancement Agreement with Gagnon's Rental Properties for 14 Access Highway will conform to DECD standards and inform Council of status at next meeting.

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

Motion made by Deputy Mayor Ayer, seconded by Councilor Theriault to enter executive session at 7:43 p.m. to discuss Real Estate and Economic Development matters under MRSA Title 1 §405.6.C.

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

Council exited executive session at 7:48 p.m.

Motion made by Deputy Mayor Ayer, seconded by Councilor Willey to direct Interim City Manager to sign the Memorandum of Agreement prepared by Attorney Richard Solman between the City of Caribou, the Caribou Economic Growth Council (CEGC) and the Business Investment Group (BIG) to loan \$159,000 to the CEGC from Revolving Loan Fund #10 at the interest rate of 1/2 % interest for a term of one year for the purposes stated in the agreement and will then donate \$159,000 from ARPA funds to BIG for the purpose of repayment of the loan from CEGC as stated in the agreement. The \$159,000 in funds will be used by the Business Investment Group (BIG) to enter into an agreement for an engineering study to facilitate and in connection with instillation of dark fiber throughout the City of Caribou.

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

Mayor Smith then directed the Interim City Manager to promote the City Council’s support for bringing the dark fiber network to every building in Caribou. This partnership, which will produce an actionable construction plan to bring broadband to Caribou, is the first step to close the digital divide in rural areas of the City.

Council Agenda Item #13: Next Regular Meetings: August 23, September 7

Council Agenda Item #14: Adjournment

Motion made by Deputy Mayor Ayer, seconded by Councilor Boma to adjourn the meeting at 7:55 p.m.

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

Danielle Brissette, secretary