

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

The Caribou City Council held a City Council Meeting on Monday, November 14, 2022, in Council Chambers with the following members present: Mayor Smith, Deputy Mayor Boma, Councilors, Morrell, Morrill, Theriault and Willey. Councilor Goughan was present via Zoom.

Manager Thompson was present for the meeting.

Department managers Gary Marquis (Superintendent of Parks and Recreation), Kenneth Murchison (CEO/Zoning Administrator) Gary Marquis (Parks & Recreation Superintendent), Carl Grant (Finance Director) and Michael Gahagan (Police Chief) were present at the meeting.

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

Mayor Smith read an invocation.

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

Mayor Smith led the Pledge of Allegiance.

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

Troy Haney, Caribou Resident

Mr. Haney came in to explain a four-day winter event being held the first weekend in March in Caribou. He stated that him and Jim Gamage are planning to have a Snow Bowl. They are planning to bring new events to the community including snow cross racing at the racetrack, vintage snowmobile parade, fireworks, music, food and much more to the area.

**Council Agenda Item #5:** Minutes

- a. Minutes for the Regular City Council meeting on August 22, 2022
- b. Minutes for the Regular City Council meeting on September 13, 2022

Motion made by Councilor Morrill, seconded by Councilor Willey to accept the minutes for August 22 and September 13, 2022, as presented.

Roll Call Vote: C. Boma – Yes, D. Morrell – Yes, J. Morrill – Yes, J. Theriault – Yes, L. Willey – Yes, J. Smith – Yes. (So voted)

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

- a. Small Business Saturday 2022 proclamation

Mayor Smith read the Small Business Saturday 2022 proclamation.

**Council Agenda Item #7:** Reports by Staff and Committees

- a. Consideration for the Waiver of Foreclosure on properties

Carl Grant (Finance Director) explained the process and that the list of properties has dropped to 24. He explained the properties that may not be in the best interest for the City to acquire.

Motion made by Councilor Morrill, seconded by Councilor Willey to waive the foreclosure process on:

Account 711 Map 8 Lot 71, Account 2549 Map 25, Lot 148, Account 1636 Map 15 Lot 33 Sublot 3, Account 5121 Map 15 Lot 36 Sublot 10, Account 5045 Map 15 Lot 36 Sublot 49, and Account 1733 Map 15 Lot 63D.

Roll Call Vote: C. Boma – Yes, D. Morrell – Yes, J. Morrill – Yes, J. Theriault – Yes, L. Willey – Yes, J. Smith – Yes. (So voted)

b. Tax Acquired property interest – 20 Sincock Street

Carl Grant (Finance Director) explained that the city has received an offer of \$15,000 for Map 28 Lot 139 – A, 20 Sincock Street. The property has been previously put out to bid with no bids received. The minimum bid that had been set was \$24,000. There are costs owed to the CUD of \$3,952.00 and back taxes owed of \$6,982.55 on the books and the taxes lost for 2022 are \$1,893.13. These together total roughly \$13,000.

Motion made by Councilor Morrill, seconded by Councilor Willey to accept the offer of \$15,000 from Nicholas Cyr for Map 28 Lot 139-A

Roll Call Vote: C. Boma – Yes, D. Morrell – Yes, J. Morrill – Yes, J. Theriault – Yes, L. Willey – Yes, J. Smith – Yes. (So voted)

c. Partial abatement of taxes for 2020 & 2021 of account #1040

Motion made by Deputy Mayor Boma, seconded by Councilor Morrill to approve an abatement under 36 MRSA § 841 (1) due to “illegality, error or irregularity in the assessment” to P.L. Willey Properties Inc in the amount of \$4,090.64 for the tax year 2020 for account number 1040 which is Map 11 Lot 38.

Roll Call Vote: C. Boma – Yes, D. Morrell – Yes, J. Morrill – Yes, J. Theriault – Yes, L. Willey – Abstain, J. Smith – Yes. (So voted)

Motion made by Councilor Morrill, seconded by Deputy Mayor Boma to approve an abatement under 36 MRSA § 841 (1) due to “illegality, error or irregularity in the assessment” to P.L. Willey Properties Inc in the amount of \$4,090.64 for the tax year 2021 for account number 1040 which is Map 11 Lot 38.

Roll Call Vote: C. Boma – Yes, D. Morrell – Yes, J. Morrill – Yes, J. Theriault – Yes, L. Willey – Abstain, J. Smith – Yes. (So voted)

d. Manager’s Report

Manager Thompson reminded that for Small Business Saturday you can get an ornament and once your punch card is complete it can be returned for a \$1,000 shopping spree in Caribou.

**Council Agenda Item #8:** Public Hearings

a. Public Hearing for the Renewal for Safe Alternatives, Registered Nonprofit Dispensary

Open Public Hearing: 6:40 p.m.

There were no comments made by the public.

Closed Public Hearing: 6:41 p.m.

Motion made by Councilor Morrell, seconded by Councilor Morrill to allow the renewal for Safe Alternatives, Registered Nonprofit Dispensary.

Roll Call Vote: C. Boma – Yes, D. Morrell – Yes, J. Morrill – Yes, J. Theriault – Yes, L. Willey – Yes, J. Smith – Yes. (So voted)

b. Public hearing for 2022 EPA Brownfields Cleanup Grant

Open Public Hearing: 6:41 p.m.

Councilor Willey read an email from Bill Belanger:

“I own a piece of property between the river and Route 1. I understand the City is looking at getting an EPA grant.

I think the best of use of this property is a boat launch ramp.

The City of Presque Isle has a beautiful ramp by the bridge.

I've canoed that section of the Aroostook River from Presque Isle to Caribou, and it's almost as pretty as the Allagash river.

The problem is when you get to Caribou dam, there is no place to take out. If this were developed properly, it would be an immense draw to the County.

It's about a 4-hour trip and something everyone from that area should experience. It's a diamond in the rough.

Bill Bélanger”

Councilor Theriault read an email from Jay Kamm:

“Good afternoon

Unfortunately, I am unable to attend the public meeting regarding the EPA Brownfields Cleanup grant application and Analysis of Brownfields Cleanup Alternatives (ABCA) scheduled for November 14th. I have a few thoughts regarding the ABCA. Should there be an identification of potential funding sources for the cleanup (I realize the meeting is regarding an EPA Cleanup grant application)? Is the City considering any state funds such as the Brownfield Revolving Loan cleanup fund administered by the Maine Departments of Environmental Protection and Economic and Community Development?

Who has the cleanup oversight responsibility, and should that be identified in the document? I'd assume that the MDEP is the oversight agency.

As a resident of Caribou and a member of the Caribou Riverfront Renaissance Committee, I commend the City for applying for this grant opportunity. The Aroostook River and its riverfront properties are vital economic assets, and the cleanup of riverfront properties is integral to redevelopment efforts.

Thank you

Jay Kamm”

Karen Gorman, Caribou resident

Ms. Gorman came tonight in support of the City going forward with the application process and to clean up the blighted property. She explained everyday she looks across the river and thinks about what it would look like without the plants there, and it's a reality now that we can apply for the grant. She explained that the awful looking plants and blight on the riverfront would be gone. She explained that the

first thing you see when you come over the hill into Caribou this is what you see. This has been in planning since 2009 for the City of Caribou to revitalize the riverfront. She explained that this project is the first real bite at the riverfront revitalization.

Cindy Morin, Caribou Resident

Ms. Morin came in tonight to explain her concern. She explained that she would like to see the area cleaned up and to have a park or something that everyone in the community can enjoy, something more than just snowmobile or ATV trails. She suggested that when the plans are being made to think of it like it is your back yard and what you would like to see every day.

Ken Murchison CEO and Caribou Resident

Mr. Murchison explained that he has had the opportunity to explore the area down by the power plant and was able to visually witness dozens of drums of petroleum products still present in the facility. He said that the first step of cleaning out the diesel plant is an excellent first step and just for the fact that if there was ever an accidental discharge or spill of one of these drums it would be in the Aroostook River almost instantly. The river is a gem, it's a jewel of the City and if we out oil in it its not just our property it's the international river and everyone downstream would see the results of the spill. Mr. Murchison is in favor of the City applying for the grant to clean up the area, and thanked Michelle of County Environmental for a great job well done with this project so far.

Brian Fields, President of Atlantic Salmon from Northern Maine

Mr. Fields came in tonight and stated that he hadn't come to the meeting planning to talk, but that they do have adjoining properties. He stated that he has been in on many meetings with DEP. He stated that they own the property that the Caribou Water Districts are located on along the river. They have a total of 12 acres of land adjoining the diesel and steam plant. He stated that they have grand plans to go right along with what the City wants to do with making Park property down there and they also want to be a part of that and be an enhancement. They plan on putting Atlantic Salmon back into the stream. He stated that we are unique, and we have the chance to provide the only Atlantic Salmon fishing in the United States. They are hoping to someday have a facility and a park down by the river for the Atlantic Salmon.

Mark Leuhrs, Caribou Resident

Mr. Leuhrs came to ask about the quality of the Aroostook River, how clean it is and how the fishing is there.

Mr. Fields stated that the water is monitored, they water quality is very high that some of the biggest brook trout he has ever seen has come from the Aroostook River.

Closed Public Hearing: 6:55 p.m.

Motion made by Deputy Mayor Boma, seconded by Councilor Morrill to apply for an EPA TY2023 Brownfields Cleanup Grant to request funding for the remedial activities for the diesel plant and associated outbuildings located at 142 Lower Lyndon Street, Caribou.

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

c. Public Hearing to determine if 15 Prospect Street should be declared a “Dangerous Building” under 17 MRSA §2802 and a “Chronic Nuisance Property” under Chapter 8 Article 5

Open Public Hearing: 6:56 p.m.

Councilor Willey read an email from Lynn & Hampton Jackson:

“Mr. Murchison and the members of the planning board,

We are unable to attend the meeting on November 14th, therefore we are submitting this email to voice our concerns regarding the property on 15 Prospect Street. We feel it is important for us to voice our concerns with you since we have made numerous calls to our local police department, spoken to city officials and various past city council members over the past eight years with our complaints and concerns about this property and those who reside there. In the last few years our efforts for change have stopped because no matter who we contacted nothing ever improved, it only got worse. A few years ago when Penny Thompson was the acting Code Enforcement Administrator we were pleased she had posted the home uninhabitable due to no electricity or water services because we finally thought we would see change but unfortunately our council allowed him to continue to reside there even though he was breaking codes. They did however give him clear guidelines to follow but when those guidelines were not followed nothing happened. So despite her actions we saw again no change in our neighborhood and again conditions at the property only got worse. That is what has been so frustrating to us is that if the guidelines we have as a city were followed, we would not be having this discussion today.

Our concerns are that property which is in a close proximity to at least four other homes is a fire hazard. They not only have firewood piled in the yard and on the front porch, but they also appear to have it stacked inside the home blocking windows. In past summers they had a fire pit on the front porch right next to the stack of firewood. If the large old home with wood siding started on fire, we are afraid for our home and our neighbors' homes. In the past there has been a fire in the home due to a faulty generator. At times garbage has been left to accumulate as well. Also the home is in disrepair and we are concerned for those who choose to reside there. The biggest concern we have is to the subject of nuisance property, over the years we have had to deal with their dogs not being leashed or kept under their control. They do have a big fenced in area but often the door is not shut properly. We have kept our dogs leashed or on a runner and we understand sometimes an owner can lose control of the animal, but it is very frequent that the dog is leaving fecal matter in our backyard or we have to worry about confrontations with our pets. We have also been witness to many verbal and physical fights that have taken place outside of the home between the owner and his guests. Sometimes using objects as weapons. Recently we had to make a call to the police because a physical fight with weapons was happening in our backyard between the owner of 15 Prospect St and another individual. In the past we have had to deal with loud music or noise coming from that property very late at night. We also have had to deal with lack of respect from the people that reside at his home. They have no respect for other people's property. There is constant traffic through our backyard as a shortcut instead of following the sidewalk to the soup kitchen or other destination, no matter how many times we ask them not to. In past winters they have used our backyard as a place to snowmobile or in the summer visitors have tore up our backyard with dirt bikes. They treat our property as its theirs even though we have asked them repeatedly to keep off our property.

It is our hope that our city can follow the guidelines put in to place to keep our community safe and desirable to reside in.

Thank you,  
Hampton and Lynn Jackson”

Councilor Theriault read an email from Tamara and Lance Lovewell:

“Unfortunately, we will not be able to make it to tonight's meeting as we have another event to attend (our son is being inducted into National honor society).

I thought I'd message since we live directly above "the brown house".

Here are some of our thoughts on that location: The blatant drug use and criminal activity has not only caused a nuisance but also poses a danger to the community. We have had to call the police several times due to witnessed criminal activities and also for trespassing on our property, Our children are afraid to play in our backyard because of the people that attempt to communicate with them from that house, Recently the brown house has been throwing garbage and debris over the fence into our yard, The inhabitants of that property burn garbage and often cause us throat and/or eye irritation from the burning chemical smells that travel into our home from that property, we have found used drug needles along the street.

We know that people are reliant on housing, and we feel saddened for the people that are caught up in addiction. However, we do not feel that condoning a dangerous home with criminal activity is in the best interest of anyone, inhabitants included.

Lance and Tamara Lovewell”

David White, Caribou Resident

Mr. White stated that the house has been sited for violations for 8 years. He stated that the City needed to get in and inspect the home and to see what they can do to streamline the process.

Jon Holabird, Caribou Resident

Mr. Holabird explained that this house is spoken about openly, and publicly. He explained that if the residents were removed from this house, they would just keep chasing them around to other properties and hopes that the City will add this to their thought process.

Judson Drake, Chair of the Board of Trustees for the Methodist Church

Mr. Drake came in to explain some of the things that the church has experienced at their Church. He stated that over the years that they have had gas stolen, and several times have had people trespass. He explained that the families don't even want to sit on the porch at the parsonage because of things they have seen around the property.

Chris Johnson, Caribou Resident

Mr. Johnson explained that they are the owners of The Cubby Thrift stores and that they are trying to do their due diligence to curb activity of after hour drop offs. He explained that he has had employees and himself has been threatened with weapons in the store and have had serve people with no trespassing orders at the stores because of them dealing in the store. He explained his personal experiences Paige to a 10-year battle with drugs and ultimately took her own life in June. During some of the times when she was opening up she told her father about position, dealing and even rape happening at the house on Prospect. He stated that he is saddened because his very own child succumbed to the happenings of the residence. He is in support of the decision to consider this a nuisance or dangerous property.

Jen Anderson, Owner of Thrive Body Spa

Ms. Anderson came in to speak about some of the things that she has witnessed from her property/business. She stated that one night she had one of her clients leaving and they ran back into the building scared because there was a person in the parking lot with a dog that was

unleashed. She spoke of several noise complaints, finding needles and even fighting near her business.

Brian Fields

Mr. Fields stated that he lost a nephew 2 nights ago to drugs. He stated that the law is far too tolerant and that it is time to bring the hammer down.

Suzanna Heidrich, Caribou Resident

Ms. Heidrich stated that living in the area she has to be cautious when taking her dogs for walks and to watch for needles and trash. She explained that in her profession she has had two girls confide in her about being raped at the “brown house” She said that kicking them out is not going to help. She explained that their needs to be some kind of support to help the people that are residing at the location.

Jon Holabird, Caribou Resident

Mr. Holabird suggested forming a committee to see the whole scenario. He explained that it is multiple properties and that maybe there should be a way to offer counseling services, you don’t want to see them just on the street, they are still members of the community.

Gerald Sullivan, Caribou Assembly of God Church

Mr. Sullivan explained that the church brings meals to the residence and that they also remind them of what God can do. They encourage the people residing at the residence to attend services, and he explained that they are willing to help find avenues to help people get healed and well.

Closed Public Hearing: 7:27 p.m.

Motion made by Councilor Morrill, seconded by Councilor Morrell to declare 15 Prospect Street in Caribou, further described as map 31 lot 8 in the Municipality of Caribou as a dangerous building as defined by 17 MRSA § 2851.

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

Motion made by Councilor Morrill, seconded by Councilor Willey to declare 15 Prospect in Caribou, further described as map 31 lot 9 in the municipality of Caribou as a public nuisance and a chronic nuisance property as defined Chapter 8 Article 5 of the City of Caribou Code and Ordinances.

Council had a brief discussion regarding residences in the community and trying to shut them down and make it harder to find a place to continue with the behaviors that have been discussed.

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

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

There were no items scheduled for discussion.

**Council Agenda Item #10:** Old Business

There were no items scheduled for discussion.

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

Councilor Willey reminded everyone that the library is having a basket Raffle for Small Business Saturday.

Councilor Morrill stated that they are continuing to have monthly meetings pertaining to the Comprehensive Plan regarding different portions of it.

**Council Agenda Item #12:** Next Regular Meetings: November 28, December 12

**Council Agenda Item #13:** Special joint meeting with the Planning Board on November 30, 2022 at 2:00p.m.

**Council Agenda Item # 14:** Executive Session(s) (May be called to discuss matters identified under MRSA, Title 1, §405.6.D

a. Update on union negotiations: AFL-CIO (Public Works) & Teamsters (Police Sergeants)

Motion made by Councilor Morrill, seconded by councilor Willey to enter executive session at 7:36 p.m. to discuss union negotiations under MRSA Title 1 §405.6.D

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

Council exited executive session at 8:15 pm.

Motion made by Councilor Willey, seconded by Deputy Mayor Boma to accept the MOU with the Public Works Union for an increase of \$3/hour for truck drivers and equipment operators and \$4/hour for mechanics, effective 1/1/2023.

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

**Council Agenda Item #13:** Adjournment

Motion made by Councilor Morrill, seconded by Deputy Mayor Boma to adjourn the meeting at 8:17p.m.

Vote was unanimous.

Danielle Brissette, Secretary