

January 12, 2009

09-02

A regular meeting of the Caribou City Council was held at 7:00 p.m. on Monday, January 12, 2009, in Council Chambers with the following members present: Mayor Kenneth G. Murchison, Jr., Christopher A.R. Bell, R. Mark Goughan, Karla M. Bell, David Martin, and Mary Kate Barbosa. Robert L. Albert was absent and excused.

Steven R. Buck, City Manager, Roy Woods, Fire Chief, and Frank McElwain, Superintendent of Schools, were present.

Also attending the meeting were Robert Mockler, John Swanberg, Sam Collins, and School Board members Scott Willey, Dale Gordon, Pam Buck, J. Kent Forbes, Kyle Blackstone, and Katherine Anderson.

Barbara Scott, representing the Aroostook Republican; and Time Warner covered the meeting.

Council Agenda item #1: Public Input. There was no public input.

Council Agenda item #2: Sesquicentennial Committee Update

Robert Mockler, Co-Chair of the Sesquicentennial Committee, thanked the Council for their support thus far and for the chance to give an update of the work that's being done. He presented each Councilor, the City Manager and the City Clerk with a commemorative coffee mug to be used at Council meetings. Noting that April 5, 1859 was the date when the community was incorporated, Mr. Mockler said Proclamation Day would be celebrated April 5th in the afternoon at the Unitarian Universalist Church, the first public building in Caribou.

John Swanberg distributed a list of 45 events planned so far as part of the celebration and anticipated that even more organizations would want to take part in the festivities. He invited anyone interested to attend the committee meetings that take place every other Wednesday at 4:00 p.m. at the Caribou Public Library, the next meeting being January 21st. The website to learn more is www.celebratecaribou.com.

Council Agenda item #3: Public Hearing to disseminate and receive comment on the proposed School Consolidation Referendum Vote scheduled for January 27, 2009.

7:11 p.m. Public Hearing opened.

Frank McElwain gave a power point presentation explaining the School Reorganization legislation behind the referendum that Caribou voters will be asked to vote on January 27, 2009. The law's goal is to reduce the 288 school districts down to no more than 80, larger and more efficient school units. Several attempts at legislating tax relief, declining school enrollments, and higher per pupil costs have been the main reasons for the new law. Efficiency would be realized with reorganized transportation, special education, administration, cost sharing, and operations and maintenance. Some of the potential benefits would come from increased purchasing power and sharing of staff and other resources. Representatives from the eight communities of Caribou, Caswell, Fort Fairfield, Limestone, New Sweden, Stockholm, Westmanland, and Woodland, formed the Reorganization Planning Committee (RPC) and have been working together in preparation for the referendum vote that is required to meet the law. Mr. McElwain outlined how the proposed Regional School Unit (RSU) would function. The plan would require that all real and personal property would become the property of the new RSU, but each community

would continue to use the facilities as before. Mr. McElwain said that closing schools is not the intent of the law, but if any closures are recommended in the future, the local community would have the authority to vote on the closing and would have first refusal as to whether or not to take back ownership of the facility. Mr. McElwain spelled out some of the unfavorable aspects as being the loss of local control and asset ownership, along with the fear of school closings and the question of whether or not there would be any savings under the new system. He said the consequences of voting no would involve penalties. Caribou, being the largest of the eight communities, would see the highest estimated penalty of over \$209,000.

Mr. McElwain reported the opinion of the School Board was to abide by the law as written, with the realization that it is highly unlikely to be repealed. The Board also wanted to avoid the significant penalty and did not want to jeopardize any other possible funding from the State. He announced a public forum would be held January 21st at 7:00 p.m. at the Caribou Performing Arts Center and urged anyone interested in learning more to attend. He invited questions from the Council.

Councilor C. Bell asked Superintendent McElwain what the reasons were for transferring municipally owned property to the RSU. Mr. McElwain said it was mainly to more effectively manage the resources and there were also liability issues and insurance costs to consider. He said it is not a new concept as S.A.D.'s operate the same way.

Councilor Martin asked Mr. McElwain what his stance was on the issue. He replied that he recommended that the citizens of Caribou vote in favor of the RSU, adding that if all other communities vote no, Caribou, having done "due diligence" at meeting the law, would have a better chance to avoid penalties and possibly stand alone. Councilor Martin said he agreed and would also support a yes vote, noting that the State could impose an even greater penalty than the \$209,000, especially if other funding is withheld as well.

Scott Willey, Chair of the Board of Education, spoke in favor of the RSU, noting it is thought to be a good fit when considering the geographic location of the eight communities and the possibilities of shared resources. He considered the declining student population, the declining State surplus, and the penalties involved if not accepted as the most important reasons for voting in favor of this. He thought the declining student population illustrated the need for change, adding, "We have to go where the numbers take us." in reference to Dwight Hunter's comments when Caribou went from Class A to Class B in sports. He asked for Council support.

Board member Dale Gordon also spoke in support of the RSU, and said it had been a unanimous vote of the School Board to accept the plan. She looked at this mandated legislation that is not slated to go away, as an opportunity to have input with the RSU and to take advantage of the shared resources for the betterment of the students' education. She also pointed out that absentee ballots are available and urged everyone to vote.

Sam Collins, Co-Chair of the RPC, said the 24 members (3 from each of the 8 communities) had met fourteen times since September of 2007, and had created a document that was approved by two-thirds of the group. He considered this as a positive indication that it is worthy of approval by the voters and voiced his own support as well.

January 12, 2009

09-02 Pg. 3

Mayor Murchison asked Sam to comment on the issue of negativity heard in the community. Mr. Collins suggested that showed there is a need for the public to be more educated on the issue in order to realize that there are benefits for all communities in the plan.

Councilor K. Bell added that the plan presents an opportunity to control the destiny of each community and she urged the public to learn all they can before voting.
7:56 p.m. Public Hearing closed.

Council Agenda item #4: Consider a position on the proposed School Consolidation Referendum Vote scheduled for January 27, 2009.

Motion made by D, Martin, seconded by C. Bell, to support the RSU plan as presented. (5 yes, 1 no, M. Goughan) So voted.

Council Agenda item #5: Consider the approval of the Minutes of the following:

- A. Council Meeting of December 8, 2008
- B. Special Council Meeting of December 15, 2008
- C. Council Workshop of December 15, 2008
- D. Council Organizational Meeting of January 2, 2009

Motion made by D. Martin, seconded by K. Bell, to approve the minutes of the December 8, 2008 Council Meeting as printed. (4 yes, 2 abstentions, C. Bell, MK Barbosa) So voted

Motion made by D. Martin, seconded by K. Bell, to approve the minutes of the December 15, 2008 Council Meeting as printed. (4 yes, 2 abstentions, C. Bell, MK Barbosa) So voted

Motion made by K. Bell, seconded by D. Martin, to approve the minutes of the December 15, 2008 Workshop as printed. (4 yes, 2 abstentions, C. Bell, MK Barbosa) So voted

Motion made by C. Bell, seconded by D. Martin, to approve the minutes of the January 2, 2009 Organizational Meeting as printed. (6 yes) So voted.

Council Agenda item #6: Consider authorizing the issuance of Per Capita bills for the 2009 Ambulance services to participating communities.

The City Manager pointed out that the 2009 agreements reflect a per capita fee of \$9.75, which is \$0.25 higher than in 2008. He noted that the participating communities were aware of the increase and had no objections. Since they are all under a town meeting form of government, they need to have bills received as early as possible in time for their March meetings. Information was provided showing that there would be little net gain by raising the fee to \$10.00 or \$10.50. He and Chief Woods both recommended authorizing an increase no higher than the \$0.25, which would be satisfactory to everyone.

Motion made by K. Bell, seconded by C. Bell, to authorize the 2009 Ambulance Inter Local Agreements with the following communities: Madawaska Lake \$1,082.25 LDA \$12,806.63
Woodland \$13,679.25 New Sweden \$6,054.75 Connor \$4,134.00
Westmanland \$692.25 Stockholm \$2,624.25 Perham \$4,231.50 (6 yes) So voted.

January 12, 2009

09-02 Pg. 4

Council Agenda item #7: Consider authorizing the 2009 Inter Local Fire Agreements for the 2009 calendar year to participating communities.

The City Manager pointed out that billing is based on a 50-50 blend of the state equalized real and personal property (land not included) and the percentage of total population. Increases range from 3.01% to 3.06%. The main difference this year is that the agreement with T16 R4 is correctly stated as a contract for mutual aid only and will see a 3% increase.

Motion made by C. Bell, seconded by K. Bell, to authorize the 2009 Inter Local Fire Agreements for the 2009 calendar year to the following: Connor \$18,450.24 New Sweden \$21,578.23 Westmanland \$3,468.14 Woodland \$45,711.04 T16 R4 \$1,050.00 (6 yes) So voted.

Council Agenda item #8: Consider the authorization of the Ambulance Small Equipment Reserve encumbrance under the 2009 Capital Improvements Program for the purchase of an airlift patient stretcher.

Chief Woods, although still very much in support of having an air-lift stretcher to avoid back injuries, asked that this item be tabled until he can locate properly operating equipment to demonstrate for the Council.

Motion made by K. Bell, seconded by D. Martin, to table this item for the time being. Motion amended, second amended to table this item until the first meeting in February. (6 yes) So voted.

Council Agenda item #9: Consider setting a date and time for a joint meeting between the City Council and the Board of Directors of the Caribou Chamber of Commerce and Industry to discuss the 2009 City Appropriation.

Motion made by C. Bell, seconded by K. Bell, to set a date of January 26, 2009 to meet with the Board of the CCC&I during the Council's regularly scheduled Workshop immediately following the Council meeting starting at 7:00 p.m. Councilor Martin was not in favor of making CCC&I representatives sit through a meeting before the workshop. Mayor Murchison explained that the idea is to address mainly time sensitive items at the second monthly meeting, which would then move directly into a workshop session. He noted that this format is experimental and asked for a chance to see how it works out. After some discussion, it was decided to invite the CCC&I to join the workshop at 7:45 p.m. (6 yes) So voted.

Council Agenda item #10: Consider setting the opening times for the January 27, 2009 Elections as 8:00AM, pursuant to MRSA title 21-A §626.

Motion made by C. Bell, seconded by K. Bell, to set the opening time of 8:00 a.m. for the January 27, 2009 Special Referendum vote on School Consolidation, pursuant to MRSA title 21-A §626. (6 yes) So voted.

Council Agenda item #11: Consider appointing Judy Corrow as Election Warden and Jayne Farrin as Deputy Election Warden for the January 27, 2009 Election.

Motion made by D. Martin, seconded by MK Barbosa, to appoint Judy Corrow as Election Warden and Jayne Farrin as Deputy Election Warden for the January 27, 2009 Election. (6 yes) So voted.

Council Agenda item #12: Consider Authorizing an Accelerated Renewal Program to cap the 2009 insurance binders at the 2008 rates.

The City Manager, pointing out that this is the second year the City has been offered this option, recommended taking advantage the chance to cap liability towards insurances at the 2008 rates.

Motion made by MK Barbosa, seconded by D. Martin, to authorize the Accelerated Renewal Program to renew the City's non-employment insurances for 2009. (6 yes) So voted.

Council Agenda item #13: Consider the issuance of Game of Chance Licenses for the American Legion Hall Post #15, Sweden Street:

- a) Sealed tickets – 1 Year
- b) Safari – 6 months
- c) Texas Hold'em – February 7, 2009

Motion made by D. Martin, seconded by K. Bell, approve Game of Chance Licenses (Sealed tickets – 1 year, Safari – 6 months, and Texas Hold'em – February 7, 2009) for the American Legion Hall Post #15, Sweden Street. (6 yes) So voted.

Council Agenda item #14: Consider the renewal of a Bingo Game of Chance License for the American Legion Hall Post #15, Sweden Street.

Motion made by K. Bell, seconded by C. Bell, to approve the renewal of a Bingo Game of Chance License for the American Legion Hall Post #15. (6 yes) So voted.

Council Agenda item #15: Consider the issuance of a Game of Chance License, Sealed Tickets, for the Knights of Columbus #1870, 357 Washburn Road.

Motion made by K. Bell, seconded by D. Martin, to approve the issuance of a Game of Chance License, Sealed Tickets, for the Knights of Columbus #1870. (6 yes) So voted.

Council Agenda item #16: Updates

The City Manager provided information on several topics, some of which includes the following.

- N/S Highway – Ray Faucher does not believe that the N/S Highway project would be a candidate for any funds from the stimulus package proposed by President-elect Obama – Final environmental impact statement and any decision on Presque Isle's segment not expected until 2010
- LD – Proposed excise tax legislation could possibly result in a 48% reduction in excise tax – Could have 2 mil impact to budget process – This budget year would not be impacted as any such legislation would not be in place until 2010.
- Farmland Preservation Committee – Two productive phone conference sessions held with one more scheduled – Good supply of material gathered – To be able to participate in the

legislative process via conference calls deemed to be very positive versus the time spent driving to Augusta and only to be allotted minimal time for input – Questions yet unanswered as to how any legislation would impact budgets – Contracts to have 20 year length minimums not seen as positive factor

Council Agenda item #17: Other Business

- a. Presentation of exerts of the Connecting Maine, Multimodal Six-Year Transportation Capital Improvement Plan

The City Manager went through the list of projects (some already completed) in Caribou that appear on the six-year MDOT plan. Projects include lighting upgrade at the airport, Limestone Street fish hatchery bridge, Caribou Stream bridge, B&A Railroad overpass, Aroostook River Bridge, continuation of Fort Fairfield Road project, High Street, South Main Street, remainder of North Main Street. Included on the list is the Herschel Street project that was completed by Public Works in 2008. The City Manager will be looking into the possibility of replacing that project on the MDOT list with another.

- b. Presentation of a First Draft of the 2009 Municipal Budget

The City Manager presented the Executive Summary to the first draft, which would not be ready until the end of year transactions are been entered. He reported an increase of \$113,575, or 1.31% in expenses, while non-property revenue has only grown by \$35,860, which is the least increase seen in several years and could change in either direction depending on the State's budgeting process. A list of contributing factors was provided.

Steve asked for direction as to the preferred method of processing the budget. Mayor Murchison said he thought the Council should discuss it as a group at the January 26th workshop session, and then a definite format could be established for presentations from the department heads.

Meeting Dates:

Public Forum on School Consolidation, Caribou Performing Arts Center, 7:00 p.m. January 21, 2009

Council Meeting & Workshop January 26, 2009 7:00 p.m. Council Chambers

Council Agenda item #18: Executive Session: consider moving to Executive Session to finalize a Wage and Classification Review Request as per Policy, pursuant to MRSA title 1 Section 406 (6)(A).

9:17 p.m. Motion made by C. Bell, seconded by K. Bell, to move to Executive Session to finalize a Wage and Classification Review Request as per Policy, pursuant to MRSA title 1 Section 406 (6)(A). (6 yes) So voted.

9:40 p.m. Returned from Executive Session.

Motion made by D. Martin, seconded by K. Bell, to authorize the calculated retroactive pay of \$1,123.20 for 2008 and to accept the data set for Secretary - General from the MMA Salary Survey for the position of Executive Assistant as described.

(3 yes, 1 no, M. Goughan, 2 abstentions, MK Barbosa, C. Bell) So voted.

Council Agenda item #19: Executive Session: Consider moving to Executive Session for the discussion of funding for economic development and contractual matters, pursuant to MRSA Title 1 Section 405 (6)(C).

January 12, 2009

09-02 Pg. 7

9:42 p.m. Motion made by D. Martin, seconded by MK Barbosa, to move to Executive Session for the discussion of funding for economic development and contractual matters, pursuant to MRSA Title 1 Section 405 (6)(C). (6 yes) So voted.

10:45 p.m. Returned from Executive Session.

The City Council continued their work on a potential Contract for Services between the City and the Caribou Chamber of Commerce and Industry. The City Manager was directed to incorporate the discussed changes for future consideration. No further action was taken.

10:46 p.m. Meeting adjourned.

Judy-Ann Corrow, Secretary