

December 14, 2009

09-25

A regular meeting of the Caribou City Council was held at 7:00 p.m. on Monday, December 14, 2009 in Council Chambers with the following members present: Mayor Kenneth G. Murchison, Jr., R. Mark Goughan, Karla M. Bell, David Martin, Mary Kate Barbosa, and Miles R. Williams. Councilor Christopher A.R. Bell was absent and excused.

Steven R. Buck, City Manager; Stephen Wentworth, Code Enforcement Officer; Kathy Mazzuchelli, Director of Parks and Recreation; and Michael Shrewsbury, Director of Community Development, were present.

Also in attendance were Carroll St. Peter, Robert Watson, Romeo Parent, Dale Olmstead, Jim Cerrato, John Boone, Donald Collins, Jim Cyr and several other interested citizens.

Natalie Bazinet, representing the Aroostook Republican; and Time Warner covered the meeting.

Council Agenda item #1: Public Input – no public input

Council Agenda item #2: Sesquicentennial Update

Mayor Murchison reminded everyone of two upcoming events – the Cary New Year's Eve Ball and the house-decorating contest. For further details on these and other events the public was invited to go to www.celebratecaribou.com.

Mayor Murchison announced that Councilor M. Williams would be ending his time serving on the Council and thanked him especially for filling the vacancy this year left by the passing of Councilor R. Albert. Councilor Williams voiced his enjoyment of having served the past six years on the board and thanked everyone for their support during that time. He also thanked the City Manager for the guidance he received during the two years he served as Mayor.

Council Agenda item #3: Consider authorizing the minutes of the November 23, 2009 Council meeting.

Motion made by K. Bell, seconded by D. Martin, to accept the minutes of the November 23, 2009 Council meeting as printed. (6 yes) So voted.

Council Agenda item #4: Public Hearing: to receive written and verbal input on the annual renewal of Junkyard Permits for the following locations, pursuant to 30-A MRSA §3754:

- a. Anderson's Salvage
- b. Beaulieu's Auto Salvage
- c. Gilbert's Salvage
- d. Mark's Towing

7:04 p.m. Public Hearing opened.

Stephen Wentworth recommended Council approval of the four permits, noting that he would be working with Mr. Gilbert toward consolidating and concealing as much as possible some vehicles on his property.

7:08 p.m. Public Hearing closed

Council Agenda item #5: Consider acting upon applications for Junkyard Renewals pursuant to Caribou Code Section 7-701 and Title 30-A MRSA §3753 for:

- a. Anderson's Salvage
- b. Beaulieu's Auto Salvage
- c. Gilbert's Salvage
- d. Mark's Towing

Motion made by M. Williams, seconded by M.K. Barbosa, to approve the Junkyard Permit for one year, pursuant to Caribou Code Section 7-701 and Title 30-A MRSA §3753, for Anderson's Salvage, Beaulieu's Auto Salvage, Mark's Towing, and Gilbert's Salvage, with the stipulation that Mr. Gilbert continue to work with the CEO on the concealment issues. (6 yes) So voted.

Council Agenda item #6: Consider signing and implementing a Memorandum of Understanding between the City and MDOT for the reclassification of 1.5 miles of the

The City Manager explained the MOU that would change 1.5 miles of the Bog Road from a Minor Collector to a Townway for which the City would have full maintenance responsibilities. URIP funds would still be increased to an anticipated \$1,800 per year. Robert Watson, MDOT Director, stated that he had held off a year on this change to complete some remaining work that needed to be done in Limestone. Public Works Director Ouellette was agreeable and prepared for the complete maintenance of the 1.5 miles.

Motion made by K. Bell, seconded by M. Williams, to approve and sign the a Memorandum of Understanding between the City and MDOT reclassifying 1.5 miles of the Bog Road to a Townway and amending the City's URIP payment by \$600 per lane mile per year. (6 yes) So voted. See Exhibit "A"

Council Agenda item #7: Consider a request by the Caribou Veteran's Park Committee for a parcel of Land to be separated from Tax Map 34 Lot 82 off Glenn Street to the north of the Public Pool.

Carroll St. Peter spoke on behalf of the newly formed Veterans Memorial Park Association to inform the Council of its existence and purpose. The group was established in October of 2009 to develop a veterans memorial park "to foster fraternal, patriotic, historical and educational needs to all our citizens in Aroostook County, Maine." Mr. St. Peter, Chairperson of the group, invited anyone interested to register as documented "Friends" of the association. The group's request was for the Council to consider the donation of land for the park off Glenn Street behind the Credit Union

property. The Council discussed the issue with Mr. St. Peter including the group's idea to consolidate other monuments in the City to the proposed park. It was the consensus of the Council, at the suggestion of Councilor K. Bell, to have the City Manager set up a workshop session with the group to further explore the request.

Council Agenda item #8: Consider a request from the Recreation and Parks Departments to trade plows for the front line pickup used to plow public facilities.

Kathy Mazzuchelli made the request to purchase a Fisher V-plow for plowing in the tight areas around the Wellness Center as well as at other park facilities and at the Country Club to create ski trails. The cost of the plow is \$4,412, which Kathy suggested taking from the Equipment Reserve, since the current CIP does not include such a purchase.

Motion made by M. Williams, seconded by D. Martin, to authorize the Parks and Recreation Department to purchase a V-plow for the front line pickup at a cost of \$4,412 and to dispose of the old plow through the bidding process. (6 yes) So voted.

Council Agenda item #9: Consider acting upon Bids for a used 2000 John Deere 6410 retired from grooming.

Kathy Mazzuchelli reported that no bids had been received for the John Deere, although interest had been shown. She requested the authority to negotiate a sale price of \$20,000 or more, if an offer was made.

Motion made by K. Bell, seconded by M. Williams, to authorize Kathy Mazzuchelli to negotiate a sale of the 2000 John Deere 6410 for a minimum amount of \$20,000. (6 yes) So voted.

Council Agenda item #10: Consider a presentation on continued planning for future amendments to Caribou Code Chapter 12 Article 4 Parking for the Downtown District of Sweden Street.

Michael Shrewsberry gave presentation of his work on the parking situation in the downtown area. He offered his observations on available parking spaces and their utilization. Part of the proposed changes to the downtown parking policy being developed would include the adoption of a two-tier system of time limits. The spaces closest in proximity to the Sweden Street businesses would have one-hour limits to provide convenience to shoppers, especially. More remote parking lots would have longer time limits. Permit fees were proposed for some spaces in the outer parking lots to defray costs of snow removal and maintenance. Enforcement of any time limits and related fines for violations was seen as an issue in need of review. Some options to improve the Herschel Street parking lot were discussed. Councilor K. Bell suggested that more information would be needed from the business owners as to how spaces are being used and by whom. She pointed out several crosswalk and traffic flow issues, as well. Councilor MK Barbosa considered some of the permit fees to be quite high, especially for those employees that might be working for minimum wage. The consensus was that this was an issue for the Safety/Highway Committee to undertake. Research would continue and would involve more input from business owners as well as from Chief Gahagan to find solutions to some of the issues being brought up.

Council Agenda item #11: Consider authorizing the Financial Statements for the period ending November 30, 2009.

The City Manager reported the month of November ended with the Revenue Summary report closing at 94.55%, or 2.88% ahead of projections; and the Expense Summary report closing at 88.27%, or 3.40% under budget. The factors most impacting the final figures were pointed out and explained.

Motion made by M. Williams, seconded by D. Martin, to accept the Financial Statements for the period ending November 30, 2009, as presented.

(5 yes, 1 no, M. Goughan) So voted.

Council Agenda item #12: Presentation of the 2010 Capital Improvements Plan, pursuant to Charter Section 5.07 (a).

The City Manager gave a power point presentation outlining the 2010 CIP, as recommended by the CIP Committee. The initial request totals \$556,775, which is an increase of \$97,145 from the reduced 2009 program, and a \$2,029 decrease from the 2009 department requests. Each department request was listed and explained and the new projects were outlined. The Council was asked to take the CIP under consideration until working on the 2010 Budget.

Councilor Goughan referred to the City Charter that states that the Council shall adopt the CIP on or before the first day of March and after holding a public hearing. Pointing out the importance of both the CIP and the actual City Budget, he preferred to have separate public hearings for each. Others voiced agreement.

Motion made by M. Williams, seconded by D. Martin, to take the 2010 Capital Improvements Program under consideration until such time as the program may be incorporated into the 2010 Municipal Budget considerations. (6 yes) So voted.

Council Agenda item #13: Consider a review of the current status of a proposed Rail Line Abandonment by the Montreal Maine & Atlantic Railroad for 243 miles of Aroostook County rails.

The City Manager said he would have more information to share on this issue after a Regional Transportation meeting at NMDC Tuesday, December 15th at 1:00 p.m.

Council Agenda item #14: Consider authorizing a letter of appreciation to Senator Jackson, Representative Edgecomb, and Representative Theriault for meeting with the Council to review MDOT related matters within Caribou.

Motion made by D. Martin, seconded by M.K. Barbosa, to sign and send a letter of appreciation to Senator Jackson, Representative Edgecomb, and Representative Theriault for giving of their time to meet and discuss MDOT related matters. (6 yes) So voted. See Exhibit "B"

Councilor Goughan asked to hold a workshop session to discuss views on the North/South Highway at some point in the near future.

Council Agenda item #15: Consider setting a Public Hearing date to receive public input on a Planning Board recommended Zone Change for Donie Street area from R-2A to R-3. (Recommend January 11th, 2010)

Motion made by D. Martin, seconded by K. Bell, to set a Public Hearing date of January 11, 2010 to receive public comment on the Planning Board recommended deletion of the R-2A Zone in the Donie Street area and to amend said district into the current R-3. (6 yes) So voted.

Council Agenda item #16: Consider authorizing two Municipal Quitclaim Deeds for tax acquired properties sold by bid and paid in full:

- a. Tax Map 23 Lot 10C to Todd & Amanda Lericos
- b. Tax Map 25 Lot 122 to Todd & Amanda Lericos

Motion made by K. Bell, seconded by D. Martin, to authorize a Quitclaim Deed to Todd and Amanda Lericos for Tax Map 23 Lot 10C and Tax Map 25 Lot 122 for payment in full of the accepted bids for said tax acquired properties. Councilor K. Bell asked if a portion of the sale of these properties would be set aside to address tax acquired property issues. The City Manager confirmed that 20% of this sale and of the sale of the trailer in next agenda item would be set aside. (6 yes) So voted.

Council Agenda item #17: Consider authorizing a Municipal Quitclaim Deed for a tax acquired Trailer within the Caribou Stream Park Tax Map 7 Lot 39-31 as negotiated to Alan Kane.

Motion made by D. Martin, seconded by K. Bell, to authorize a Municipal Quitclaim Deed for a tax acquired house trailer within the Caribou Stream Park Tax Map 7 Lot 39-31 as negotiated to Alan Kane. Councilor Goughan asked what the negotiated sale price was for the trailer. The City Manager replied that his authority had been to negotiate a sale at the minimum amount of \$2,000, but he was actually able to get \$2,500 for the trailer. (6 yes) So voted.

Councilor Goughan asked that the amount of a sale be part of the information whenever such negotiations take place in the future. The City Manager agreed the suggestion and he said he would look through past minutes for this information.

Council Agenda item #18: Consider two license renewal applications for Capital Pizza Huts, Inc d/b/a Pizza Hut, 149 Bennett Drive:

- a. Restaurant Class Liquor License
- b. Special Entertainment Permit

Motion made by D. Martin, seconded by M.K. Barbosa, to authorize the renewal of a Restaurant Class Liquor License application and a Special Entertainment Permit for Capital Pizza Huts, Inc., d/b/a Pizza Hut, 149 Bennett Drive. (5 yes, 1 abstention, M. Williams) So voted.

Council Agenda item #19: Consider two license renewal applications for the American Legion Post #15, 67 Sweden Street:

- a. Special Entertainment Permit
- b. Texas Hold/Em for January 2, 2010

Motion made by K. Bell, seconded by D. Martin, to authorize the renewal of a Special Entertainment Permit and a Texas Hold/Em for January 2, 2010, for the American Legion Post #15, 67 Sweden Street. (6 yes) So voted.

Council Agenda item #20: Consider two applications by Turning Point for a December 31, 2009 Event at Spruce Haven Resort, Doyle Road:

- a. Special Entertainment Permit
- b. BYOB Function Permit

Motion made by D. Martin, seconded by K. Bell, to authorize a Special Entertainment Permit and a BYOB Function Permit for Turning Point for a December 31, 2009 event at Spruce Haven Resort, Doyle Road. (5 yes, 1 abstention, M. Williams) So voted.

Council Agenda item #21: Consider a renewal application for a Bingo Game of Chance license for Caribou Senior Citizens Bingo, 67 Sweden St, American Legion Post #15.

Motion made by K. Bell, seconded by M.K. Barbosa, authorize the renewal application for a Bingo Game of Chance license for Caribou Senior Citizens Bingo, 67 Sweden St, American Legion Post #15. (6 yes) So voted.

Council Agenda item #22: Updates

The City Manager offered information on several topics, including:

- Mayor Murchison – Recently re-appointed to the Maine Library of Geographic Information Systems Board – The Mayor is the only representative north of Old Town – Appointment being done by Rep. Shellie Pingree
- MPBN – Network to air “Christmas Greetings from Aroostook” December 24th at 8:30 p.m.- Heavenly Harpers of Houlton, Caribou Choral Society, Presque Isle Light Parade, sleigh rides in Mapleton, and Saint Lucia procession in New Sweden – Public invited to tune in
- Children’s Discovery Museum – Research being done to pursue funding through CDBG and other sources – DECD indicates the State may move on a bond fund in June of 2010 to accommodate cultural activities.
- Boat Launch – Project is completed – 95% payment made to contractor – Remaining 5% to be paid after Army Corps signs off – Work appears to be extremely satisfactory
- Segment 4 – November 30th communication reveals the Legal Sufficiency Review is complete and signed on the FIS – Documents to be completed and distributed to local libraries, municipal offices, etc. – December 18th publishing date in Federal Register followed by 30 day public review and comment period ending January 18th - Record of Decision to be done – Federal funds to be released with construction set for 2010

- MDOT – Held meeting December 4th with EPA, Army Corps and Presque Isle to learn the Army Corp recommendation for final permitable corridor
- LEAD - meeting to include Presque Isle and Caribou City Councils postponed until mid-January
- MDOT – Tuesday December 15th at 6:00 p.m. at UMPI - Presentation of MDOT Draft Rail Plan to be given – No mention of funding for acquisition of Aroostook rail line
- Vandalism – Parks & Recreation facilities – 2 light packs broken – windows broken in Teague Park building – Vandals apprehended and will be charged with crime
- Pines Health – \$9.25 million in grant funds for expansion are not to be received
- LDA – December 8th meeting attended by Mayor and Community Development Director to hear presentation on hybrid heavy airlift aircraft project – Project would support a joint US Navy/European Command research and development proposal to study, engineer and conduct scaled demonstrations of a large airlift hybrid aircraft to be used during war time – Project would present opportunities for utilizing Loring's aviation assets – Area communities' support of project needs to be demonstrated – Caribou has offered such support

Council Agenda item #23: Other Business

- c. First Read: Presentation of the Planning Board developed proposed Windmill Ordinance requested for the Council to proceed to Public Hearing.

Planning Board has heard from three area vendors to learn what would be needed in an ordinance. Setback and noise requirements in the proposed ordinance were outlined. The maximum noise level would be 65 decibels. The City Code on noise levels would have to be amended to co-ordinate with any windmill ordinance. Windmills already in place and registered would be grandfathered. Councilor K. Bell asked for the information on what issues had been discussed, how they were addressed and what research was done to arrive at the maximum noise level. Steve would gather that information for the Council.

- d. First Read: Presentation of Energy Conservation Study Detailed Energy Audit conducted by Trane for the City of Caribou.

The City Manager discussed the results of the report with the Council. A chart outlining the energy conservation measures and facility improvement measures was reviewed. Estimated costs of lighting retrofits and boiler replacements and other energy saving proposals were listed. All improvements would cost \$548,684 and payback for all steps would take 11.26 years. Options for constructing biomass boilers in two locations, each to serve several municipal buildings were shown in the report, as well. Steve said he would need to do more detailed work with TRANE to learn how these estimate figures were determined before he would be comfortable making any recommendations. Councilor Martin raised the questions of where would a biomass boiler potentially be built and where does the City have is available land. He suggested the City start looking at these future needs as soon as possible in order to be ready to receive any granted funding, for instance.

Meetings

- i. Union Negotiations with Teamsters Local 340 Police, and Fire and Ambulance December 28, 2009 5:30PM Council Chambers
- ii. Council Organizational Meeting January 4, 2010 7:00PM Council Chambers
- iii. Council Meeting January 11, 2010 7:00PM Council Chambers
- iv. Personnel Committee meeting December 21st or 22nd at 5:30 p.m. (Councilor Martin would contact Steve on Tuesday to confirm which date would be best – the others would then be notified.)

e. Other Business

Councilor Goughan, referring to a previously held presentation of a City logo, wanted to have a final design presented to the Council for consideration soon. Also, he asked that the figures on the exact amount that the City received for the sale of the trailer (item #17) be presented as an agenda item (to create a paper trail) at the next regular meeting.

10:20 p.m. Motion made by M. Williams, seconded by M.K. Barbosa, to adjourn. (6 yes) So voted.

Judy-Ann Corrow, Secretary