



## *City of Caribou, Maine*

*Municipal Building  
25 High Street  
Caribou, ME 04736  
Telephone (207) 493-3324  
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www.cariboumaine.org*

### **AGENDA Caribou City Council Regular City Council Meeting 7:00 P.M. Monday, March 25, 2013 Caribou City Council Chambers**

1. Public Input
2. Declaration of Conflicts of Interest from the City Council regarding any agenda item.
3. Consider authorizing the minutes of the following meetings:
  - a) March 11, 2013 Council Meeting 2-5
4. Consent Agenda
  - a) February 2013 Financials
  - b) Fire Department February Report 6-7
  - c) License Application Approvals 8
  - d) Approval of Quit Claim Deeds 9
5. Missile Defense Base 10-11
6. City Fee Schedule 12-20
7. Sale of tax acquired property 21
8. Tax Acquired Property Policy 22-28
9. Home Occupation Ordinance 29-31
10. Ordinance for Technical Changes for Planning Board Administration 32-33
11. Purchase of Police Squad Vehicle 34
12. April 8<sup>th</sup> 2013 Council Workshop 35
13. Rules of Procedure – Addressing the Caribou City Council 36
14. Other Business

#### **Upcoming Meeting Dates:**

Council Workshop April 8, 2013 at 6pm

Regular City Council Meeting, April 8, 2013 at 7pm

Regular City Council Meeting, April 22, 2013 at 7pm

A regular meeting of the Caribou City Council was held 7:00 p.m. on Monday, March 11, 2013 in Council Chambers with the following members present: Mayor Gary Aiken, Deputy Mayor Kenneth G. Murchison, Jr., David Martin, Philip McDonough II, Joan L. Theriault, and David R. Genthner, Sr. Mary Kate Barbosa was absent and excused.

Austin Bless, City Manager and Tony Mazzucco, Assistant City Manager were present.

Department Managers: William Tasker, Director Chamber of Commerce and Kathleen A. Mazzuchelli, Superintendent of Parks & Recreation were present.

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

Council Agenda Item #1: Public Input

Mark Shea, a resident of Caribou and a member of the Recreation Commission, commented that the Recreation Department budget has been reduced by \$15,000 without cutting programs or charging a fee. Mr. Shea feels a fee for recreation programs will result in less children being involved in meaningful activities. He stated charging a fee for recreation programs is a step in the wrong direction.

Hartley Damboise, a resident of Caribou and owner of Damboise Cleaning Service, stated that he had submitted a bid for the City's Janitorial Service contract. He offered that his references include owners of several area businesses.

Wilfred Martin, a resident of Caribou, questioned the need for an Assistant City Manager and wondered why Council meetings were lasting only thirty minutes. Mr. Martin feels it would be a good idea to clear the air and heal the differences by having the Council meet with a group of concerned citizens.

Mayor Aiken stated that this is a public forum and individuals are welcome to come and speak. Both the Mayor and City Manager agree that the Charter does not limit public input to 15 minutes. The Council will discuss Mr. Martin's idea about having a workshop between concerned citizens and the Council under Other Business,

Mark Reschke, a resident of Caribou, stated that it is difficult for residents to understand what will be discussed at Council Meetings with the brief wording on the agendas. Mr. Reschke asked if the Council Packet could be placed on the website.

Council Agenda Item #2: Declaration of Conflicts of Interest from the City Council regarding any agenda item.

Councilor Genthner questioned whether he would have a conflict with agenda item #9. Council consensus: he does not.

Council Agenda Item #3: Consider authorizing the minutes of the following meeting:

- a) February 25, 2013 Council Meeting

Motion made P. McDonough, seconded by D. Martin, to accept the minutes of February 25, 2013 Council Meeting as presented. (5 yes) So voted.

Council Agenda Item #4: Consent Agenda

- a) January 2013 Police Department Report
- b) Approval of Quitclaim Deed

Motion made by P. McDonough, seconded by K. Murchison, to approve the Consent Agenda with Business items A & B as presented. (5 yes) So voted.

Council Agenda Item #5: City Fees

Manager Bless and staff have reviewed the current fees structure and are recommending the charging of fees for some recreation programs and increasing Police and General Government fees. From approximately 12 communities, Mr. Bless has gathered information concerning recreation fees and has calculated that the average revenue to programming costs is 62%. Currently Caribou Recreation revenue to programming cost is 2.5% and with the approval of the new fees this percentage would be 5%. Mr. Bless noted that the Council may adopt the proposed fee schedule this evening with the exception of those that are written into city ordinances.

Taxpayers have expressed their concerns that recreation fees are double taxation. Councilor Martin supports recreation fees and wants a scholarship fund for needy individuals to be established, and stated that he would donate \$200 towards such a fund. Councilor Theriault would like to meet with the Recreation Commission prior to making a decision and stated that she would contribute to a scholarship fund. Councilor Murchison suggested offering sponsorships out to community businesses.

The Council has been invited to attend the Recreation Commission meeting to be held March 11<sup>th</sup> at 4:30 p.m. at the Wellness Center.

Motion made by D. Genthner, seconded by D. Martin, to table City Fees until the March 25, 2013 Council Meeting. (5 yes) So voted.

Council Agenda Item #6: Janitorial Service Bids

Currently the City pays Busy Bee Cleaning \$1,523 per month for five days a week janitorial services for City Office. The new bid proposal reduces the service to two days a week.

Bids (per month):

Busy Bee Cleaning	\$1,500
Brian Morgan	\$1,416
Dirt Busters	\$1,195
B&P Cleaners	\$ 845
Damboise Cleaning Service	\$ 667

Staff Recommendation: B&P Cleaners at \$845 per month.

Motion made by D. Martin, seconded by K. Murchison, to award the Janitorial Service contract to Damboise Cleaning Service at \$667 per month. (3 yes, D. Martin, K. Murchison, D. Genthner, 2 no, J. Theriault, P. McDonough) Motion Failed.

Motion made by K. Murchison, seconded by J. Theriault, to award the Janitorial Service contract to B&P Cleaners at \$845 per month. (4 yes, K. Murchison, J. Theriault, P. McDonough, G. Aiken, 2 no, D. Martin, D. Genthner) So voted.

Council Agenda Item #7: Sale of Tax Acquired Property

Recently the City had placed several tax acquired properties out to bid. No bids were received for two lots located at Map 12, Lot 24C and Map 32, Lot 24. Since then the City has been approached by individuals willing to pay the minimum bid amount.

Motion made by P. McDonough, seconded by D. Martin, to sell the lot located at Map 12, Lot 24C to Jerry Ouellette for \$2,000 and to sell the lot located at Map 32, Lot 24 to Rodney Smith for \$6,000. (5 yes) So voted.

Council Agenda Item #8: Letter of Support for Route 161

Motion made by P. McDonough, seconded by D. Martin, to approve, sign, and mail a letter of support to MDOT Commissioner Bernhardt regarding the needed upgrading of Route 161. (5 yes) So voted.

Council Agenda Item #9: Road Weight Limits

Proposed Roads to be posted:

Albair Road	Maysville Road	Richards Road
Bowles Road	Ogren Road	Vance Road
Caribou Lake Road	Old Washburn Road	West Gate Road
George Watson Memorial	Plante Road	
Hardison Road	Railroad Street	

Motion made by P. McDonough, seconded by J. Theriault, to approve the posting of road closure for all vehicles over 23,000 lbs. with the exception of fuel deliveries and emergency vehicles. (5 yes) So voted.

Council Agenda Item #10: Expense Budget

Motion made by P. McDonough, seconded by J. Theriault, to approve the list of budget reductions with the exceptions: Dept. 50 Recreation - leave the swimming pool in, Dept. 65 Cemeteries - do not reduce amounts for Evergreen and Grimes Cemeteries, Dept. 00 Employee Contingency - reduce by \$53,000 instead of \$83,040.50, and additionally reduce awards and recognition programs in Departments 30 Fire Department by \$1,000, 31 Ambulance by \$1,000, 39 Emergency Management by \$500, and 70 Insurance & Retirement by \$4,000. (2 yes, P. McDonough, J. Theriault, 3 no, K. Murchison, D. Genthner, D. Martin.) Motion failed.

Motion made by D. Martin, seconded by K. Murchison, to approve the prepared list of budget reductions with the exceptions: Dept. 50 Recreation \$26,734 - leave the swimming pool in, Dept. 65 Cemeteries \$1,050 - do not reduce amounts for Evergreen and Grimes Cemeteries, and Dept. 00 \$83,040.50 - Employee Contingency. (5 yes) So voted.

Council Agenda Item #11: Other Business

- a. The City has received a letter of resignation from Councilor Mary Kate Barbosa. Mayor Aiken read her letter into the record. (Exhibit A)

Motion made by D. Martin, seconded by P. McDonough, to accept with regrets the resignation of Mary Kate Barbosa from the City Council. (5 yes) So voted.

Motion made by D. Martin, seconded by P. McDonough, to fill this position at the November Election, meanwhile the Council will appoint someone. (5 yes) So voted.

- b. State Revenue Sharing – Based on what the City has been receiving, the complete loss of Revenue Sharing represents approximately 10% of the City's budget. It has been proposed that the City's excise taxes received from some commercial vehicles will go to the State. This would be a loss of \$25,000. For every \$100,000 in valuation there would be an increase of \$676 in property taxes, if all the proposed reductions are approved by the Legislature and Governor,
- c. Council discussed Mr. Martin's request for a workshop with concerned citizens. In order to prepare, Mayor Aiken wants to know the issues beforehand. Mr. Martin proposed that the workshop be for private sector individuals and not include the public sector. Mr. Martin stated that he can guarantee the attendance of 25 to 30 citizens. When asked about workshop topics, Mr. Martin stated that he wants to talk about everything that is germane to the budget. Councilor McDonough commented that this evening the Council approved \$200,000 in reductions to the Expense Budget. Mayor Aiken stated that the budget process is not complete and the Council will continue review and work on the budget.

Council Consensus: Council will consider holding a workshop, when Mr. Martin has lined up his citizens and the issues to be discussed.

- d. Motion made by D. Martin, seconded by P. McDonough to have the Council packets posted on the City's website. (5 yes) So voted.
- e. The City is unable to post to Trio the Expense Budget without posting the Revenue Budget.

Council Agenda Item #12: Executive Session to discuss Labor Negotiations with NEW ENGLAND POLICE BENEVOLENT ASSOCIATION LOCAL 605 pursuant to MRSA Title 1 Chapter 13 Section 405(6)(D).

The City Manager stated that there is no need for an Executive Session this evening.

Upcoming Meeting Dates:

Regular City Council Meeting, March 25, 2013 at 7:00 p.m.

Regular City Council Meeting, April 8, 2013 at 7:00 p.m.

Motion made by P. McDonough, seconded by J. Theriault, to adjourn at 8:23 p.m.

Jayne R. Farrin, Secretary

**CFAD MONTHLY REPORT  
February 2013**

Total Fire/ Rescue Calls 15  
 -Alarms for Fires (33) 2  
 -Alarms for Rescues (66)  
 -Silent Alarms 13  
   -Haz-Mat  
   -Grass Fires  
   -Chimney Fires  
 -False Alarms  
   -10-55's 4  
   -Aid to Police  
   -Public Service 2

Total Hours Pumped 6 hrs  
 Gallons of Water Used 22,250  
 Amt. of Booster  
 Amt. of 1 1/2" hose used  
 Amt. of 1 3/4" hose used 700'  
 Amt. of 2 1/2" hose used  
 Amt. of 5" hose used  
 Ladders Used (in Feet): 25' (75' Ariel)\_\_\_\_  
 Thermal Imaging Camera Used: 5  
 CO2 Meter Used: 3  
 Rescue Sled & Snowmobile: 1  
 Rescue Boat:  
 Jaws Used:

**MUTUAL AID TO:**

P.I.F.D.  
 F.F.F.D.  
 L.F.D. 1- Stby.  
 W.F.D.  
 Stockholm F.D.  
 North Lakes FD  
 Crown Amb  
 Van Buren Amb. 2 Intercepts

**OUT OF CITY FIRES/RESCUES**

<b>LOCATION</b>	<b># OF CALLS</b>	<b>MAN HRS.</b>
Woodland	2	87 mhrs.
New Sweden		
Connor		
Westmanland		

Total Ambulance Calls 142 inc. 4 Air & 6 Assists  
 - Amb. Assist Calls: 6  
 - ALS Calls 74  
 - BLS Calls 56  
 - No Transport 6  
 - Calls Turned Over: 8  
 Total Out of Town Amb. Calls 14  
 Total Out of Town Fire/Rescue Calls 2  
 Est. Fire Loss, Caribou \$24,000  
 Est. Fire Loss, out of City \$28,700  
 Total Est. Fire Loss \$52,700

Total Maint. Hours 7 mhrs  
 Total Training Hours 177.75 mhrs  
 Miles Traveled by all Units 6,794  
 Fire Permits Issued 11  
 \*Color Guard Training 20 mhrs  
 Total Fire & Amb. Calls 157

**MUTUAL AID FROM:**

P.I.F.D. 1  
 F.F.F.D.  
 L.F.D.  
 W.F.D. 1  
 Stockholm F.D. 1  
 North Lakes FD 1  
 Crown Amb

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Scott Susi, Chief  
 Caribou Fire and Ambulance

**BREAKDOWN OF FIRES**  
**For February 2013**

<b>Situation Found</b>	<b># Of Incidents</b>	<b>Fire Casualties</b>	<b>Est. Property Damage</b>
1. Private Dwellings inc. Mobile Homes	5		\$52,700
2. Apartments (3 or more)			
3. Hotels & Motels			
4. Dormitories & Boarding Homes			
5. Public Assembly (Church, Restaurant)			
6. Schools			
7. Institutions (Hospitals, Jails, Nursing Homes)			
8. Stores, Offices			
9. Industry, Utility, Defense			
10. Storage			
11. Vacant Buildings or being Built			
12. Fires outside structure w/value (crops, timber, etc.)			
13. Fires Highway Vehicles	1		
14. Other Vehicles (planes, trains, etc.)			
15. Fires in brush, grass w/no value			

**Other Incidents**

16. Haz-Mat	
17. False Calls	
18. Mutual Aid Calls	
19. Aid to Ambulance (10-55's)	4
20. Aid to Police	
21. Investigation (Smoke, CO2 or Alarm)	3 - CO
22. Service Calls	2

**Total Calls for the Month:** \_\_\_\_\_15\_\_\_\_\_



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OFFICE OF THE CITY MANAGER  
CARIBOU, MAINE

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To: Mayor and Council Members  
From: Austin Bless, City Manager  
Date: March 25, 2013  
Re: License Application Approvals

We have received the following applications for rubbish haulers. They have been reviewed by the Clerk, Police Chief, and Code Enforcement Officer and they have no issues with the applications.

Gil's Sanitation  
Pine Tree Waste  
City Sanitation

We have received the following application for Taxi License. It has been reviewed by the Clerk and the Police Chief and they have no issues with it.

Town Taxi





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OFFICE OF THE CITY MANAGER  
CARIBOU, MAINE

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To: Mayor and Council Members  
From: Austin Bless, City Manager  
Date: March 25, 2013  
Re: Approval of Quit Claim Deeds

The back taxes on the property listed below has been paid by the most recent owners and we need to approve signing the quit claim deeds for the property to be deeded back to them.

Larry Leimkuehler                      Map 18, Lot 31, #52



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OFFICE OF THE CITY MANAGER  
CARIBOU, MAINE

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To: Mayor and Council Members  
From: Austin Bleess, City Manager  
Date: March 25, 2013  
Re: Missile Defense Base

As Council is aware the Pentagon is looking at possibly locating a Missile Defense Base along the East Coast. According to a study done by the National Research Council Caribou and Limestone would one of the ideal locations for such a base. Recent developments around the world appear to have brought this issue to the forefront of consideration for the Pentagon.

If the Missile Defense Base were to locate here it would create approximately 200-250 new jobs in the area. Most of those would be well paying jobs. There would likely be more ancillary jobs to go along with those. The economic impact for Caribou would be great.

I am asking the City Council to sign a letter of support that will be sent to the Department of Defense, with copies going to the President, Sen. Collins, and the rest of our Congressional Delegation.

I am ready and willing to do whatever we can do to try and influence the decision and encourage this base to be located in Caribou area.



## City of Caribou, Maine

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[www.cariboumaine.org](http://www.cariboumaine.org)

Chuck Hagel  
Secretary of Defense  
1000 Defense Pentagon  
Washington, DC 20301-1000

March 25, 2013

Dear Secretary Hagel,

We, the City Council of the City of Caribou, Maine, want to express our strong support for the location of a Missile Defense Base in the Caribou area. Given our location as the most Northeastern City in the United States we are a great strategic location for such a base.

Our long history as neighbors to Loring Air Force Base underscores our ability to provide the necessary infrastructure and amenities the base would have. Our City also continues to have many strong ties to the Military and many Veterans call Caribou home. We are a full service community and home to the first Veteran's Clinic in the Country. The quality of life that we are able to offer would be a great benefit to the military men and women who would serve here and their families. We firmly believe and are ready to show the City of Caribou stands above the rest as the best location for a Missile Defense Base.

The City of Caribou stands ready to assist you and your staff with anything that may be necessary to help make the Caribou area the home of a Missile Defense Base. We look forward to working with you in any way possible.

Sincerely,

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Gary Aiken, Mayor

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Kenneth G. Murchison Jr, Councilor

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Joan L. Theriault, Councilor

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David Martin, Councilor

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Philip J. McDonough II, Councilor

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David Genthner Sr., Councilor

CC: The Honorable President Barack Obama  
The Honorable Senator Susan Collins  
The Honorable Senator Angus King  
The Honorable Congressman Michael Michaud



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OFFICE OF THE CITY MANAGER  
CARIBOU, MAINE

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To: Mayor and Council Members  
From: Austin Bless, City Manager  
Date: March 25, 2013  
Re: City Fee Schedule

Kathy Mazzuchelli or a member of the Rec Commission will be here tonight to discuss the Rec Fees. The fees structure they are recommending is as follows:

**For Organized Programs**

<b>Residents</b>	<b>Non-Residents</b>
\$10 per child per program, or; \$50 per child annual pass	\$25 per child per program \$125 per child per year

**Fees for outdoor pool:**

<b>Residents</b>	<b>Non-Residents</b>
\$1 per day for general swim, or \$20 season pass \$10 per child per lesson session	\$1 per day for general swim \$25 per child per lesson session
<b>Combination Pool Passes</b> \$25 for 1 session of lessons and general swim season \$35 for 2 sessions of lessons and general swim season	

**Program Assistance Fund (scholarships)**

The guidelines for eligibility will be developed around the State/Local guidelines for free lunch. Persons eligible for free lunch in Caribou will be eligible to apply for assistance. Assistance will be limited to one \$20 stipend per child/per year.

Assistance will be offered on a first come, first serve basis until the fund is depleted.

The Program Assistance Fund will be funded by donations and revenues generated through fees and charges via a formula to be developed by the City Manager and the Parks and Recreation Commission.

Projected revenues for Rec Programs are \$9,000 and for the swimming pool is \$5,000.

On the next page are the non-rec fees that were proposed at the last meeting:

Permit, Fine or Fee Description	Current Amount	Proposed New Amount	Annual Revenue Increase (Estimated)	Average other cities
Dog Impounded - City Code 3-104	\$10	\$25	\$350	\$100
Cab License – City Code 7-103	\$20	\$40	\$360	\$45
Cab Driver Permit – City Code 7-103	\$5	\$10	\$700	\$6
Special Amusement (last raised in '78)- Code 7-804	\$10	\$30	\$140	\$21
Rubbish Hauler (last raised in 1980)** - Code 6-202	\$10	\$25	\$380	\$38
Notary Signature*	\$5	\$5	\$1,405	\$6
Weddings	\$50	\$75	\$300	\$75
Restricted Parking – City Code 12-416 (3)	\$5	\$25	\$100	\$10
Overnight Parking– City Code 12-416 (3)	\$2	\$25	\$92	\$10
Parked On/Blocking Crosswalk –Code 12-416 (3)	\$5	\$25	\$160	\$10
Parked on wrong side of street –Code 12-416 (3)	\$2	\$10	\$72	\$10
Double Parked – City Code 12-416 (3)	\$2	\$10	\$64	\$10
Parked overtime– City Code 12-416 (3)	\$2	\$10	\$48	\$10
Parked too close to hydrant– City Code 12-416 (3)	\$5	\$25	\$160	\$13
Parked on/Blocking Crosswalk– City Code 12-416 (3)	\$5	\$25	\$100	\$13
Parked in Handicapped Parking Spot –12-416 (3)	\$50	\$75	\$200	\$42
Faxes - First Page	\$3.50	\$4.00	\$10	
Faxes - Second Page	\$1.00	\$1.50	\$15	
Copies - 8.5x11	\$0.50	\$0.75	\$87.50	
Copies - 8.5x14	\$0.75	\$1.00	\$5.00	
Fireworks Permit	\$0.00	\$5.00	\$590.00	
Commitment Book - printed	\$160.00	\$160.00	\$0.00	\$160
Commitment Book - PDF Format	\$160.00	\$0.00	-\$160.00	\$160
Commitment Book - Other Digital Format	\$160.00	\$10.00	-\$150.00	\$160
Vital Records Search	\$0	\$5	\$200	\$5

The estimated total increase in revenue with this is \$5,229 for the non-rec fees. Adding these fees to the Rec and Swimming fees would bring total new revenue to \$19,200.

On the following pages we have the ordinances that would need to be introduced today in order to change the fees noted in the list above that require an ordinance change to set the fee.

If council would like to set fees for the things that do not require an ordinance change they may do so tonight. Ordinances that modify fees may be introduced tonight and we would hold public hearings on those at our next regular meeting.

Council Member \_\_\_\_\_ introduced the following ordinance:

Ordinance No. 3, 2013 Series  
City of Caribou  
County of Aroostook  
State of Maine

**AN ORDINANCE AMENDING SECTION 3-104 OF ARTICLE I DOG ORDINANCE OF CHAPTER 3 ANIMALS AND FOWL**

Short Title: An ordinance regarding fireworks permits.

The City Council of the City of Caribou, County of Aroostook, State of Maine, pursuant to the requirements of the City of Caribou Charter, Section 2.11 (1) does ordain the following:

Section 1: Sections 3-104 of Chapter 3 is amended to read:

Any Constable or Police Officer is hereby authorized and empowered to go upon any premises and enter any building other than a dwelling to seize and impound any dog or dogs which have been found running at large or which are in violation of any of the provisions of this Article or of any order issued hereunder when such Constable or Police Officer is in immediate pursuit of such dog or dogs. Upon seizing and impounding such a dog, the Constable or Police Officer shall collect a fee of ~~\$10.00~~ \$25.00 from the “owner” and/or “keeper” upon releasing the dog. In the alternative the Constable or Police Officer may prosecute the “owner” and/or “keeper” of the dog.

This ordinance, being introduced on March 11, 2013 and a public hearing being held on \_\_\_\_\_, 2013 was duly passed by the City Council of the City of Caribou, Maine, this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
Gary Aiken, Mayor

\_\_\_\_\_  
Kenneth G. Murchison Jr, Councilor

\_\_\_\_\_

\_\_\_\_\_  
David Martin, Councilor

\_\_\_\_\_  
Philip J. McDonough II, Councilor

\_\_\_\_\_  
David Genthner Sr., Councilor

\_\_\_\_\_  
Joan L. Theriault, Councilor

Attest:

\_\_\_\_\_  
Jayne R. Farrin, City Clerk

Council Member \_\_\_\_\_ introduced the following ordinance:

Ordinance No. 4, 2013 Series  
City of Caribou  
County of Aroostook  
State of Maine

AN ORDINANCE AMENDING SECTION 12-416 (3) OF ARTICLE IV **PARKING OF**  
CHAPTER 12 **TRAFFIC**

Short Title: An ordinance setting fines for parking tickets.

The City Council of the City of Caribou, County of Aroostook, State of Maine, pursuant to the requirements of the City of Caribou Charter, Section 2.11 (1) does ordain the following:

Section 1: Section 12-416 (3) of Chapter 12 is hereby repealed.

Section 1: Section 12-416 (3) of Chapter 12 shall read:

Whoever violates any provision of this Chapter, except sub-section 12-404, shall forfeit and pay a sum of not less than ten dollars (\$10.00) for each violation. Each day on which any violations of this Chapter continue shall constitute a separate violation. Whoever violates any provision of sub-section 12-404, excluding 12-404(9), shall forfeit and pay a sum of not less than twenty-five dollars (\$25.00) and the vehicle towing charges for each violation.

Payments shall be made to the officer on duty at the City police station as a penalty for, and in satisfaction of, such violation, within a period of 24 hours of the time that a notice of such violation has been served. Repeat offenders shall be subjected to escalating fines according to the following schedule:

Sec. 12-404	
1st thru 4th.....	\$ 25.00
5th thru 9th.....	\$35.00
10th thru 14th.....	\$45.00
15th thru 19th.....	\$55.00
20 or more .....	\$75.00
All Other Violations	
1st thru 4th.....	\$10.00
5th thru 9th.....	\$20.00
10th thru 14th.....	\$30.00
15th thru 19th.....	\$40.00
20 or more .....	\$50.00

The fines shall escalate considering violations in the prior twelve-month period.

Whoever violates Section 12-404(9), Handicapped Parking, shall forfeit and pay a sum of not less than seventy-five dollars (\$75.00) for each violation. No escalating fine structure shall apply.

This ordinance, being introduced on March 11, 2013 and a public hearing being held on \_\_\_\_\_, 2013 was duly passed by the City Council of the City of Caribou, Maine, this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
Gary Aiken, Mayor

\_\_\_\_\_  
Kenneth G. Murchison Jr, Councilor

\_\_\_\_\_  
David Martin, Councilor

\_\_\_\_\_  
Philip J. McDonough II, Councilor

\_\_\_\_\_  
David Genthner Sr., Councilor

\_\_\_\_\_  
Joan L. Theriault, Councilor

Attest:

\_\_\_\_\_  
Jayne R. Farrin, City Clerk



Council Member \_\_\_\_\_ introduced the following ordinance:

Ordinance No. 5, 2013 Series  
City of Caribou  
County of Aroostook  
State of Maine

**AN ORDINANCE AMENDING SECTION 7-103 OF ARTICLE I TAXICAB LICENSES OF  
CHAPTER 7 LICENSES AND PERMITS**

Short Title: An ordinance setting fees for Taxicabs.

The City Council of the City of Caribou, County of Aroostook, State of Maine, pursuant to the requirements of the City of Caribou Charter, Section 2.11 (1) does ordain the following:

Section 1: Section 7-103 of Chapter 7 is hereby amended to read:

Upon presentation of such certificate within thirty days from its date and satisfactory evidence that license fees herein required have been paid and that such insurance policy as the Council may require has been duly filed, the Municipal Officers may issue to the applicant a license for each car set out in the certificate. The license fee shall be ~~\$20.00~~ \$40.00 yearly for each taxicab. The Council shall may designate a taxi stand or stands, upon request by the taxicab owner for each licensed taxicab, and after the designation, no vehicle shall park in that stand or stands except the taxicab for which that stand or stands is/are designated. No taxicab shall remain standing on any street on which parking meters are installed alongside or next to any parking meter, except while serving passengers.

This ordinance, being introduced on March 11, 2013 and a public hearing being held on \_\_\_\_\_, 2013 was duly passed by the City Council of the City of Caribou, Maine, this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
Gary Aiken, Mayor

\_\_\_\_\_  
Kenneth G. Murchison Jr, Councilor

\_\_\_\_\_

\_\_\_\_\_  
David Martin, Councilor

\_\_\_\_\_  
Philip J. McDonough II, Councilor

\_\_\_\_\_  
David Genthner Sr., Councilor

\_\_\_\_\_  
Joan L. Theriault, Councilor

Attest:

\_\_\_\_\_  
Jayne R. Farrin, City Clerk

Council Member \_\_\_\_\_ introduced the following ordinance:

Ordinance No. 6, 2013 Series  
City of Caribou  
County of Aroostook  
State of Maine

**AN ORDINANCE AMENDING SECTION 7-105 OF ARTICLE I TAXICAB LICENSES OF  
CHAPTER 7 LICENSES AND PERMITS**

Short Title: An ordinance setting fees for Taxicab Drivers' License.

The City Council of the City of Caribou, County of Aroostook, State of Maine, pursuant to the requirements of the City of Caribou Charter, Section 2.11 (1) does ordain the following:

Section 1: Section 7-105 of Chapter 7 is hereby amended to read:

Application for a license to drive a taxicab shall be made on forms furnished by the City and shall set forth under oath such information as the Municipal Officers may require. Such licenses shall be signed by the City Clerk, shall be numbered in order granted and, unless sooner suspended or revoked, shall continue in force until the first day of May next after the date thereof. The fee for such license shall be ~~\$5.00~~ \$10.00. No such license shall be granted to any person unless he/she shall present a valid license to operate motor vehicles issued to him/her by the State, nor unless he/she shall have attained the age of twenty one years.

This ordinance, being introduced on March 11, 2013 and a public hearing being held on \_\_\_\_\_, 2013 was duly passed by the City Council of the City of Caribou, Maine, this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
Gary Aiken, Mayor

\_\_\_\_\_  
Kenneth G. Murchison Jr, Councilor

\_\_\_\_\_

\_\_\_\_\_  
David Martin, Councilor

\_\_\_\_\_  
Philip J. McDonough II, Councilor

\_\_\_\_\_  
David Genthner Sr., Councilor

\_\_\_\_\_  
Joan L. Theriault, Councilor

Attest:

\_\_\_\_\_  
Jayne R. Farrin, City Clerk

Council Member \_\_\_\_\_ introduced the following ordinance:

Ordinance No. 7, 2013 Series  
City of Caribou  
County of Aroostook  
State of Maine

**AN ORDINANCE AMENDING SECTION 7-804 OF ARTICLE VIII SPECIAL AMUSEMENT PERMITS OF CHAPTER 7 LICENSES AND PERMITS**

Short Title: An ordinance setting fees for Special Amusement Permits.

The City Council of the City of Caribou, County of Aroostook, State of Maine, pursuant to the requirements of the City of Caribou Charter, Section 2.11 (1) does ordain the following:

Section 1: Section 7-804 (4) of Chapter 7 is hereby amended to read:

Fee. The fee for a special amusement permit shall be \$30.00, plus publication costs.

This ordinance, being introduced on March 11, 2013 and a public hearing being held on \_\_\_\_\_, 2013 was duly passed by the City Council of the City of Caribou, Maine, this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
Gary Aiken, Mayor

\_\_\_\_\_  
Kenneth G. Murchison Jr, Councilor

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\_\_\_\_\_  
David Martin, Councilor

\_\_\_\_\_  
Philip J. McDonough II, Councilor

\_\_\_\_\_  
David Genthner Sr., Councilor

\_\_\_\_\_  
Joan L. Theriault, Councilor

Attest:

\_\_\_\_\_  
Jayne R. Farrin, City Clerk

Council Member \_\_\_\_\_ introduced the following ordinance:

Ordinance No. 8, 2013 Series  
City of Caribou  
County of Aroostook  
State of Maine

**AN ORDINANCE AMENDING SECTION 6-202 OF ARTICLE II HAULING OF GARBAGE,  
REFUSE AND WASTE OF CHAPTER 6 HEALTH AND SANITATION**

Short Title: An ordinance setting fees for hauling garbage, refuse, and waste.

The City Council of the City of Caribou, County of Aroostook, State of Maine, pursuant to the requirements of the City of Caribou Charter, Section 2.11 (1) does ordain the following:

Section 1: Section 6-202 of Chapter 6 is hereby amended to read:

All persons hauling waste paper, ashes, or other refuse material for hire or pay in the City of Caribou shall secure a license from the Municipal Officers for the ability to haul said refuse for which they shall pay to the City Treasurer the sum of ~~\$10.00~~ \$25.00 per truck used to haul said refuse. ~~for the ability to haul said refuse.~~ Said license holder shall make each vehicle, used to haul such refuse, available for inspection upon request to any police officer of the City of Caribou for adherence to State vehicle inspections laws as amended from time to time.

This ordinance, being introduced on March 11, 2013 and a public hearing being held on \_\_\_\_\_, 2013 was duly passed by the City Council of the City of Caribou, Maine, this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
Gary Aiken, Mayor

\_\_\_\_\_  
Kenneth G. Murchison Jr, Councilor

\_\_\_\_\_

\_\_\_\_\_  
David Martin, Councilor

\_\_\_\_\_  
Philip J. McDonough II, Councilor

\_\_\_\_\_  
David Genthner Sr., Councilor

\_\_\_\_\_  
Joan L. Theriault, Councilor

Attest:

\_\_\_\_\_  
Jayne R. Farrin, City Clerk



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OFFICE OF THE CITY MANAGER  
CARIBOU, MAINE

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To: Mayor and Council Members  
From: Austin Bless, City Manager  
Date: March 25, 2013  
Re: Sale of Tax Acquired Property

We have received offers on three more properties that were put out to bid that we didn't receive any bids on.

The first one is Map 18, Lot 31-53 address of 200 West Gate Rd. It's lot #53 and is a 1973 Mobile Home (24x30) only. No land. The minimum bid set on this property was \$1,000. The offer is \$1,500 from Lena Giggey.

The second property is Tax Map 12, Lot 5A, address of 366 Grimes Road – Land & buildings, 19.75 Acres, Zoned R-3 with a 60 x 70 building with loading dock. The minimum bid was \$30,000. We have received an offer of \$20,000 from Caribou Utilities District for this property.

The third property is Tax Map 31, Lot 24 address of 4 Bradley Street - Land & building, .17 Acres, Zoned R-2 with a 1 story single family dwelling, city water and sewer. Minimum Bid was \$6,000 and that is what they are offering to pay.

We will need Council approval to sell these properties for the amounts listed.



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OFFICE OF THE CITY MANAGER  
CARIBOU, MAINE

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To: Mayor and Council Members  
From: Austin Bless, City Manager  
Date: March 25, 2013  
Re: Tax Acquired Property Policy

As directed by the city Council staff has reviewed the Tax Acquired Property Policy. The main changes in the policy are to clean up the bid process, require a 10% bid deposit for all policies, and give city staff flexibility of how to sell the property if there are no bids on it.

The changes in the policy are underlined.

We looked at several other communities' policies as we looked to rework ours. Some of those communities include Saco, Scarborough and Lewiston. We also looked at the information MMA has put out and incorporated some of their suggestions into the policy as well.

We will need Council approval on the policy.

**CITY OF CARIBOU**  
**Policy for**  
**TAX ACQUIRED PROPERTY**

**Section 1.0 General Purpose Statement**

1.1 The purpose of this policy is to establish procedures and guidelines for the management and disposition of real property acquired for non-payment of taxes, service charges or fees as provided for in State law under MRSA Title 36 as amended from time to time. However, nothing in these guidelines shall limit or restrict the authority of the City Council to waive these guidelines to manage or dispose of tax acquired property, as granted under City Charter and State law, within the best interest of the City of Caribou.

**Section 2.0 Pre-Foreclosure Review and Evaluation of Liened Property**

2.1 At the same time that Notice of Foreclosures are sent, pursuant to MRSA Title 36 §943, the Tax Collector shall make available for review the list of pending properties. Said properties shall be reviewed by City Administration to include, but not limited to, the Tax Collector, City Manager, Code Enforcement Officer, Assessor and Fire Chief for the purposes of conducting the Review of Property under Section 2.2.

2.2 Review of the Property as defined under Section 2.1 shall be initially conducted by City Administration. City Administration shall examine such Properties for such factors as situations involving known deposits or exposures of hazardous waste, conditions of Properties that might be considered a public safety or health hazard, terms and or conditions that might preclude or prevent reasonable foreclosure by tax lien, landlord related claims, market value at time of foreclosure and any other factors deemed within the best interest of the City. The Review of Property shall be conducted as an assessment to the City's ability to perfect such liens and reasonable collection, as a minimum, the net sum of back taxes owed at time of foreclosure.

2.3 If necessary, after completion of the Review of Property by City Administration, a list of Properties shall be compiled with description of said property, location by Map and Lot and a recommendation as to why the Property should not be subject to automatic tax lien foreclosure pursuant to MRSA Title 36.

**Section 3.0 Council Consideration**

3.1 The City Council may review and act upon the list of Properties as developed under Section 2.0 or they may designate such review and action to City Administration, hereinafter Designee, as in Section 2.1. Review and Action under this subsection shall determine a final list of Properties that will not expire under automatic tax lien foreclosure processes, pursuant to MRSA Title 36. Properties identified under Section 2.3 that are acted upon by the Council and or Designee by majority vote shall be subject to a Waiver of Foreclosure Action.

#### Section 4.0 **Waiver of Foreclosure**

4.1 Any Properties as identified and acted upon under Section 3.0 shall be subject to a Waiver of Foreclosure, pursuant to MRSA Title 36 §944. The Tax Collector shall prepare prior to redemption of tax lien the Waiver of Foreclosure form and shall submit the same to the appropriate Registry of Deeds for recording. The City shall retain all rights as granted under MRSA Title 36 for continued actions of equitable relief as amended from time to time.

#### Section 5.0 **Tax Acquired Properties**

5.1 All Properties as may be subject to Tax Lien from time to time shall be treated as in MRSA Title 36 of State Law. Special considerations of all Properties as granted under this Policy Sections 1.0 - 4.0, as amended, shall be made. All other Properties as NOT acted upon under Sections 1.0-4.0 of this Policy shall be subject to and acted upon by the tax laws of the State of Maine. In the event that a tax-acquired property remains or becomes vacant for 60 consecutive days following the date of foreclosure of the tax liens under which the City becomes the owner of a property, the City Manager shall obtain liability coverage for the property.

5.2 Following the foreclosure of tax lien Property and within 90 days, the Tax Collector shall notify the owner of record at the last known address by certified mail, return-receipt that his/her right to redeem said Property has expired, pursuant to MRSA Title 36. Such notification shall advise the owner of record that the Property will be disposed of in accordance with this policy after the allowance of 30 days from mailing for response and in accordance with State law; a copy of which shall be included with the notification. The owner of record shall be afforded the right to redeem said property upon the payment in full an amount due under the lien and for all unpaid taxes outstanding on said property at that time. Payment arrangements can be exercised as long as all taxes, interest, and associated fees are paid in full by June 30 of the current year. In the event the property owner is receiving a payment from the Maine Residents Property Tax Program, it should be agreed to have all payments from the program go toward amounts due to the City.

5.3 After notification under Section 5.2, the Tax Collector shall prepare a listing of all remaining tax acquired Properties and submit the same to the City Council for consideration being not less than 120 days after expiration of said tax lien under Section 5.0 and not more than 180 days.

5.4 Tax Acquired Properties, at the discretion of the City Council, shall be placed for Public Bid, pursuant to City Charter Section 2.11 (7) *Convey or lease any lands owned by the City of Caribou except for tax acquired property which shall be retained, sold or otherwise disposed of in accordance with any ordinance enacted by the City for retention or disposition of tax-acquired property.* Nothing in this subsection shall be construed to limit or preclude the Council's authority and decision processes to retain tax acquired property when so deemed by majority vote to be within the best interest of the City.

5.5 If the City Council deems it to be within the City's best interest, the Council may retain tax acquired property without offering the property for sale, as determined on a case by case basis.



Properties not so directed for retention shall be subject to further consideration for sale by Public Bid, pursuant to Section 6.0. Considerations for such determinations shall include, but not be limited to, property that may have recreational or open space values, economic importance, potential for necessary present or future public easements, location or additions for public facilities or other criteria as determined by the Council.

Section 6.0 **Public Bid, Sale and Disposition of Tax Acquired Property**

6.1 Upon the positive vote of the City Council under Section 5.4, Properties shall be placed for competitive Public Bid. The City Manager may establish a sale date and date of published notice in a local paper. The City Manager shall reserve the right to set minimum bids for any or all Properties and shall advertise such bids in the local paper giving a minimum of 10 days notice for public consideration for competitive Bid. Considerations for the minimum Bid shall include at least the amount of outstanding taxes in total, any lines for water or sewer held by the Caribou Utilities District, fees for legal work or advertising or any other associated costs.

Advertisement of a property or properties shall be broken into two categories; Occupied and Unoccupied. The advertisement of Occupied properties shall contain a notification to potential Bidders that the property is occupied and that it shall be the responsibility of any successful Bidder to establish any tenant owner relationships or to evict the current occupants. Unoccupied properties shall not include such statements.

All advertisements shall list the property by Map and Lot and 911 address, shall give minimal description, contain any minimum bid information, a statement advising bidders and additional information request contacts. Such advertisements shall substantially contain at least the following context:

**FOR SALE BY BID**  
**City of Caribou**

The **City of Caribou** is soliciting competitive sealed bids for the sale of Tax Acquired Property.

**Property #1:** Tax Map \_\_ Lot \_\_ – (Description example *a 1972 Westbrook 12 x 60 mobile home unit, no land, located in the Caribou Trailer Park, N. Main Street. Unit must be removed from the Park within 30 days of acquisition.*) Minimum Bid - \_\_\_\_\_

Interested parties must submit their bids in writing in a sealed envelope with the words “Property Bid # 1 Map \_\_ Lot\_\_ addressed and delivered to Caribou City Office, 25 High Street, Caribou, Maine 04736, no later than 2:00PM on Day of *Week, Month, Date, Year* and will be opened publicly in the Council Chambers at that time. All bids must include a 10% deposit of bid amount in the form of a certified check or money order, return address and phone contact information to be considered. Any bids not containing proper deposit will be rejected. Deposits will be return to unsuccessful bidders. Bids will be acted upon by the City Council at 7:00PM (*Date of Regular or Special Meeting*) during the regular Council meeting. The City Council reserves the right to accept or reject any or all bids deemed to be within the best interest of the City of Caribou. Purchasers of City-owned property will be issued Quitclaim deeds for the

City's interest under Maine law and should verify any or all encumbrances against the property outside those held by municipal tax lien or deed. No warranties or guaranties can be granted by the municipality to the successful bidder. Property is currently occupied and it shall be the sole responsibility of the Buyer to establish any tenant-occupant contract or to effect legal eviction actions and the Buyer shall bear all expenses in effecting such actions, pursuant to Maine law. Bids not paid within 30 days shall be deemed void and deposit will be forfeited to the municipality as damages. Redemption period will end at bid opening for prior owners.

6.2 Should an accepted Bid be deemed void pursuant to non-payment within 30 days of Bid acceptance, administration shall move to the next highest Bid deemed by the City Manager to be within the City's best interest. The City Council shall view all bids at time of consideration and provide within their motion any pre-authorization to administration for actions subsequent to a void of an accepted Bid. The Council shall take actions under Section 6.3 if pre-authorization at time of Bid acceptance is not made.

6.3 Should the City Council reject or choose not to accept any Bids, or an accepted Bid becomes void or no bids were received, the City Manager may take any of the following actions:

- a) Re-Advertise for competitive Bid
- b) Retain the Property
- c) Negotiate with other Bidders on the property or other interested Parties
- d) Offer by negotiated sale by Quitclaim deed to last owner of record or any abutting land owner
- e) Or other actions as deemed by the City Manager to be within the best interest of the City

6.4 Administration shall provide a Notice and Acknowledgement form to the Council accepted Bidder/Buyer of tax acquired property to inform such Buyers of inherent risks associated with the purchase/acquisition of property by municipal quitclaim deed per an expired tax lien.

6.5 Unless waived or amended by the City Council, a portion of net receipts from the sale of properties shall be deposited into G-1-490-00 Tax Acquired Property Remediation Reserve to be used to secure, plan, remediate, and re-employee tax acquired properties for future sale to private ownership and to return said properties to the taxable base. A portion of not less than 20% of the net receipts from the sale of the property, after satisfying the past due taxes, lien costs, and interest shall be deposited to the Reserve. The remaining balance of sale receipts shall be credited to the non-property tax revenue account of R-10-01-05 City Owned Property. The Council may waive or amend the amount of the deposit to Reserve at anytime dependent upon the Reserve balance versus the need as determined within the best interest of the City at such time.

**NOTICE AND ACKNOWLEDGEMENT**

(Sale/Purchase of municipal interests derived from Real Estate Tax Lien Foreclosure)

The City Council of the Municipality of Caribou (hereinafter referred to as the City), c/o City of Caribou, 25 High Street, Caribou, Maine 04736, notifies the Buyer of the following:

1. The City provides this Notice as a courtesy and to make certain that the Buyer is generally aware of the risks associated with real estate tax title acquisition.
2. The City strongly recommends the Buyer consult with an attorney to advise any actions that may be deemed necessary to complete the purchase transaction. The City does not provide such legal counsel nor may any verbal or written communications pertaining to this transaction be construed as the City giving legal advice on this matter.
3. The City is conveying all rights, titles and interests it may have, if any, acquired through the exercise of State of Maine Statutes in regards to the imposition, enforcement and collection of real estate taxation, subject to all matters, which could be raised to challenge the procedures followed, the rights obtained and the sale of these rights. As the law provides, the City is conveying whatever relevant interests, if any, it may be deemed to have acquired by law in the subject property and is transferring these interests by Municipal Quitclaim Deed, which transfers solely whatever rights State of Maine law indicates the City may have in this matter, and therefore these proceedings, and the fact of conveyance of any rights by Municipal Quitclaim deed providing no warranties or guarantees of any kind.
4. There are no representations made to the Buyer of any kind by the City or by any of its agents or employees, and the Buyer is hereby given notice that this is the case as regards the nature, extent, validity, value or utility of any rights the Buyer may be receiving as a result of the transaction with the City and the payment of money to the City in this matter.
5. There are risks to all purchasers including the Buyer in this matter inherent in acquisition of the rights of the City derived from State of Maine law on tax lien procedure and being a "tax title." These risks include but are not limited to loss of these rights without recourse to the City and therefore loss of ownership rights to the property in question to a legally determined superior competing claimant, loss of part or all of the Buyer's investment in the property or rights thereto, marketability limitations, which affect your ability to sell, otherwise convey or mortgage these rights and the property interests, and the continuing latent potential for incurring legal costs in determining or enforcing the nature and extent of any rights the Buyer may have received, including proceeding with or defending litigation towards a court decree or judgment as may be required to determine, define, value and/or exercise any rights the Buyer may have acquired.

Date \_\_\_\_\_, 20\_\_

City of Caribou

By: \_\_\_\_\_

On Behalf of the Caribou City Council

I/We, the Buyer/s, acknowledge the receipt of this Notice

Date \_\_\_\_\_, 20\_\_

\_\_\_\_\_

Section 7.0 **Savings Clause**

7.1 In the event that this Policy or any part of it shall at any time be held to be contrary to law, void, or invalid by any court of competent and final jurisdiction or any administrative agency having final jurisdiction, or the City Council, such determination shall not prevent the appropriate collection of real property taxes as set forth under MRSA Title 36 as amended from time to time.

Revised 3-25-13



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OFFICE OF THE CITY MANAGER  
CARIBOU, MAINE

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To: Mayor and Council Members  
From: Austin Bless, City Manager  
Date: March 25, 2013  
Re: Home Occupation Ordinance

Back in December the Council looked at the Home Occupation Ordinance. At that time the Council had some concerns with it and it was sent back to the Planning Board.

One concern Council had was how this ordinance fits into the current ordinance. As stated in the ordinance presented tonight the current one is removed and replaced entirely with this one.

The other concern Council had was how current home occupations would be handled. As required by state law current ones would be grandfathered in. The Planning Board added language to reflect that.

The ordinance is on the next page. We will need Council action on this ordinance.

Councilor \_\_\_\_\_ introduced the following ordinance:

Ordinance No. 9, 2013 Series  
City of Caribou  
County of Aroostook  
State of Maine

**AN ORDINANCE AMENDING SECTION 13-770-13 OF CHAPTER 13 LAND USE  
ORDINANCES**

Short Title: An ordinance regarding Home Occupations.

The City Council of the City of Caribou, County of Aroostook, State of Maine, pursuant to the requirements of the City of Caribou Charter, Section 2.11 (1) does ordain the following:

**Section 1:** Sec. 13-700-13 of the Caribou Code is hereby repealed

**Section 2:** Sec. 13-700-13 of the Caribou Code shall read:

Home Occupations:

- A. Home occupations shall be incidental to the residential use of the property. No Home Occupation is allowed without first obtaining a Permit from the Code Enforcement & Planning Office. As of the effective date of this ordinance the Home Occupation Site Design Review Applications shall have an initial fee of \$90.00.
- B. Home occupations shall be allowed in any zone, and
- C. All Home Occupation activity shall be restricted to within the interior of the primary or an accessory structure, and
- D. There shall be no change in the outside appearance of the buildings or premise that shall cause the premise to differ from its residential character by use of colors, materials, construction, lighting, sounds, or noises. The Home Occupation shall be identified by no more than one free standing single or double sided yard sign or one sign on the building, no sign face to exceed two square feet in area, and
- E. There shall be no exterior storage of materials, such as, but not limited to, trash and or any other materials used in the Home Occupation, and
- F. The following requirements shall be satisfactorily demonstrated to the Planning Board before a permit is issued:
  - 1. The home occupation shall employ only residents of the dwelling unit.
  - 2. The home occupation shall be carried on wholly within the principal or accessory structure.

3. The home occupation shall not occupy more than 50% of the total floor area of the principal dwelling structure. Accessory structures used for the Home Occupation may use up to 100% of the floor area.
4. No client or customer shall be allowed on any floor level other than the first floor ground floor level unless the structure is protected throughout with a State Fire Marshal approved sprinkler system.
5. Objectionable noise, vibrations, smoke, dust, electrical disturbance, odors, heat, glare, or other nuisance shall not be permitted.
6. No on street parking is allowed for clients or customers.
7. All means of ingress and egress to and from all areas accessible to clients and customers shall be in full compliance with the requirements of the 2009 Edition of NFPA 101, Life Safety Code and the Americans with Disabilities Act.

G. Should all of the above conditions not be maintained on a continual basis once the permit has been issued, the Code Enforcement Officer shall rescind the permit and issue a cease and desist order to stop the non-conforming Home Occupation. Any Home Occupation operating without a current permit shall be prosecuted in District Court according to Title 30-A, MRSA §4452.

H. All other requirements of the Caribou Code of Ordinances apply to all Home Occupations.

Section 2. This section becomes effective pursuant to Caribou City Charter Section 2.12 (d).

This ordinance, being introduced on November 27, 2012 and a public hearing being held on December 10<sup>th</sup>, 2012 was duly passed by the City Council of the City of Caribou, Maine, this 10<sup>th</sup> day of December 2012.

\_\_\_\_\_  
Gary Aiken, Mayor

\_\_\_\_\_  
Kenneth G. Murchison Jr, Councilor

\_\_\_\_\_  
Joan L. Theriault, Councilor

\_\_\_\_\_  
David Martin, Councilor

\_\_\_\_\_  
Philip J. McDonough II, Councilor

\_\_\_\_\_  
David Genthner Sr, Councilor

Attest:

\_\_\_\_\_  
Jayne R. Farrin, City Clerk



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OFFICE OF THE CITY MANAGER  
CARIBOU, MAINE

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To: Mayor and Council Members  
From: Austin Bless, City Manager  
Date: March 25, 2013  
Re: Ordinance for Technical Changes for Planning Board Administration

The Planning Board is proposing technical changes to their organizational structure. The first change modifies the meeting schedule and allows them to annually set when their monthly meetings will be. Currently ordinance dictates their monthly meeting schedule.

The second portion of this ordinance change simply modifies the ordinance to clarify four members of the board constitutes a quorum since they have seven members of the board.

This ordinance will need to be introduced tonight and a public hearing scheduled for the next regular meeting.

The ordinance is on the next page.



Council Member \_\_\_\_\_ introduced the following ordinance:

Ordinance No. 2, 2013 Series  
City of Caribou  
County of Aroostook  
State of Maine

AN ORDINANCE AMENDING SECTION 13-820 4 (A) (1) AND SECTION 13-820 4 (A) (3) OF  
CHAPTER 13 **THE LAND USE ORDINANCES OF THE CITY OF CARIBOU**

Short Title: Technical Changes for Planning Board Administration.

The City Council of the City of Caribou, County of Aroostook, State of Maine, pursuant to the requirements of the City of Caribou Charter, Section 2.11 (1) does ordain the following:

Section 1: Section 13-820 4 (A) (1) of Chapter 13 is hereby repealed.

Section 2: Section 13-820 4 (A) (1) of Chapter 13 shall read:

1. Regular meetings of the Planning Board will be scheduled during the Annual Meeting. The meeting shall be at the Caribou Municipal Building or other suitable meeting place. The Chair may schedule special meetings on 24 hours notice to the Planning Board members, City Manager, City Council Chair, CEO, and the media. If there is no business scheduled at least seven (7) calendar days before the meeting the Assistant City Manager, in consultation with the CEO, may cancel the meeting and shall inform the Planning Board, City Manager, and the media of such.

Section 3: Section 13-820 4 (A) (3) of Chapter 13 is amended as follows:

No official business may be conducted without a quorum present. A quorum shall consist of ~~three (3)~~ four (4) members. It shall not include anyone who can not participate due to a conflict of interest. “*Conflict of interest*” means direct or indirect pecuniary interest, which shall include primary benefit to any member of the person’s immediate family, their employer, or the employer of any member of the person’s immediate family. It shall also include a situation where the Board member, by reason of their interest, is placed in a situation of temptation to serve their own personal interest, instead of the public’s interest. Any question of whether a member shall be disqualified from voting on a particular matter shall be decided by a majority vote of the members present, except the member challenged.

This ordinance, being introduced on \_\_\_\_\_, 2013 and a public hearing being held on \_\_\_\_\_, 2013 was duly passed by the City Council of the City of Caribou, Maine, this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
Gary Aiken, Mayor

\_\_\_\_\_  
Kenneth G. Murchison Jr, Councilor

\_\_\_\_\_  
Joan L. Theriault, Councilor

\_\_\_\_\_  
David Martin, Councilor

\_\_\_\_\_  
Philip J. McDonough II, Councilor

\_\_\_\_\_  
David Genthner Sr, Councilor

Attest:

\_\_\_\_\_  
Jayne R. Farrin, City Clerk



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OFFICE OF THE CITY MANAGER  
CARIBOU, MAINE

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To: Mayor and Council Members  
From: Austin Bless, City Manager  
Date: March 25, 2013  
Re: Purchase of Police Squad Vehicle

There is an opportunity that came up for the Police Department to possibly purchase a 2013 Ford Explorer Police Interceptor. The vehicle is one of the demo vehicles for Ford that they take around to the various Police Chief's conferences in the New England area. It has 12,000 miles on it, is fully equipped, already painted, and has \$4,000 of additional equipment on there that we wouldn't have to purchase.

This vehicle is going on Auction and we can bid on it through Griffith Ford, and if we were to be the bid it would be delivered to us.

We are due to replace a cruiser this year already. We've put aside \$22,900 this year for a new cruiser and already have about \$18,500 in the reserve. Since this is a capital purchase Charter requires Council authorization to purchase. The auction is tomorrow.

We are requesting Council authorization to bid on this vehicle up to \$22,000.



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OFFICE OF THE CITY MANAGER  
CARIBOU, MAINE

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To: Mayor and Council Members  
From: Austin Bleess, City Manager  
Date: March 25, 2013  
Re: April 8<sup>th</sup> 2013 Council Workshop

Mayor Aiken has mentioned to me he would like to have Council have the opportunity to ask questions of the people that apply for the vacant Council position. We have a previously scheduled workshop for Council on April 8<sup>th</sup> at 6pm to discuss the merits of modifying the Downtown TIF District to allow Credit Enhancement Agreements.

If council wishes we could move the TIF workshop to 5pm on the 8<sup>th</sup>, and we could meet in a workshop at 6pm with the applicants for Council so council could interview them. That would allow Council the opportunity to interview and discuss the appointment before the meeting starts at 7pm.

We can set the meetings for however Council wishes.



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OFFICE OF THE CITY MANAGER  
CARIBOU, MAINE

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To: Mayor and Council Members  
From: Austin Bless, City Manager  
Date: March 25, 2013  
Re: Rules of Procedure – Addressing the Caribou City Council

There was discussion during the last council meeting about the rules of addressing the City Council. Since we have had turnover on the staff and Council, and so everyone can be on the same page, I have included the rules for addressing the Council that were last revised on February 13, 2012

If Council would like to make changes to the policy they may do so. Otherwise we should approve the Rule of Procedure as is so that everyone is aware of the policy moving forward.

**Revised: February 13th, 2012**

**Rule of Procedure - Addressing the Caribou City Council**

Pursuant to Caribou Charter Section 2.10 (a)(i)(b) There shall be a time slot of at least 15 minutes available at the beginning of each regularly scheduled meeting, for input from residents or tax payers of Caribou. The Council will maintain a Rule of Procedure to allow public comment on agenda and non-agenda items at the start of each Council meeting. All requests will be honored.

**Procedure:**

1. Individuals wishing to address the Council on meeting agenda items shall do so during the time period established and in a manner as described:
  - a) Individuals addressing the Council on an agenda item shall give their name, address and agenda item for the record, and shall limit their statements to not more than five minutes.
2. Individuals wishing to address the Council on items not included on the agenda shall do so during the time period established and in a manner as described:
  - (a) Individuals wishing to speak to items not listed on the meeting agenda may notify the City Manager's office before noon, four business days prior to the next regularly scheduled meeting to have the item listed. The notice may include the subject matter, a brief description of its relevance for public input, and contact information of the requesting party to include; name, address, day and evening phone numbers. The City Manager may request from the individual any pertinent materials as supporting documents for the input session.
  - (b) Individuals addressing the Council on non-agenda items shall give their name, address and subject matter for the record, and shall limit their statements to not more than five minutes.

**Nature of Address:**

All comments need to be addressed to the Council at large and not to specific members. Questions shall be asked of individual Council members only through the presiding officer. Discussion will be limited to Council members and the person recognized as having the floor. Any person making personal, impertinent or slanderous remarks, or who becomes boisterous or exhibits inappropriate behavior while addressing the Council may be instructed to leave the meeting by the presiding officer.