



City of Caribou, Maine

*Municipal Building
25 High Street
Caribou, ME 04736
Telephone (207) 493-3324
Fax (207) 498-3954
www.cariboumaine.org*

AGENDA Caribou City Council Regular City Council Meeting 7:00 P.M. Monday, April 8, 2013 Caribou City Council Chambers

1. Appointment to fill open Council seat
2. Public Input
3. Declaration of Conflicts of Interest from the City Council regarding any agenda item.
4. Consider authorizing the minutes of the following meetings:
 - a) March 25, 2013 Council Meeting 3-6
5. Consent Agenda
 - a) March Police Department Report 7-8
 - b) March Fire Department Report 9-11
 - c) License Application Approvals 12
 - d) Approval of Quit Claim Deeds 13
 - e) Re-Approval of City Safety Policy 14-15
6. Public Hearing and Action on Ordinance 2-2013 16-17
7. Public Hearing and Action on Ordinance 3-2013 18-19
8. Public Hearing and Action on Ordinance 4-2013 20-22
9. Public Hearing and Action on Ordinance 5-2013 23-24
10. Public Hearing and Action on Ordinance 6-2013 25-26
11. Public Hearing and Action on Ordinance 7-2013 27-28
12. Public Hearing and Action on Ordinance 8-2013 29-30
13. Rules of Procedure for Addressing Council 31
14. Property at 20 Collins St 32
15. Maine Military Authority Lease 33
16. May 27, 2013 Council Meeting 34
17. Other Business

18. Executive Session to discuss a Personnel Issue pursuant to MRSA Title 1 Chapter 13 Section 405 (6)(A).

Upcoming Meeting Dates:

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

Regular City Council Meeting, May 13, 2013 at 7pm

A regular meeting of the Caribou City Council was held 7:00 p.m. on Monday, March 25, 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.

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

Department Managers: William Tasker, Director Chamber of Commerce; Scott Susi, Fire Chief; 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

Steve Farnham, Executive Director for Aroostook Area Agency on Aging, requested that the Council reconsider the agency's 2013 funding request. The City's adopted Expense Budget does not include any funding for Aroostook Area Agency on Aging. In the past year, they have provided services for approximately 400 Caribou citizens valued at nearly \$603,000. One out of every five Caribou residents fit the agency's primary service group of individuals over the age of 60. The Board's policy is to provide services only in communities that grant financial support. In the past year, the Meals on Wheels program served 71 Caribou residents by providing approximately 9000 meals. Mr. Farnham listed other services provided by the agency. Since 1982, the requested financial amount has been \$7,253. Council members asked several questions.

Larry Pelletier, Caribou resident, asked questions about school budgets, whether there was a hiring freeze, and the proposed missile defense base. Mayor Aiken answered Mr. Pelletier's questions.

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

None.

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

- a) March 11, 2013 Council Meeting

Motion made P. McDonough, seconded by K. Murchison, to accept the minutes of March 11, 2013 Council Meeting as presented. (5 yes) So voted.

Council Agenda Item #4: Consent Agenda

- a) February 2013 Financials
- b) Fire Department February Report
- c) License Application Approvals
- d) Approval of Quitclaim Deeds

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

Council Agenda Item #5: Missile Defense Base

Motion made by P. McDonough, seconded by D. Martin, to sign a letter to be sent to Secretary of Defense Hagel expressing the Council's support for the location of a Missile Defense Base in the Caribou area. (5 yes) So voted.

Council Agenda Item #6: City Fee Schedule

Since the last Council meeting, the Recreation Commission has met and reviewed the proposed fee schedule. The Commission has developed their own fee schedule and Chair Sue White reviewed their recommendations:

Organized Program

| | |
|--------------------------------|----------------------------|
| Residents | Non-Residents |
| \$10 per child per program or; | \$25 per child per program |
| \$50 per child annual pass | \$125 per child per year |

Fees for Outdoor Pool

| | |
|---|---|
| Residents | Non-Residents |
| \$1 per day for general swim or \$20 season pass | \$1 per day for general swim \$25 per child per lesson session |

Combination Pool Passes

\$25 for one session of lessons and general swim season
\$35.00 for two 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. Assistance will be limited to one \$20 stipend per child/per year.

Projected revenues are \$9,000 for Recreation programs and \$5,000 for the swimming pool.

Manager Bless reviewed the other proposed fee changes. Mayor Aiken suggested a \$10.00 fee for a PDF version of the Commitment Book.

Motion made by K. Murchison, seconded by D. Martin, to accept the proposed City Fee Schedule as presented with one exception, fee for the PDF version of the Commitment Book will change to \$10.00. (4 yes, 1 no, P. McDonough) So voted.

Councilor Murchison introduced the following ordinances:

1. Ordinance No. 3, 2013 Series – An ordinance amending section 3-104 of Article I Dog Ordinance of Chapter 3 Animals and Fowl
2. Ordinance No. 4, 2013 Series – An ordinance amending section 12-416 (3) of Article IV Parking of Chapter 12 Traffic
3. Ordinance No. 5, 2013 Series – An ordinance amending section 7-103 of Article I Taxicab License of Chapter 7 Licenses and Permits
4. Ordinance No. 6, 2013 Series – An ordinance amending section 7-105 of Article I Taxicab License of Chapter 7 Licenses and Permits

5. Ordinance No. 7, 2013 Series – An ordinance amending section 7-804 of Article VIII Special Amusement Permits of Chapter 7 Licenses and Permits
6. Ordinance No. 8, 2013 Series – An ordinance amending section 6-202 of Article II Hauling of Garbage, Refuse and Waste of Chapter 6 Health and Sanitation

The required Public Hearings will be held April 8, 2013.

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 three properties located at Map 18, Lot 31-53, Map 12, Lot 5A, and Map 31, Lot 24. Since then the City has been approached by individuals willing to purchase the lots.

| | | |
|-------------------|-----------------------|-----------------|
| Map 18, Lot 31-53 | minimum bid: \$1,000 | offer: \$1,500 |
| Map 12, Lot 5A | minimum bid: \$30,000 | offer: \$20,000 |
| Map 31, Lot 24 | minimum bid: \$6,000 | offer: \$6,000 |

Motion made by D. Martin, seconded by P. McDonough, to sell Map 18, Lot 31-53 and Map 31, Lot 24 for the offered amounts and to re-advertise Map 12 Lot 5A with a minimum bid of \$20,000. (5 yes) So voted.

Council Agenda Item #8: Tax Acquired Property Policy

Mayor Aiken suggested amending Section 6.3 to include language allowing the City Manager to negotiate a sale price as long as it is not below the advertised minimum bid. Councilor McDonough requested amending the policy to require the use of a “check list” so Council will know when they receive the list of properties that all necessary departments have reviewed the proposed selling of the property. Councilor Martin questions why individuals are living in tax acquired property. Mayor Aiken offered that it is due to the cost of eviction.

Motion made by D. Martin, seconded by P. McDonough, to approve the Tax Acquired Property Policy as amended. (5 yes) So voted.

Council Agenda Item #9: Home Occupation Ordinance

Discussion.

Motion made by D. Martin, seconded by P. McDonough to accept Ordinance No. 9, 2013 Series - An ordinance amending section 13-770-13 of Chapter 13 Land Use Ordinance as written. (5 yes) So voted.

Council Agenda Item #10: Ordinance for Technical Changes for Planning Board Administration

Councilor P. McDonough introduced the following ordinance:

1. Ordinance No. 9, 2013 Series – An ordinance amending section 13-770-13 Land Use Ordinance
The required Public Hearing will be held April 8, 2013

Council Agenda Item #11: Purchase of Police Squad Vehicle

The City of Caribou has been given an opportunity to bid on a 2013 Ford Explorer Police Interceptor. This former demo vehicle is fully equipped, painted, has \$4,000 of additional equipment, and only 12,000 miles. For 2013, the Police Department is scheduled to replace a cruiser. The cost of a new cruiser is approximately \$32,000. Manager Bless answered Council questions.

Motion made by P. McDonough, seconded by J. Theriault, to allow Griffith Ford to bid up to \$22,000 on behalf of the City of Caribou for a 2013 demo Ford Explorer Police Interceptor with the money to come out of the Capital Reserve Account. (5 yes) So voted.

Council Agenda Item #12: April 8, 2013 Council Workshop

Mayor Aiken wants the Council to have the opportunity to speak with the individuals who apply for the vacant Council position.

Motion made by P. McDonough, seconded by J. Theriault, on April 8th, to meet with Council candidates at 5:00 p.m. in executive session and to hold a Council Workshop at 6:00 p.m. to discuss the Downtown TIF and Credit Enhancement Agreements. (5 yes) So voted.

Council Agenda Item #13: Rules of Procedure – Addressing the Caribou City Council

Discussion.

Motion made by D. Martin, seconded by P. McDonough, to amend the current Rules of Procedure – Addressing the Caribou City Council by adding at the end of 1-a and 2-b “unless allowed more time by Chair”. (5 yes) So voted.

Council Agenda Item #14: Other Business

- a. Motion made by D. Martin, seconded by J. Theriault, to donate \$7,253 to Aroostook Area Agency on Aging. (4 yes, 1 no, P. McDonough) So voted.
- b. Spring Cleanup: Discussion. The cost has been built into the budget. Councilor McDonough recommends that the City go forward with the spring cleanup and to review the possibility of instituting a fee when preparing the 2014 budget.
- c. April 8th – City Manager evaluation.

Upcoming Meeting Dates:

Highway Protection Committee, April 2, 2012 at 4:30 p.m.

Council Workshop April 8, 2013 at 6:00 p.m.

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

Regular City Council Meeting, April 22, 2013 at 7:00 p.m.

Motion made by K. Murchison, seconded by P. McDonough, to adjourn at 8:33 p.m. (5 yes) So voted.

Jayne R. Farrin, Secretary

Caribou Police Department

MARCH 2013 MONTHLY REPORT

| | OFFENSE | Amount | | OFFENSE | Amount |
|----|----------------------------------|---------------|----|--|---------------|
| 1 | Complaints | 2083 | 40 | Providing False Name | 0 |
| 2 | Motor Vehicle Accidents | 25 | 41 | Violation of Interim License | 0 |
| 3 | Escorts | 0 | 42 | Refusing to Submit to Arrest | 0 |
| 4 | Theft Complaints | 22 | 43 | Violation of Protection Order Comp | 1 |
| 5 | Crim. Mischief Complaints | 4 | 44 | Failure to Stop for Pedestrians | 0 |
| 6 | Animal Complaints | 20 | 45 | Passing Stopped School Bus | 0 |
| 7 | Domestic Complaints | 10 | 46 | Stops and Checks M/V | 1563 |
| 8 | Burglary Complaints | 7 | 47 | Parking Tickets | 0 |
| 9 | Oper. M/V Under the Infl. | 4 | 48 | Business Alarms | 17 |
| 10 | Criminal Trespass Comp. | 8 | 49 | M/V Permits | 13 |
| 11 | Motor Vehicle Theft | 1 | 50 | Handling Prisoners | 47 |
| 12 | Unsecured Doors&Windows | 0 | 51 | Running Intoxilyzer | 10 |
| 13 | Motor Vehicle Complaints | 28 | 52 | No Insurance | 18 |
| 14 | Missing Persons | 1 | 53 | Warrant Arrests | 16 |
| 15 | Harassment Complaints | 17 | 54 | Forgery Arrests | 0 |
| 16 | Assault/DV Complaints | 7 | 55 | Leave the Scene of Accident | 1 |
| 17 | O.A.S. Arrests | 3 | 56 | Failure to Yield the Right of Way | 0 |
| 18 | Juvenile Complaints | 9 | 57 | Arson Complaints | 0 |
| 19 | Fight Complaints | 0 | 58 | Suicide Complaints | 0 |
| 20 | Noise Complaints | 0 | 59 | Disorderly Conduct Complaints | 23 |
| 21 | Criminal Threat Complaints | 3 | 60 | Unlawful Sexual Contact | 1 |
| 22 | Lost & Found | 3 | 61 | Gross Sexual Contact | 1 |
| 23 | Forgery/Counterfeit Complain | 0 | 62 | Unattended Death Reports | 2 |
| 24 | Prowler Complaint | 0 | 63 | Burglary Arrests | 2 |
| 25 | Criminal Trespass Arrest | 0 | 64 | Violation of Probation Arrests | 0 |
| 26 | Assist Other Agencies | 24 | 65 | Criminal Records Check | 32 |
| 27 | Assault Arrest | 4 | 66 | Refusal to Sign U.T.T. | 0 |
| 28 | Drunk Complaint | 0 | 67 | Violation of Liquor Laws | 1 |
| 29 | Litter Complaint | 0 | 68 | Drug Complaints | 1 |
| 30 | Theft Arrest | 6 | 69 | Violation of Drug Laws | 5 |
| 31 | Oper.Unregistered M/V | 4 | 70 | Failure to Produce Pawn Slips | 0 |
| 32 | Oper M/V Without a License | 1 | 71 | Snowsled & ATV Complaints | 0 |
| 33 | Driving To Endanger | 2 | 72 | Juvenile Arrests | 3 |
| 34 | Expired Inspection | 11 | 73 | Prov. A Place for Minors to Consume Alc. | 0 |
| 35 | Inadequate Exhaust | 0 | 74 | Criminal Mischief Arrests | 1 |
| 36 | Unnecessary Noise | 1 | 75 | Violation of Bail Conditions | 9 |
| 37 | Eluding an Officer | 0 | 76 | Seatbelt Violation | 0 |
| 38 | Speeding | 14 | 77 | Disorderly Conduct Arrests | 3 |

Caribou Police Department

| OFFENSE | | Amount | OFFENSE | | Amount |
|---------|-------------------------------|--------|---------|-------------------------------|--------|
| 39 | Fail to Stop for an Officer | 0 | 78 | Receiving Stolen Property | 0 |
| 79 | House Watch Requests | 4 | 91 | Hindering Apprehension | 0 |
| 80 | Child Endangerment Complain | 0 | 92 | 911 Calls | 17 |
| 81 | Truant from School | 0 | 93 | Warnings | 121 |
| 82 | Criminal Threatening Arrests | 0 | 94 | Assault Domestic Violence | 3 |
| 83 | Terrorizing Arrests | 3 | 95 | Check on Well Being | 11 |
| 84 | Loaded Firearm in a M/V | 0 | 96 | Police Information | 12 |
| 85 | Making a False Public Report | 1 | 97 | Suspicious Activity/Person/MV | 12 |
| 86 | Child Endangerment Arrests | 0 | 98 | Civil Complaint | 5 |
| 87 | Tampering with a Witness | 0 | | | |
| 88 | Violation Of Protection Order | 1 | | | |
| 89 | Poss. of a Firearm by a Felon | 3 | | | |
| 90 | Multi-handgun purchase | 2 | | | |

Respectively Submitted,

Chief Michael W. Gahagan
Caribou Police Department
Caribou Police Department

**CFAD MONTHLY REPORT
March 2013**

| | | | |
|------------------------------|-----------|-------------------------------------|-----------------------------|
| Total Fire/ Rescue Calls | 21 | Total Amb. Calls | 188 inc. 5 Air & 10 Assists |
| -Alarms for Fires (33) | 5 | - Amb. Assist Calls: | 10 |
| -Alarms for Rescues (66) | | - ALS Calls | 92 |
| -Silent Alarms | 16 | - BLS Calls | 71 |
| -Haz-Mat | | - No Transport | 15 |
| -Grass Fires | | - Calls Turned Over: | 9 |
| -Chimney Fires | 1 | Total Out of Town Amb. Calls | 22 |
| -False Alarms | 1 | Total Out of Town Fire/Rescue Calls | 3 |
| -10-55's | 5 | Est. Fire Loss, Caribou | \$2,700 |
| -Aid to Police | | Est. Fire Loss, out of City | \$70,000 |
| -Public Service | | Total Est. Fire Loss | \$72,700 |
| Total Hours Pumped | 4 hrs | Total Maint. Hours | 4.5 mhrs. |
| Gallons of Water Used | 10,002 | Total Training Hours | 125.75 mhrs. |
| Amt. of Booster | | Miles Traveled by all Units | 11,950 |
| Amt. of 1 ½" hose used | 100' | Fire Permits Issued | 23 |
| Amt. of 1 ¾" hose used | 650' | *Color Guard Training | 16.5 mhrs. |
| Amt. of 2 ½" hose used | | Total Fire & Amb. Calls | 209 |
| Amt. of 5" hose used | | | |
| Ladders Used (in Feet): | 24 | (75' Ariel)_1 | ___ |
| Thermal Imaging Camera Used: | 3 | | |
| CO2 Meter Used: | 3 | | |
| Rescue Sled & Snowmobile: | | | |
| Rescue Boat: | | | |
| Jaws Used: | | | |
| MUTUAL AID TO: | | MUTUAL AID FROM: | |
| P.I.F.D. | 2 | P.I.F.D. | 1 |
| F.F.F.D. | | F.F.F.D. | |
| L.F.D. | | L.F.D. | |
| W.F.D. | | W.F.D. | |
| Stockholm F.D. | | Stockholm F.D. | |
| North Lakes FD | | North Lakes FD | |
| Crown Amb | 2 Standby | Crown Amb | |
| Van Buren Amb. | | Van Buren FD | 2 |

OUT OF CITY FIRES/RESCUES

| LOCATION | # OF CALLS | MAN HRS. |
|-----------------|-------------------|-----------------|
| Woodland | 1 | 4.5 mhrs |
| New Sweden | | |
| Connor | 2 | 133 mhrs. |
| Westmanland | | |

Scott Susi, Chief
Caribou Fire and Ambulance

BREAKDOWN OF FIRES
For March 2013

| Situation Found | # Of Incidents | Fire Casualties | Est. Property Damage |
|---|-----------------------|------------------------|-----------------------------|
| 1. Private Dwellings inc. Mobile Homes | 6 | | \$71,200 |
| 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 | 1 | | \$500 |
| 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 | | \$1,000 |
| 14. Other Vehicles (planes, trains, etc.) | | | |
| 15. Fires in brush, grass w/no value | | | |

Other Incidents

| | |
|---|-------------------------------|
| 16. Haz-Mat | |
| 17. False Calls | 1 |
| 18. Mutual Aid Calls | 2 - PIFD |
| 19. Aid to Ambulance (10-55's) | 5 |
| 20. Aid to Police | |
| 21. Investigation (Smoke, CO ₂ or Alarm) | 5 (3-CO; 1-Detector; 1-Alarm) |
| 22. Service Calls | |

Total Calls for the Month: 21



FIRE AND AMBULANCE DEPARTMENT
CARIBOU, MAINE

To: Mayor and Council Members
From: Scott Susi, Fire Chief
Date: March 25, 2013
Re: Fire Department Report

The City Manager and I have worked together to identify some locations for live controlled training exercises. The structures where we will do these training are 54 Broadway and 41 Water Street. I am also working on a grant application to cover the costs of this training exercise. I am working with the various state offices and agencies that are necessary in order to gain approval from them for this training. We appreciate Council's support in this endeavor.



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

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.

McNeal's Trucking
Crown of Maine 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.

Aroostook Cab Company



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bless, City Manager
Date: April 8, 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.

| | |
|-------------------|--------------------|
| Jaye Ellis | Map 2, Lot 48C |
| Larry Leimkuehler | Map 18, Lot 31 #58 |



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bleess, City Manager
Date: April 8, 2013
Re: Re-Approval of City Safety Policy

On the next page is the City of Caribou safety mission. Reviewing and renewing adoption of this safety mission is an important requirement of our participation in the MMA LEADER program, which saves the city close to \$10,000 annually in risk management costs.

This policy was last approved in 2008. There are just a few technical wording changes in this policy. Everything else is the same.



City of Caribou, Maine

Municipal Building
25 High Street
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April 2013

The City of Caribou recognizes its employees as its most valuable asset. The Caribou City Council, being ultimately responsible for the safety and protection of city employees, hereby establishes a goal of providing a safe and healthy workplace for all of its employees. The City recognizes that safety conscious employees are a key to meeting this goal, and hereby call for the development and implementation of safety programs aimed at training and educating employees and ultimately providing an accident free and healthy work environment.

To help meet this goal, the city will provide necessary personal protective equipment and training in the use of this equipment, designed to reduce exposure to potential hazards, allocating resources as needed to rectify hazardous conditions.

Whereas the City Manager, Department Heads and Departmental Safety Committee Members have direct control and oversight responsibility for safety programs, it is the responsibility of each employee to follow all safe work rules and procedures. If an employee is unsure of how to perform a particular task safely, they should not proceed until they have received instructions from their Supervisor or authorized designee. Each employee is obligated to report unsafe working conditions to the safety committee, their immediate supervisor, or the Assistant City Manager/City Manager. It is the responsibility of Safety Committee members and each Supervisor to monitor and assist employees in the safe performance of their duties. Safe work behavior and attitudes are an expected part of each employee's job performance.

This mission statement will be reviewed and revised, as needed, to allow City of Caribou employees to meet the mutually beneficial goals of zero workplace injuries and illnesses and a healthy and productive team.

Gary Aiken, Mayor

Kenneth G. Murchison Jr, Councilor

David Martin, Councilor

Joan L. Theriault, Councilor

Philip J. McDonough II, Councilor

David Genthner Sr., Councilor

Attest:

Jayne Farrin, City Clerk

Austin Bless, City Manager



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bleess, City Manager
Date: April 8, 2013
Re: Public Hearing and Action on Ordinance 2-2013

Ordinance 2-2013 is a technical change ordinance. It gives the Planning Board the freedom to determine when they hold their monthly meetings. It also changes the quorum from three people to four people since they are a seven person board.

We need to hold a public hearing on the ordinance, after which the council may take action on the ordinance.

Council Member Murchison 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 cannot 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 March 25, 2013 and a public hearing being held on April 8, 2013 was duly passed by the City Council of the City of Caribou, Maine, this 8th day of April 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



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bless, City Manager
Date: April 8, 2013
Re: Public Hearing and Action on Ordinance 3-2013

Ordinance 3-2013 modifies the fee for impounding dogs from \$10 to \$25.

We need to hold a public hearing on the ordinance, after which the council may take action on the ordinance.

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 25, 2013 and a public hearing being held on April 8, 2013 was duly passed by the City Council of the City of Caribou, Maine, this 8th day of April 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



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bleess, City Manager
Date: April 8, 2013
Re: Public Hearing and Action on Ordinance 4-2013

Ordinance 4-2013 modifies the fine structure for parking tickets.

Just for reference here are the fines as they are today:

Sec. 12-404

| | |
|--|---------|
| 1 st thru 4 th | \$ 5.00 |
| 5 th thru 9 th | \$10.00 |
| 10 th thru 14 th | \$15.00 |
| 15 th thru 19 th | \$20.00 |
| 20 or more | \$25.00 |

All Other Violations

| | |
|--|---------|
| 1 st thru 4 th | \$ 2.00 |
| 5 th thru 9 th | \$ 4.00 |
| 10 th thru 14 th | \$ 6.00 |
| 15 th thru 19 th | \$ 8.00 |
| 20 or more | \$10.00 |

We need to hold a public hearing on the ordinance, after which the council may take action on the ordinance.

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 25, 2013 and a public hearing being held on April 8, 2013 was duly passed by the City Council of the City of Caribou, Maine, this 8th day of April 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



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bless, City Manager
Date: April 8, 2013
Re: Public Hearing and Action on Ordinance 5-2013

Ordinance 5-2013 modifies the taxi cab license fee from \$20 to \$40.

We need to hold a public hearing on the ordinance, after which the council may take action on the ordinance.

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 25, 2013 and a public hearing being held on April 8, 2013 was duly passed by the City Council of the City of Caribou, Maine, this 8th day of April 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



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bless, City Manager
Date: April 8, 2013
Re: Public Hearing and Action on Ordinance 6-2013

Ordinance 6-2013 modifies fees for Taxicab Drivers' License from \$5 to \$10.

We need to hold a public hearing on the ordinance, after which the council may take action on the ordinance.

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 25, 2013 and a public hearing being held on April 8, 2013 was duly passed by the City Council of the City of Caribou, Maine, this 8th day of April 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



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bless, City Manager
Date: April 8, 2013
Re: Public Hearing and Action on Ordinance 7-2013

Ordinance 7-2013 modifies fees for Special Amusement from \$10 to \$30.

We need to hold a public hearing on the ordinance, after which the council may take action on the ordinance.

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 25, 2013 and a public hearing being held on April 8, 2013 was duly passed by the City Council of the City of Caribou, Maine, this 8th day of April 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



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bless, City Manager
Date: April 8, 2013
Re: Public Hearing and Action on Ordinance 8-2013

Ordinance 8-2013 modifies fees for rubbish haulers from \$10 to \$25 per truck.

We need to hold a public hearing on the ordinance, after which the council may take action on the ordinance.

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 25, 2013 and a public hearing being held on April 8, 2013 was duly passed by the City Council of the City of Caribou, Maine, this 8th day of April 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



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bless, City Manager
Date: April 8, 2013
Re: Rules of Procedure – Addressing the Caribou City Council

As directed by Council I have modified the Rule of Procedure – Addressing the Caribou City Council. The proposed draft is below. Council

Revised: April 8, 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 shall do so during the time period established and in a manner as described:
 - a) Individuals addressing the Council shall give their name and address and shall limit their statements to not more than five minutes. The Council Chair, at his/her discretion, may allow more time to a speaker.
 - b) Individuals wishing to appear on the Council agenda to address the council shall contact the City Manager no later than 5:00 pm on the Thursday before the Council meeting they wish to appear on the agenda. This is not a requirement to address the Council during public input.

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.



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bleess, City Manager
Date: April 8, 2013
Re: 20 Collins St

City staff has begun to look at a number of slum/blight issues around the city. The building located at 20 Collins St is in very bad shape and needs to be demolished.

There are two main options that the council can consider.

The first option would be for city staff to attempt to work with the current owner to have them demolish the building or for them to sign a consent agreement for the city to demolish the building and for the owner to pay the costs. If the owner is unwilling to do this we would want Council Authorization to authorize city attorney to file a suit in Superior Court to have this property decaled as a Dangerous Building under Title 17,§ 2851. That would compel the owner to demolish the building.

The other option would be for the city to take over the property and demo the building on our own.

Staff would obviously like to see city expenses at a minimum for this project, but there is a benefit to removing the blight even if there is some expense. The plan being recommended by staff is to send one more letter to the owner giving him 10 days to sign an agreement and after that turning the case over to the city attorney to file with the courts.



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
 From: Austin Bless, City Manager
 Date: April 8, 2013
 Re: Maine Military Authority Lease

As Council is aware Maine Military Authority has stopped using the 60 Access Highway building. On March 15, 2013 they returned the keys and officially surrendered possession of the building. The lease agreement, Section 20, stipulates an automatic lease renewal of five years unless otherwise notified in writing. No such notification exists, and the lease automatically renewed on December 1, 2010.

To date the city has not received rental payments two years, December 1, 2010- November 30, 2012. That total is \$35,000, or \$17,500 per year. If we were to bill them for the partial year, December 1, 2012 – March 15, 2013, it would be another \$5,034.25.

Under Section 9 of the lease agreement MMA is also responsible for maintaining “the premises including the plumbing, heating system, roof and outside walls and windows.” There was a Property Condition Assessment done in November 2005, and updated in August 2012 which is the basis for the repair work necessary. Those repairs and the anticipated costs of them, as estimated by contractors, is as follows:

| Item # | Description | Cost |
|--------|--|------------|
| 1 | Roof repairs (1.4)(5.4) | \$ 40,000 |
| 2* | Standard start up service - Boilers (2) (6.2) | \$ 800 |
| 3* | Air Conditioning units (1.4)(6.2) | \$ 3,000 |
| 4* | Air Handler units - standard maintenance (1.4)(6.2) | \$ 500 |
| 5* | Service Chiller (6.1) | \$ 200 |
| 6* | Replace 6" exhaust pipe for hot water heater (1.4)(6.1) | \$ 800 |
| 7 | Replace hot water heater, oil fired (1.4)(6.1) | \$ 2,000 |
| 8 | Replace loading dock soft seal, west side bay (1.5)(9.1) | \$ 2,000 |
| 9 | Remove and replace metal siding on entire facility (5.3) | \$ 93,400 |
| 10* | Repairs to various plumbing issues (6.1) | \$ 2,000 |
| 11 | Various building maintenance repairs (1.5)(4.5)(5.1)(5.2)(8.0) | \$ 31,000 |
| | Total Expenses | \$ 175,700 |
| | *Indicates estimate only | |
| | Numbers listed in description reference notes in Updated Property Condition Assessment as to Repair and Maintenance Issues that should be addressed. | |

Maine Military Authority has indicated they will not pay rent for 2010-2012. They have not responded to my letter, dated March 13, 2013, as to their responsibility of the repairs.

I am asking for Council authorization to utilize the City Attorney and the legal process to recover the funds necessary to complete the repairs and the back rent. Before we do that I will send one more letter informing MMA of our intent to send this to the city attorney.



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bless, City Manager
Date: April 8, 2013
Re: May 27, 2013 Council Meeting

Since the May 27, 2013 Council meeting falls on Memorial Day I'm wondering if Council would like to cancel the second meeting in May.

According to Charter Section 5(6)(d) "the City Manager will finalize the complete City Budget for the current year including all three elements: expense, capital expense, and income on or before the 31st of May each year."

There is no requirement for approval of the City Council. So that could be done in June. The taxation rate must be set by June 30th, which this year falls on a Sunday.

It's also my understanding that historically there is only one council meeting a month in July and August. If council would like to do that again we can set the schedule for those months tonight as well.