



## City of Caribou, Maine

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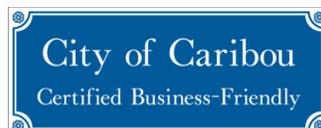
### AGENDA Caribou City Council Regular City Council Meeting 7:00 P.M. Monday, April 14, 2014 Caribou City Council Chambers

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 24, 2014 Council Meeting 2-5
  - b) March 31, 2014 Special Council Meeting 6
4. Consent Agenda
  - a) March 2014 Fire Department Report 7-8
  - b) March 2014 Police Department Report 9-10
  - c) March 2014 Financials
  - d) Approval of Licenses 11
  - e) Lunch Wagon Application 12
  - f) Planning Board Appointment 13
5. Mini-Split Heat Pumps Ordinance 14-16
6. Municipal Service Fees Ordinance 17-19
7. Abatement of Taxes 20
8. Putting Tax Acquired Properties out for bid 21
9. Heritage Road Abandonment or Discontinuance 22-26
10. Approval of 2014 Municipal Budget 27-28
11. Other Business
12. Executive Session under MRSA Title 1 §405(6)(C) to discuss disposition of publicly held property.

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

Regular City Council Meeting, April 28, 2014 at 7:00 p.m.

Regular City Council Meeting, May 12, 2014 at 7:00 p.m.



A regular meeting of the Caribou City Council was held 7:00 p.m. on Monday, March 24, 2014 in Council Chambers with the following members present: Mayor Gary Aiken, Deputy Mayor David Martin, Philip McDonough II, Joan L. Theriault, David R. Genthner, Sr., Shane McDougall, and Kenneth G. Murchison, Jr.

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

Department Managers: Penny G. Thompson, Tax Assessor.

Natalie De La Garza, representing the Aroostook Republican; and Time Warner covered the meeting.

Council Agenda Item #1: Public Input

Wilfred Martin requested that the Council hold a workshop meeting with Caribou citizens to discuss the City's sick leave and vacation time policy. He had questions about the City's Catastrophic Leave Program and unfunded liability. He stated that there is a lot of confusion among the Caribou citizens regarding the proposed amendment. There was a discussion between Mr. Martin and the Mayor concerning the proposed ordinance, unions, and a possible workshop meeting with Caribou citizens and Council.

Paul R. Camping, Grimes Road, stated that he is troubled by the generosity of the City's plan. He added that the City should give an honest day's pay for an honest day's work with reasonable benefits. He encouraged the Council to try to stop the population decline and to keep Caribou affordable.

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 10, 2014 Council Meeting

Motion made by D. Genthner, seconded by P. McDonough, to accept the minutes of March 10, 2014 as presented. (6 yes) So voted.

Council Agenda Item #4: Consent Agenda

- a) Appointment of Election Clerks
  - 1. Exhibit A-2-May 1, 2014 to April 30, 2016 Election Clerks

Motion made by K. Murchison, seconded by P. McDonough, to appoint Election Clerks for the two year period of May 1, 2014 to April 30, 2016 pursuant to MRSA Title 21-A Section 503. (6 yes) So voted.

- b) Approval of Quit Claim Deeds
  - 1. Map 11, Lot 46E                      Carl Thibodeau
  - 2. Map 16, Lot 14A                     Arlene Farley-Belanger
  - 3. Map 20, Lot 26                       Ronald A. Champagne
  - 4. Map 4, Lot 33A                       Diane Plourde

Motion made by P. McDonough, seconded by K. Murchison, to approve quit claim deeds. (6 yes) So voted.

c) Road Weight Limits

List of Roads: Albair Road, Bowles Road, Caribou Lake Road, George Watson Memorial Drive, Hardison Road, Maysville Road, Ogren Road, Old Washburn Road, Plante Road, Railroad Street, Richards Road, Vance Road, and West Gate Road.

Motion made by J. Theriault, seconded by P. McDonough, to accept the list of roads recommended by the Public Works Director for closure for all vehicles over 23,000 pounds, with the exception of fuel deliveries and emergency vehicles. (6 yes) So voted.

Council Agenda Item #5: Mini-Split Heat Pumps

Following the City's Code it would cost \$90 to obtain the necessary permits to install a Mini-Split Heat Pump (MSHP). In comparison, the permit fee to install an oil fired boiler is \$20. It is being recommended that that the Council amend Section 5-301 of the City Ordinance to have a permit fee of \$20.00 for MSHPs to help encourage people to utilize them as a source of home heating.

Councilor McDonough introduced Ordinance No. 2, 2014 Series, An Ordinance amending Chapter 5 Fire Prevention, Short Title: An ordinance streamlining fees for Mini Split Heat Pumps.

Motion made by K. Murchison, seconded by J. Theriault, to set a Public Hearing date for March 10, 2014. (6 yes) So voted.

Council Agenda Item #6: Administration Ordinance changes

Motion made by K. Murchison, seconded by P. McDonough, to table action on proposed Administration Ordinance changes. (6 yes) So voted.

Council Agenda Item #7: Other Business

- A. Nomination papers for the Council vacancy are available in the City Clerk's Office.
- B. MicMac property is exempted from real estate taxes. Councilor Martin wonders if the value of MicMac property is included in the City's overall valuation.
- C. Facilities, Inc. – Manager Bless reported that there haven't been any changes and Facilities is not interested in signing a new Pay in Lieu of Taxes Agreement (PILOT). Councilor Martin wants to know what actions need to be taken because the City cannot continue to allow Facilities not to pay for services. Manager Bless stated that there are a couple of bills before the State Legislature addressing these type of issues and he suggested that the City wait to see what happens with them before taking any action at the local level.
- D. Mayor wants Administration to complete a wage comparison study with locate employers; such as, Cary Medical, NMDC, S.W. Collins, and DFAS.

Council Agenda Item #8: Executive session pursuant to MRSA Title 1 Chapter 13 Section 405 (6)(C) to discuss disposition of publicly held property.

7:38 p.m. Motion made by K. Murchison, seconded by D. Genthner, to move to executive session with City Manager and Assistant City Manager pursuant to MRSA Title 1 Chapter 13 Section 405 (6)(E) to discuss pending or contemplated litigation. (6 yes) So voted.

8:21p.m. time out.

Motion made by K. Murchison, seconded by D. Martin to authorize the City Manager to negotiate on the sale of city property with final approval to come back to the Council. (6 yes, 1 no, G. Aiken) So voted.

Council Agenda Item #9: Executive session pursuant to MRSA Title 1 Chapter 13 Section 405 (6)(E) to discuss pending or contemplated litigation.

8:22 p.m. Motion made by D. Martin, seconded by P. McDonough, to move to executive session with City Manager and Assistant City Manager pursuant to MRSA Title 1 Chapter 13 Section 405 (6)(E) to discuss pending or contemplated litigation. (6 yes) So voted.

8:30 p.m. time out.

No action taken.

Upcoming Meeting Date:

Special City Council Meeting, March 31, 2014 at 6:00 p.m.

Regular City Council Meeting, April 14, 2014 at 7:00 p.m.

Regular City Council Meeting, April 28, 2014 at 7:00 p.m.

Jayne R. Farrin, Secretary

2014-2016 Election Clerks

The Appointment from May 1, 2014 to April 30, 2016

Laura Adams  
Barbara Aiken  
Donna Barnes  
Laura Bell  
Cassandra Bouchard  
Brenda Bourgoine  
Jean Bushnell  
Patricia Caspersen  
Barbara Collins  
Julie Cook  
Patty Corriveau  
Ellen Corrow  
Michele Cote  
Shellie Doody-Corriveau  
Judith Duprey  
Sandra Dyer  
Mary Lou Gagnon  
Diane Gove  
Yvonne Grass  
Jeanette Hanson  
Claudia Hitchings  
Nancy Hunter  
Carolyn Kelley  
Jacqueline Lambert  
Rhonda Lister  
Elizabeth Long  
Dorothy McDuffie  
Betty McNeal  
Doris Nadeau  
Dawn Peterson  
Roberta Randolph  
Deborah Sirois  
Nancy Solman  
Jeannette Stairs  
Andrea Swanberg  
Karen Thibodeau  
Idella Thompson  
Penny Thompson  
Roberta Walton

14-08

A special meeting of the Caribou City Council was held 6:00 p.m. on Monday, March 31, 2014 in Council Chambers with the following members present: Mayor Gary Aiken, Deputy Mayor David Martin, Philip McDonough II, Joan L. Theriault, Shane McDougall, and Kenneth G. Murchison, Jr. David R. Genthner, Sr. was absent and excused.

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

Council Agenda Item #1: Executive Session to discuss an Abatement Request pursuant to MRSA Title 36 Chapter 105 Section 841 et seq.

6:00 p.m. Motion made by P. McDonough, seconded by J. Theriault, to move to executive session with City Manager, Assistant City Manager, and applicants pursuant to MRSA Title 36 Chapter 105 Section 841 et seq. to discuss Abatement request. (5 yes) So voted.

6:33 p.m. time out. Motion made by D. Martin, seconded by P. McDonough, to come out of executive session. (5 yes) So voted.

Motion made by D. Martin, seconded by J. Theriault, to abate taxes and interest for 2013. (5 yes) So voted.

Meeting adjourned at 6:35 p.m.

Austin Bleess, City Manager

**CFAD MONTHLY REPORT  
March 2014**

Total Fire/ Rescue Calls	25	Total Amb. Calls 180 inc. Air & Assists	
-Alarms for Fires (33)	5	- Ground Amb.:	165
-Alarms for Rescues (66)	1	- Air Amb. Flights:	5
-Silent Alarms	19	- Amb. Assist Calls:	10
-Haz-Mat		- ALS Calls	113
-Grass Fires		- BLS Calls	54
-Chimney Fires	2	- No Transport	3
-False Alarms		- Calls Turned Over: 7 =	\$13,610
-10-55's	9	Total Out of Town Amb. Calls	7
-Aid to Police		Total Out of Town Fire/Rescue Calls	4
-Public Service	2	Est. Fire Loss, Caribou	\$6,100
Total Hours Pumped	2.25 hrs	Est. Fire Loss, out of City	\$8,000
Gallons of Water Used	10,000	Total Est. Fire Loss	\$14,100
Amt. of Hose used:	600'	Total Maint. Hours	7.5 mhrs.
Ladders Used (in Feet):	(75' Ariel) __1__	Total Training Hours	99 mhrs.
Thermal Imaging Camera Used:	1	Miles Traveled by all Units	12,796
CO2 Meter Used:	2	Fire Permits Issued	5
Rescue Sled & Snowmobile:	1	<b>*Color Guard Training</b>	
Rescue Boat:			
Jaws Used:		<b>Total Fire &amp; Amb. Calls</b>	<b>205</b>

**MUTUAL AID TO:**

P.I.F.D.	2
F.F.F.D.	
L.F.D.	
W.F.D.	
Stockholm F.D.	
North Lakes FD	
Crown Amb	
Van Buren Amb.	3 Intercepts

**MUTUAL AID FROM:**

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

**OUT OF CITY FIRES/RESCUES**

<b>LOCATION</b>	<b># OF CALLS</b>	<b>MAN HRS.</b>
Woodland	2	59 mhrs.
New Sweden	1	5 mhrs.
Connor	1	5 mhrs.
Westmanland		

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Scott Susi, Chief

Caribou Fire and Ambulance  
**BREAKDOWN OF FIRES**  
**For March 2014**

<b>Situation Found</b>	<b># Of Incidents</b>	<b>Fire Casualties</b>	<b>Est. Property Damage</b>
1. Private Dwellings inc. Mobile Homes	2		
2. Apartments (3 or more)	1		
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	2		\$8,600
11. Vacant Buildings or being Built			
12. Fires outside structure w/value (crops, timber, etc.)			
13. Fires Highway Vehicles	1		\$5,000
14. Other Vehicles (planes, trains, etc.)	1		\$500
15. Fires in brush, grass w/no value			

**Other Incidents**

16. Haz-Mat	
17. False Calls	
18. Mutual Aid Calls	2 - PIFD
19. Aid to Ambulance (10-55's)	9
20. Aid to Police	
21. Investigation (Smoke, CO <sub>2</sub> or Alarm)	5 (2 - CO; 2 - Alarms; 1 - Smoke)
22. Service Calls	2

**Total Calls for the Month:**   25

**Caribou Police Department**

**MARCH 2014 MONTHLY REPORT**

	<b>OFFENSE</b>	<b>Amount</b>		<b>OFFENSE</b>	<b>Amount</b>
1	<b>Complaints</b>	2420	40	Providing False Name	0
2	<b>Motor Vehicle Accidents</b>	31	41	Violation of Interim License	0
3	<b>Escorts</b>	0	42	Violation of Permit	1
4	<b>Theft Complaints</b>	11	43	Violation of Protection Order Comp	0
5	Crim. Mischief Complaints	5	44	Failure to Stop for Pedestrians	0
6	<b>Animal Complaints</b>	5	45	Passing Stopped School Bus	0
7	<b>Domestic Complaints</b>	6	46	<b>Stops and Checks M/V</b>	1990
8	<b>Burglary Complaints</b>	2	47	<b>Parking Tickets</b>	0
9	<b>Oper. M/V Under the Infl.</b>	4	48	<b>Business Alarms</b>	13
10	Criminal Trespass Comp.	8	49	M/V Permits	6
11	<b>Motor Vehicle Theft</b>	1	50	<b>Handling Prisoners</b>	56
12	Unsecured Doors&Windows	0	51	Running Intoxilyzer	6
13	Motor Vehicle Complaints	28	52	No Insurance	6
14	<b>Missing Persons</b>	2	53	<b>Warrant Arrests</b>	13
15	Harassment Complaints	24	54	Forgery Arrests	0
16	Assault/DV Complaints	7	55	Leave the Scene of Accident	0
17	O.A.S. Arrests	2	56	Failure to Yield the Right of Way	0
18	<b>Juvenile Complaints</b>	3	57	Arson Complaints	0
19	<b>Fight Complaints</b>	0	58	Suicide Complaints	0
20	Noise Complaints	2	59	Disorderly Conduct Complaints	13
21	Criminal Threat Complaints	1	60	<b>Unlawful Sexual Contact</b>	0
22	Lost & Found	1	61	<b>Gross Sexual Contact</b>	1
23	Forgery/Counterfeit Complain	0	62	Unattended Death Reports	1
24	<b>Prowler Complaint</b>	0	63	Burglary Arrests	0
25	Criminal Trespass Arrest	0	64	Violation of Probation Arrests	0
26	<b>Assist Other Agencies</b>	15	65	Criminal Records Check	34
27	<b>Assault Arrest</b>	1	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	0
30	<b>Theft Arrest</b>	4	69	Violation of Drug Laws	6
31	Oper.Unregistered M/V	2	70	Failure to Produce Pawn Slips	0
32	Oper M/V Without a License	2	71	Snowsled & ATV Complaints	3
33	Driving To Endanger	0	72	Juvenile Arrests	5
34	Expired Inspection	4	73	Prov. A Place for Minors to Consume Alc.	0
35	Inadequate Exhaust	0	74	Criminal Mischief Arrests	2
36	Unnecessary Noise	0	75	Violation of Bail Conditions	8
37	Eluding an Officer	0	76	Seatbelt Violation	0
38	<b>Speeding</b>	14	77	Disorderly Conduct Arrests	1
39	Fail to Stop for an Officer	0	78	Receiving Stolen Property	0

**Caribou Police Department**

OFFENSE		Amount	OFFENSE		Amount
79	House Watch Requests	3	91	Warnings	57
80	Child Endangerment Complai	1	92	911 Calls	15
81	Truant from School	1	93	Piercing a Minor	0
82	Criminal Threatening Arrests	0	94	Non License Piercing Establishme	0
83	Terrorizing Arrests	0	95	Check on Well Being	13
84	Loaded Firearm in a M/V	0	96	Police Information	15
85	Making a False Public Report	0	97	Suspicious Activity/Person/MV	12
86	Child Endangerment Arrests	0	98	Civil Complaint	4
87	Tampering with a Witness	0			
88	Violation Of Protection Order	2			
89	Poss. of a Firearm by a Felon	0			
90	Multi-handgun purchase	1			

Respectively Submitted,

Chief Michael W. Gahagan  
 Caribou Police Department  
 Caribou Police Department



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OFFICE OF THE CITY MANAGER  
CARIBOU, MAINE

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To: Mayor and City Councilors  
From: Austin Bleess, City Manager  
Date: April 14, 2014  
Re: Approval of Licenses

We have received an application from Town Taxi for a Taxi License. It has been reviewed by the Clerk and the Police Chief and is recommended for approval by the City Council.

We have received an application from McNeal's Trucking to be a Rubbish Hauler. It has been reviewed by the Police Chief and the City Clerk and is recommended for approval by the City Council.

We have received an application from City Sanitation to be a Rubbish Hauler. It has been reviewed by the Police Chief and the City Clerk and is recommended for approval by the City Council.



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OFFICE OF THE CITY MANAGER  
CARIBOU, MAINE

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To: Mayor and City Councilors  
From: Austin Bleess, City Manager  
Date: April 14, 2014  
Re: Lunch Wagon Application

Scott Walker, business name Theo's, has again this year applied for a lunch wagon permit. He plans to operate at 480 Main St, Monday – Sunday from 11am – 7pm.

There have been no problems with Mr. Walker's lunch wagon in the past. We will need council approval on this license.



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OFFICE OF THE CITY MANAGER  
CARIBOU, MAINE

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To: Mayor and City Councilors  
From: Austin Bleess, City Manager  
Date: April 14, 2014  
Re: Planning Board Appointment

Jeff Michaud has resigned his position on the Planning Board.

The Planning Board has taken applications for the position. Phillip J. McDonough III was the only applicant for the position. The Planning Board is recommending his appointment to the board.

We will need council approval on the resignation and appointment of the new member.



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OFFICE OF THE CITY MANAGER  
CARIBOU, MAINE

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To: Mayor and City Councilors  
From: Austin Bleess, City Manager  
Date: April 14, 2014  
Re: Mini-Split Heat Pumps

At our last meeting the Council introduced Ordinance 2014-2 streamlining fees for Mini Split Heat Pumps. The ordinance was introduced and the public hearing has been scheduled for tonight.

Tonight we need to hold a public hearing. After that the Council may take action on this ordinance.

Since Steve Wentworth has announced his Resignation we are going to be looking at all the permitting processes that we do. It is possible that we will be looking at a broader change to Chapter 5 Section 301, which this new ordinance would amend.

The following information from Steve Wentworth, Code Enforcement Official was presented at our last meeting.

Caribou Ordinance Section 4-201.1 requires electrical permits and inspections. All electrical conductors and equipment to be installed by licensed electricians. Caribou Ordinance, 4-103.2 Electrical Permit charges are currently showing \$40 for misc. electrical permits / inspections.

The Maine Uniform Building and Energy Code (MUBEC) mandated that Caribou enforce the International Residential Code, including Chapter 14, Heating and Cooling Equipment which does not exempt Mini Split Heat Pumps (MSHP). Caribou Ordinance Section 4-103.1, Building Permit Fees shows the minimum fee for work less than \$10,000 to be \$50. Currently installation costs for MSHP are approximately \$2,500.

In conversation with contractors that have already installed (MSHPs), many wish to have their installations compliant with the Caribou Code. However, I am hearing negative comments about the Caribou permit costs. At present the permitting would be a fee of \$90 to cover the mechanical equipment and electrical. In comparison, our permit fee to install an oil fired boiler or furnace which is \$20.

I would like to suggestion that Caribou amend the Ordinance to encourage the installation of mini split heat pumps by reducing the fees for permits. After reviewing all options, the best place for this fee to be listed would be in the Central Heating Appliances portion of our ordinance (Ordinance 5-301).

It was just brought to my attention that the state had issued a memorandum of understanding (MOU) between the Fuel Board and Electricians board that is allowing oil burner technicians to install the electrical conductors for MSHPs. Our ordinance requires electricians to install all electrical conductors in Caribou. The MOU is not intended to change the permitting practices of local electrical inspectors, I believe it is to support the MSHP installations in areas without local electrical inspectors. It has been suggested that Caribou also accept the MOU allowing oil burner technicians to do the installation of the electrical components. I do not support the MOU

from the state allowing oil burner technicians to wire MSHPs being that, most MSHPs require a 220 Volt electrical supply and most residential oil burner technicians have never worked on 220 volt equipment.

Therefore we are recommending that the City Council amend Section 5-301 of the City Ordinance to have a permit fee of \$20 for MSHPs to help encourage people to utilize them as a source of home heating.

If any Councilor has questions on this please do not hesitate to call or stop by.

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

Ordinance No. 2, 2014 Series  
City of Caribou  
County of Aroostook  
State of Maine

**AN ORDINANCE AMENDING CHAPTER 5 FIRE PREVENTION**

Short Title: An ordinance streamlining fees for Mini Split Heat Pumps.

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:** Chapter 5 Section 301 of the Caribou City Code is amended to include:

Inspection fees: Mini Split Heat Pumps \$20/inspection

This ordinance, being introduced on \_\_\_\_\_, 2014 and a public hearing being held on \_\_\_\_\_, 2014 was duly passed by the City Council of the City of Caribou, Maine, this \_\_\_\_\_ day of \_\_\_\_\_ 2014.

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

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

\_\_\_\_\_  
Shane McDougall, Councilor

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

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

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

\_\_\_\_\_  
Joan 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 City Councilors  
From: Austin Bleess, City Manager  
Date: April 14, 2014  
Re: Municipal Service Fees Ordinance

As requested by the Council we have done some research on the Municipal Service Fee Ordinance that the City could implement as authorized by 36 M.R.S.A. § 508.

The statute allows A municipality may impose service charges on the owner of residential property, other than student housing or parsonages, that is totally exempt from taxation under 36 M.R.S.A. § 652 and that is used to provide rental income.

If we were to assess charges there are some limitations that we would have to abide by. The total service charges levied by a municipality on any institution or organization under this section may not exceed 2% of the gross annual revenues of the institution or organization. In order to qualify for this limitation, the institution or organization must file with the municipality an audit of the revenues of the institution or organization for the year immediately prior to the year in which the service charge is levied. We are required to abate the portion of the service charge that exceeds 2% of the gross annual revenues of the institution or organization.

There are several organizations that would fall under this category. This includes:

- Caribou Gardens
- Central Aroostook Association
- Facilities Inc
- Rose Acres

All together this is \$4,729,100 in valuation that is currently exempt.

The fee for services charge shall be determined in accordance with the following formula:

$$(B \div V) \times AV = SC$$

Where:

B = Budget for current fiscal year for municipal services, except education and general assistance.

V = Total taxable valuation of municipality for the current fiscal year.

AV = Assessed Value of the property in question.

SC = Service charge of the property in question.

Based upon this formula and the valuation of the properties in question that would equal a total service fee of \$110,866 based upon 2013 valuation numbers, without taking into consideration the 2% limit.

The proposed ordinance is on the following pages. If the Council would like to move forward with this we would need to introduce it tonight and a public hearing would be scheduled for our next meeting.

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

Ordinance No. 3, 2014 Series  
City of Caribou  
County of Aroostook  
State of Maine

**AN ORDINANCE CREATING CHAPTER 17 PROPERTY TAXES**

Short Title: An Ordinance Adopting Municipal Service Fees.

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:

**Article I. Municipal Service Fee**

**Section 17-101. Creation of Service Charge**

An annual service charge is hereby established, effective with the municipal fiscal year commencing on January 1, 2015. The service charge shall be levied by the municipal officers against all residential property owned by an organization or institution if the property is otherwise totally exempt from property taxation and is used to provide rental income as authorized by 36 M.R.S.A. § 508.

**Section 17-102. Property exempt from taxation.**

Pursuant to 36 M.R.S.A. § 652, properties in the City which are owned by benevolent and charitable institutions shall be exempt from property taxation. This article incorporates by reference the definition of "benevolent and charitable institutions" used in 36 M.R.S.A. § 652.

**Section 17-103. Fee imposed on rental property; exception.**

The owners of residential properties exempt from taxation under § 17-102 that are used to provide rental income (with the exception of student housing or parsonages) shall pay to the City of Caribou a service fee in lieu of property tax.

**Section 17-104. Calculation of fee.**

The fee for services in lieu of property tax shall be calculated according to the actual costs of providing municipal services to the property. Municipal services included in the calculation of the fee shall include fire and police protection, road maintenance and construction, traffic control, snow and ice removal, water and sewer service, sanitation services and all other municipal services except the costs of education and welfare, which shall be excluded.

The fee for services charge shall be determined in accordance with the following formula:

$$(B \div V) \times AV = SC$$

Where:

B = Budget for current fiscal year for municipal services, except education and general assistance.

V = Total taxable valuation of municipality for the current fiscal year.

AV = Assessed Value of the property in question.

SC = Service charge of the property in question.

In no instance shall this fee exceed 2% of the gross annual revenues of the organization.

**Section 17-105. Appeals.**

Any property owner levied a service charge in lieu of property tax shall have the right to appeal the levy to the Board of Assessors.

**Section 17-106. Administration**

Unpaid service charges shall be collected in any manner available to the municipality, including, without limitation, the manner provided in 38 M.R.S.A. §1208 as it may be amended from time to time.

This ordinance, being introduced on April 14, 2014 and a public hearing being held on April 24, 2014 was duly passed by the City Council of the City of Caribou, Maine, this \_\_\_\_\_ day of \_\_\_\_\_ 2014.

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

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

\_\_\_\_\_  
Shane McDougall, Councilor

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

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

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

\_\_\_\_\_  
Joan Theriault, Councilor

Attest:

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





OFFICE OF THE CITY MANAGER  
CARIBOU, MAINE

To: Mayor and City Councilors  
 From: Austin Bless, City Manager  
 Date: April 14, 2014  
 Re: Putting Tax Acquired Properties out for bid

We would like to put the following Tax Acquired Properties out for bid. These properties have all been out for bid before. The property at 3 Vesta Drive was on the list last time. The high bidder that time did not come through with the rest of the payment, so we are placing this back out for bid.

Taxpayer	Map	Lot	Location	Assessed Value	Tax Amount On Books	Occupied	Amount Owed to CUD	Minimum Sale	Lot Size (acres)	Building Details
Hartley, Mary	34	158	Belmont Street - Lot 50 x 40	1,700	\$ 303.75	Land Only	N/A	100	0.05	No Structure
Doody, Ryan	7	39-32	306 Washburn Street Lot #32	5,300	\$ 700.66	NO	N/A	100	-	S/F Mobile Home
Plante, Jennifer	24	63	3 Vesta Drive	50,200	\$ 3,275.93	NO	1,849.75	12,500	0.23	1 1/2 story, S/F
Thibodeau, Bobby - Dec	16	8-J	Plante Road	7,800	\$ 508.80	Land Only	N/A	1,000	1.53	No Structure

We plan to take bids and have them for Council action at our May 12 meeting.



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OFFICE OF THE CITY MANAGER  
CARIBOU, MAINE

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To: Mayor and City Councilors  
From: Austin Bless, City Manager  
Date: April 14, 2014  
Re: Heritage Road Abandonment or Discontinuance

We have received a request from Rick Solman on the behalf of him and his siblings that own Lots 185 and 179 on map 35. They are looking to sell Lot 185 and to facilitate that sale they are requesting the City discontinue the portion of Heritage Road that runs along their lot. A map depicting what would be discontinued is on the next page.

Currently that portion of the street in question is not a usable street. There are well grown trees up in that area. It has never been used as a street since the street was created in the subdivision in 1956.

There are two ways the City Council could choose to proceed.

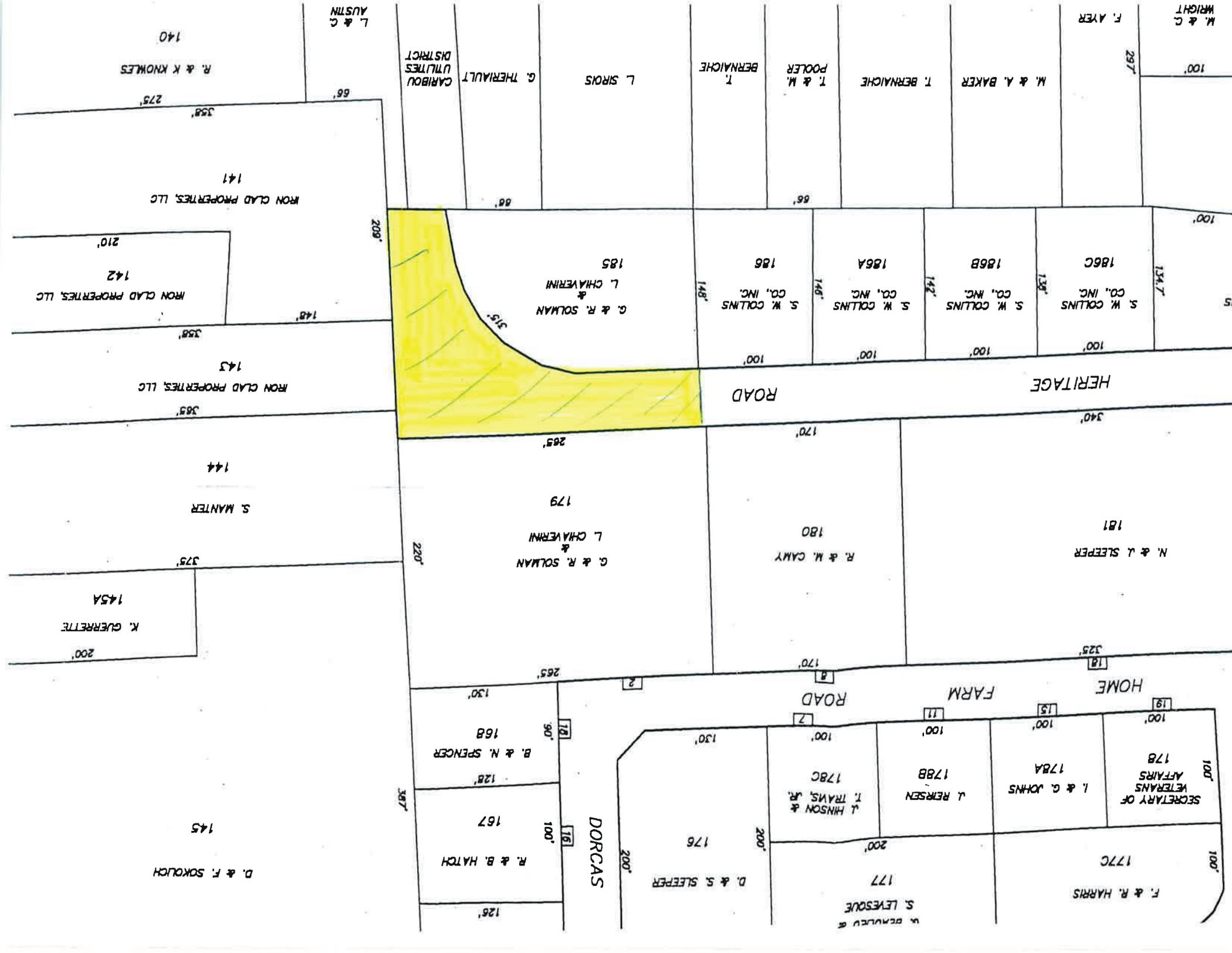
Option 1: We could discontinue the road. This would be done with a public hearing and notice given to abutting landowners. We would have to determine damages, if any, that would have to be paid to the abutters. The Solman's have agreed to waive any damages due to them. Since the other property owners do not have any access to their property from the road there should be no damages owed to other property owners. That would have to be determined by an appraiser. The Council could vote to discontinue the property after the public hearing.

Option 2: State Statute allows us to consider the street abandoned after 30 years of no municipal maintenance. As mentioned above the section of road in question has not been maintained for more than 30 years. The City can abandon the street after a public hearing. Any person affected by the presumption of abandonment may seek declaratory relief in Superior Court.

The Council would need to decide if they would like to proceed and if they do want to proceed which option they would like to go with.

My recommendation would be to presume the property to be abandoned. It is clear there has been no municipal maintenance of the road in the portion that is being proposed to be abandoned.

On the following pages include the map with the road in question, a satellite view of the road, and a picture taken April 11, 2014 showing the road in, and a larger map for reference of location for Heritage Road..



M. & C. WRIGHT  
100'

F. AYER  
297'

M. & A. BAKER

T. BERNAICHE

T. & M. POOLER

T. BERNAICHE

L. SIROIS

G. THERIAULT  
CARIBOU UTILITIES DISTRICT

L. & C. AUSTIN

R. & K. KNOWLES  
140

100'

186C  
S. W. COLLINS CO., INC.  
134.7'

186B  
S. W. COLLINS CO., INC.  
142'

186A  
S. W. COLLINS CO., INC.  
146'

186  
S. W. COLLINS CO., INC.  
148'

185  
G. & R. SOLMAN & L. CHAVERRINI  
315'

141  
IRON CLAD PROPERTIES, LLC  
209'

142  
IRON CLAD PROPERTIES, LLC  
210'

143  
IRON CLAD PROPERTIES, LLC  
358'

144  
S. MANTER  
375'

145A  
K. GUERRETTE  
200'

HERITAGE ROAD

181  
N. & J. SLEEPER  
340'

180  
R. & M. CAMY  
170'

179  
G. & R. SOLMAN & L. CHAVERRINI  
285'

HOME FARM ROAD

178  
SECRETARY OF VETERANS AFFAIRS  
100'

178A  
I. & G. JOHNS  
100'

178B  
J. REMSEN  
100'

178C  
J. HINSON & T. TRANS. JR.  
100'

176  
D. & S. SLEEPER  
200'

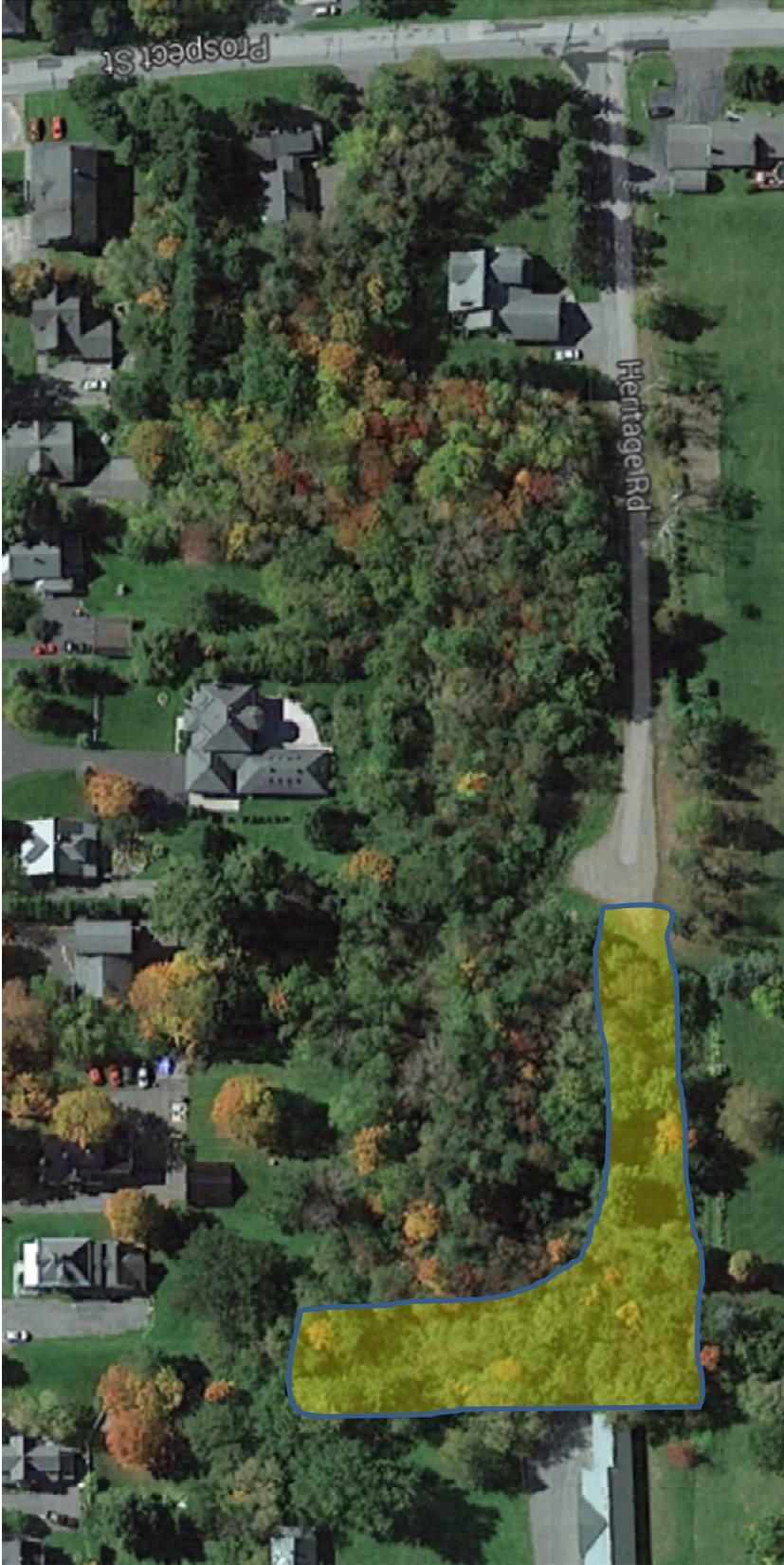
168  
B. & N. SPENCER  
130'

167  
R. & B. HATCH  
100'

126  
128'

145  
D. & F. SOROUCH  
387'

126'



Approximate shape to be discontinued.



General area of Heritage Road for Reference





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OFFICE OF THE CITY MANAGER  
CARIBOU, MAINE

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To: Mayor and City Councilors  
From: Austin Bleess, City Manager  
Date: April 14, 2014  
Re: Approval of 2014 Municipal Budget

This Income Budget Message and accompanying budget report are presented in fulfillment of the requirements set forth in the City Charter 5.06(c) and 5.06(d) and is presented for approval by the City Council.

As was the Council consensus during the February 24, 2014 Council meeting we have moved the Contractual Allowance from the expense side of the budget to the revenue side of the budget. Contractual Allowance is something that we never expect to receive it's not entirely accurate to reflect it on the expense sheet. So this change was made, with Council consensus, to confirm with best accounting principles.

The Revenue Sharing amount for 2014 is \$171,030 lower than what it was for 2013. This is also about \$1 million less than what it would be if the State had kept its promise to the Citizens of Maine and fully funded Revenue Sharing.

In 2013 one-time funds in the amount of \$134,639, a dividend payment from Tri-Community, was utilized to help offset taxation.

So as we start the Revenue Budget we are already at \$305,669 less in revenues than we were in 2013. That is 0.83 of a Mill, based upon the 2013 valuation.

Some of these budget numbers will change when we get to the tax commitment. The Property Taxes (R 10-01-032), Homestead Exemption (R 22-01-04), and BETE Reimbursement (R 22-01-05). All of these numbers are based upon the final mill rate. The overall Revenue Budget should stay the same, but the amounts between these three lines will change.

In previous years these lines would not have budget amounts set until commitment. Not setting those numbers is allowable under accepted accounting procedures. However, with the change in the new Charter, specifically section 5.09(a) we feel we must put our best estimation for these lines in at the time of the budget adoption.

The proposed budget also includes an overlay of \$86,173. It is important to rebuild the cash reserves of the City. During the months of June through August the cash flow gets very tight, which makes it difficult to meet all of our payment obligations. If we can build up our cash reserve we will strengthen the overall financial position of the city.

There are some specific line item changes to note as well:

- R 10-01-01 Tax Lien Costs Collected has been increased due to the new rate the state charges

- R 10-01-16 Vehicle Registration Local Fee has been decreased to account for the lost agent fees we are projecting to see since we now offer Rapid Renewal
- R 20-01-02 GA State Reimbursement has been decreased due to the lower amount of GA Spending that we have seen since 2009.
- R 23-01-02 Building Permits has been decreased due to the number of projected building permits.
- Department 30 (Fire) is mainly based upon the Fire Department Contracts.
- Department 31 (Ambulance) shows increases in several insurance billing lines. With the addition of more staff we have been able to turn over fewer calls, increasing revenue to the City. As the contractual allowance has been moved to the revenue side the bottom line shows close to the same projected budget as last year.
- Department 35 (Police) shows a decrease in revenue because the COPS Grant has expired.
- Department 39 (Emergency Management) shows an increase due to a grant we are able to receive from the state for some of the costs.
- Department 40 (Public Works) shows a slight increase due to the contract we had with sharing Dave Ouellette.
- Department 61 (Trailer Park) shows a decrease to equal the expected expenses. As this is run as an enterprise account any revenue generated above and beyond expenses goes into the Trailer Park Reserve Account.

With the Revenue Budget as presented, including an \$86,173 overlay based upon 2013 valuations we would have a 22.3 mill rate. The Mill Rate for 2013 was 20.5. A tenth of a mill is approximately \$37,145, so a reduction to 22.2 mills would give us an overlay of \$49,028. I would not recommend an overlay any smaller than that.

I must emphasize that at this point in time it is still too early to talk accurate mill rates for 2014. We do not know what our portion of the County tax bill or the RSU tax bill will be. We also do not know what the final valuation will be for 2014, which will also change the amount of value captured in the TIF Districts. Simply put there are still too many variables right now to give an accurate mill rate for 2014.

The budget is provided under separate cover and is also available on our website at <http://www.cariboumaine.org/index.php/city-council/budgets/>