



City of Caribou, Maine

Municipal Building
25 High Street
Caribou, ME 04736
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www.cariboumaine.org

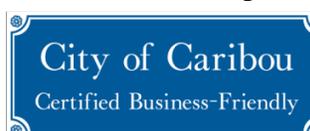
AGENDA Caribou City Council Regular City Council Meeting 7:00 P.M. Monday, May 12, 2014 Caribou City Council Chambers

1. Public Input
 - a) Steve Eyler, Executive Director of Homeless Services of Aroostook 2
2. Declaration of Conflicts of Interest from the City Council regarding any agenda item.
3. Consider authorizing the minutes of the following meetings:
 - a) April 28, 2014 3-7
4. Consent Agenda
 - a) Approval of April 2014 Financials
 - b) Approval of April 2014 Police Department Report 8-9
 - c) Approval of April 2014 Fire Department Report 10-11
 - d) Appointment Local Health Officer 12
 - e) Thursday's On Sweden 13
5. CDBG Grant Application 14-15
6. Birds Eye Site – Notice of Hearing 16-18
7. Ordering abatement of malfunctioning waste water disposal unit 19-21
8. Electrical Code Ordinance 22-23
9. Ordinance Amending Land Use Codes 24-25
10. Authorizing Sale of Tax Acquired Properties 26
11. Abating Back Taxes 27
12. Awarding Culvert Bids 28
13. Awarding Street Paint Bids 29
14. Awarding Paving Bids 30
15. Awarding Shim and Patch Bids 31
16. Other Business

Upcoming Meeting Dates:

Regular City Council Meeting, June 9, 2014 at 7:00 p.m.

Regular City Council Meeting, June 23, 2014 at 7:00 p.m.





August 2013

Mr. Austin Bleess
City Manager
25 High Street
Caribou, Maine 04736

Dear Mr. Bleess,

Another year has flown by and on behalf of the Board of Directors, staff, volunteers, and Shelter residents, we hope this letter finds you and your community healthy and prosperous.

The trend we've been seeing over the last few years is continuing and in fact growing. More than ever its families with children who are calling us for help, much more so than individuals. Program changes within State and Federal funding has had a negative impact on the people we serve and on our operation as well. The changes and cuts are causing families to stay with us much longer than ever before as we attempt to get even more creative with ways to meet the needs of the families in crisis.

Unfortunately 2012 was another record-setting year for us. While we served fewer people from the year before at 163, our bed night count (one person in one bed for one night) set a new high at 8,255, an increase of over 700. This proves that families are staying with us longer, mainly due to a reduction of programs and services and funding. The number of children who called our Shelter "home" for a season was 48 last year. Of the 163 people, 78% were native Mainers; 71% were native to Aroostook County; 30% were under the age of 18, 42% between 18 and 30, 24% between 31 and 50, and 4% over 50; 53% were male and 47% female; and 2% were military veterans. Based on projections for this calendar year, we're on target to set yet another bed night record high count. Please remember that while these statistics are numbers and percentages, they really represent people, the people of our State and County, our friends and neighbors and family members.

In order for us to keep our doors open for **all** of Aroostook County, we rely on the support from our County and Municipalities to help us help County residents get connected to the services and programs available for them. We are requesting an allocation of **\$12,283.50** in your upcoming annual budget cycle, based solely on your population count, to help us accomplish that.

In the face of what seems to be a dwindling concern for the crisis of homelessness at the State and Federal levels, thank you in advance for your continued support of the **only** Emergency Homeless Shelter in Aroostook County. Our drug and alcohol-free program is making a difference in the lives of everyone who needs our services. Please give what you can and please be comfortable contacting me at your convenience about this request, should you have questions.

Warmest regards,

Stephen D. Eyler, Executive Director



P.O. Box 1753 ~ Presque Isle, Maine 04769
Office 764-5114 ~ Shelter 764-4125 ~ Transitional Housing 762-6000 ~ Fax 764-2866

Sister Mary O'Donnell Emergency Shelter ~ Transitional Housing

A regular meeting of the Caribou City Council was held 7:00 p.m. on Monday, April 28, 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; Scott Susi, Fire Chief; and Diane DuBois, Library Director.

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

Council Agenda Item #1: Public Input

None

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

Councilor S. McDougall stated his conflict of interest with Agenda Item 8.

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

- a) April 14, 2014 Council Meeting

Motion made by P. McDonough, seconded by D. Genthner, to accept the minutes of April 14, 2014 Council meeting as presented. (6 yes) So voted.

Council Agenda Item #4: Consent Agenda

- a) June 10, 2014 Elections
 1. Approval of an 8:00 a.m. opening time
 2. Appointment of Jayne R. Farrin as Election Warden and Kalen Hill as Deputy Election Warden
 3. Approval for the Notice of Special Municipal Election
 4. Countersign the Warrant and Notice of Election calling Regional School Unit #39 Budget Validation Referendum
- b) Approval of Licenses
 1. Taxi License Renewal –Aroostook Cab Company
 2. Rubbish Hauler License Renewal – Caldwell’s Sanitation, Crown of Maine Sanitation, Gil’s Sanitation, Pine Tree Waste, and Rossignol Sanitation.

Motion made by D. Martin, seconded by P. McDonough, to approve the Consent Agenda with Business Items A and B as presented. (6 yes) So voted.

Council Agenda Item #5: Municipal Service Fees Ordinance

Per request of the Council, research has been done on the implementation of a Municipal Service Fee Ordinance that could be adopted by Council under MRSA Title 36 Section 508. Caribou Gardens, Central Aroostook Association, Facilities, Inc., and Rose Acres are four of the organizations that would be affected if the Council adopts the proposed ordinance. Currently Caribou Gardens pays a PILOT that is based on the same formula outlined in the proposed ordinance.

7:03 p.m. Public Hearing opens.

Philip St. Peter – connected with Rose Acres for over 45 years – Mr. St. Peter provided a brief history of this development which was started in 1969 with the donation of land by Rose Corriveau for the development of elderly and low income housing and a nursing home. From the beginning an amount equaling 10% of their gross income has been paid In Lieu of Taxes to the City. Over the past 10 years, this amounts to approximately \$405,000 with \$44,960 being paid in 2013. He wants everyone to know that Rose Acres does contribute to the City.

Brian Ostlund – Facilities – wants the Council to realize that non-profits run on small margins. He will be discussing this with his board at their next meeting. He requested that the Ordinance be tabled.

7:18 p.m. Public Hearing closed.

Motion made by K. Murchison, seconded by D. Genthner, to table until additional information has been gathered. (5 yes, 1 no, S. McDougall) So voted.

Council Agenda Item #6: Heritage Road Abandonment

The City has received a request from Rick Solman on the behalf of him and his siblings regarding Map 35 Lots 185 and 179. These lots run along a portion of Heritage Road that was created in 1956 through a subdivision, but was never used as a street. There isn't any historical documentation that any road maintenance had ever been done on the portion of the street in question. At the April 14, 2014 meeting, the Council voted to schedule a public hearing and to move forward with the declaration of abandonment for this section of Heritage Road, as State Statute allows the City to consider a street abandoned after 30 years of no municipal maintenance. Any person affected by the presumption of abandonment may seek declaratory relief in Superior Court.

7:26 p.m. Public Hearing opened.

Rick Solman stated that he supports the Presumption of Abandonment.

7:28 p.m. Public Hearing closed.

Motion made by K. Murchison, seconded by J. Theriault, to authorize Manager Bless to move forward with the Presumption of Abandonment for this section of Heritage Road. (6 yes) So voted.

Council Agenda Item #7: Consent Agreement with Stoneland Holdings

Andy Ayer, Stoneland Holdings , LLC plans to build new housing for their migrant workers. The current mobile homes will be replaced with new stick built units. Even though this site has been used for migrant housing since the 1960s, there isn't any record that a subdivision review has been done by the City. Staff is recommending that a Consent Agreement be signed between Mr. Ayer and the City outlining the history of the land, allowing construction of new buildings, and requiring the removal of the mobile homes. The Consent Agreement would be recorded at the Registry of Deeds once it is signed by both the Council and Mr. Ayer.

The Council had several questions for Mr. Ayer and Attorney Solman. Councilor Theriault agrees with the changes being proposed by Mr. Ayer, but will not sign the agreement as presented. Her concerns are the with the sentence, "City through the Legislative Body of the City Council will agree that this subdivision has existed since before the Subdivision Ordinance was enacted in 1971."

Stoneland Holdings plans to recycle what can be recycled from the mobile homes and then bury what remains. It estimated that the project will cost \$200,000 to complete. A building permit has been issued by the Code Enforcement Officer and Mr. Ayer plans to move forward with the project.

Councilor McDonough questioned whether this project meets the definition of a subdivision. He wants the City to do what is correct and is not trying to stand in the way of this project.

Council consensus to change in the Consent Agreement the sentence where the "City Council agrees that a subdivision has existed since before the Subdivision Ordinance was enacted in 1971" to the "City Council agrees that this land has been utilized as migrant worker housing since at least the mid-1960s".

Motion made by K. Murchison, seconded by S. McDougall, to approve the amended Consent Agreement with Stoneland Holdings, LLC. (5 yes, 1 no, P. McDonough) So voted.

Council Agenda Item #8: Library Steps Replacement Project

In 2013, the Library was awarded a grant in the amount of \$15,000 to replace the front steps. The roofing project has been completed leaving a balance of \$14,383 in Library Roofing Reserve. Recently this project was placed out to bid, and the City received only one bid in the amount of \$23,500 from BMB Construction LLC from Hampden.

Motion made by P. McDonough, seconded by D. Martin, to accept the bid from BMB Construction LLL in the amount of \$23,500, with \$15,000 to be paid through a grant award and the balance to come from the Library Roofing Reserve. (5 yes, 1 abstention, S. McDougall) So Voted.

Council Agenda Item #9: Fire Department Mutual Aid Agreement

North Lakes Volunteer Fire Department has requested that the City of Caribou no longer provide first response coverage for Fire Service, and instead go with a Mutual Aid Agreement.

Fire Chief Susi answered several questions from the Council.

Motion made by D. Martin, second by P. McDonough, to approve a Mutual Aid Agreement with North Lakes Volunteer Fire Department. (6 yes) So voted.

Council Agenda Item #10: Approval of 2014 Municipal Budget

During the budget discussion held at the last Council Meeting, it was the consensus of Council to support a mil rate increase up to 1.4 mils. To achieve the Council's goal, Manager Bleess presented a list of proposed changes to the Budget. Mr. Bleess emphasized that with the reduction in Revenue Sharing, the use of one-time funds in revenue, and cutting of Capital Reserves, the Council is going to have to make tough choices for future budgets as to what services are going to be reduced or be eliminated or how high of a mil rate the city is willing to tolerate.

Changes to budget since the April 8th version:

\$37,145	Overlay
\$ 7,000	Assessing Reserve ¼ Review
\$ 2,000	Fire Computer Reserve
\$ 2,000	Ambulance Computer Reserve
\$10,000	Ambulance Reserves
\$15,000	Municipal Building Reserve
\$ 3,000	Christmas Light Reserve

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\$ 5,000	LED Street Lights
\$10,300	PW Reserves

\$ 1,000	Health Ins 70-18-01
\$10,000	Code Enforcement
\$10,000	Abatements
\$ 3,000	Parking Lot Reserve
\$ 5,000	General Assistance
\$(2,500)	General Assistance Revenues
\$ 2,000	Boilers
\$ 2,500	Police OT
\$ 2,000	Police Gun Reserve
\$ 1,000	Rec Center Improvements Reserve
\$ 1,500	Parks Vehicle Reserve
\$ 300	Mower Reserve
\$13,000	City Owned Property Rev
\$ 2,500	Recreation Revenues (Increase)
\$142,745	Total

The Mayor stated that majority of the reductions are being made to the Reserve Accounts so the money won't be there when the City needs to replace something. He stated that the City is really playing games with numbers and that holding the mil rate this year is really increasing it twice as much next year.

Councilor McDougall stated that is time for the City to make fundamental changes on what services are needed and required. He stated that there isn't any more fat to be trimmed. For the mil rate to go down there is only one thing to do and that is to cut services and he understands that is not the popular thing to do.

Councilor McDonough questioned whether the service life of those items impacted by the Reserve Account reductions has been extended. Manager Bless stated that most of the staff's recommendations do fall along those lines.

Manager Bless stated that the City will continue to look at other areas to combine services or combine departments; such as, what is being done with Assessing and Code Enforcement.

Councilor McDonough doesn't like to talk about mil rates because they are unpredictable and that we are trying to drive a budget when all the facts are not available. Councilor McDonough believes this budget is within the ballpark, furthermore the Council has not given specific places to make cuts and whenever cuts are discussed the Council seems to leave it very open ended. Then Staff suggests areas to cut where they feel it can be made without jeopardizing too much. Maybe the time has come for Council to provide specific direction where the cuts should be made.

Motion made by D. Martin, seconded by K. Murchison, to approve the revenue budget as presented and the revised expense budget. (4 yes, 2 no, D. Genthner, P. McDonough) So voted.

Council Agenda Item #11: Other Business

- A. Spring clean up week will be held in May.
- B. The City is unable to prevent trucks from coming through the City rather than using the Caribou Connector.

Motion made by K. Murchison, seconded by D. Genthner, to adjourn the meeting at 8:17 p.m. (6 yes) So voted.

Upcoming Meeting Dates:

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

Regular City Council Meeting, June 9, 2014 at 7:00 p.m.

Jayne R. Farrin, Secretary

Caribou Police Department							
APRIL 2014 MONTHLY REPORT							
OFFENSE			Amount	OFFENSE			Amount
1	Complaints	2025	40	Oper. Wrong Way on One Way	0		
2	Motor Vehicle Accidents	18	41	Viol. Of Title 29A Sec 2101	0		
3	Escorts	3	42	Violation of Permit	0		
4	Theft Complaints	23	43	Failure to Stop at Stop Sign	0		
5	Crim. Mischief Complaints	1	44	Failure to Stop for Pedestrians	0		
6	Animal Complaints	11	45	Passing Stopped School Bus	0		
7	Domestic Complaints	8	46	Stops and Checks M/V	1537		
8	Burglary Complaints	2	47	Parking Tickets	12		
9	Oper. M/V Under the Infl.	3	48	Business Alarms	16		
10	Criminal Trespass Comp.	4	49	M/V Permits	5		
11	Motor Vehicle Theft	0	50	Handling Prisoners	54		
12	Unsecured Doors&Windows	0	51	Running Intoxilyzer	6		
13	Motor Vehicle Complaints	31	52	No Insurance	7		
14	Missing Persons	3	53	Warrant Arrests	17		
15	Harassment Complaints	13	54	Negotiating Worthless Instrument	1		
16	Assault Complaints	8	55	Leave the Scene of Accident	0		
17	O.A.S. Arrests	1	56	Failure to Yield to Right of Way	0		
18	Juvenile Complaints	8	57	Arson Complaints	0		
19	Fight Complaints	0	58	Suicide Complaints	0		
20	Noise Complaints	1	59	Disorderly Conduct Complaints	19		
21	Criminal Threat Complaints	1	60	Unlawful Sexual Contact	0		
22	Lost & Found	4	61	Gross Sexual Contact	0		
23	Neg. Worthless Inst. Comp.	2	62	Unattended Death Reports	0		
24	Prowler Complaint	0	63	Burglary Arrests	0		
25	Violation of PO Complaints	3	64	Violation of Probation Arrests	0		
26	Assist Other Agencies	16	65	Criminal Records Check	48		
27	Assault Arrest	2	66	Refusal to Sign U.T.T.	0		
28	Drunk Complaint	0	67	Violation of Liquor Laws	0		
29	Litter Complaint	1	68	Violation of Tobacco Laws	0		
30	Theft Arrest	2	69	Violation of Drug Laws	3		
31	Oper. Unregistered M/V	4	70	Teletype Requests Limestone PD	0		
32	Oper M/V Without a License	0	71	Snowsled & ATV Complaints	2		
33	Driving To Endanger	0	72	Juvenile Arrests	3		
34	Expired Inspection	6	73	Prov. A Place for Minors to Consume Alc.	0		
35	Inadequate Exhaust	0	74	Criminal Mischief Arrests	3		
36	Unnecessary Noise	1	75	Violation of Bail Conditions	5		
37	Eluding an Officer	0	76	Seatbelt Violation	0		
38	Speeding	9	77	Disorderly Conduct Arrests	3		
39	Fail to Stop for an Officer	0	78	Receiving Stolen Property	0		

Caribou Police Department

OFFENSE		Amount	OFFENSE		Amount
79	House Watch Requests	2	91	Hindering Apprehension/Resist Arr	1
80	Robbery	0	92	911 Calls	13
81	Truant from School	4	93	Warnings Issued	44
82	Criminal Threatening Arrests	0	94	Assault Domestic Violence	0
83	Terrorizing Arrests	0	95	Check on Well Being/Mental Subje	8
84	Loaded Firearm in a M/V	1	96	Police Information	12
85	Making a False Public Report	0	97	Suspicious Activity/Person/MV	23
86	Child Endangerment	1	98	Civil Complaint	2
87	Tampering with a Witness	0			
88	Violation Of Protection Order	1			
89	Poss. of a Firearm by a Felon	1			
90	Multi-handgun purchase	2			

Respectively Submitted,

Chief Michael W. Gahagan
Caribou Police Department

CFAD MONTHLY REPORT

April 2014

Total Fire/ Rescue Calls	21	Total Amb. Calls 168 inc. Air & Assists	
-Alarms for Fires (33)	4	- Ground Amb.:	152
-Alarms for Rescues (66)		- Air Amb. Flights:	8
-Silent Alarms	17	- Amb. Assist Calls:	8
-Haz-Mat		- ALS Calls	97
-Grass Fires	2	- BLS Calls	58
-Chimney Fires		- No Transport	5
-False Alarms	2	- Calls Turned Over: 5 = \$9,888	
-10-55's	3	Total Out of Town Amb. Calls	18
-Aid to Police		Total Out of Town Fire/Rescue Calls	3
-Public Service	2	Est. Fire Loss, Caribou	\$7,500
		Est. Fire Loss, out of City	
\$48,900			
Total Hours Pumped	2.5	Total Est. Fire Loss	\$56,400
Gallons of Water Used	3,710	Total Maint. Hours	12
Amt. of Hose used:	750'	Total Training Hours	168.5 mhrs
Ladders Used (in Feet): 73' (75' Ariel)_____		Miles Traveled by all Units	15,756
Thermal Imaging Camera Used:	3	Fire Permits Issued	53
CO2 Meter Used:			
Rescue Sled & Snowmobile:		*Color Guard Training	
Rescue Boat:			
Jaws Used:		Total Fire & Amb. Calls	189

MUTUAL AID TO:

P.I.F.D. 2 (1 cancelled enroute)
 F.F.F.D.
 L.F.D.
 W.F.D.
 Stockholm F.D.
 North Lakes FD
 Crown Amb
 Van Buren Amb.

MUTUAL AID FROM:

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

OUT OF CITY FIRES/RESCUES

LOCATION	# OF CALLS	MAN HRS.
Woodland	2	53 mhrs.
New Sweden		
Connor		
Westmanland		
	Rescue	
Perham	1	1.25 mhrs.

Scott Susi, Chief
 Caribou Fire and Ambulance

**BREAKDOWN OF FIRES
For April 2014**

Situation Found	# Of Incidents	Fire Casualties	Est. Property Damage
1. Private Dwellings inc. Mobile Homes	1		\$48,900
2. Apartments (3 or more)			
3. Hotels & Motels			
4. Dormitories & Boarding Homes			
5. Public Assembly (Church, Restaurant)	1		
6. Schools			
7. Institutions (Hospitals, Jails, Nursing Homes)			
8. Stores, Offices			
9. Industry, Utility, Defense			
10. Storage	2		\$7,000
11. Vacant Buildings or being Built			
12. Fires outside structure w/value (crops, timber, etc.)			
13. Fires Highway Vehicles	1		\$500
14. Other Vehicles (planes, trains, etc.)			
15. Fires in brush, grass w/no value	2		

Other Incidents

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

Total Calls for the Month: ____ 21 ____



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and City Councilors
From: Austin Bless, City Manager
Date: May 12, 2014
Re: Appointment Local Health Officer

With the Resignation of Steve Wentworth from the City we need to appoint a new Local Health Officer pursuant to 22 MRSA §451. I am recommending the Council appoint Chief Susi to that position, effective May 1, 2014.



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and City Councilors
From: Austin Bless, City Manager
Date: May 12, 2014
Re: Thursday's On Sweden

As we prepare for another great year of Thursday's On Sweden staff is anticipating that there will be some things that typically need Council approval to occur at a time when Council approval is not feasible in the time constraints.

These approvals would be food vendors, closing the street, and anything else that may come up as needing approval for these events. Anything that would need approval for something not related to the Thursday's on Sweden events would still come before the Council.

I'm asking for Council to authorize staff to make any and all authorizations that may be necessary for the Thursday's On Sweden events.

The schedule for Thursday's On Sweden is:

June 12
June 26
July 17
July 31
August 14
August 21



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and City Councilors
From: Austin Bleess, City Manager
Date: May 12, 2014
Re: CDBG Grant Application

The City has been working with Sam Blackstone, of Circle B Farms, on drafting a Community Development Block Grant (CDBG) application. The full project consists of construction of a new facility, with a loading dock and freezer area, and a driveway with a new septic sewer system to handle the waste byproducts from the packaging operations. The CDBG funds, in the amount of \$25,000, will be used for this driveway and sewer system. The total project costs for this project is approximately \$221,000.

This grant will come to the City and be passed through to Circle B Farms when the work is completed. The City is applying for this grant utilizing staff, and will handle the administration of the grant in house as well. Other than staff time, which will be counted as an “in-kind” contribution to the project there are no other requirements from the City.

This project should create two full time jobs.

Tonight the Council needs to have a public hearing on this grant application. Mr. Blackstone will be here to speak about the project as well.

After the Public Hearing the Council should approve the resolution for the grant which is on the following page.

RESOLUTION 2014-1

A RESOLUTION OF SUPPORT FOR THE CITY OF CARIBOU APPLICATION TO THE MAINE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, the City of Caribou wishes to apply to the Community Development Block Grant program, and

WHEREAS, the City of Caribou recognizes the importance of agriculture to our community, and

WHEREAS, the City of Caribou is dedicated to increasing economic opportunities through agriculture, and

WHEREAS, the City Council has reviewed the Circle B Farms expansion project and determined that it meets the requirements of the Community Development Block Grant program, and

WHEREAS, the City of Caribou held a public hearing on May 12, 2014 for public comment during the application process.

NOW THEREFORE BE IT RESOLVED THAT: The City of Caribou does hereby authorize and support the City's application to the Community Development Block Grant Program for the Circle B Farms expansion project in the amount of \$25,000.

BE IT FURTHER RESOLVED THAT: The City Council of the City of Caribou hereby approves the City Manager to make and sign an application to the Department of Community and Economic Development, and authorizes the City Manager to execute any CDBG grant documents to bind the City of Caribou to grant requirements.

This resolution was duly passed by the City Council of the City of Caribou, Maine, this 12th day of May, 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 Bleess, City Manager
Date: May 12, 2014
Re: Birds Eye Site – Notice of Hearing

As the Council is well aware I have been working with Steve Nasiff, owner of the former Birds Eye site, for nearly a year to try and get the location cleaned up. That has been met with little success.

This property is not only an eye sore, but the buildings and structures on there are dangerous. It is time for the City to start the process of MSRA Title 17, Chapter 91: Nuisances.

After reviewing our options and discussing with our legal team we need the Council to approve and sign this Notice of Hearing. That notice is on the following pages.

We will hold a public hearing during our regular meeting on June 9th. At that point in time, after the hearing, the Council may decide on whether or not the buildings meeting the standards of being dangerous and order remedies that may be necessary.

We will need council approval on the notice.

**NOTICE OF HEARING - Pursuant to 17 M.R.S.A. § § 2851-2859
(Dangerous Buildings)**

To: Nassif Land LLC
11 Osprey Drive
Berkley, MA 02779

Interested Parties:
Katahdin Trust Co.
6 North Street
Presque Isle ME 04769

You are hereby notified that the Municipal Officers of the Caribou Maine will hold a hearing on June 9, 2014 at 7pm at the Caribou City Council Chambers, 25 High St, Caribou, Maine to determine whether the industrial buildings/structures owned by you and located on land owned by Nasiff Land LLC and shown on Map 27, Lots 74-B and 74-A, and Map 25, Lot 146 of the current Tax Maps of the City of Caribou, Maine on file at the Tax Assessors Office, 25 High Street, Caribou Maine, is dangerous or a nuisance within the meaning of 17 M.R.S.A. § 2851.

If the Municipal Officers find that the building/structure is dangerous or a nuisance, they may order appropriate corrective action, including but not limited to demolition and removal of the building/structure. If their order is not complied with by the deadline stated in their order and no appeal is taken, the Municipal Officers may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building/structure is not dangerous and to oppose any corrective action ordered by the Municipal Officers.

Witness our hand and seals this 12th day of May 2014, the Municipal Officers of the City of Caribou

David Martin

Joan Theriault

Kenneth G. Murchison Jr.

Philip McDonough II

Shane McDougall

Gary Aiken

David Genthner Sr.

ACKNOWLEDGEMENT

State of Maine

Date: May 12, 2014

Aroostook County, ss.

Then personally appeared before me the above-named Municipal Officers of the Municipality of Caribou, and acknowledged the forgoing to be their free act and deed in their said capacity and the free act and deed of the Inhabitants of the said Municipality.

Before me,

Jayne R. Farrin
Notary Public

My commission expires: April 11, 2021



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and City Councilors
From: Austin Bleess, City Manager
Date: May 12, 2014
Re: Ordering abatement of malfunctioning waste water disposal unit

The Septic System at Lazy Acres Mobile Home Park has failed. As is shown in the pictures on the following pages the septic system has failed. It is a large hole in the ground with raw sewage in it that poses a health threat to any person who is present at or near the site.

We have consulted with Rick Solman who is recommending that we proceed under Title 30-A MRSA §3428. This statute allows the city council to serve the owner of the premise with an order to remedy the system within 10 days.

We need the City Council to approve the order so that we can proceed with getting this problem remedied. If the owner does not remedy the problem the city will need to remedy it and assess the costs to the owner.



ORDER

**Pursuant to 30-A M.R.S.A. § 3428
(Malfunctioning Waste Water Disposal Unit)**

To: Cornerbrook Associates Inc.
Attn: Bradley C. McCurtain
15 Monument Square
Portland, ME 04101

On May 6, 2014 an inspection was made of the premises owned by you, described as a trailer park and shown on Map 15, Lot 31 of the current tax Maps of the City of Caribou, Maine. The inspection disclosed the existence of a malfunctioning waste water disposal unit as described as follows:

Unprotected Collapsed sewerage collection tank. 15' X 25' 10' deep hole with exposed sewerage.

Therefore, pursuant to 30-A M.R.S.A. § 3428, you are hereby ORDERED to abate said nuisance in accordance with the Maine Subsurface Wastewater Disposal Rules and all other applicable laws within 10 days of service of this order. If you do not comply with this order by this deadline, the Municipal Officers may make the necessary repairs at municipal expense and recover all of its expenses, including reasonable attorney's fees, from you by means of a special tax or civil action.

Witness our hand and seals this 12th day of May 2014, the Municipal Officers of the City of Caribou

David Martin

Joan Theriault

Kenneth G. Murchison Jr.

Philip McDonough II

Shane McDougall

Gary Aiken

David Genthner Sr.

ACKNOWLEDGEMENT

State of Maine
Aroostook County, ss.

Date: May 12, 2014

Then personally appeared before me the above-named Municipal Officers of the Municipality of Caribou, and acknowledged the forgoing to be their free act and deed in their said capacity and the free act and deed of the Inhabitants of the said Municipality.

Before me,

Jayne R. Farrin
Notary Public
My commission expires: April 11, 2021



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and City Councilors
From: Austin Bleess, City Manager
Date: May 12, 2014
Re: Electrical Code Ordinance

With the resignation of Steve Wentworth as Code Enforcement Officer we have shifted some of the duties to other city staff, as council is aware. During this time of transition we have also looked at the possibility of eliminating the electrical permitting from the city ordinance. Under state law a municipality may choose to adopt and enforce an electrical ordinance, or it may choose to simply utilize the state electrical code.

As the City struggles with budget every year and as we are not required to have more stringent electrical codes than the state does, we wanted to bring it to the attention of the Council that this is one area that we can cut back in to potentially save money. If we do not have to hire an inspector or get someone certified in electrical inspections we can reduce our expenses by about \$5,000. We would also be reducing our revenues by about \$3,000.

If we were to get rid of our permitting process people would need to get a permit through the state, which they can do online, and any fees collected would go to the state. Any inspection costs would be borne by the state. In talking with the state this is the way it is handled throughout Aroostook County with the exception of here in Caribou and in Presque Isle.

If this idea is something the Council would like to advance the ordinance removing the Electrical Code from City Ordinances is on the next page. Article II is the Electrical Code, and Article I, Subsection 103.2 is the Electrical Permit Charges.

We would schedule a public hearing for our June 9th meeting and the council could act on that ordinance at that time.

Councilor _____ introduced the following ordinance:

Ordinance No. 5, 2014 Series
City of Caribou
County of Aroostook
State of Maine

AN ORDINANCE AMENDING CHAPTER 4 BUILDING AND HOUSING

Short Title: An Ordinance Removing the Electrical Code.

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 II of Chapter 4 of the Caribou City Ordinances in hereby repealed.

Article I, Subsection 103.2 is hereby repealed.

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



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and City Councilors
From: Austin Bleess, City Manager
Date: May 12, 2014
Re: Ordinance Amending Land Use Codes

The Planning Board is advancing to the City Council an ordinance that would add Condominiums to the Land Use Table.

Condominiums are defined as real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions under a declaration, or an amendment to a declaration, duly recorded pursuant to MRSA Title 33 Chapter 31.

As we look to clean up more properties and have more lots available for new development the Planning Board believes it is prudent to add condominiums to the land use table for future development use. They held a public hearing on the issue and are sending it to the City Council for their action.

The Council would introduce the ordinance tonight and set the public hearing for June 9th. A vote could be taken at that time.

Councilor _____ introduced the following ordinance:

Ordinance No. 4, 2014 Series
City of Caribou
County of Aroostook
State of Maine

AN ORDINANCE AMENDING SECTION 13-204 OF CHAPTER 13 LAND USE ORDINANCES

Short Title: Adding Condominiums to the Land Use Table of the City of Caribou

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. 13-204 of Chapter 13 Land Use is amended to add:

	R-1	R-2	R-C	R-3
Condominiums	YES/PB	YES/PB	YES/PB	NO

	C-1, C-2	I-1, I-2	H-1	
Condominiums	NO	NO	NO	

Section 2: Sec. 13-900 of Chapter 13 Land Use is amended to add:

Condominiums: Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions under a declaration, or an amendment to a declaration, duly recorded pursuant to MRSA Title 33 Chapter 31. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners. Any real estate development consisting exclusively of clustered, detached, single family residences is not a condominium, unless so designated in the declaration.

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 ___th day of _____ 2014.

Gary Aiken, Mayor

Joan L. Theriault, Councilor

Philip J. McDonough II, Councilor

Shane McDougal, Councilor

Kenneth G. Murchison Jr, Councilor

David Martin, Councilor

David Genthner Sr, 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: May 12, 2014
Re: Authorizing Sale of Tax Acquired Properties

Recently we went out for bids for tax acquired properties. Here are the results:

Property #2 Tax Map 7, Lot 39 306 Washburn St. Lot #32 - Lena Giggy \$100

Property #3 Tax Map 24, Lot 63 3 Vesta Drive – Troy Haney \$21,150

Staff is recommending the Council accept the bids and sell the properties as listed above.



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and City Councilors
From: Austin Bleess, City Manager
Date: May 12, 2014
Re: Abating Back Taxes

We are requesting the City Council abate the Personal Property Taxes for the following accounts:

Dale Holmes Personal Property Acct #173	\$864.90
Dale & Jerry Holmes Personal Property Acct #174	\$1675.26

We recently went to small claims court and received a judgment in our favor. However, the amounts listed above are past the statute of limitations and are uncollectable. So we will need to authorize the Council to abate these taxes to get it cleaned up.

As Council is aware within the past year we have been much more aggressive in going after these back taxes owed and are working hard to get these cleaned up so we don't let the statute of limitations prevent us from getting what is owed.



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and City Councilors
From: Austin Bleess, City Manager
Date: May 12, 2014
Re: Awarding Culvert Bids

Public Works recently went out for bids for culverts. We received the following bids:

Paris Farmers Union	\$8,416.80
WH Shurtleff	\$8,392.48

We have budgeted \$10,500 for culverts.

We are recommending Council go with the lowest bidder.



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and City Councilors
From: Austin Bleess, City Manager
Date: May 12, 2014
Re: Awarding Street Paint Bids

Public Works recently went out for bids for street paint. We received the following bids:

Franklin Paint \$11,386.75

Sherwin Williams of Caribou did not submit a bid.

We have budgeted \$12,500 for street paint.

We are recommending Council go with the lowest bidder.



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and City Councilors
From: Austin Bleess, City Manager
Date: May 12, 2014
Re: Awarding Shim and Patch Bids

Public Works recently went out for bids for shim and patch materials. We received the following bids:

Lane Construction	\$77.95/ton
Trombley Industries	\$80.60/ton

We have budgeted \$66,000 for shim and patch and anticipate using the whole amount.

We are recommending Council go with the lowest bidder.



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and City Councilors
From: Austin Bleess, City Manager
Date: May 12, 2014
Re: Awarding Paving Bids

Public Works recently went out for bids for street paving. We received the following bids:

Lane Construction \$98.15/ton
Trombley Industries \$86.35/ton

We have budgeted \$254,284 for paving and anticipate using the whole amount.

We are recommending Council go with the lowest bidder.