



City of Caribou, Maine

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**AGENDA
Caribou City Council
Regular City Council Meeting
6:00 P.M. Monday, November 14, 2016
Caribou City Council Chambers**

1. Public Input
2. Declaration of Conflicts of Interest from the City Council regarding any agenda item.
3. Consent Agenda
 - a) Department Reports 2-8
 - b) License Renewal Applications 9
 - c) Approval of Quit Claim Deed 10
 - d) October 2016 Financials
4. 2017 Budget 11
5. Junk Yard Permits 12
6. Moratorium on Marijuana Dispensaries 13-18
7. New School Project Building Permit 19
8. Zoning Change Request 20-21
9. Other Business

Upcoming Meeting Dates:

Regular City Council Meeting Monday, November 28, 2016 at 6pm
Regular City Council Meeting Monday, December 12, 2016 at 6pm

Clerk and General Assistance Dashboard

October 2016

	Current Month	Year To Date	Prior Year Month	Prior Year Year to Date
Hunting & Combo Licenses	91	345	109	462
Fishing Licenses	-	224	3	297
Boat Registrations	-	295	-	333
ATV Registrations	16	719	12	708
Snowmobile Registrations	8	237	10	219
Vehicle Registrations	523	6,703	588	6,926
Rapid Renewal	28	318	23	358
Birth Records	48	631	59	675
Death Records & Permits	102	742	95	820
Marriage Records & Licenses	25	179	17	196
Dog Licenses	39	708	50	796

	Current Month	Year To Date	Prior Year Month	Prior Year Year to Date
GA Applications - Caribou	5	96	12	141
GA Cases Paid - Caribou	5	107	10	141
People Assisted - Caribou	6	160	14	206
GA Dollars Spent - Caribou	\$ 1,367	\$ 26,306	\$ 3,133	\$ 37,670

	Current Month	Year To Date	Prior Year Month	Prior Year Year to Date
GA Applications - Connor	0	1	0	0
GA Cases Paid - Connor	0	2	0	0
People Assisted - Connor	0	8	0	0
GA Dollars Spent - Connor	\$	\$ 295	\$ -	\$ -

Year To Date is from January 2016 through October 2016

Caribou Fire and Ambulance Monthly Report

October 2016

	Current Month	YTD	Prior Year Month	Prior YTD
Fire Calls	12	182	17	187
Fire Permits Issued	11	579	16	614
Mutual Aid Received	0	17	1	4
Mutual Aid Provided	1	39	0	24
Estimated Damage	\$ 4,000	\$436,100	\$ 10,000.00	\$ 185,500

Out of City Fire Calls

Location	Current Month # of Calls	Current Month Man Hours	YTD Calls	YTD Man Hours	Prior YTD Calls	Prior YTD Man Hours
Woodland	0	0	16	59.5	9	39.75
New Sweden	1	1.5	7	29.5	10	22.25
Connor	0	0	4	11	5	15
Westmanland	0	0	0	0	0	0
Totals	1	1.5	27	100	24	77

	Current Month	YTD	Prior Year Month	Prior YTD
Ground Ambulance	163	1739	146	1662
Air Ambulance	9	52	3	56
Assist or	4	52	13	75
Totals	176	1843	162	1793

ALS Calls	109	1089	85	1099	YTD is from January 2016 through
BLS Calls	46	514	57	521	
No Transport	21	192	7	104	

Long Distance	26	221	18	294	October 2016
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Calls Turned Over	6	76	11	65
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Revenue Lost	\$ 11,000	\$ 146,656	\$ 20,350	\$ 20,350
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Mileage	8,884	88,913	7,287	7,287
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Housing and FSS Monthly Report

October 2016

	Current Month	YTD	Prior Year Month	Prior YTD
Vouchers allocated to Caribou	193	1930	193	1930
Vouchers leased	167	1778	171	1828
Vouchers available	23	126	21	89
Housing Assistance Payments, to Landlords	\$ 60,372	\$ 654,896	\$ 64,530	\$ 681,780
Utility Reimbursements, to Participants	\$ 169	\$ 2,785	\$ 252	\$ 1,813

Waiting List Statistics	Current Month	Average YTD		
Applicants on Waiting List	38	112		
Average wait time (in days)	72	181		
Families with Children	12	36		
Elderly Families	9	16		
Families with Disabilities	19	47		
Household Income				
Extremely Low Income	31	86		
Very Low Income	4	16		
Low Income	2	7		
Over Income Limit	0	3		
Incomplete	1	1		

Family Self Sufficiency	Current Month	YTD	Prior Year Month	Prior YTD
Number of Participants	29	303	31	318
Monthly Escrow Deposit	\$ 3,163	\$ 33,159	\$ 1,610	\$ 24,031
Number of Families Earning Escrow	16	174	10	119
FSS Graduates	-	5	0	2
Escrow Earned	\$ -	\$ 17,047	\$ -	\$ 4,558
FSS Forfeitures	-	3	0	2
Escrow Lost	\$ -	\$ 8,569	\$ -	\$ 750

YTD Numbers are January 2016 through October-2016

Caribou Police Department Monthly Report

October 2016

	Current Month	YTD	Month Prior Year	Prior YTD
COMPLAINTS	2,056	21,587	1,801	23,619
M/V ACCIDENTS	23	226	22	259
ESCORTS	2	48	8	45
THEFT COMPLAINTS	19	143	18	152
ANIMAL COMPLAINTS	16	151	7	127
DOMESTIC COMPLAINTS	6	74	4	58
BURGLARY COMPLAINTS	4	28	7	30
O.U.I.	2	28	2	34
M/V THEFTS	-	6	2	10
MISSING PERSONS	1	9	3	19
JUVENILE COMPLAINTS	1	21	-	25
CIVIL COMPLAINTS	123	151	76	98
PROWLER COMPLAINTS	-	-	-	3
ASSIST OTHER AGENCY	11	173	27	216
ASSAULT ARREST	1	14	7	21
THEFT ARRESTS	3	31	15	55
SPEEDING	9	182	3	331
STOPS/CHECKS M/V	1,697	17,208	1,379	18,684
PARKING TICKETS	-	-	-	1
HANDLING PRISONERS	34	338	35	414
WARRANT ARRESTS	7	84	5	86
UNLAWFUL SEX. CONTACT	-	7	1	7
GROSS SEX. ASSAULT	-	1	-	8
BUSINESS ALARMS	23	176	19	181
BURGLARY ARRESTS	-	5	7	9

Monthly Permit Report

October 2016

	Current Month	Year To Date	Prior Year Month	Prior Year YTD
Building Permits	2	52	3	34
Permit Value	\$ 39,000	\$ 2,732,095	\$ 87,100	\$ 1,545,300
Homes	0	7	0	1
Mobile Homes	0	1	1	2
Multi Family	0	0	0	1
Commercial	1	11	0	5
Plumbing Permits				
Internal	1	19	5	18
External	4	17	2	5
Demolition Permits	0	3	0	2
Sign Permits	0	7	0	6
Woodland Permits	Current Month	Year To Date	Prior Year Month	Prior Year YTD
Building Permits	2	52	3	34
Internal Plumbing	1	5	0	5
External Plumbing	0	7	0	6
YTD is	January 2016	to	October 2016	

Library Monthly Statistics

September 2016

	Current Month	Year To Date
Circulation	2,155	20,740
Table Count	1,282	11,571
Walk-ins	1,283	14,396
E-/Audio Books	124	1,313
Computer Users	344	3,186
Wireless Use	216	2,242
New Patrons	21	247
Passports	-	17
Tests Proctored	-	5
Interlibrary Loans	18	18
	Current Month	Year To Date
Volunteer Hours	144	2,337
Value of Hours	\$ 1,080	\$ 17,524
Grants	\$ -	\$ 16,750
In-Kind Donations	\$ -	\$ 14,900
Memorial Donations	\$ -	\$ 1,890
	Current Month	Year To Date
Overdue Fees	\$ 134	\$ 1,213
Fax/Printing	\$ 150	\$ 1,095
Replacement/Misc	\$ -	\$ 385
Non-Resident Fes	\$ 115	\$ 1,363
Passport Fees	\$ 25	\$ 450
Value of volunteer hours is calculated using minimum wage rate.		

Library Monthly Statistics

October 2016

	Current Month	Year To Date
Circulation	1,947	22,687
Table Count	1,372	12,943
Walk-ins	1,188	15,584
E-/Audio Books	104	1,417
Computer Users	376	3,562
Wireless Use	208	2,450
New Patrons	7	254
Passports	-	17
Tests Proctored	-	5
Interlibrary Loans	16	34
	Current Month	Year To Date
Volunteer Hours	90	2,427
Value of Hours	\$ 675	\$ 18,199
Grants	\$ -	\$ 16,750
In-Kind Donations	\$ -	\$ 14,900
Memorial Donations	\$ -	\$ 1,890
	Current Month	Year To Date
Overdue Fees	\$ -	\$ 1,213
Fax/Printing	\$ -	\$ 1,095
Replacement/Misc	\$ -	\$ 385
Non-Resident Fes	\$ -	\$ 1,363
Passport Fees	\$ -	\$ 450
Value of volunteer hours is calculated using minimum wage rate.		



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bleess, City Manager
Date: November 14, 2016
Re: License Approval

The City has received a liquor license and special amusement permit renewal application from the American Legion Post 15. Staff has reviewed this and recommends Council approve the renewal.



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bleess, City Manager
Date: November 14, 2016
Re: Approval of Quit Claim Deed

Jeffrey Burr, the owner of record for map 13, Lot 1B, has paid off the back taxes on the property and Council needs to approve the Quit Claim Deed back to him.



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bleess, City Manager
Date: November 14, 2016
Re: 2017 Budget

Tonight the Council needs to hold the public hearing on the proposed 2017 budget. The entirety of the budget will be sent out under separate cover, and can also be viewed on the City Website at www.cariboumaine.org/budget.html

During the budget workshop on November 9th the Council consensus was to eliminate the CIP funding for LED Street Lights (\$49,000), remove the \$30,300 in CIP amounts staff proposed, and the other \$7,947 reductions proposed. These reductions add up to \$87,247. The Council consensus was to utilize fund balance in the amount of \$427,070. That is the amount of revenues collected in excess of what was budgeted and the amount of money left over in the expense budget at the end of 2015.

For the 2016 budget the Council utilized \$100,000 from fund balance. Taking \$427,070 out of fund balance will leave us with approximately \$806,570 in fund balance, based upon what was in there at the end of 2015. That leaves us with 8.4% of our expense budget in Fund Balance, or one months expenses. The minimum recommended amount to have in fund balance is 17%. Going back to 2005 we have never had a fund balance that low. We have not looked further back than that.

With the voters of Maine approving the minimum wage increase we have factored those changes into our budget. This only affects the Parks and Rec Department. But this impact is about \$13,000. Over the next several years it will be about a \$9,000 impact annually until 2020, at which point the increases are tied to inflation.

The budget tonight would require \$40,000 in new taxes over 2016, which is still nearly \$87,000 less than what was collected in 2015.



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bleess, City Manager
Date: November 14, 2016
Re: Junk Yard Permits

We have received applications for Junk Yard permits from the companies listed below. The Code Enforcement Officer has reviewed the applications and the notes of the inspections are below.

- 1.) Gilbert's Salvage = No major change from last year. Recommend renewal of license.
- 2.) Mark's Towing = No major change from last year. Recommend renewal of License
- 3.) AIM Recycling = No major change from last year. Recommend renewal of license.

The Council needs to have a public hearing on this topic. After that the Council can take action on the applications.



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bleess, City Manager
Date: November 14, 2016
Re: Moratorium on Marijuana Dispensaries

A Site Design Review Application has been submitted for a Marijuana Dispensary, and given the results of the recent election, staff believes a moratorium on marijuana dispensaries is necessary to ensure the city is well positioned to protect the health, welfare, and safety of all citizens.

As such there are two ordinances being proposed tonight. Ordinance number 12 is an Emergency Ordinance as allowed by the City Charter Section 2.13. This ordinance can go into effect immediately after passage by the City Council. Emergency Ordinances are good for 60 days, unless extended by the Council.

Ordinance number 13 is a regular ordinance, stating the same things as the Emergency Ordinance. However, since regular ordinances do not go into effect until 30 days after adoption this ordinance couldn't go into effect until late December.

It is recommended Council approve Ordinance number 12 tonight. It is further recommended that Council introduce Ordinance 13 tonight, and a public hearing will be scheduled for November 28th for that ordinance.

Councilor _____ introduced the following ordinance:

Ordinance No. 12, 2016 Series
City of Caribou
County of Aroostook
State of Maine

AN EMERGENCY ORDINANCE REGARDING MARIJUANA DISPENSERIES

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 2.13 does ordain the following:

Section 1. Declaration of Emergency: The City Council declares an Emergency based upon the following items:

- A. A ballot initiative to legalize, regulate and tax marijuana for nonmedicinal purposes known as the “Marijuana Legalization Act” proposed to be codified in the Maine Revised Statutes in Title 7, chapter 417, was voted on and approved by a State-wide referendum election on November 8, 2016; and

- B. The proposed Act authorizes municipalities to regulate the number of retail marijuana stores and the location and operation of retail marijuana social clubs and retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities and retail marijuana testing facilities, as those terms are defined in the proposed Act, as well as the option to prohibit the operation of retail marijuana social clubs and retail marijuana establishments, including stores, cultivation facilities, manufacturing facilities and testing facilities within its jurisdiction; and

- C. The unregulated location and operation of retail marijuana establishments and retail marijuana social clubs within the City of Caribou raises legitimate and substantial questions about the impact of such establishments and social clubs on the City, including questions of the compatibility of retail marijuana establishments and social clubs with existing uses and development in residential, commercial and industrial zoning districts; the possible connection of retail marijuana establishments and social clubs with medical marijuana cultivation facilities and dispensaries; the potential adverse health and safety effects of retail marijuana establishments and social clubs on the community if not properly regulated; the possibility of illicit sale and use of marijuana and marijuana products to minors and misuse of marijuana and marijuana products by those who would abuse the uses authorized under the new law; potential criminal activity associated with the cultivation, manufacturing, sale and use of marijuana and marijuana products for non-medical purposes and the potential increased burden on the public safety agencies serving the City in responding to the same; and the adequacy of the City’s streets and infrastructure to accommodate the additional traffic and/or population that may result from the presence of retail marijuana establishments or social clubs; and

- D. The possible effect of the location and operation of retail marijuana establishments and/or retail marijuana social clubs within the City has serious implications for the health, safety and welfare of the City and its residents.

Section 2. Applicability and Purpose: This moratorium shall apply to Marijuana Dispensary, as defined below, that may be proposed to be located within the City of Caribou on or after the effective date of this Ordinance.

Section 3. Prohibition: During the time this Ordinance is in effect, no officer, official, employee, office, board, or agency of the City of Caribou shall accept, process, approve, deny, or in any other way act upon any application for a building permit, certificate of occupancy, site plan review and/or any other permits related for such use. No person or organization shall develop or operate Marijuana Dispensaries within the City of Caribou on or after the effective date of this prohibition.

Section 4. Enforcement, violation, and penalties: If Marijuana Dispensaries are established in violation of this Ordinance, each day of any continuing violation shall constitute a separate offense for this purpose. The City of Caribou shall be entitled to all rights available to, but not limited to, it in law and equity, including its reasonable attorney fees and costs in prosecuting any violations.

Section 5. Definitions:

As used in this Ordinance, the following terms have the following meanings:

- a. **“Marijuana”** shall have the definition set forth in Title 17-A M.R.S.A. Section 1101 (1).
- b. **“Marijuana Dispensaries”** means one or more marijuana dispensary, facility or location, whether fixed or mobile, where marijuana is made available to or distributed to any person or entity authorized to receive it under Maine Law.

Section 6. Pending proceedings: Notwithstanding the provisions of Title 1 M.R.S.A § 302, this Ordinance shall apply to any proposal to establish a Marijuana Dispensary, whether or not an application or proceeding to establish said use would be deemed a pending proceeding under Title 1 M.R.S.A. § 302.

Section 7. Action by the City Council and Planning Board: During the effective period of this Ordinance, the Planning Board, City Council and appointed staff, shall expeditiously act to review the implications of such a facility/clinic on, among other things, the health, safety, welfare, traffic, law enforcement, land use, aesthetics, property value, and environmental impacts on the City of Caribou and its citizens. Toward the end of the Moratorium, the City will hold at least one public hearing and receive input from interested parties. The Planning Board and interested parties shall endeavor to submit recommendations for permanent action to the City Council.

Section 8. Severability: Should any section or provision of this Ordinance be declared by any court to be invalid, such a decision shall not invalidate any other section or provision.

Section 9. Effective date: This Ordinance shall take effect immediately upon adoption and shall remain in effect for a period of 60 days after said date, unless extended, repealed, or modified by the Caribou City Council.

This ordinance was duly passed by the City Council of the City of Caribou, Maine, this 14th day of November 2016.

Gary Aiken, Mayor

David Martin, Councilor

Shane McDougall, Councilor

Timothy Guerrette, Councilor

Philip J. McDonough II, Councilor

Jody Smith, Councilor

Joan Theriault, Councilor

Attest:

Jayne R. Farrin, City Clerk

Councilor _____ introduced the following ordinance:

Ordinance No. 13, 2016 Series
City of Caribou
County of Aroostook
State of Maine

AN ORDINANCE REGARDING MARIJUANA DISPENSERIES

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 (7) does ordain the following:

Section 1. Applicability and Purpose: This moratorium shall apply to Marijuana Dispensary, as defined below, that may be proposed to be located within the City of Caribou on or after the effective date of this Ordinance. This moratorium is proposed pursuant to 30-A M.R.S.A. § 4356

Section 2. Prohibition: During the time this Ordinance is in effect, no officer, official, employee, office, board, or agency of the City of Caribou shall accept, process, approve, deny, or in any other way act upon any application for a building permit, certificate of occupancy, site plan review and/or any other permits related for such use. No person or organization shall develop or operate Marijuana Dispensaries within the City of Caribou on or after the effective date of this prohibition.

Section 3. Enforcement, violation, and penalties: If Marijuana Dispensaries are established in violation of this Ordinance, each day of any continuing violation shall constitute a separate offense for this purpose. The City of Caribou shall be entitled to all rights available to, but not limited to, it in law and equity, including its reasonable attorney fees and costs in prosecuting any violations.

Section 4. Definitions:

As used in this Ordinance, the following terms have the following meanings:

a. **“Marijuana”** shall have the definition set forth in Title 17-A M.R.S.A. Section 1101 (1).

b. **“Marijuana Dispensaries”** means one or more marijuana dispensary, facility or location, whether fixed or mobile, where marijuana is made available to or distributed to any person or entity authorized to receive it under Maine Law.

Section 5. Pending proceedings: Notwithstanding the provisions of Title 1 M.R.S.A § 302, this Ordinance shall apply to any proposal to establish a Marijuana Dispensary, whether or not an application or proceeding to establish said use would be deemed a pending proceeding under Title 1 M.R.S.A. § 302.

Section 6. Action by the City Council and Planning Board: During the effective period of this Ordinance, the Planning Board, City Council and appointed staff, shall expeditiously act to review the implications of such a facility/clinic on, among other things, the health, safety,

welfare, traffic, law enforcement, land use, aesthetics, property value, and environmental impacts on the City of Caribou and its citizens. Toward the end of the Moratorium, the City will hold at least one public hearing and receive input from interested parties. The Planning Board and interested parties shall endeavor to submit recommendations for permanent action to the City Council.

Section 7. Severability: Should any section or provision of this Ordinance be declared by any court to be invalid, such a decision shall not invalidate any other section or provision.

Section 8. Effective date: This Ordinance shall take effect in accordance with the City Charter and shall be effective for 180 days from November 14th, 2016 unless extended, repealed, or modified by the Caribou City Council.

This ordinance, being introduced on November 14, 2016 and a public hearing being held on _____, was duly passed by the City Council of the City of Caribou, Maine, this _____, 2016.

Gary Aiken, Mayor

David Martin, Councilor

Shane McDougall, Councilor

Timothy Guerrette, Councilor

Philip J. McDonough II, Councilor

Jody Smith, Councilor

Joan 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: November 14, 2016
Re: New School Project Building Permit

We have been asked whether or not the City would be willing to waive the building permit fee for the new school project. According to the architect for the project the Department Of Education typically expects the permit fees to be waived. If the fee is not waived it would be paid for as part of the local share of the project.

Using the current projected construction cost for the new school that building permit fee would be approximately \$165,000.

I do not anticipate a building permit being applied for and issued until 2018, as the project timeline does not have the project going out for bid until late 2017 at the earliest.

For Council's information staff is considering having third party inspectors do the project inspection to ensure the city is protected throughout the process. Staff does not have the time or expertise to complete all the inspections that will be required as part of a building construction of this size. Third party inspectors would be much better suited to do this than current staff would be.

If the Council is willing to waive the building permit fee we would need a motion authorizing that.



OFFICE OF THE CITY MANAGER
CARIBOU, MAINE

To: Mayor and Council Members
From: Austin Bleess, City Manager
Date: November 14, 2016
Re: Zoning Change Request

The Planning Board has received a request to change the zoning of 8 Scenic Drive from C-2 to R-1. The property has for a long time been a residential house. However, after that house burned down back in 2013, the owners did not rebuild. Per our zoning ordinance a residential house would not be able to go back on the property at this point. Changing the zoning map to a residential district would allow a home to be built here again.

Currently this property is zoned C-2, but along the eastern property line it is bordered by the R-1 district.

A map of the property is on the next page.

The Planning Board held a public hearing on this topic. That public hearing was advertised in the paper and notices to those that live within 500 feet of the property were mailed out as well.

The Planning Board believes this to be a reasonable request and voted to recommend the Council approve the request.

Council would need to approve this change to the zoning map.

