

CITY COUNCIL MEETING NOTICE AND AGENDA

Notice is hereby given that the City Council of Caribou will hold a City Council Meeting on Monday, **November 30, 2020** at **6:00 pm**. **The meeting will be conducted electronically via Zoom and broadcast on the Cable Channel 1301 and the city's YouTube Channel. The Zoom Meeting ID is 898 6638 6556, Passcode C4R18OU**



- 1. Roll Call**
- 2. Invocation / Inspirational Thought**
- 3. Pledge of Allegiance**
- 4. Council Organization**
- 5. Public Forum (15 minutes)** - Comments can be submitted to the Clerk's Office (dbrissette@cariboumaine.org) prior to 5:30 pm on the day of the meeting to be read at the meeting. Comments must include the individuals name and address for the record.
- 6. City Council Minutes**
 - a. November 16 Regular Meeting
- 7. Public Hearings and Possible Action Items**
- 8. Bid Award, Recognitions & Appointments**
- 9. Reports of Officers, Boards and Standing Committees**
 - a. Manager's Report
- 10. New Business**
 - a. Introduction of Ordinance #05, 2020 Series, Temporary Sewer Regulations
 - b. Introduction of Ordinance #06, 2020 Series, Medical Marijuana Related Land Uses
 - c. Introduction of Ordinance #07, 2020 Series, Rezoning Properties Near Herschel Street to R-2
 - d. Resolution 11-03-2020: Amending the City's Fee Schedule
- 11. Old Business**
 - a. Porvair Filtration Contract Update
 - b. Resolution 11-02-2020 – Teague Park Loan Against Reserves
- 12. Reports and Discussion by Mayor and Council Members**
 - a. Discussion About Executive Session Rules and Responsibilities
- 13. Executive Session(s)** (May be called to discuss matters identified under Maine Revised Statutes, Title 1, §405.6)
- 14. Next Meeting(s):** December 14
- 15. Adjournment**

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If you are planning to attend this Public Meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City ten or more hours in advance and we will, within reason, provide what assistance may be required.

Certificate of Mailing/Posting

The undersigned duly appointed City official for the municipality of Caribou City hereby certifies that a copy of the foregoing Notice and Agenda was posted at City Offices and on-line in accordance with City noticing procedures.

BY: _____ Danielle Brissette, City Clerk

**CARIBOU ADMINISTRATION
25 HIGH STREET
CARIBOU, ME. 04736**



MEMO

TO: City Council
FROM: Dennis Marker, City Manager
RE: Council Organization
DATE: November 25, 2020

Councilor Goughan recently sent a letter of resignation to City Administration and members of the City Council. The City Charter does not specifically address procedures if a letter of resignation is provided by a Councilor nor does it indicate a requirement that such be accepted or rejected by the Council before it becomes effective.

At this time, it is recommended that the Council acknowledge receipt of the letter of resignation.

Section 2.06(d) of the Charter requires the Council to elect a new Mayor and Deputy Mayor, and requires that within 30 days, the Council must appoint an individual to fill the vacancy for the remainder of the vacated term (i.e. until December 31, 2020).

Council Agenda Item#1: Roll Call

The Caribou City Council held a City Council Meeting, Monday, November 16, 2020 at 6:00 p.m. in the Council Chambers with the following members present D. Morrell, H. Kirkpatrick, T. Ayer, N. Cote, J. Smith, and J. Theriault. R. Mark Goughan was absent.

Dennis L Marker, City Manager was present in Council Chambers along with Department heads K. Murchison, G. Marquis, P. Thompson, C. Kane-Gibson, Chief Susi, Chief Gahagan, and C. Grant via Zoom.

The meeting was broadcasted via Spectrum, and Caribou's YouTube Channel.

Council Agenda Item #2: Invocation / Inspirational Thought

City Manager, Dennis Marker led a prayer.

Council Agenda Item #3: Pledge of Allegiance

Deputy Mayor T. Ayer led the Pledge of Allegiance.

Council Agenda Item #4: Public Forum

There were no public comments.

Council Agenda Item#5: City Council Minutes

a. September 21 Regular Meeting

Motion made by D. Morrell, seconded by J. Theriault to accept the September 21 meeting minutes as written. (6 Yes) So voted.

b. October 5 Regular Meeting

Motion made by J. Theriault, seconded by N. Cote to accept the October 5 meeting minutes as written. (6 Yes) So voted.

c. October 26 Regular Meeting

Motion made by D. Morrell, seconded by J. Theriault to accept the October 26 meeting minutes as written. (6 Yes) So voted.

d. November 2 Regular Meeting

Motion made by J. Theriault, seconded by J. Smith to accept the November 2 meeting minutes as written. (6 Yes) So voted.

Council Agenda Item #6: Public Hearings and Possible Action Items

a. Safe Alternatives Registered Non-profit Medical Marijuana Dispensary License Renewal

Public Hearing Opened at 6:05 p.m.

There were no public comments.

Public Hearing Closed at 6:06 p.m.

Motion made by H. Kirkpatrick, seconded by D. Morrell to approve the Safe Alternatives Registered Non-profit Medical Marijuana Dispensary License Renewal. (6 Yes) So voted.

Council Agenda Item #7: Bid Award, Recognitions & Appointments

a. Recognition of Blight Toolkit Committee members

A special thanks goes out to the members of the Blight Toolkit Committee members and all of their hard work. Committee members include Paul Camping, Phil Cyr, John Swanberg, Robert White, Christine Solman, Dennis Marker, Penny Thompson, Ken Murchison, Christina Kane-Gibson and Denise Lausier.

b. Recognition of Teague Park Splash Pad Donation

Councilor D. Morrell presented Gary Marquis with a check for \$10,000 on behalf of himself, his wife and his grandchildren to go towards the new Splash Pad being installed at Teague Park.

Council Agenda Item #8: Reports of Officers, Boards and Standing Committees

a. October 2020 Financial Report

C. Grant reviewed the October 2020 Financial Report via Zoom.

Motion made by J. Smith, seconded by J. Theriault to accept the October 2020 Financial Report. (6 Yes) So voted.

b. Manager's Report

Manager Marker reviewed the City Manager's Report dated October 30, 2020.

C. Kane-Gibson gave a brief description on some upcoming events including Small business Saturday and having Reindeer in Caribou on November 28th and 29th.

Council Agenda Item #9: New Business

a. Sale of Tax Acquired Property

i. 48 Woodland Road

Motion made by J. Smith, seconded by J. Theriault to sell the property located at 48 Woodland Road in the amount of \$5,400 to Aaron Gagnon. (6 Yes) So voted.

ii. 45 River Road

Motion made by J. Smith, seconded by J. Theriault to sell the property located at 45 River road in the amount of \$4,889 to Tammy Gagnon. (6 Yes) So voted.

iii. 19 Katahdin

Motion made by D. Morrell, seconded by J. Smith to sell the property located at 19 Katahdin to Edward Gervais in the amount of \$800. (6 Yes) So voted.

b. Authorization of Non-Profit Entity Games of Chance for 2021-2023

i. American Legion Post #15

Motion made by N. Cote, seconded by J. Theriault to approve the Game of Chance License for the American Legion Post #15 (4 Yes, 2 No -D. Morrell, H. Kirkpatrick) So voted.

ii. Knights of Columbus

Motion made by J. Theriault, seconded by J. Smith to approve the Game of Chance License for the Knights of Columbus. (6 Yes)

iii. Lister-Knowlton VFW Auxiliary

Motion made by N. Cote, seconded by J. Theriault to approve the Game of Chance License for the Lister-Knowlton VFW Auxiliary. (4 Yes, 2 No D. Morrell, H. Kirkpatrick) So voted.

iv. Lister-Knowlton VFW Post 9389

Motion made by N. Cote, seconded by J. Theriault to approve the Game of Chance License for the Lister-Knowlton VFW Post 9389. (4 Yes, 2 No D. Morrell, H. Kirkpatrick) So voted.

c. Porvair Filtration Contract Update

Manager Marker explained the reimbursement agreement that was entered into in 2018 with Porvair. The reimbursement amount to Porvair is \$14,694.75 per year if they meet the commitments for increasing employee numbers. Porvair stated that they didn't have the numbers at the end of October, as required by the contract, but can show that they have them now. They are asking the Council to grant the reimbursement for 2020 since the employee numbers will be met before the check is cut.

Council has treated this as a first read and tabled the discussion until the meeting on November 30.

d. Resolution 11-01-2020 Accepting Teague Park Deed from RSU#39

Manager Marker and G. Marquis explained the process of receiving the deed from the RSU for the new Teague Park property and resolution of the punch list. There are only a couple items left such as pointing the lights on the ballfield that the contractor agreed to complete summer 2021.

Motion made by D. Morrell, seconded by J. Smith to accept Resolution 11-01-2020 Accepting Teague Park Deed from RSU#39. (6 Yes) So voted.

e. Resolution 11-02-2020 Establishing the Teague Park Improvement Loan Against Reserves

Manager Marker explained the amount of monies needed to complete the projects at Teague Park and the Splash pad. The current amount needed is \$278,960 minus the donations received today from Councilor Morrell of \$10,000 and \$250 from the Cigarette Shopper. Manager Marker reviewed Resolution 11-02-2020 which looks at reserve accounts and the possibility of moving money from other accounts to help with the Teague Park Improvements. The resolution establishes a Council commitment to repay funds over 5 years with a 1.5% self-imposed interest rate.

D. Morrell would like to know more information about selecting the interest rate in which the City would pay themselves back and make sure that the amount is appropriate and what it needs to be.

This was a first read to be discussed more at the next meeting on November 30, 2020.

Council Agenda Item #10: Old Business

a. 2018 Tax Lien Waivers

Motion made by J. Theriault, seconded by J. Smith to waive foreclosure of unpaid taxes and grant the abatements of the following tax accounts: 2212, 4617, 2068, 2073, 4566, 4716, 4794, 4943, 1999, 1418, 1942 as recommended by Administration in the packet memo. (6 Yes) So voted.

Council Agenda Item #11: Reports and Discussion by Mayor and Council Members

J. Smith- Would like to schedule an investment committee meeting for Thursday the 19th at 8:00 a.m. in the Council Chambers to get an update on the \$3M CD funds.

Council Agenda Item #12: Executive Session(s) (May be called to discuss matters identified under Maine Revised Statutes, Title 1, §405.6)

Manager Marker explained that one of the matters going to be discussed in executive session is regarding a complaint that was filed recently in Superior Court here in Aroostook County. Based on the complaint there is a possible conflict of interest with the parties in that Councilor Theriault may have financial considerations in the case against the City. The City's attorneys are recommending that councilor Theriault not be a party to any discussions on that matter.

J. Theriault- "I donated money to the GoFundMe fund for their legal fees for the legal action taken to get an opinion on the charter amendment concerning paying your taxes on or before December 31st. Apparently, that makes me have a conflict of interest, I don't believe so, I think that I have enough right to donate money any where that I want to. I don't have a problem with anything else as far as any of the issues going, I believe wholeheartedly that amendment stated it correctly with no gray area, and I think that to not allow me to attend the executive session just because I donated money that's like freedom of speech that's like of freedom of putting my money where I want to I don't believe that has any bearing on, I'm not a part of the law suit or anything else and I think that's part of my right to be able to donate wherever I want to and I do not feel that this is something that I should be barred from attending."

Deputy Mayor Ayer noted that Counselor Theriault has every right to do what she did; however, the recommendation from our attorney is that she not attend discussions on the case.

J. Theriault- "I could have done it anonymously, I didn't. I like to be upfront and forward so that you know where I stand, and I do not talk out of executive sessions so I do not believe that there should be any reason why I should be exempt from that."

Deputy Mayor Ayer called for a motion.

Motion made by H. Kirkpatrick, seconded by D. Morrell to excuse Councilor Theriault from executive session during 12b Consultation of City Attorney regarding pending litigation. (4 Yes, 2 No, J. Theriault N. Cote) So voted.

a. Collective Bargaining Negotiations with Fire Department Union under §405.6.D

Motion made by N. Cote, seconded by J. Smith to enter executive session at 7:06 p.m. Collective Bargaining Negotiations with Fire Department Union under 406.6.D (6 Yes) So voted.

Council exited executive session at 8:10 p.m.

No action was taken.

Motion made by H. Kirkpatrick, seconded by J. Smith to enter executive session at 8:10 p.m. to discuss a personnel matter regarding the Council and that only current Council members be present under 405.6.A.

November 16, 2020

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Manager Marker noted that Councilor Theriault had provided a written request that any discussion regarding her should be in open session. Vote to enter executive session was taken. (5 Yes, 1 No J. Theriault)

Council exited executive session at 8:52 p.m.

No action was taken.

Motion made by J. Smith, seconded by N. Cote to enter executive session at 8:53 p.m. to discuss pending litigation with the City's attorney under §405.6.E (6 Yes) So voted.

Council exited executive session at 9:01 p.m.

No action was taken. Councilor Theriault was excused from the meeting.

Motion made by D. Morrell, seconded by J. Smith to enter executive session at 9:02 p.m. to discuss pending litigation with the City's attorney. (5 Yes) So voted.

Council exited executive session at 9:29 p.m.

No action was taken

Council Agenda Item #13: Next Meeting(s)

November 30, December 14

Council Agenda Item #14: Adjournment

Motion made by H. Kirkpatrick, seconded by D. Morrell to adjourn the meeting at 9:29 p.m. (5 Yes) So voted.

Danielle M Brissette, Secretary



City Manager's Report

November 30, 2020

Economic Projects

Porvoir CDBG program	Waiting on Porvoir to close out their CDBG grant. City is still holding \$9,000. Porvoir has submitted their request for reimbursement of expansion funds under the city's agreement from 2018.
Events and Marketing	Christmas tree lighting ceremony will be on November 28-29 with live caribou from 1-3. Christina secured approvals from downtown mall businesses to hang string lights across the promenade areas.
Blight Cleanup	Looking at some redevelopment options in blighted neighborhoods. Need to discuss landbank options.
Hilltop Senior Living	Waiting for developers to request final inspection for the building.
Birdseye Cleanup	Asbestos cleanup has been completed and report written for state review. Waiting on remainder work until spring time.
Title 13 ReWrite	Many sections have been reviewed and will start to come to Council.
Façade Improvement Program	On hold. Advertisement of funds will be sent out in February based on final budget numbers.
Sitel Building	No word from Mr. Cassidy about his development plans for the building.
River Front - Powerplants	No additional action taken at this time.
River Front - Jarosz Storage	Waiting on final details from applicant to issue building permit. Information needed has been conveyed.
River Front - Salmon	Owners will be invited to the River front stakeholder group in December along with other key land owners.
VMS Building	Space now occupied by Savilinx.
Pronto Burrito	Store opened on October 23. Waiting for some finishing touches before ribbon cutting.
60 Access Highway	Working with current owner on building permits and review processes.

Other Administrative Projects

Fire Structural Study	Work is on-going. All ceiling tiles are down. Welding work is on-going.
2021 Budget Process	Preparing budget report for January 15 deadline. County budget is increasing 5.95% in 2021. Anticipate RSU budget will also increase due to major capital maintenance needs at High School. Assett management is key issue for 2021 taxes.
Tax Acquired Property Policy	No additional inquiries about available properties.

Parking Lot Paving	Paving work is completed for 2020. Parking Lot Maintenance account sits at \$42,866.
Teague Park	The deed for Teague Park was recorded on Tuesday, November 17, 2020.
City Hall Boiler Systems	Received bid of \$2,000 for heat loss study at city hall. Another boiler supplier indicates they will do the study for free if we utilize their services. It is recommended that an RFP be prepared for total services and system upgrades.
Capital Facility Maintenance Plans	All facility assessment reports are completed. Recommended repairs/maintenance will be incorporated into the 2021 capital budget requests.
COVID-19 Status	Increasing cases of COVID in Caribou. Monitoring closely and will notify public if additional changes are needed for social distancing.
Trailer Park Closure	Notices were served upon tenants of record of the mobile home park. Still waiting for 3 notices to be served.
North Main Street	Project is completed. Working with DOT for reimbursements.
Airport	New operating system is installed and functioning. New fuel purchase system has been installed. Working through communication details.
Investment Policy	Setting up a meeting with the Council investment committee and local broker to discuss investment options.
60 Access Highway	Legal Counsel still working to collect unpaid amounts.
General Plan Update	Still working the current land use survey, which will be needed for future land use discussions.
Union Negotiations.	Fire Union has requested to open negotiations for 2021. This can be discussed in executive session.
New LED Street lights	Waiting on RLTodd to perform requested work.
Recall Petition	No petitions forms have been submitted yet.
Cable Franchise Renewal	On hold per Council direction
River Road	FEMA has been contacted about options for the Chomka and Willard properties. Waiting to hear back.
Wage Policy	On hold until higher priority Budget and Title 13 work is completed.
Procurement Policy	On hold through budget process and Title 13.
Sitel Reimbursements	Will follow up with invoice January 2021.

Councilor _____ introduced the following ordinance
On _____, 20__:

Ordinance No. 5, 2020 Series
City of Caribou
County of Aroostook
State of Maine

AN ORDINANCE AMENDING SANITARY SEWER STANDARDS IN CITY CODE,
CHAPTER 13 ZONING SECTION 700 WHICH ALLOWS FOR TEMPORARY PRIVATE
SEWER SYSTEMS PRIOR TO CONNECTING TO A PUBLIC WASTEWATER SYSTEM.

Short Title: An Ordinance Allowing Temporary Private Sewer Systems

Whereas, the City of Caribou has been granted authority Home Rule Authority under M.R.S.A Title 30-A, which includes the ability to establish of Planning and Land Use Development standards, and

Whereas, The City of Caribou has adopted Planning and Land Use development standards as part of Caribou City Code, Title 13, which includes regulation of private and public sewer systems, and

Whereas, A request has been made to amend the city's regulation of sewer systems by allowing temporary private underground wastewater disposal systems prior to connection to a public sewer system, and

Whereas, the Caribou Planning Board conducted a public hearing on the proposed amendments during their November 12 and November 24 board meetings and have forwarded a positive recommendation for the attached code amendment.

Now Therefore, 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 I: Code Amendment

Caribou City Code, Title 13-700.27 is amended as follows (underlined text is added, stricken text is deleted):

Sec. 13-700 General Requirements for Land Uses.

27. Sewage Disposal.

A. Public Sewage Disposal

1. Any development within ~~4000~~300 feet of a public sewage disposal system, at its nearest point, shall make provisions for connection to the public system, except for temporary systems as provided in (B)(3) below. When no public sewage disposal service is within 300 feet ~~shall not be available~~ at the time of construction, a "capped system" with service laterals installed to each property may be installed within the development, at the discretion of the Planning Board and after consultation with the Caribou Utilities District (CUD), to allow future connection when service becomes available without needing future excavation ~~within the right of way~~ of any road improvements within the development.

2. When a development is proposed to be served by the public sewage system, the complete collection system within the development, including manholes and pump stations, shall be installed at the expense of the applicant unless otherwise provided by a credit enhancement agreement with the city.
- ~~3. The CUD shall certify that providing public sewage service to the proposed development is within the capacity of the system's existing collection and treatment system or improvements planned to be complete prior to the construction of the development.~~
- ~~43. Any City approvals of a development that will connect to the public sewage system shall be contingent upon The written CUD shall review and approve approval of the public sewage system construction drawings for the public sewage system. The size and location of laterals, collectors, manholes, and pump stations shall be reviewed and approved in writing by the District.~~
- ~~5. The public sewage disposal system(s) and related equipment for the development shall be designed by a Maine Registered Professional Engineer in full compliance with the requirements of the State of Maine, Subsurface Wastewater Disposal Rules and shall be approved by the CEO or Planning Board and the Health Office.~~
4. Any property that is within 200 feet of the public system and having a private subsurface wastewater system, shall connect to the public system when their private system needs to be replaced.

B. Private Sewage Disposal.

1. When a proposed development is not within ~~4000~~300 feet of a public sewage disposal system, at its nearest point, connection to the public system ~~shall~~may not be ~~permitted~~required, ~~except for temporary systems as provided in (3) below.~~ Sewage disposal ~~shall~~may be by a private individual or communal subsurface wastewater disposal system as may be permitted by DEP in consultation with CUD. The developer may install and connect to the public sewage disposal system totally at their own expense and in conformance with the standards and specifications of the CUD.
2. The applicant shall submit evidence of site suitability for subsurface wastewater disposal prepared by a Maine Licensed Site Evaluator in full compliance with the requirements of the State of Maine, Subsurface Wastewater Disposal Rules.
 - a. The Site Evaluator shall certify, in writing, that all test pits which meet the requirements for a new system represent an area large enough to install a disposal area on soils which meet the, Subsurface Wastewater Disposal Rules.
 - b. On lots in which the limiting factor has been identified as being within 12-15 inches of the surface, exclusive of shoreland areas, a second site with suitable soils shall be shown as a reserve area for future replacement of the disposal area. The reserve area shall be shown on the Plan and restricted so as not to be built upon.
 - c. In no instance shall a disposal area be on a site which requires a New System Variance from the Subsurface Wastewater Disposal Rules.
3. In the event that an existing connection to a public sewage disposal system fails, a temporary system may be used to allow the continued occupancy of a building pending repairs:
 - a. In order to qualify for a temporary system:
 - i. the estimated cost to repair the connection to the public sewer must exceed \$20,000 as represented by three separate, independent bids; or non-bids as verified in writing.

- ii. the connection to the public system must be more than ten (10) feet below grade;
 - iii. the owner must have sought and been denied a variance from the CUD; and
 - iv. the property owner provides to the city a performance guarantee, in accordance with section 13-750, which shall be sufficient to cover the reconnection costs as demonstrated by bids received for the work.
- b. The temporary system may be in the form of a subsurface wastewater system meeting the requirements of (2) above, or a holding tank.
 - c. A temporary system may be used for up to one (1) year, and the LPI may grant a one-time, six (6) month extension for cause shown.

Section II: Severability

If any part of this Ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgement shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section III. Posting and Effective Date

This Ordinance, being introduced on _____, 20____ and a Public hearing being held on _____, 202____ was duly passed by the City Council of the City of Caribou, Maine, this ____ day of _____ 20____. This ordinance shall become effective 30 days after adoption by the Council.

R. Mark Goughan, Mayor

Thomas Ayer, Deputy Mayor

Joan Theriault, Councilor

Nicole Cote, Councilor

Dough Morrell, Councilor

Hugh Kirkpatrick, Councilor

Jody Smith, Councilor

Councilor _____ introduced the following ordinance
On _____, 20__:

Ordinance No. 6, 2020 Series
City of Caribou
County of Aroostook
State of Maine

AN ORDINANCE AMENDING LAND USE REGULATIONS PERTAINING TO
MEDICAL MARIJUANA RELATED LAND USES AND FACILITIES

Short Title: An Ordinance Amending Medical Marijuana Related Land Uses

Whereas, the City of Caribou has been granted authority Home Rule Authority under M.R.S.A Title 30-A, which includes the ability to establish of Planning and Land Use Development standards, and

Whereas, The City of Caribou has adopted Planning and Land Use development standards as part of Caribou City Code, Title 13, which includes regulation of medical marijuana related land uses and facilities, and

Whereas, the City Council requested the Planning Board reconsider the city's medical marijuana related land use regulations in light of recent changes to state legislation on the matter, and

Whereas, the Caribou Planning Board conducted a public hearing on the proposed amendments during their November 12 and November 24 board meetings and have forwarded a positive recommendation to the City Council for the attached code amendment.

Now Therefore, 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 I: Code Amendments

1. Land Use Table Amendments. The Land use table as found under Title 13-204 is amended to include the following land uses and zone designations (stricken text is deleted from the current use designation).

Use	Zone								
	R-1	R-2	RC-2	R-3	C-1	C-2	I-1	I-2	H-1
Medical Marijuana Dispensaries	NO	NO	PB	NO	PB	PB	PB	PB	PB
Marijuana Caregiver Retail Store	NO	NO	NO	PB	NO	NO	PB	PB	NO
Marijuana Cultivation Facility	NO	NO	NO	PB	NO	NO	PB	NO	NO
Marijuana Manufacturing Facility	NO	NO	NO	PB	NO	NO	PB	NO	NO
Marijuana Testing Facility	NO	NO	NO	PB	NO	NO	PB	PB	PB

2. Title 13-700.39 Amendments. Title 13-1700.39 Registered Nonprofit Dispensaries and Registered Cultivation Facilities for Medical Marijuana is amended as follows: (underlined text is added, stricken text is deleted)

39. Regulation of Registered Nonprofit Dispensaries & Registered Cultivation Facilities for Medical Marijuana Related Facilities

A. Purpose and Authority

The State Legislature, through the adoption of PL 2017 c. 452 (LD 1539), 'An Act To Amend Maine's Medical Marijuana Law', has determined that a municipality must specifically vote to allow certain activities and facilities associated with medical marijuana if the municipality wants to allow such activities to operate in the municipality. The City has determined that certain medical marijuana facilities, namely Caregiver Retail Stores, Dispensaries, Manufacturing facilities and Testing facilities, are appropriate activities in the City of Caribou, provided that the respective activity/use occurs in a zoning district in which the City has specifically identified the respective activity/use as a permitted use, and provided that the respective use/activity complies with the standards identified in this ordinance and all laws and rules adopted by the State of Maine regarding the same. To regulate the location of Registered Medical Marijuana Dispensaries within the City of Caribou:

Pursuant to Title 22 MRSA Chapter 558-C and §2428 (10), Maine law provides for the siting of Medical Marijuana Dispensaries as permitted by the Department of Health and Human Services. The City of Caribou also reserves the right for additional siting and licensing requirements pursuant to municipal home rule authority, Title 30-A MRSA §3001.

Whereas marijuana has been determined to have both legitimate medical uses as well as a history of widespread illegal use, this Ordinance shall serve to govern the siting and licensing requirements specific to the City of Caribou for the operation of a ~~Registered~~ those Medical Marijuana ~~Dispensary~~ facilities listed above.

B. Regulations:

1. The establishment of a Registered Nonprofit Dispensary or Registered Cultivation Facility shall require review by the Caribou Planning Board as per Section 13-300 "Site Design Review" of the Caribou Code and be required to have a Section 13-302 (B) shall require a mandatory public hearing as part of the Site Design Review. Siting requirements shall also apply to any and all ancillary structures, mobile units, or any future types of dispensary mechanisms or related locations as yet contemplated within this ordinance allowed within this ordinance.
2. No Certificate of Occupancy shall be granted for a ~~Registered Nonprofit Dispensary~~ medical marijuana related facility unless the ~~structure providing the service~~ use is located in the ~~H-1, C-1, C-2, I-1, I-2 or RC-2 Zones~~ a zone where such is permitted as shown in the Land Use Table of section 13-204.
3. No medicinal marijuana related facility which dispenses harvested marijuana to a Qualifying Patient Registered Nonprofit Dispensary shall be allowed in the R-1, R-2 or R-3 Residential Zones or within 300 feet of an existing residential dwelling or within 300 feet of the R-1, R-2 or R-3 Residential Zone Boundary Line. Nothing in this provision shall prevent a Registered Medical Marijuana Caregiver from operating as may be permitted by State statute.
4. No Certificate of Occupancy shall be granted for a medicinal marijuana related facility ~~Registered Nonprofit Dispensary~~ if the premise concerned is located within the a Drug Free Safe Zone, or within 500 feet of a preexisting Private School, Day Care Facility, or House of Public Worship/Religious Center.

5. No Certificate of Occupancy shall be granted for a Registered Cultivation Facility unless the structure is located within a Registered Nonprofit Dispensary or is offsite from the Dispensary within the R-3 Zone and also meeting all setback requirements applicable to Registered Nonprofit Dispensaries.
6. No Certificate of Occupancy shall be granted for a Registered ~~Nonprofit~~ Dispensary unless the premise concerned is in complete compliance with all municipal, state and federal site development Codes and Regulations.
7. Security requirements for ~~both the Registered Nonprofit Dispensary and associated Registered Cultivation Facilities~~ medical marijuana related facilities shall include as a minimum:
 - a. Lockable doors and windows to include intrusion alarms with audible and police notification components sending notification directly to or through a second party to the Caribou Police Department.
 - b. Exterior security lighting comprised of spot lights with motion sensors covering the full perimeter of the facility.
 - c. Video surveillance capable of covering the entire perimeter of the facility, interior, and all plants cultivated within the facility. The video surveillance system shall be operated with continuous recording twenty-four hours per day seven days per week and such records of surveillance shall be retained for a minimum duration of 90 days
- ~~78. A medicinal marijuana related facility Registered Nonprofit Dispensary and Registered Cultivation Facility~~ may not continue to employ an employee who is convicted of any state or federal controlled substance law, or is under indictment or charged with any state or federal controlled substance law violation, while employed at the medicinal marijuana related facility ~~Registered Nonprofit Dispensary and or Registered Cultivation Facility~~. If a principal officer or board member of the facility is convicted of any state or federal controlled substance law while a principal officer or board member of a ~~Registered Nonprofit Dispensary or Registered Cultivation~~ Facility, that medicinal marijuana related facility ~~Registered Nonprofit Dispensary or Registered Cultivation Facility~~ shall immediately be considered in violation of this Chapter.
- ~~89.~~ Medical Marijuana Disbursing Facilities must provide an adequate interior waiting area to ensure no exterior waiting of clients.
- ~~910.~~ Medical Marijuana Disbursing Facilities must provide adequate off street parking on site at 1 parking space per every 150 square feet of interior space. Each parking space shall be a minimum of 9 feet wide by 21 feet long All parking and access thereto shall comply with city site development standards.
- ~~1011.~~ All signage shall meet the following requirements
 - a. The requirements of Section 13-700, #29, A through H, ~~and~~
 - b. State requirements identified in Title 22, Chapter 558-C and under the Medical Use of Marijuana Program Rule 18-691 C.M.R. ch. 2, reference § 2429-B, Signs, advertising and marketing,
 - c. Signage may not use any pictorial representations of any portion of a marijuana plant, products, by-products, or paraphernalia associated with the use or distribution of ~~legalized medical marijuana or illegal use of marijuana,~~

d. The location, type and size of sign that a medical marijuana manufacturing facility or medical marijuana testing facility may display shall be the smaller of the size of signage permitted in the respective zoning district in which the facility is located or 24 square feet,

e. signage shall not be internally lighted or a digital sign,

f. A medical marijuana manufacturing facility or medical marijuana testing facility shall be permitted to display a maximum of two signs; a freestanding sign, such as one that is located adjacent to the road frontage of the property, and one that is located on the building in which the facility operates.

12. Registered Caregivers operating out of their residence shall apply for and obtain a permit for a home occupation in accordance with City of Caribou Land Use Ordinances Chapter 13-713 Home Occupations and shall comply with all standards set forth in that article. Registered Caregivers who cultivate medical marijuana only for themselves and/or members of their household are exempt from this requirement and are not required to obtain a permit or license. The cultivation, manufacturing, testing or sale of adult use/recreational marijuana from a residence is prohibited, unless it is for personal use in accordance with 28-A M.R.S. § 1502.

13. A request for a permit to establish a medical marijuana related facility shall be accompanied by evidence to the City that the applicant has obtained any and all required licenses, permits or similar approvals from the State of Maine, as such may be required by provisions of Title 22, Chapter 558-C and under the Medical Use of Marijuana Program Rule 18-691 C.M.R. ch. 2.

Section III. Definitions.

The following term and definition changes are made in Title 13-900 Definitions. (Underlined text is added, stricken text is deleted).

~~House of Public Worship: "House of Public Worship" shall mean any building or place of assembly as so defined under Title 13 MRSDA Chapter 93.-~~

Marijuana - Cardholder: "Cardholder" means a A qualifying patient, a primary caregiver or a principal officer, board member, employee or agent of a nonprofit dispensary who has been issued and possesses a valid registry identification card.

Marijuana – Caregiver: A person registered and holding a current license or certificate from the appropriate State department as a Caregiver. This may include a Caregiver’s assistant where permitted by State codes.

Marijuana - Caregiver Retail Store: A store that has attributes generally associated with retail stores, including, but not limited to, a fixed location, a sign, regular business hours, accessibility to the public and sales of goods or services directly to a consumer, and that is used by a registered caregiver to offer marijuana plants or harvested marijuana for sale to qualifying patients.

Marijuana – Concentrate: The resin extracted from any part of a marijuana plant and every compound, manufacture, salt, derivative, mixture or preparation from such resin, including, but not limited to, hashish.

Marijuana – Nonprofit Dispensary: "Nonprofit dispensary" means a A not-for-profit entity registered under Title 22 MRSA §2428 that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses marijuana or related supplies and educational materials to cardholders qualifying patients. All ancillary real property structures or mechanisms utilized as a mobile non-profit dispensary to include mobile units, vans, cars, trucks, trailers, motor homes, or other units not specifically set forth, must adhere to and shall be regulated by this ordinance. ~~A nonprofit dispensary is a primary caregiver.~~

Marijuana – Extraction: The process of extracting marijuana concentrate from marijuana using water, lipids, gases, solvents or other chemicals or chemical processes.

Marijuana – Edible Product: A marijuana product intended to be consumed orally, including, but not limited to, any type of food, drink or pill containing harvested marijuana.

Marijuana - Enclosed, Locked Facility: ~~"Enclosed, locked facility" means a~~ A closet, room, greenhouse or other enclosed area equipped with locks and other security devices required by the State and this Ordinance that permits access only by a cardholder or qualified person employed by the related Registered Nonprofit Dispensary.

Marijuana – Harvested Marijuana: The plant material harvested from a mature marijuana plant, except the stalks, leaves and roots of the plant that are not used for a qualifying patient's medical use. "Harvested marijuana" includes marijuana concentrate and marijuana products.

Marijuana – Manufacturing: For purposes of regulation of marijuana industries and processes, manufacturing shall include the production, blending, infusing, compounding or other preparation of marijuana concentrate and marijuana products, including, but not limited to, marijuana extraction or preparation by means of chemical synthesis.

Marijuana – Manufacturing Facility: A facility or a person authorized by the state to engage in marijuana extraction and manufacturing activities.

Marijuana - Medical use: ~~"Medical use" means the~~ The acquisition, possession, cultivation, manufacture, use, delivery, transfer or transportation of marijuana or paraphernalia relating to the administration of marijuana to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition as provided in state regulations.

Marijuana – Product: A product composed of harvested marijuana and other ingredients that is intended for medical use. "Marijuana product" includes, but is not limited to, an edible marijuana product, a marijuana ointment and a marijuana tincture. "Marijuana product" does not include marijuana concentrate.

Marijuana – Qualifying Patient: A person possessing a valid written certification regarding medical use of marijuana in accordance with State provisions.

Marijuana – Registration Certificate: A document issued by the appropriate State department that identifies an entity, person or facility as registered to conduct marijuana related business in accordance with State provisions.

Marijuana - ~~Registered Cultivation Facility: "Registered Cultivation Facility" shall mean a~~ Any site used for the cultivation of Marijuana ~~whether at the location and a part of a Registered Nonprofit Dispensary or an associated offsite location meeting in accordance with all State operation and registration requirements pursuant to the licensing of the Dispensary.~~

Marijuana – Sample: A marijuana plant or harvested marijuana that is provided for testing or research purposes to a marijuana testing facility.

Marijuana – Testing Facility: A public or private laboratory that a) is authorized in accordance with State laws to analyze contaminants in and the potency and cannabinoid profile of samples; and b) is accredited pursuant to standard ISO/IEC 17025 of the International Organization for Standardization by a 3rd-party accrediting body or is certified, registered or accredited by an organization approved by the appropriate State agency.

Marijuana - Usable Marijuana: ~~"Usable marijuana" means the~~ The dried leaves and flowers of the marijuana plant, and any mixture or preparation of those dried leaves and flowers, but does not include the seeds, stalks and roots of the plant and does not include the weight of other ingredients in marijuana prepared for consumption as food.

Religious Center: A building or buildings owned or maintained by a religious organization(s) for social, civic or philanthropic purposes, and in which persons regularly assemble or frequent for worship or religious instruction with associated clergy. Uses also included are seminaries, monasteries and convents. This definition shall not include temporary tents or structures.

Registered Nonprofit Dispensary: "Registered Nonprofit Dispensary" means a nonprofit dispensary that is registered by the department pursuant to Title 22 MRSA §2428, subsection 2, paragraph A.

Section IV: Severability

If any part of this Ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgement shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section V. Posting and Effective Date

This Ordinance, being introduced on _____, 20____ and a Public hearing being held on _____, 202____ was duly passed by the City Council of the City of Caribou, Maine, this ____ day of _____ 20____. This ordinance shall become effective 30 days after adoption by the Council.

R. Mark Goughan, Mayor

Thomas Ayer, Deputy Mayor

Joan Theriault, Councilor

Nicole Cote, Councilor

Dough Morrell, Councilor

Hugh Kirkpatrick, Councilor

Jody Smith, Councilor

Councilor _____ introduced the following ordinance
On _____, 20__:

Ordinance No. 07, 2020 Series
City of Caribou
County of Aroostook
State of Maine

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY BY REZONING
PROPERTIES NEAR HERSCHEL STREET FROM C-1 AND C-2 TO R-2.

Short Title: An Ordinance Approving the Herschel Street Rezoning Request

Whereas, the City of Caribou has been granted authority Home Rule Authority under M.R.S.A Title 30-A, which includes the ability to establish of Planning and Land Use Development standards, and

Whereas, The City of Caribou has adopted an official zoning map as part of Caribou City Code, Title 13, and

Whereas, a request has been made to amend the zoning map to improve housing and redevelopment opportunities in the downtown area by rezoning several properties from C-1 and C-2 to R-2 on or near Herschel Street, and

Whereas, the City's Comprehensive Plan supports increasing housing developments and redevelopment of underutilized properties in the downtown area, and

Whereas, the Caribou Planning Board conducted a public hearing on the proposed amendments during their November 12 and November 24 board meetings and have forwarded a positive recommendation to the City Council for the attached zoning map amendment.

Now Therefore, 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 I: Code Amendments

Zoning Map Amendment. The Official Zoning Map of the City is amended as shown in the attached Exhibit A of this Ordinance and by this reference is incorporated herewith.

Section II: Severability

If any part of this Ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgement shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section III. Posting and Effective Date

This Ordinance, being introduced on _____, 20____ and a Public hearing being held on _____, 202____ was duly passed by the City Council of the City of Caribou, Maine, this ____ day of _____ 20____. This ordinance shall become effective 30 days after adoption by the Council.

R. Mark Goughan, Mayor

Thomas Ayer, Deputy Mayor

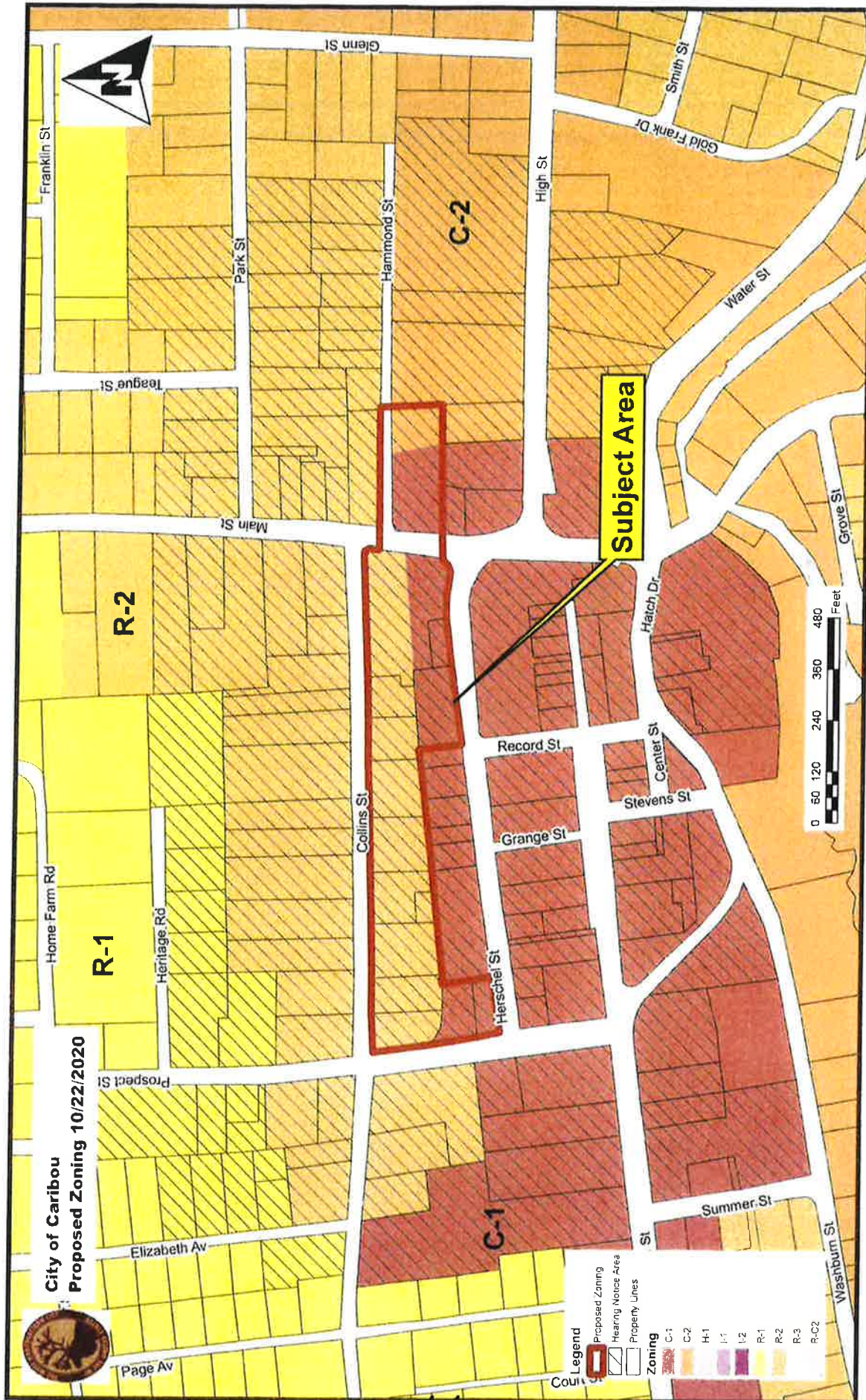
Joan Theriault, Councilor

Nicole Cote, Councilor

Dough Morrell, Councilor

Hugh Kirkpatrick, Councilor

Jody Smith, Councilor



Resolution No. 11-03-2020

A RESOLUTION ESTABLISHING THE FEE SCHEDULE FOR CARIBOU CITY

WHEREAS, The governing body of the City of Caribou, Maine, acknowledges that the fees required of various developers, subdividers, property owners, and citizenry of the city necessitate periodic review; and

WHEREAS, review of these fees has been found to be warranted in certain areas as they have gone without update or alteration for an extended period of time; and

WHEREAS, the City Council of Caribou desires to make adjustments where necessary to the Caribou City Fee Schedule in order to ensure proper and adequate services to its citizens;

NOW THEREFORE, BE IT RESOLVED by the City Council of Caribou, that the following fees shall be established for various development projects and services rendered by employees and volunteers of the City, and shall be collected at the submittal of an application or request for action for which the fee has been designated herein:

A. The fees charged by the City for services rendered to the community shall be as follows:

Airport:

Hangar A1	\$120.00
Hangar A2	\$120.00
Hangar C1	\$175.00 200.00
Hangar C2	\$170.00 180.00
Hangar C3	\$160.00 165.00
Hangar C4	\$160.00 165.00
Hangar C5	\$170.00 180.00
Hangar C6	\$175.00 200.00
Hangars A or C Non-Aviation Related	
Monthly Storage Rate	Base+\$50
Hangar B Annual	\$2,400.00
Hangar B ½ Year	\$1,500.00
Hangar B Summer:	
Night	\$ 20.00
Week	\$100.00
Month	\$300.00
Hangar B Winter:	
Night	\$ 40.00
Week	\$150.00
Month	\$350.00
Annual Office Space	Negotiable

Clerk's Office (all by State Statute):

Recording of Partnership	\$10.00
Lineage Verification	\$ 3.00
Marriage License	\$40.00
Military Discharge Filing	\$ 4.00
Permits for Disposition of Human Remains	\$20.00
Recording of Proprietorship	\$10.00
Vital Records	
Birth	\$15.00
Death	\$15.00
Marriage	\$15.00
Each additional	\$ 6.00
Vital Records Search	\$ 6.00
(this fee was set by Council)	
if record is found, \$6.00 fee includes a non-certified copy	

Municipal Agent Fees for Motor Vehicle Registrations:

Renewals – Caribou	\$ 5.00
Renewals – Connor TWP	\$ 6.00

Code Enforcement:

Building Permit	\$ 50.00
Certificate of Occupancy	\$ 25.00
Sign Permit (per permit)	\$ 50.00
Plumbing Permit (set by State Statute)	75% Caribou 25% State
Shellfish Surcharge (full system – external only)	\$15.00
Site Design Application	\$90.00 + \$10.00/2,000 sq ft
Demolition Permit (waived if received in advance)	\$ 250.00
Subdivision App	
First three Lots	\$180.00
Each additional Lot	+\$10.00
Misc. Inspection Service	\$ 40.00
Rezoning Request	\$100.00
Code Amendment Request	\$100.00

Fire & Ambulance:

Ambulance Charges:

<u>Billing Code:</u>	<u>Current Charges:</u>
A0428 BLSN	\$313.00
A0428 BLSN-Non	\$342.00
A0429 BLS- Emer	\$492.00
A0426 ALS1	\$372.00
A0427 ALS1-Emer	\$588.00
A0427 ALS Backup	\$492.00
A0433 ALS2	\$852.00
A0434 SPCare	\$1,008.00
A0429 AWT	\$492.00
A0425 Land Mile	\$14.00

Non-Mutual Aid Community Ambulance Charge \$500.00 (Effective January 1, 2020)

Outside Community No Transport Charge \$313.00 (Effective January 1, 2020)

Fire Department Charges:

Fire Reports	\$10.00
Fire Permits	\$10.00

City of Caribou

FEE SCHEDULE

Library:

Copies:

Black & White	\$ 0.25
Color	\$ 0.75
Fax (outgoing/incoming or scan to email)	
First page	\$ 2.00
Each additional	\$ 1.00
New Card	\$ 1.00

Oversize Printer	\$1.50/sq.ft.
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Homeschool discounted price for
copying/printing educational materials

Black & White	\$0.15
Color	\$0.50
Oversize	\$0.75/sf.ft.

Fines:

Books/Magazines/CDs	\$ 0.10/day
DVDs	\$ 1.00/day

Inter-Library Loans:

Free if via van delivery or postage (usually
\$2.50-\$3.50) if mailed to library (usually out
of state books)

Laminating	\$ 2.00/sheet
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Caribou Room Rental:

1 hour	\$12.00
2-4 hours (half day)	\$40.00 flat fee
4+ hours (full day)	\$75.00 flat fee
Projector (PC adapter)	\$10.00
External Speakers	\$ 5.00

<u>Resident Fee:</u>	\$ 0.00/year
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Non-Resident Fee:

Individual	\$30.00/year
Family	\$40.00/year
Veteran – Individual	\$25.00/year
Veteran – Family	\$35.00/year

Miscellaneous Admin Fees:

Notary Fee (per signature)	\$ 5.00
Faxes – First page	\$ 4.00
Additional pages	\$ 1.50

Copies – 8.5x11	\$ 0.75
Copies – 8.5x14, 11x17	\$ 1.00
Wedding	\$75.00

Police Department:

Accident Reports	\$10.00
Background Checks	\$5.00
Incident Cards - first page	\$5.00
Each additional	\$1.00
Fingerprints	\$3.00
Fireworks Permit	\$5.00
Dog Pick Up Fee	\$10.00
Concealed Carry Permit	\$20
renew	\$35 new
Lamination	\$5.00
Fireworks Permit	\$5.00
Prisoner Fees	\$60.00
Prisoner Meals	\$8.00
For parking violations, see Code Book, Chapter 12 Traffic	

Rec Department:

\$10 per child per program residents	
\$25 per child per program non residents	
Youth Programs – Resident	Varies
Non-Resident	\$15.00 above Resident Fee
\$8 per child t-shirt	
\$9 per child t-shirt & mouth guard	

Take It Outside Series-Adult Program Fees:

Deep Sea Fishing	\$150.00
Moosehead Lake Trip	\$55.00
Botanical Gardens	\$40.00
Grand Falls Gorge	\$50.00
Kings Landing	\$40.00
McAdam Station	\$40.00
Allagash Ghost Trains	\$99.00
Chandler Lakes Camp	\$40.00
Chimney Pond Hike	\$20.00
Libbys Camps	\$40.00
Red River Camps	\$60.00
Square Lake	\$30.00
Scopan Mtn Hike	\$20.00
Deboullie Mtn Hike	\$20.00
Smyrna Amish Village	\$40.00
Pottery	\$50.00

City of Caribou

FEE SCHEDULE

Katahdin Woods	\$30.00
Gaspe Peninsula	\$200.00
Bradford Camps	\$40.00
Bat Houses	\$25.00
Wreath Making	\$40.00
EMERA Audit	\$5.00

Recreation Center

Membership Fees - **Resident** Free

Non-Resident Free

Rental Fees:

\$15 per hour for building rental

\$15 per hour for supervisor (non-operational hours)

Tax Assessment:

Assessment Card/ Document (black & white)	\$0.50
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Assessment Card/ Document (color)	\$1.00
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Frequent Users (making own copies)	\$0.25 B&W \$0.50 Color
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**CARIBOU ADMINISTRATION
25 HIGH STREET
CARIBOU, ME. 04736**



MEMO

TO: City Council
FROM: Dennis Marker, City Manager
RE: Porvair Filtration Reimbursement Agreement - 2020
DATE: November 10, 2020

In 2018, the City entered into an agreement with Porvair Filtration that would reimburse them certain business improvement costs if they demonstrated job growth as anticipated with the improvements. The agreement runs through October 2022 with a reimbursement amount not to exceed \$14,694.75 per year (November – October). The caveat is that they must add 3 full time employees making at least \$12 per hour per year. In 2019, Porvair demonstrated they grew from 42 employees to 45 employees. To be eligible for reimbursement this year they needed 48 employees by the end of October. Records provided by Porvair indicate they only had 43 employees at the end of October but will have 49 employees as of November 16.

Based on the terms of the contract, Porvair would not be eligible for a reimbursement at this time, but can still get the full benefit, if they have 52 employees by the end of October 2021.

Mr. David Mika, who is the Porvair Filtration Caribou Site Manager, is asking the Council to consider full payment in 2020 based on the provision of 49 employees by the date of the Council meeting.



Resolution 11-01-2020

A Resolution of the Caribou City Council Utilizing Reserves to Finance Teague Park Improvements

WHEREAS, the City of Caribou desires to complete the improvements around Teague Park by installing a splash pad, providing additional landscaping and paving of the parking area between the recreation building and the new Teague Park improvements (hereafter Park Improvements) for an estimated cost of \$481,000; and

WHEREAS, completion of the Park Improvements will result in greater health, safety, and quality of life for citizens and visitors who may use the park facilities, and

WHEREAS, the cost of such Park Improvements exceeds funds currently designated for the work. The city is short \$278,960; and

WHEREAS, the City Council has determined that the Park Improvements are of such importance to the community that the use of other designated reserve funds is warranted to complete the project; and

WHEREAS, the City Council has authority under City Charter Section, 5.09(d) to reappropriate funds.

NOW, THEREFORE BE IT RESOLVED BY, THE CARIBOU CITY COUNCIL

1. That in addition to funds available in the Community Pool Improvement Fund, \$50,545.54 is to be reappropriated toward completion of the of Teague Park Improvements as follows:
 - a. \$25,000 from Fund G-1-365-03 Parks Land Acquisitions/Easements
 - b. \$2,490.17 from Fund G-1-365-08 Recreation Non-appropriated Special Projects
 - c. \$10,000 from Fund G-1-365-13 Collins Pond Restoration Fund
 - d. \$1,551.08 from Fund G-1-365-16 Caribou Community Band
 - e. \$1,404.29 from Fund G-1-365-20 Caribou Ski Trail Program
 - f. \$10,000 from Fund G-1-399-00 Parking Lot Maintenance Reserve
2. That, up to \$228,415 be utilized from the City's Resource Reserve Account, Fund G-1-450-00, for the purposes of funding the Park Improvements with conditions that:
 - a. Any Resource Reserve funds used toward the Park Improvements are to be considered a loan against the Reserve funds,
 - b. All Reserve Funds are to be paid back within 5-years of their use, and
 - c. The city self-imposes an interest rate of 1.5% to be compounded annually in order maintain the reserve account value for future citizens.

This resolution was duly passed and approved by a majority of the City Council of the City of Caribou this ____th day of _____ 2020.

R. Mark Goughan, Mayor

Attest: Danielle Brissette, City Clerk

[City Seal]