

CALAIS CITY COUNCIL  
AUGUST 24, 2017

The regular monthly meeting of the Calais City Council was held this date in the Council Chambers of the Calais City Building at 6:00 p.m.

Present was Mayor Howard presiding over Councilors Geel, Sherrard, Rogers, Mingo, and Moreside.

It was moved by Councilor Mingo, seconded by Councilor Rogers, and unanimously voted to remove from the consent agenda the approval of the previous minutes.

The City Clerk asked that the approval of the previous minutes be voted on separately because she had the following amendment to the published minutes from the August 3, 2017 meeting.

*The next agenda item is the acceptance of the Seavey/Young Proposal for Waterfront Pavilion, McAllister Building, and Sarsaparilla Building. Following a brief discussion, it was moved by Councilor Nixon and seconded by Councilor Mingo to enter into a Purchase and Sale Agreement for the Waterfront Pavilion located at the corner of North and Union Street, and a loan agreement and Promissory Note in the amount of \$165,000 with conditions set forth in the agreement which requires the repair and restoration of the Sarsaparilla and McAllister Buildings and also approve an EDLE Construction Loan not to exceed \$130,000 for the Seavey and Young Project at normal terms and rates. Voting in favor of this motion were Councilors, Geel, Sherrard, Rogers, Mingo, Moreside and Nixon. Mayor Howard was opposed. Motion carried.*

On a motion by Councilor Moreside and a second by Councilor Rogers, it was unanimously voted to approve the previous minutes as amended.

On a motion by Councilor Moreside and a second by Councilor Mingo, it was unanimously voted to approve the following consent agenda:

- A. Previous Minutes July 13, August 3 & 8
- B. Monthly Departmental Reports
- C. Chase Fund for July - \$150.00
- D. Treasurer's Warrants City through August 23, 2017  
\$ 665,730.05

Attendance

Previous minutes

Consent agenda

- E. Treasurer's Warrants School through August 23, 2017  
\$1,042,515.03
- F. Treasurer's Warrants Water through August 23, 2017  
\$ 72,887.01
- G. Victualer's License – The Sandwichman, 382 North Street
- H. Victualer's License – Just South of the Border 449 Main Street

The Mayor then called for a Public Hearing on the proposed Ordinance authorizing the issuance of General Obligation Bonds of the City for the Manning Street Project in the combined amount of \$888,000.00. there being no public concern voiced, it was moved by Councilor Mingo, seconded by Councilor Geel, and unanimously voted to approve this ordinance

Public Hearing – Bond Ordinance

**INSERT GENERAL OBLIGATION BOND ORDINANCE**

The Mayor then called for a public hearing on a Liquor License and Special Amusement Permit for Just South of the Border. There being no public concern voiced, it was moved by Councilor Mingo, seconded by Councilor Rogers, and unanimously voted to approve the Liquor License and Special Amusement Permit.

Public Hearing – Liquor License and Special Amusement Permit

The City Manager then gave his report. He asked that the Council Finance Committee schedule a meeting on Wednesday, August 30<sup>th</sup> at 9:00 a.m. to review the City's Procurement Policy and other financial matters.

City Manager's Report

The following Council Committee reports were submitted:

Council Committee Reports

1. **Finance Committee** – met on July 19<sup>th</sup> to review several issues.
2. **Property Committee** – met prior to Council meeting to discuss several issues.
3. **Public Safety Committee** – No report
4. **Public Works Committee** – No report
5. **School Liaison Committee** – will be meeting on Sept 6<sup>th</sup> to discuss possible school consolidation
6. **Economic/Community Development Committee** – want to meet with loan board.

On a motion by Councilor Mingo and a second by Councilor Geel, it was unanimously voted to approve the events scheduled for October, (Scarecrow decorating, Casket races, Cadaver Toss, Pumpkin decorating, and more.)

CDRC Events

**CITY OF CALAIS, MAINE—ORDINANCE**  
**AUTHORIZATION OF A WATER AND SEWER SYSTEM IMPROVEMENT**  
**PROJECT AND THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY**  
**(\$888,000)**

The City of Calais (the “City”) hereby ordains as follows:

Section 1. That under the constitution and laws of the State of Maine and pursuant to Section 5772 of Title 30-A, M.R.S.A., the Charter of the City and other applicable authority, the City is hereby authorized to borrow from the Maine Municipal Bond Bank (the “Bank”) a cumulative principal amount not to exceed Eight Hundred Eighty-Eight Thousand Dollars (\$888,000), for a period not to exceed twenty (20) years, at such interest rate or rates and on such further terms and conditions as may be determined by the Bank, with principal and interest to be payable at least annually, the proceeds to be used substantially to finance water and sewer system improvement projects in the City including but not limited to replacement of mains on Manning Street and looping the water and sewer lines to connect with the hospital and related costs (the “Project”), and the obligations of the City with respect to such borrowing will be evidenced by General Obligation Bonds of the City to be executed and delivered on behalf of the City by the City Treasurer and to be countersigned by a majority at least of the City Council in a cumulative principal amount not to exceed \$888,000 (the “Bonds”). Notwithstanding anything in this agreement to the contrary, it is hereby noted that upon issuance of the Bonds, the Bank has agreed to forgive a cumulative principal amount of up to \$459,481, such that after issuance of the Bonds, the total principal amount required to be repaid by the City over the term of the Bonds will be approximately \$428,519.

Section 2. That in anticipation of the receipt of the Bond proceeds for the Project and pursuant to the authorities set forth above, the City is hereby authorized to borrow from the Bank or any other lending institution selected by the City Treasurer a principal amount not to exceed Eight Hundred Eighty-Eight Thousand Dollars (\$888,000) and in evidence thereof to execute and deliver its General Obligation Bond Anticipation Notes (the “Notes”) of the City for one or more periods not to exceed a total of three years per Note at an interest rate or rates and subject to such other terms and conditions as the City Treasurer and, by their signatures, a majority at least of the City Council shall approve, and such Notes, together with the interest thereon, shall constitute general obligations of the City, and shall be executed and delivered on behalf of the City by the City Treasurer and countersigned by a majority at least of the City Council, and such Notes shall be repaid from the proceeds of the Bonds.

Section 3. That the City Treasurer, the City Manager and the Mayor, and each of them individually, are hereby authorized to execute such certificates, loan agreements and other documents and do all things necessary or convenient to issue the Bonds and the Notes.

Section 4. That the term of the Bonds shall not exceed the estimated period of utility of the Project, which is hereby estimated to be not less than 30 years, and further that sufficient taxes shall be levied by the City each year that the Bonds or the Notes are outstanding to pay all principal and interest due and payable in that year pursuant to such Bonds or Notes as are then

outstanding, and that such amount of principal and interest shall be included in the tax levy of the City for each year until the Bonds have been paid in full.

Section 5. That the City Clerk shall distribute a copy of this Ordinance to each Council member and to the City Manager, and shall file a reasonable number of copies of this Ordinance at City Hall and such other places as may be directed by the City Manager.

Section 6. That a public hearing shall be held at 6:00 p.m. in the City Council Chambers of the City Building in Calais, Maine on August 24, 2017 for the purpose of taking testimony and comments from the public with respect to the proposed issuance of the Bonds, and that notice of the public hearing be given by the City Clerk by publishing a summary of this ordinance in the Calais Advertiser on or about August 3 together with a notice setting forth the time and place for the public hearing, and for consideration of the proposed ordinance by the City Council at the meeting to be held on August 24 immediately following the public hearing.

Section 7. That all actions taken to date by the municipal officers of the City related to the sale of the Notes and Bonds authorized hereby be and they hereby are ratified, approved and confirmed.

Section 8. That the law firm of Eaton Peabody is hereby designated as Bond Counsel for the City to advise the City with respect to the issuance and sale of the Notes and the Bonds, and to prepare documents and render opinions as may be necessary or convenient for that purpose.

Section 9. That the municipal officers and officials of the City are hereby authorized to execute any and all documents and certificates, and to take all actions, including affixing the seal of the City, as may be necessary or convenient to carry out the intent of this Ordinance, and further that if any member of the City Council or officer of the City who has signed or sealed the Notes or the Bonds or any certificate delivered in connection therewith shall cease to be such officer or official before the Notes or Bonds have been authenticated or delivered by the City, such Note or Bond nonetheless may be authenticated, issued and delivered with the same force and effect as though the person or persons who signed or sealed such Note or Bond had not ceased to be such officer or official; and any such Note or Bond may be signed and sealed on behalf of the City by those persons who, at the actual date of the execution of such Note or Bond shall be the proper officers and officials of the City, although at the nominal date of such Note or Bond such person or persons shall not be such officer or official.

Section 10. That as soon as practicable after adoption of this ordinance, the City Clerk shall publish a summary of this ordinance in the Calais Advertiser together with a notice of its adoption.

I certify that I am the duly qualified City Clerk of the City of Calais, Maine and that the foregoing ordinance was introduced at the regularly scheduled meeting of the City Council on July 13, 2017, and was adopted by the City Councilors of the City of Calais at the meeting of the City Council on August 24, 2017 duly called and legally held in accordance with the laws of Maine and the City Charter, that the meeting was open to the public and that adequate and proper notice thereof was given in accordance with the laws of Maine and the City Charter, and that such ordinance has been entered into and become a part of the permanent records of the City and remains in full force and effect and has not been rescinded or amended.

CITY OF CALAIS, MAINE

By:   
Theresa Porter  
City Clerk

(SEAL)

Dated at Calais, Maine  
August 24, 2017

The City Clerk present the Council with the following bid results on a 9.5' Fisher V Plow

BIDDER	BID AMOUNT	TRADE IN	TOTAL BID
Pratt Chevrolet			
	\$6,650.00	no trade	\$6,650.00
Bangor Truck Equipment			
	\$6,400.00	\$1500.00	\$4,900.00

On a motion by Councilor Sherrard and a second by Councilor Moreside, it was unanimously voted to award this bid to Bangor Truck Equipment in the amount of \$4,500.00 to be charged to Undesignated Fund Balance.

The Police Chief presented the Council with the following bids received on a new Police Vehicle:

**INSERT POLICE VEHICLE BIDS**

On a motion by Councilor Sherrard and a second by Councilor Mingo, it was unanimously voted to award this bid to Pratt Chevrolet for the 2018 Chev Silverado Crew Cab 4X4 Special Service in the amount of \$34,700 to be charged to Police Dept CIP and to Undesignated Fund Balance.

The City Clerk then presented the Council with the following bid results for the sale of Surplus Property:

**(2) Greenback exhaust fans**

BIDDER	BID AMOUNT
John Marchese	\$350.00

**(1) Tommy Gate (power lift tailgate)**

BIDDER	BID AMOUNT
Stephen Smith	\$150.00

On a motion by Councilor Rogers and a second by Councilor Moreside, it was unanimously voted to accept these bids.

Plow bids

Police Vehicle Bids

Surplus Property Bids

Calais Police Department

2017 Cruiser bids

Quirk:	2017 Ford Interceptor Utility	\$28096.00
	*Cage, Etc	\$2500.00
		<u>\$30596.00 total</u>
	2018 Ford F- 150	\$30931.00
	*Hard Cover	\$1200.00
	* Cage, Etc	\$2000.00
		<u>\$37630.00 total</u>
Darlings	2018 Ford Interceptor Utility	\$29629.00
	*Cage, Etc	\$2500.00
		<u>\$32126.00 total</u>
	2018 RAM Truck	\$27962.00
	*Cage, Etc	\$2000.00
	*Hard Cover	\$1200.00
		<u>\$31162.00 total</u>

Pratt's	2018 Tahoe		\$37606.00
	*Cage, Etc	\$2500.00	
			<u>\$40103.00 total</u>
	2018 Truck Basic		\$30423.00
	*Cage, Etc	\$2000.00	
	* Hard Cover	\$1200.00	
	* Step Rails	\$800.00	
			<u>\$34423.00 total</u>
	2018 Truck with options		\$34700.00
	*Cage , Etc.	\$2000.00	
			<u>\$36700.00 total</u>



The next agenda item, parking lot in back of Just South of the Border, was referred to the Property Committee, which will meet on Wednesday, August 30<sup>th</sup> at 8:00 a.m.

It was moved Councilor Moreside, seconded by Councilor Rogers, and unanimously voted to re-bid the Library Painting Project.

The next agenda item was a discussion on Calais Regional Hospital. Councilor Sherrard made the following statement:

"We met on July 13<sup>th</sup> and were given lip service as to the future transparency and openness of the Board of Directors at Calais Regional Hospital. It has been a month and a half and has anybody heard anything else from them? I would like to re-state my lack of confidence in the Board of Directors, I would like to renew my call for transparency and openness, and I would like to renew my request for a change in the by-laws, allowing the local communities to be more involved in appointing the board, so that they would be more representative of the area. Finally, I would like to say, that as a critical component of this community, CRH has an obligation to be a good steward to the surrounding area, it's patients, and its employees. I feel that they have not accomplished this as of late. In turn, the communities that are served by CRH have an obligation to, not only use the facility whenever possible in order to support them financially, but to support them at every level to the best of their ability. This is extremely hard to do when we are kept in the dark."

There was no motion made at this time.

The Recreation Director updated the Council on the fund raising for the Tennis Court Restoration Project. He asked that the council consider accepting a donation from Sidney Unobskey in the amount of \$21,000 and to name the Tennis Courts in honor/memory of his brother. On a motion by Councilor Moreside and a second by Councilor Sherrard it was unanimously voted to accept this donation and grant this request.

On a motion by Councilor Mingo and a second by Councilor Moreside, it was unanimously voted to approve the Credit Enhancement Agreement between the City of Calais and County Plaza Holdings LLC.

Just South of the Border –  
Parking Lot

Re-Bid Library Painting  
Project

Calais Regional Hospital

Tennis Court Fundraising

Credit Enhancement  
Agreement

On a motion by Councilor Mingo and a second by Councilor Rogers, it was unanimously voted to authorize the Public Works Director to solicit bids for Winter Sand and Salt.

Following a lengthy discussion on the marijuana grow operations, it was moved by Councilor Sherrard, seconded by Councilor Rogers, and unanimously voted to schedule a Public Hearing on September 28<sup>th</sup> to consider amendments to the Land Use Codes.

On a motion by Councilor Moreside and a second by Councilor Rogers, it was unanimously voted to enter into an interlocal agreement with the Town of Baileyville for the formation of the Downeast Broadband Utility.

The next agenda item, Calais/Baileyville Council Joint Workshop, was tabled until after the School Liaison Committee meeting in September.

There was a brief discussion on the future of Voluntary Road Tolls. No motion was made at this time.

The next discussion item was the Duty-Free America's sponsorship of the International Festival Fireworks. Some sort of recognition will be forthcoming.

It was moved by Councilor Sherrard, seconded by Councilor Mingo, and unanimously voted to approve the request for the use of several downtown locations for the Riverfront Arts and Crafts Festival on September 9<sup>th</sup>

There was then a lengthy discussion on the request to allow the land owners at the end of Carson Road to install a gate to prevent unauthorized traffic and vandalism. No motion made at this time.

On a motion by Councilor Sherrard and a second by Councilor Rogers, it was unanimously voted to authorize the use of Triangle Park on September 16<sup>th</sup> from 4 – 7pm for local churches to come together and enjoy music and fellowship.

The next agenda item was a request from Philip Tinker to make \$300.00 monthly payments on his Economic Development Loan to prevent impending foreclosure. Following much discussion on treating all Economic Loans equally and fairly, it was moved by Councilor Sherrard and seconded by Councilor Mingo to deny the

Solicit Bids – Winter Sand

Marijuana Grow Operations

Downeast Broadband Utility

Table-Joint Consolidation meeting

Road Toll discussion

Fireworks – recognition

Arts Festival

Gate – Carson Road

Church use of Triangle park

Phil Tinker Request

2017-2018 Gas/Diesel Bid

Bids Opened by Crystal Gallina, Finance Director, Thursday August 24, 2017 @ 3:22 p.m.

Witnessed by Brad Phillips

**DEAD RIVER**

	<b>Unleaded Gas</b>	<b>Diesel</b>	
Average rack price for Bangor, Maine	\$ 1.6525	\$ 1.7097	
Differential/Markup	\$ 0.17	\$ 0.17	
Today's Cost	\$ 1.8225	\$ 1.8797	
Fixed Price Option	N/A	N/A	

**VI. TAMMARO**

	<b>Unleaded Gas</b>	<b>Diesel</b>	
Average rack price for Bangor, Maine	\$ 1.6572	\$ 1.733	
Differential/Markup	\$ 0.0795	\$ 0.075	
Today's Cost	\$ 1.7367	\$ 1.808	
Fixed Price Option	\$ N/A	\$ N/A	

**RECOMMENDATION**

Recommend accepting the Gas/Diesel bid from V.L. Tamaro at the variable cost option of \$0.0795 markup for unleaded and \$0.075 markup for diesel.

request and continue with the foreclosure. Voting in favor of this motion were Councilors Sherrard and Mingo. Councilors Geel, Rogers, Moreside, and Mayor Howard were opposed. Motion defeated.

This item was referred to legal.

The Finance Director then presented the Council with the following bids received on Gas and Diesel:

INSERT GAS/DIESEL BIDS

On a motion by Councilor Mingo and a second by Councilor Moreside, it was unanimously voted to award this bid to V L Tammara at a variable rate of \$0.0785 markup for unleaded and \$0.075 markup for diesel.

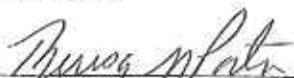
It was moved by Councilor Rogers, seconded by Councilor Moreside, and unanimously voted to grant a request from The Common Ground Church of God the use of Memorial Park from September 9 – 16, 2017

Other items addressed with no Council action being taken at this time included:

- Paving looking good
- Status of Dangerous Buildings
- Paving School Entrance
- 9 Summer Street
- Offer from Glen Connolly to paint Cemetery sign
- downtown decorative lights
- need for beautification in certain areas of town
- delinquent loans
- Rotary in need of cleanup
- dump road needing grading
- need for more interest and volunteers for International Festival

There being no further business to come before the City Council at this time, it was moved by Councilor Moreside, seconded by Councilor Sherrard, and unanimously voted to adjourn this meeting at 8:02 p.m.

ATTEST:



Theresa M Porter, City Clerk

Gas/Diesel Bids

Common Ground Church –  
use of Memorial Park

Other Items

Adjourn