

CALAIS CITY BUILDING
MARCH 11, 2021

The first regular monthly meeting of the Calais City Council was held this date in the Library of Calais High School at 6:00 p.m.

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

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
- B. Monthly Departmental Reports
- C. Treasurer's Warrants City through March 10, 2021
\$ 201,706.40
- D. Treasurer's Warrants School through March 10, 2021
\$ 237,737.58
- E. Treasurer's Warrant Water through March 10, 2021
\$ 39,882.56
- F. Chase Fund for March, \$300.00
- G. Easter Egg Hunt – Memorial Park

The Mayor then called for a Public Hearing to consider the adoption of the proposed Fire Dept. Cost Recovery Ordinance. There being no public concern voiced, it was moved by Councilor Mingo and seconded by Councilor Cody to adopt this ordinance. Voting in favor were Councilors Cody, Sherrard, Rogers, Mingo, and Carr. Councilor Moreside and Mayor Howard were opposed. Motion carried.

INSERT FD COST RECOVERY ORDINANCE

The City Manager then gave his report on the following:

- Upcoming Union Negotiations
- City Building resuming regular hours
- Fred Dearborn resignation, intent to advertise position
- DBU Annual Meeting
- Public Safety Committee March 25th at 5:30 p.m.

The City Manager also asked that the Council consider suspending the Rules to add an Executive Session for a legal issue. On a motion by Councilor Rogers and a second by Councilor Sherrard, it was unanimously voted to suspend the rules and add this item to agenda.

Attendance

Consent Agenda

Public Hearing – FD Cost
Recovery Ordinance

City Manager Report

Suspend Rules/Add Agenda
Item



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Authority/Purpose:

This ordinance is adopted pursuant to the municipal home rule ordinance authority and title 30A, MRSA Section 3001 and is provided for in Article VIII, Part 2, Section 1 of the Constitution of the State of Maine.

City of Calais Fire-EMS is engaged in providing fire suppression, fire rescue and fire prevention services; and in consideration of the services rendered hereby desires to set the following restitution policy for the services that were rendered. For the purposes of this Ordinance/policy, it will only cover the Calais Fire Department.

Definition of Services:

Calais Fire Department will seek payment for the cost of services provided by this department when responding to incidents listed below to include but not limited to the following:

A: Scene and Safety control at traffic accidents:

B: Disentanglement operations and assist to rescue with extrication from vehicles:

C: Fluid and Hazardous substance mitigation at traffic accidents

D: Vehicle Fires

E. Lift Assist after 3 per calendar year

Rates for Reimbursement

The following fee schedule is to be reviewed yearly by the Fire Chief along with a general review of the policy itself. All fees are set amounts and are not up for negotiation. Changes to fees may only be changed annually and must be annotated on the “Annual Review” section of this policy.

Description	Fee (in US Dollars)	Charged by Unit
Breakout	100	Flat Fee
Hour Minimum		1 hour per line item
*Engine/Quint	300	Hour
*Squad	250	Hour
*Tanker/Brush Unit	250	Hour
*Car 1	75	Hour
**Lift Assist	150	Flat Fee
Extrication	500	Flat per Vehicle/Incident
HAZMAT	250	Hour
*Boat	100	
Chief	45	Hour
Asst Chief	35	Hour
Ranking Officer (s)	30 (per Officer)	Hour
Firefighter	25 (per Firefighter)	Hour

* These Vehicles will include one driver / operator

**After 3 assist per calendar year per residence / facility

- **Administration and Billing**

- A. Following conclusion of an emergency or non-emergency response incident meeting the requirements of this Ordinance, the Calais Fire Chief, or his/her designee shall prepare a detailed listing of all known expenses.
- B. The Calais Fire Chief shall determine the total assessable costs and shall in consultation with other Town personnel and entities involved in responding to the incident determine whether to assess any, all, or part of such costs against any of the Responsible Parties.
In making such determination, the following shall be considered:
 - (1) the total assessable costs;
 - (2) the risk the public safety or fire emergency incident imposed on the city, its residents and their property;
 - (3) whether there was any injury or damage to person or property;
 - (4) the extent the public safety or fire emergency incident required an unusual or extraordinary use of city personnel or equipment; and
 - (5) whether there was any damage to the environment.
- C. After consideration of the factors in (B) immediately above, the Calais Fire Chief may allocate assessable costs among and between Responsible Parties, including allocating all or some of such costs jointly and severally against more than one Responsible Party regardless of whether a Responsible Party has other legal liability therefore or is legally at fault.
- (D) If the Calais Fire Chief determines not to assess all or part of assessable costs against a Responsible Party, such determination shall not in any way limit or extinguish the liability of the Responsible Party to the other parties.
- (E) The Calais Fire Chief, or a designated third-party billing agent, shall prepare and send an invoice to the Responsible Party or the Responsible Party's insurance carrier for their proportionate share of the assessable costs. Such invoice shall be due and payable within thirty (30) days of the date of the mailing.

Billing is to be completed after obtaining a copy of the incident report by current means from the investigating law enforcement agency. A bill will be generated in conjunction with the use of the incident report and the department's run reporting system used at time of the incident.

All money collected shall be placed in an account to be used to replace fire trucks and equipment that was used on scene.

Default in Payment:

Any failure by the Responsible Party to pay the invoice within the time period provided above shall be considered in default. In case of default, the City Council may authorize commencement of a civil lawsuit to recover such costs, plus any additional costs, or expenses for attorney fees and court costs, as allowed by law.

Conflicts with Other Ordinances

This Ordinance shall not in any way impair or remove the necessity of compliance with any other applicable rule, ordinance, regulation, by-law, permit, or provision of law. Where this Ordinance imposes a greater restriction upon the use of the Calais Fire Department's services, the provision of this Ordinance shall control.

Severability Sections of this Ordinance shall be deemed severable. In the event any section, clause, or provision of this Ordinance is declared invalid, the same shall not affect the validity of this Ordinance as a whole or any part thereof other than the part so declared to be invalid.

Effective Date: This Ordinance shall become effective upon the date of adoption by the Calais City Council.

Adoption Date: This Ordinance was adopted by the Calais City Council on

_____, 2021.

Signed By: _____, City Manager

The following Council Committee reports were submitted:

1. **Finance Committee** – No report
2. **Property Committee** – No report
3. **Public Safety Committee** – No report
4. **Public Works committee** - No report
5. **School Liaison Committee** – met to discuss Elementary School Expansion Project and students return fulltime.
6. **Economic/Community Development Committee** – No report.

The City Clerk presented the Council with the following list of bids received on the sale of City Property:

Beaver Lake (032-097)	Bid Amount
Mark Barnard, Calais, ME	\$31,157.00
Bryan J. Peterson, Danforth, Me	\$14,185.00
Andrew Chase, Old Town, ME	\$26,100.00
Cletus Stoflet, Albuquerque, NM	\$48,001.00
Todd Stewart, Calais, ME	\$10,000.00
Maine Equity Builders, LLC, Waterville, ME	\$14,890.00
Derek M Clark, Scarborough, ME	\$5,002.51
Smith/Ramsdell/Sherrard, Calais, ME	\$11,100.00
Pflugger Properties, LLC, Berlin, NJ	\$9,150.00
Fars Properties, LLC, Portland, ME	\$10,462.30
Tiinker/Pellerin, Calais, ME	\$15,026.00
Sondra Small, Jonesport, ME	\$6,120.00
Christopher Scott, Calais, ME	\$4,495.99
Compound Holdings, LLC, Tolland, CT	\$12,100.00
Danny Borden, Baileyville, ME	\$21,999.00
Donald Cole/Tracey Oliva, Calais, ME	\$28,100.00
Sonya Sullivan, Eastport, ME	\$12,000
Beaver Lake (32-91-9)	
Danny Borden, Baileyville, Me	\$2,500.00
Compound Holdings, LLC, Tolland, CT	\$1,100.00
Michael Walker, Calais, ME	\$5,000.00
School Street (3-9-16)	Bid Amount
Karen Clark, Calais, ME	\$1,005.00
John M Sherrard, Calais, ME	\$4,017.00

Committee Reports

Property Bids

34 King Street (3-3-6)

Derek Clark, Scarborough, ME	\$100.00
Danny Borden, Baileyville, ME	\$5,199.00
Christopher Scott, Calais, ME	\$1,249.99
Stephen McGouldrick, Calais, ME	\$1,000.00

37 Chapel Street (3-3-14)

Derek Clark, Scarborough, ME	\$100.00
Christopher Scott, Calais, ME	\$1,249.99
Pfluger Properties, LLC, Berlin, NJ	\$1,150.00
Stephen McGouldrick, Calais, Me	\$1,000.00

2 Todd Street (5-2-6)

Pfluger Properties, LLC, Berlin, NJ	\$525.00
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Union St (5-7-2)

Pfluger Properties, LLC	\$525.00
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10 Elm Street (7-2-6)

Crystal Matthews/Joan Perry, Calais, ME	\$35.00
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It was moved by Councilor Moreside and seconded by Councilor Carr to award these bids to each of the highest bidders. Voting in favor of this motion were Councilors Cody, Rogers, Mingo, Carr, Moreside and Mayor Howard. Councilor Sherrard abstained. Motion carried.

There were no RFP's received on 43 North Street Property.

The City Clerk provided the Council with the following bid received on the Demolition of 171 South Street:

Richard Mingo Construction, Inc	\$4,300.00
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It was moved by Councilor Carr and seconded by Councilor Rogers to award this bid to Richard Mingo Construction. Voting in favor were Councilors Cody, Sherrard, Rogers, Carr, Moreside and Mayor Howard. Councilor Mingo abstained. Motion Carried.

At this time, Annaleis Hafford of Olver Associates updated the Council on the CSO Program and gave a summary of The Main Street Waterline Funding proposal. Following this update, and some discussion, it was moved by Councilor Rogers, seconded by Councilor Sherrard, and unanimously voted to accept the

171 South St., Demolition

Water Main Replacement

forgiveness grant of 25% and 1% interest loan and move ahead with this watermain project with intent to investigate adjusting the current water/sewer rates.

On a motion by Councilor Moreside and a second by Councilor Carr, it was unanimously voted to re-appoint Crystal Gallina to The Downeast Broadband Utility Board, for a 3-year term.

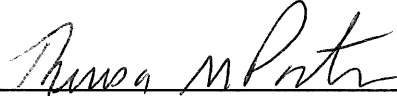
On a motion by Councilor Moreside and a second by Councilor Sherrard, it was unanimously voted to schedule a Public Hearing on March 25, 2021 to consider the adoption of a City Dumpster Ordinance.

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

- Great to see Craig Morrison back from sick leave.
- Thanks to EMS for attendance at Vaccine Clinic.
- Congrats to Sophia McVicar, 1000 Pts scored for High School Basketball
- Possible AmTrak, Bangor to Portland
- Timeline of when meetings can be moved back to City Building
- Medical Marijuana Ordinance

On a motion by Councilor Mingo and a second by Councilor Carr, it was unanimously voted to retire into Executive Session at 7:04 p.m. for a Legal Issue.

There being no further business to come before the City Council at this time, it was moved by Councilor Moreside, seconded by Councilor Carr, and unanimously voted to adjourn this meeting at 7:12 p.m.

ATTEST: 
Theresa M Porter, City clerk

DBU Apppointment

City Dumpster Ordinance

Other Items

Executive Session

Adjourn