

Calais City Council
May 27, 2021

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

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

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

- A. Previous Minutes
- B. Treasurer's Warrants City through May 26, 2021
\$ 167,790.12
- C. Treasurer's Warrants School through May 26, 2021
\$ 415,555.27
- D. Treasurer's Warrant Water through May 26, 2021
\$ 19,946.54
- E. 2021 Victualer's Licenses
- F. Liquor License Renewals – Wickachee Dining Room & Jo's Pizzeria
- G. Perpetual Case Application – James Frost Lot
- H. Farmer's Market – Triangle Park

Mayor Howard opened the Public Hearing for the purpose of discussing the proposed amendment to the City of Calais Downtown Area Omnibus Municipal Tax Increment Financing District and Development Program. The City Manager provided a summary of the proposed agreement with Eastern Maine Electric Co-op, that was successfully negotiated the retained tax increment revenues over 20 years. He explained that the final requirement before submitting the TIF application to the Dept of Economic and Community Development is to hold this public hearing to solicit public comment on this amendment needed to expand the district to include Map 24, Lots 32 & 32B. All persons who had questions or comments had an opportunity to provide them and were encouraged to do so. There being no public comment, the Mayor closed the Public Hearing.

It was then moved by Councilor Mingo and seconded by Councilor Rogers to adopt the following resolution regarding an Amendment to the City of Calais Downtown Area Omnibus Municipal Tax Increment Financing District and Development Program. Voting in favor of this Motion were Councilors Cody, Rogers, Mingo, Carr,

Attendance

Consent Agenda

Public Hearing – Amendment to TIF

TIF Resolutions

CALAIS CITY COUNCIL RESOLUTION

Resolution of the Calais City Council on May 27, 2021, regarding an Amendment to the City of Calais Downtown Area Omnibus Municipal Tax Increment Financing District and Development Program

RESOLVED, by the City Council of the City of Calais, Maine, that:

WHEREAS, the City is authorized pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, to designate a specified area within the City as a municipal development and tax increment financing district and to adopt a development program for such districts; and

WHEREAS, on February 23, 2017, the City approved the City of Calais Downtown Area Omnibus Municipal Tax Increment Financing District and Development Program, which was subsequently approved by the Maine Department of Economic and Community Development (“Original TIF District”); and

WHEREAS, Eastern Maine Electric Cooperative, Inc. has proposed plans to make improvements and significant investment in the City of Calais on property not currently in the Original TIF District, but in close proximity; and

WHEREAS, the City and EMEC have engaged in discussions on EMEC’s plans, and the need and desire to include EMEC’s aforescribed project and related property in the Original TIF District; and

WHEREAS, there is a continuing need to provide employment opportunities for the citizens of the City and the surrounding region, to improve and broaden the tax base of the City, and to improve the general economy of the City, the surrounding region and the State of Maine; and

WHEREAS, there is a continuing need to encourage the establishment, expansion, improvement, and continuation of commercial and other facilities through the establishment and amendment of municipal development and tax increment financing districts in accordance with the provisions of Chapter 207 of Title 30-A; and

WHEREAS, the City of Calais desires to amend the Original TIF District in order to add property and incorporate EMEC’s planned project as part of this TIF district and development program; and

WHEREAS, the City has held a public hearing on the question of amending the Original TIF District as set forth in the “First Amendment of the City of Calais Downtown Area Omnibus Municipal Tax Increment Financing District and Development Program” (the “Amended District” and “Amended Development Program”), as on file and made available at City Hall in accordance with the requirements of 30-A M.R.S. §§ 5223 and 5226, upon at least ten (10) days prior notice published in a newspaper of general circulation in the City; and

WHEREAS, it is expected that approval will be sought and obtained from the Maine Department of Economic and Community Development approving the aforescribed amendment.

**NOW, THEREFORE, BE IT HEREBY VOTED AND ORDERED BY
THE CITY COUNCIL, CITY OF CALAIS:**

Section 1. The City hereby finds and determines that

a) At least twenty-five percent (25%), by area, of the real property within the Amended District, as hereinafter designated, is suitable for commercial/industrial sites as defined in 30-A M.R.S. § 5223; and

b) The total area of the Amended District does not exceed two percent (2%) of the total acreage of the City, and the total area of all development districts within the City (including the "Amended District") does not exceed five percent (5%) of the total acreage of the City; and

c) The aggregate value of equalized taxable property of the Amended District as of April 1, 2020 does not exceed five percent (5%) of the total value of equalized taxable property within the City as of April 1, 2021; and

d) The Amended District and the Amended Development Program will generate substantial economic benefits for the City and its residents, including employment opportunities, broadened and improved tax base, and economic stimulus, and therefore constitutes a good and valid public purpose.

Section 2. Pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, the City hereby amends the City of Calais Downtown Area Municipal Tax Increment Financing District and Development Program described above and as presented to the City Council in the form as on file at City Hall, and by doing so the City hereby designates and adopts the aforescribed Amended District and Amended Development Program.

Section 3. Pursuant to the provisions of 30-A M.R.S. § 5224, the percentage of captured assessed value to be retained in accordance with the Amended Development Program is hereby established as set forth in the Development Program.

Section 4. The City Council has considered all evidence, if any, presented to it with respect to any adverse economic effect on or detriment to any existing business and has found and determined that such adverse economic effect on or detriment to any existing business, if any, is outweighed by the contribution expected to be made through the Amended District and the Amended Development Program.

Section 5. The City Manager is authorized, empowered, and directed to submit the amendment application to approve the aforescribed Amended District and the Amended Development Program to the State of Maine Department of Economic and Community Development for review and approval pursuant to the requirements of 30-A M.R.S. §§ 5221 *et seq.*

Section 6. The City Manager is authorized and empowered, at his discretion, from time to time, to make such technical revisions to the Amended District and Amended Development Program and associated application as the Department of Economic and Community Development deems reasonably necessary or convenient in order to facilitate the process for review and approval of the District and Development Program by the Department of Economic


and Community Development, so long as such revisions are not inconsistent with this resolution or the basic structure and intent of the District and Development Program.

Section 7. The foregoing designation and adoption of the Amended District and the Amended Development Program shall automatically become final and shall take full force and effect upon the date acted upon by the City Council set forth below, without requiring further action by the City, the City Council, or any other party upon approval by the City Council.

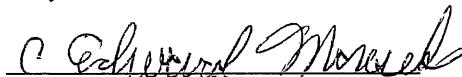
Section 8. Subject to final approval by the City Council of the terms and conditions thereof, the City Manager is authorized and directed to negotiate and enter into Credit Enhancement Agreements contemplated by the Amended Development Program (said program being an omnibus program as set forth in the Development Program), such agreements to be in such form and to contain such terms and provisions not inconsistent with the Amended Development Program and as approved by the City Council.

Section 9. Further, and without limiting the generality of the foregoing, the City Manager is hereby authorized and directed to enter into a Credit Enhancement Agreement with EMEC, on substantially the material terms as set forth in Exhibit A and on such terms, conditions, and form as approved by the City Solicitor, it being understood the effectiveness of such Credit Enhancement Agreement is contingent on approval by the Maine Department of Economic and Community Development approving the aforescribed amendment.

Dated this 27th day of May 2021 in Calais, Maine.



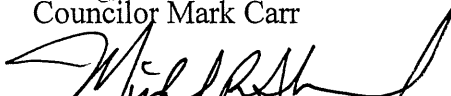
Mayor William Howard



Councilor C. Edward Moreside



Councilor Mark Carr

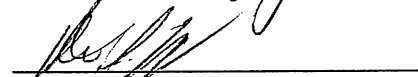


Councilor Michael Sherrard

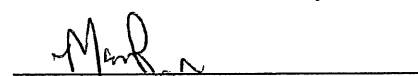
CALAIS CITY COUNCIL



Councilor Arthur K. Mingo

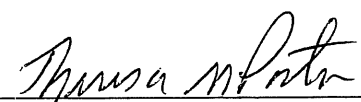


Councilor William Cody



Councilor Marcia Rogers

This is a true and attested copy of a resolve adopted by vote of the City Council of Calais, Maine at a regular meeting held on May 27, 2021, at 6:00 p.m.

A true copy, attest: 

City Clerk
Calais, Maine

EXHIBIT A

Material Terms of EMEC CEA

Tax Years	Captured Assessed Value Percentage	EMEC Allocation of Retained Tax Increment Revenues Deposited in the Development Program Fund	City Allocation of Retained Tax Increment Revenues Deposited in the Development Program Fund
Years 1-15	100 %	80 %	20 %
Year 16	100 %	65 %	35 %
Year 17	100 %	50 %	50 %
Year 18	100 %	35 %	65 %
Year 19	100 %	20 %	80 %
Year 20	100 %	5 %	95 %

and Moreside. Councilor Sherrard and Mayor Howard were opposed. Motion Carried.

INSERT RESOLUTIONS

The City Manager then gave his report on the progress of the Paving Program. The Manager then asked that the City Council consider suspending the Council Rules to add an item to the agenda.

It was moved by Councilor Carr, seconded by Councilor Moreside, and unanimously voted to suspend the Council Rules to add acceptance of resignation letter from Tim Krug to the agenda.

The following Council Committee reports were submitted:

1. **Finance Committee** – No report
2. **Property Committee** – Met prior to the Meeting to discuss St. Croix #1 Building, Mountain Bike Trail, and Tax Revaluation.
3. **Public Safety Committee** – No report
4. **Public Works Committee** – No report
5. **School Liaison Committee** – will be meeting soon to discuss Elementary School Expansion.
6. **Economic/Community Development Com** – No report

On a motion by Councilor Moreside and a second by Councilor Cody, it was unanimously voted to accept a Project Canopy Grant in the amount of \$8,000 from the Maine Forest Service, to be used at Devil's Head.

On a motion by Councilor Carr and a second by Councilor Mingo, it was unanimously voted to schedule a Public Hearing to consider Amendments to the Land Use Code on Thursday, June 10th at 6:00 p.m.

At this time, Hank Farrah, of RKO presented the City Council with the FY 19/20 Audit.

It was moved by Councilor Carr and seconded by Councilor Mingo to authorize the City Manager to solicit bids for the Purchase of a 2022 6-wheel dump truck to replace the 2000 International. Voting in favor were Councilors Cody, Sherrard, Rogers, Mingo, Carr, and Moreside. Mayor Howard was opposed. Motion carried.

City Manager Report

Suspend Rules

Committee Reports

Project Canopy Grant

Schedule P Hearing – Land Use Code Amendments

Audit

Solicit Bids – 2022 Dump Truck

On a motion by Councilor Moreside and a second by Councilor Cody, it was unanimously voted to authorize the St. Croix Homecoming Festival the use of City property for the following events to be held August 5th, 6th, and 7th.

Street Dance – City Building Parking Lot

Skate for Life Event – Skatepark

Road Races – City Streets

Street Fair – Main Street

Lion’s Auction – Downtown Parking Lot

Several events – Triangle Park

The Next Item, Blake Street Project, was tabled until the next meeting.

Following some discussion, it was moved by Councilor Rogers and seconded by Councilor Mingo, to authorize the City Manager to proceed with a cost analysis for a new Police Department Building. Voting in favor were Councilors Rogers, Mingo, Carr, Moreside, and Mayor Howard. Councilors Cody and Sherrard were opposed. Motion carried.

It was moved by Councilor Moreside, seconded by Councilor Carr, and unanimously voted to authorize the Fire Department to accept a grant in the amount of \$19,048.98 to purchase a Utility Vehicle.

Following a brief discussion, it was moved by Councilor Moreside, seconded by Councilor Rogers, and unanimously voted to donate the unexpended balance of \$4039.00 from the Flex Spending Account evenly between PAWS and St. Croix #1 Committee.

On a motion by Councilor Moreside and a second by Councilor Cass, it was unanimously voted to schedule the summer Council meetings as follows:

June 10 July 1 August 12

On a motion by Councilor Cody and a second by Councilor Carr, it was unanimously voted to accept with regret the resignation of Tim Krug as Fulltime Fire Captain and EMT.

Festival Events

Blake Street – Tabled

Cost Analysis – Police Station

Fire Grant Acceptance

Donations of unexpended Flex Spending Balance to PAWS & St Croix #1

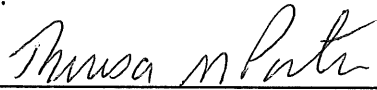
Summer Meetings

Tim Krug Resignation

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

- Use of Comprehensive Plan
- rezoning some Industrial Zones
- Need for Capital Plan
- Streets looking nice
- Thanks & good luck to Tim Krug
- Installation of Basketball Pole in Red Beach
- Thanks to Cemetery Crew
- Sale of Plow truck, next agenda
- Bike Trail, next agenda

There being no further business to come before the City Council at this time, it was moved by Councilor Sherrard, seconded by Councilor Mingo, and unanimously voted to adjourn this meeting at 7:07 p.m.

ATTEST: 
Theresa M Porter, City Clerk

Other items

Adjourn