

CALAIS CITY COUNCIL
APRIL 28, 2022

The second 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 way Mayor Howard presiding over Councilors Quinn, Sherrard, Rogers, Beale, Carr, and Macdonald.

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

- A. *Previous Minutes*
- B. *Treasurer's Warrants City through April 27, 2022*
\$132,178.85
- C. *Treasurer's Warrants School through April 27, 2022*
\$524,207.68
- D. *Treasurer's Warrant Water through April 27, 2022*
\$ 26,651.22

The City Manager then gave his report on the following:

- First budget workshop will be May 9th at 6:00 p.m.
- Thanks to Public Works Employees for free dump day
- Thanks to Fire Assn for Easter Egg Hunt
- Glenn Connolly to paint South Street Cemetery Archway

The City Manager then asked for the Council to consider suspending the Rules to add Rotary Flower Project Proposal to the agenda.

The City Clerk informed the Council that only one bid was received and it was 15 minutes late. On a motion by Council Carr and a second by Councilor Quinn it was unanimously voted to add this agenda item and open the Bid.

The Bid was from Jay Preston of JP Property Management in the amount of \$3,710.00. Following a brief discussion on the amount of this year's bid compared to last year's, it was moved by Councilor Carr and seconded by Councilor Beale to award this bid. Voting in favor of the motion were Councilors Beale, Carr, and Mayor Howard. Councilors Quinn, Sherrard, Rogers, and Macdonald were opposed. Motion failed.

Attendance

Consent Agenda

City Manager Report

Suspend Rules/Add item

Rotary Flower Project Bid

There were no Council Committee Reports submitted

The City Clerk presented the Council with the following bid results for St Croix #1 Roof Replacement:

St Croix #1 Roofing Project

- | | |
|--------------------------------------|-------------|
| 1. JDS Carpentry, LLC
Calais, ME | \$11,400.00 |
| 2. A. M. Construction
Caribou, ME | \$84,350.00 |

On a motion by Councilor Rogers and a second by Councilor Quinn, it was unanimously voted to award this bid to JDS Carpentry in the amount of \$11,400.00.

The City Clerk provided the following draft ordinance for Council consideration:

INSERT \$2,000,000 GENERAL OBLIGATION BOND ORDINANCE FOR A FOUR CLASSROOM ADDITION TO CALAIS ELEMENTARY SCHOOL

Following a brief discussion, it was moved by Councilor Rogers and seconded by Councilor Quinn that, subject to final approval of said ordinance at a Public Hearing to be held on May 12, 2022, the following question be submitted to the voters of the City at a referendum election on June 14, 2022, and the Clerk be directed to take preliminary steps to prepare ballots for said referendum election. Voting in favor of the motion were Councilors Quinn, Rogers, Beale, Carr, Macdonald, and Mayor Howard. Councilor Sherard was opposed. Motion carried.

At this point, Jarod Farn-Guillette of MDOT presented to the Council the State Communities Initiative Program. No motions needed at this time.

The Code Enforcement Officer presented the Council with the details of a Dangerous Building at 97 Downes Street and asked the Council to find that the building poses a serious threat to public health and safety and that prompt action is required to secure the building pursuant to 17 MRS § 2856. This was so moved by Councilor Quinn, seconded by Councilor Macdonald, and unanimously voted.

St Croix #1 Roofing Bids

School Addition bond Issue

Jarod Farn-Guillette/MDOT

Dangerous Building

ORDINANCE # [REDACTED] TO ISSUE \$2,000,000 GENERAL OBLIGATION BOND FOR A FOUR CLASSROOM ADDITION TO CALAIS ELEMENTARY SCHOOL

Following a public hearing held in accordance with Section 2.12 of the Charter of the City of Calais (the "City Charter"), the City of Calais hereby ordains:

1. That pursuant to section 5772 of Title 30-A of the Maine Revised Statutes, the Charter of the City of Calais, including Sections 2.11 and 5.11, and all other applicable law, the City is authorized to issue general obligation bonds in a principal amount not to exceed \$2,000,000 and notes in anticipation thereof (collectively, the "Bonds") to finance costs to design, construct, and equip a four-classroom addition to the Calais Elementary School (the "Project");
2. That the Treasurer and Mayor of the City are authorized to arrange for the sale of the Bonds at public or private sale to such parties, including the Maine Municipal Bond Bank, as the Treasurer and Mayor determine to be in the City's interest, to execute and deliver loan agreements and other contracts for that purpose, and to hire such financial advisors and other consultants, if any, as the Treasurer and Mayor deem necessary to assist with the sale of the Bonds, all on such terms not inconsistent with this Ordinance as the Treasurer and Mayor shall approve;
3. That the Bonds be issued in registered form in the name of the City, be signed by the Treasurer and countersigned by a majority of the City Council, under the official seal of the City, as applicable, and otherwise be in such form and contain such terms and provisions, including date(s), maturity(ies), denomination(s), interest rate(s), place(s) of payment, call(s) for redemption with or without premium, and other details of said Bonds, not inconsistent herewith, as they shall approve, their approval to be conclusively evidenced by their execution thereof, and that any signature thereon may be by facsimile to the extent permitted by law;
4. That (i) no part of the proceeds of the Bonds shall be used, directly or indirectly, to acquire any securities and obligations, the acquisition of which would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, (the "Code"), and (ii) the proceeds of the Bonds and the project financed by the Bonds shall not be used in a manner that would cause the Bonds to be "private activity bonds" within the meaning of Section 141 of the Code; and that the Treasurer is authorized to covenant on behalf of the City to file any information report and pay any rebate due to the United States in connection with the issuance of the Bonds, to take all other lawful actions necessary to ensure that interest on the Bonds will be excludable from the gross income of the owners thereof for purposes of federal income taxation and to refrain from taking any action that would cause interest on the Bonds to become includable in the gross income of the owners thereof.
5. That the Treasurer in consultation with bond counsel is authorized to implement written procedures with respect to the Bonds for the purpose of: (i) ensuring timely "remedial action" for any portion of the Bonds that may become "non-qualified bonds," as those

terms are defined in the Code and regulations thereunder; and (ii) monitoring the City's compliance following the issuance of the Bonds with the arbitrage, yield restriction and rebate requirements of the Code and regulations thereunder;

6. That the appropriate officials of the City, acting singly, are authorized to execute and deliver on behalf of the City such documents and certificates and take such actions as may be necessary or convenient in connection with the Bonds, including without limitation such certificates and agreements as may be reasonably required by bond counsel or the bond holder;
7. That the sum of \$2,600,000 is hereby appropriated to finance costs of the Project, such sum to be raised by the issuance and sale of the Bonds and from available fund balances of the Calais School Department.
8. That the estimated period of utility of the Project is declared to be _____ years.
9. That pursuant to Section 2551 of Title 30-A of the Maine Revised Statutes and Section 6.07 of the City Charter, the following question shall be submitted to the voters of the City of Calais for consideration at a secret ballot referendum to be held on June 14, 2022:

Ordinance # _____ authorizes the City to issue \$2,000,000 in general obligation bonds to finance costs to design, construct, and equip a \$2,600,000 4-classroom addition to the Calais Elementary School.

Should the above described Ordinance be adopted?

YES

NO

10. That said referendum question be accompanied by a signed financial statement of the Treasurer substantially in form as set forth below:

CITY OF CALAIS FINANCIAL STATEMENT

1. Total City Indebtedness

Bonds outstanding and unpaid	\$ _____
Bonds authorized and unissued	\$ _____
Bond to be issued if this Question is approved	\$ 2,000,000
Total:	\$ _____

2. Estimated Costs and Impacts of Bond

At an estimated interest rate of _____ % for a _____-year term, the estimated total costs of this bond issue will be:

Principal \$ 2,000,000

Interest \$ _____
Total Principal & Interest
to be Paid at Maturity \$ _____

3. Validity

The validity of the Bond and of the voters' ratification of the Bond may not be affected by any errors in the above Estimated Costs of Bond. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

, Treasurer
City of Calais

11. That, in accordance with Section 2.12(c) of the City Charter, this Ordinance shall be effective at the expiration of 30 days after adoption by the Council or, if later, upon certification of referendum results adopting the Ordinance; and
12. That an attested copy of this Ordinance be filed with the minutes of this meeting.

A true copy as adopted by the City Council, attest:

Theresa Porter
City Clerk

[SEAL]

On a motion by Councilor Quinn and a second by Councilor Rogers, it was unanimously voted to grant a sewer abatement in the amount of \$155.70 to Account #135.

Sewer Abatement

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

Other items

- Tires disposed of on Free Dump Day
- DOT survey on Website

On a motion by Councilor Quinn and a second by Councilor Carr, it was unanimously voted to retire into Executive Session at 6:35 p.m. for Sale or Purchase of City Real Estate.

Executive Session

Open Session resumed at 7:18 p.m.

There being no further business to come before the City Council at this time, it was moved by Councilor Macdonald, seconded by Councilor Quinn, and unanimously voted to adjourn this meeting at 7:18 p.m.

Adjourn

ATTEST: 
Theresa M Porter, City Clerk