

CALAIS CITY COUNCIL  
MAY 26, 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 was Mayor Howard presiding over Councilors Quinn, Sherrard, Rogers, Beale, Carr, and Macdonald.

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

- A. Previous Minutes
- B. Treasurer's Warrants City through May 25, 2022  
\$ 222,506.87
- C. Treasurer's Warrants School through May 25, 2022  
\$ 667,735.49
- D. Treasurer's Warrant Water through May 25, 2022  
\$ 20,660.00
- E. 2022-23 Victualer's Licenses

The mayor then called for a Public Hearing on the following proposed Calais Elementary School Addition Bond Ordinance.

INSERT BOND ORDINANCE

Following a brief discussion, it was moved by Councilor Carr and seconded by Councilor Rogers to adopt this ordinance. Voting in favor were Councilors Quinn, Rogers, Beale, Carr, Macdonald, and Mayor Howard. Councilor Sherrard was opposed. Motion Carried.

The City Manager then gave is report on the following:  
--Scheduled a Budget Workshop on Tuesday, May 31<sup>st</sup> at 5:00 p.m.  
--Curative has moved have Rec Center to St Croix #1  
--Thanks to Glenn Connolly for sprucing up Calais Cemetery Arch.  
--Right of way granted for Pioneer Broadband at Nash's Lake  
--Erosion at Pier location behind Library

The City Manager then asked for the Council to consider suspending the Council Rules and adding a discussion on how to proceed with the repair of the Waterfront Pier. On a motion by Councilor Macdonald and a second by Councilor Carr, it was unanimously voted to suspend the Council Rules and add this item.

Attendance

Consent Agenda

Public Hearing – School  
Addition Bond Ordinance

City Manager's Report

Suspend Rules-add item

**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]

Following a review of "Follow -Ups" the Council expressed their desire that the Public Works Dept, sure-up the brick wall located in front of The Seventh Day Adventist Church on North Street, to prevent anyone from getting hurt with falling bricks.

There were no Council Committee Reports presented

The City Clerk informed the Council that there were no bids received on the sale of Tax Acquired Property at 79 North Street. It was moved by Councilor Sherrard, seconded by Councilor Rogers, and unanimously voted to authorize the City Clerk to advertise for bids to demolish this building.

The City Manager presented the Council with the following resolution for the creation of a Rail Corridor Use Advisory Council for the Calais Branch of the Sunrise Trail from Ayers Junction to Calais.

INSERT RESOLUTION

On a motion by Councilor Carr and a second by Councilor Quinn, it was unanimously voted to adopt this resolution.

On a motion by Councilor Rogers and a second by Councilor Carr, it was unanimously voted to authorize the Public Works Dept to water the Downtown Flowers.

The next agenda item, Consideration of City Fuel Assistance Program was briefly discussed and will be further discussed at the next Budget Workshop.

On a motion by Councilor Rogers and a second by Councilor Macdonald, it was unanimously voted to schedule the June – August meetings as follows:

June 16th & 30th

July 14th

August 11<sup>th</sup>

The final agenda item was a discussion on how now to proceed with the repair/replacement of the waterfront pier. No motions were made at this time. The City Manager will explore options.

Follow-ups

79 North Street

Sunrise Trail

Downtown Flowers

Fuel Assistance

Meeting dates

Waterfront Pier



**City Building**  
11 Church Street  
P.O. Box 413  
Calais, Maine 04619  
207-454-2521  
Fax: 207-454-2757  
[www.calaismaine.org](http://www.calaismaine.org)

## CITY OF CALAIS RESOLUTION

**Request to MaineDOT for the creation of a Rail Corridor Use Advisory Council for the Calais Branch of the Sunrise Trail from Ayers Junction to Calais.**

WHEREAS, the Sunrise Trail network includes in its vision a 12-mile, disused rail corridor from Ayers Junction to Calais, that was acquired by the State of Maine in 1987 from Maine Central Railroad for the purposes of rail preservation and has been unused by rail operators since that time; and

WHEREAS, the Sunrise Trail network is part of a broader Maine Trail Plan issued by the Maine Trails Coalition in 2020, which calls for the construction of multiple specific rail-trail projects over the next decade, each of which would connect with existing multi-use trail infrastructure; and

WHEREAS, long-distance multi-use trails are a key recommendation of a 2010 report "Improving Maine's Quality of Place Through Integrated Bicycle and Pedestrian Connections" by the Maine Dept of Transportation, State Planning Office, Dept of Conservation, and Center for Disease Control and Prevention; and

WHEREAS, a freight operator, Maine Central Railroad, holds an operator easement, but is not currently operating freight service on the rail line; and

WHEREAS, the contract between MaineDOT and the Maine Central Railroad freight company allows for the abandonment of the freight easement by November 2021; and

WHEREAS, abandonment of the freight easement will enable a decision-making process to be led by Maine DOT about the future best use of the Sunrise Trail Calais Branch corridor; and

WHEREAS, it may be worthwhile for the City of Calais to express its interest in the final leg of the Calais Branch Sunrise Trail corridor to MaineDOT

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CALAIS ASSEMBLED THIS 26<sup>th</sup> DAY OF MAY 2022, THAT:**

### **An Equal Opportunity Employer and Provider**

"In accordance with Federal Law and USDA Policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age or disability (not all prohibited bases apply to all programs). To file a complaint of discrimination, write to : USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410, or call 1-800-795-3272 (voice) or 202-720-6382 (TDD). USDA is an equal opportunity provider and employer."

The Calais City Council hereby petitions the Department of Transportation to:

1. Accept the abandonment of the above-referenced freight easement,
2. To the extent the Department is considering any extension or amendment to the above-referenced freight easement, provide a notice-and-comment procedure to ensure that all voices are considered before granting a benefit at no cost to a single company, and
3. Create a Rail Corridor Use Advisory Committee to consider future use of the Sunrise Trail Calais Branch corridor as a multi-use "trail-until-rail."



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Mike Ellis  
Calais City Manager

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

- flea market at North Street Parking Lot
- Town Clock
- St Croix #1 Uses
- possibility of having something like Machias Dyke
- Fire Chief Clark finals days of work
- CHS Senior banners downtown
- ATV Traffic
- Memorial Day Ceremony
- Disappointment with School Board Decision on bus storage
- need of different format for "Follow-ups"
- lack of housing in Calais area.
- need for Maps for ATV Trails at City Building

There being no further business to come before the City Council at this time, it was moved by Councilor Rogers, seconded by Councilor Macdonald, and unanimously voted to adjourn this meeting at 7:05 p.m.

ATTEST:   
Theresa M Porter, City Clerk

Other items

Adjourn