

CALAIS CITY COUNCIL  
October 26, 2023

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 Mingo presiding over Councilors Sherrard, Rogers, Beale, and Carr.

On a motion by Councilor Sherrard 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 October 26, 2023*  
\$ 710,526.55
- C. *Treasurer's Warrants School through October 26, 2023*  
\$ 574,930.85
- D. *Treasurer's Warrants Water through October 26, 2023*  
\$ 25,335.71
- E. *Liquor License Renewal-Fitzgerald's Tavern*
- F. *Liquor License Renewal-Crumbs, Inc.*

Mayor Mingo then called for a public hearing to consider the adoption of an amended bond ordinance for the Main Street water project. After a time of public comment, the public hearing was closed. Councilor Sherrard then made a motion to adopt the amended ordinance. Councilor Rogers seconded. All were in favor.

**See Insert-Amended Bond Ordinance**

The City Manager then gave his report. He wanted to remind the public about the annual Calais Free Library Halloween Parade happening on 10/31 and also the upcoming election on 11/7/23. Voting will be at the Calais Rec Center at 11 Academy St. Polls will be open from 8 AM to 8 PM. He also took a moment to remember Fran Rodgers and her time with the City. Lastly he thanked Councilor Mark Carr for his service as a member of City Council.

For follow up items, Councilor Beale asked to add the property revaluation to the list of follow up items.

For committees, the School Liaison Committee met on 10/24/23 and discussed several topics including the elementary school

Attendance

Consent Agenda

Public Hearing-Amended  
Bond Ordinance

City Manager's Report

Follow Ups

Committee Updates

expansion, an update on school accreditation and improved flow of school updates and positive information to the public.

Lastly under old business was discussion of a flashing road/speed limit sign for the Red Beach area of Route 1. After discussion, it was decided that City Manager Ellis should reach out to the Maine Department of Transportation to gather information on the possibility of a flashing light at the intersection of Route 1 and the Shattuck Road instead of a flashing sign.

**New Business**

The only item of new business was the review of the Economic Advisory Committee & Junkyard Ordinances. After discussion it was decided to leave the Economic Advisory Committee Ordinance as it is but to make a few updates to the Junkyard Ordinance. Once those updates are made, the amended ordinance will be presented for the scheduling of a public hearing.

**Other topics discussed with no action taken included:**

- Thank you from the Mayor and other councilors to Mark Carr for his time on City Council.
- Update on Library Doors
- Thank you from Councilor Carr to the community and fellow members of the City Council

There being no further business to come before the City Council at this time, it was moved by Councilor Rogers, seconded by Councilor Carr, and unanimously voted to adjourn this meeting at 6:24 p.m.

ATTEST:

  
\_\_\_\_\_  
Brad D. Phillips, Clerk

Red Beach Flashing Road Sign

Review of Economic Advisory Committee & Junkyard Ordinances

Roundtable

Adjournment

**CITY OF CALAIS, MAINE – ORDINANCE  
AUTHORIZATION OF A MAIN STREET WATER SYSTEM IMPROVEMENT  
PROJECT AND THE ISSUANCE OF A GENERAL OBLIGATION BOND  
OF THE CITY (\$852,200)**

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 \$852,200 (Eight Hundred Fifty-Two Thousand Two Hundred Dollars), for a period not to exceed thirty (30) 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 the completion of the replacement of water mains on Main Street in conjunction with sewer and storm drainage improvements already underway, (the “Project”), and the obligations of the City with respect to such borrowing will be evidenced by the amendment of the General Obligation Bond Anticipation Note of the City, currently outstanding in a maximum principal amount of \$1,283,800 (the “Note”), to reflect an increased maximum principal amount of \$2,136,000, such amendment to be executed and delivered on behalf of the City by the City Finance Director and the City Manager, with the Seal of the City Affixed by the Clerk, the proceeds of which shall be refinanced, upon completion of the Project, by the issuance of a General Obligation Bond of the City in the maximum principal amount of \$2,136,000, to be executed by the City Finance Director and countersigned by a majority at least of the City Council (the “Bond”). Notwithstanding anything in this ordinance to the contrary, it is hereby noted that upon issuance of the Bond, the Bank has agreed to forgive a cumulative principal amount of up to \$763,000 (such amount consisting \$458,500 of forgiveness relating to the current outstanding Note, and the remaining \$304,500 in forgiveness relating to the additional debt authorized hereby), such that after issuance of the Bond, the total principal amount required to be repaid by the City over the term of the Bond will be not more than \$1,373,000.

Section 2. That the proceeds of the Note and the Bond will be used to supplement funds already received from the Bank for this Project, as well as other funding sources, with a total Project cost estimated at \$3,230,500, and that the City Finance Director, the City Manager, the City Clerk and the Mayor, and each of them individually, are authorized to take such actions and sign such documents, certificates, loan agreements, amendments to loan agreements, amendments to Loan and other documents, and to do all things necessary or convenient to amend the Note and issue the Bond and to consolidate them with other, previously authorized and currently outstanding debt of the City relating to other components of Project funding from the same lending sources.

Section 3. That the term of the Bond 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 Bond is outstanding to pay all principal and interest due and payable in that year pursuant to such Bond 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 Bond has been paid in full.

Section 4. 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 5. 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 October 26, 2023, for the purpose of taking testimony and comments from the public with respect to the proposed issuance of the Note and the Bond, 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 October 19, 2023, 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 October 26, 2023, immediately following the public hearing.

Section 6. That all actions taken to date by the municipal officers of the City related to the sale of the Bond and the Note hereby are ratified, approved and confirmed, and that, upon the effective date of this Ordinance, it shall supersede and replace an Ordinance, adopted by the City Council on May 25, 2023, entitled "Authorization of a Main Street Water System Improvement Project and the Issuance of a General Obligation Bond of the City (\$413,700).

Section 7. 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 Note and Bond, and to prepare documents and render opinions as may be necessary or convenient for that purpose.

Section 8. 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 Note, the Bond or any certificate delivered in connection therewith shall cease to be such officer or official before the Note or Bond has 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 9. 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 October 12, 2023, and was adopted by the City Councilors of the City of Calais at the meeting of the City Council on October 26, 2023, 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:   
Brad Phillips  
City Clerk

(SEAL)

Dated at Calais, Maine  
October 26, 2023