

CALAIS CITY COUNCIL

June 13, 2024

The first 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, Quinn, and Macdonald. (Councilor Macdonald arrived at 6:05 pm)

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

- A. Previous Minutes*
- B. Approval of Monthly Departmental Reports*
- C. Approval of Chase Fund for June \$150*
- D. Treasurer's Warrants City through June 12, 2024*
\$ 426,576.31
- E. Treasurer's Warrants School through June 12, 2024*
\$ 1,072,142.76
- F. Treasurer's Warrants Water through June 12, 2024*
\$ 80,752.64
- G. Return of Votes Cast-State Primary Election*
- H. Return of Votes Cast-Municipal Charter Amendment*
- I. Liquor License Renewal-Maribi, LLC*
- J. Special Event Permit-International Festival*

See Insert: Return of Votes Cast

The City Manager then gave his report. He wanted to remind the Council and the public of the upcoming Public Safety Committee meeting on June 27th at 5 PM. They will be reviewing various public safety related ordinances including the ATV and Fireworks ordinances. The upcoming School board meeting has been changed to June 24th at 6 PM at the high school. On the agenda is the proposed school budget. Lastly, he requested the Council suspend the rules and move new business item "McAllister Building" to executive session pursuant to MRSA Title 1, §405(6)(c) Councilor Sherrard made a motion to do so. Councilor Quinn seconded. All were in favor.

There were no updates given on follow-up items.

Attendance

Consent Agenda

City Manager's Report

Suspend the Rules-Move
Item

Follow Ups

For committees, the youth outreach group formed in the Public Safety Committee met and chose Betsy Barnard as its chair. They also did some planning and discussed various ideas. As noted in the City Manager’s report, the Public Safety Committee will meet again on 6/27 at 5 PM.

The last item of old business was the final adoption of the Domesticated Livestock Ordinance. Councilor Quinn made a motion to adopt the ordinance. Councilor Macdonald seconded the motion. All were in favor.

See Insert: Domesticated Livestock Ordinance

New Business

The first item of new business was the consideration of a special event permit application from Calvary Chapel. Councilor Sherrard made a motion to approve the permit. Councilor Quinn seconded. All were in favor.

Next, the council considered a sewer abatement request from Kathryn Roskow for her property at 127 Union St. After a review of the request, Councilor Sherrard made a motion to deny the abatement. Councilor Beale seconded. All were in favor.

The council then listened to a presentation by a group from Healthy Acadia called Vapebusters. The group was made up of three students: Bradley Walton, Jamison Brown, Wyatt Short, and their coordinator Camisha Norris. The group shared their efforts to spread awareness among youth about the dangers of vaping.

The last item of new business was the discussion of sending a letter to the District Attorney detailing questions and concerns the council has regarding the prosecution of youth offenders. There were no motions made but the council directed the City Manager to draft such a letter.

Committee Reports

Domesticated Livestock
Ordinance Adoption

Special Event Permit-Calvary
Chapel

Sewer Abatement Request-
127 Union St.

Healthy Acadia-Vapebusters
Presentation

Letter to District Attorney

Other topics discussed with no action taken included:

- Posting of election results
- Library partnership with Sunrise Economic Council to provide IT assistance to patrons in conducting online business every other Tuesday from 2-4 PM
- Healthy Acadia Gateway to Opportunity (G2O) Program
- Youth wellness court
- Memorial Park Sound System
- Budget shortfall in school department


Executive Session

At this time, pursuant to MRSA Title 1, §405(6)(d) a motion was made to enter executive session for discussion of union negotiations and pursuant to MRSA Title 1, §405(6)(c) for discussion of the McAllister Building. The motion was made by Councilor Quinn and seconded by Councilor Macdonald. All were in favor. The Council entered executive session at 6:46 pm.

The council returned from executive session at 7:10 PM. No motions were made upon their return.

There being no further business to come before the City Council at this time, it was moved by Councilor Sherrard, seconded by Councilor Rogers, and unanimously voted to adjourn this meeting at 7:10 p.m.

ATTEST:



Brad D. Phillips, Clerk

Roundtable

Executive Session

Adjournment

RETURN OF VOTES CAST – JUNE 11, 2024 – PRIMARY AND CITY CHARTER AMENDMENT

At a legal meeting of the inhabitants of the City of Calais, in the County of Washington, qualified by the Constitution to vote, said City, on Tuesday, June 11, 2024, the inhabitants gave their votes upon the following. The same were received, sorted, counted and declared in open meeting, by the Warden who presided and in the presence of the Ward Clerk, who formed a list of the candidates and referendum questions voted for and against and made records thereof in the presence of the Warden in open meeting sealed up the copies of said records as appears by copies of said lists, duly attested by the Warden and Ward Clerk, and returned to the City Clerk of said Calais on the 11th day of June, 2024, the same being within twenty-four hours of said meeting.

The total Number of ballots cast: REP 190 DEM 46 Municipal 236

REPUBLICAN BALLOT

U.S. Senator

Kouzounas, Demi **135**

Blank **55**

Representative to Congress, District 2

Soboleski, Michael **37**

Theriault, Austin **136**

Blank **17**

State Senator, District 6

Moore, Marianne **171**

Blank **19**

Representative to the Legislature, Dis. 9

Mingo, Arthur Kevin **165**

Blank **25**

County Commissioner, Washington District 1

Cassidy, Vinton E. **99**

Howard, William W., III **88**

Blank **3**

DEMOCRATIC BALLOT

U.S. Senator

Costello, David Allen **37**

Blank **9**

Representative to Congress, District 2

Golden, Jared Forrest **44**

Blank **2**

State Senator, District 6

Goble, Jonathan C **38**

Blank **8**

Representative to the Legislature, Dis. 9

McGaw, Darin L **41**

Blank **5**

QUESTION NO. 1

Shall the Municipality approve the Charter Amendment reprinted below?

Section 6.03 (b) to be amended as follows: The words "earlier than 60 days before the election and later than 12:00 Noon, 45 days prior to the election" shall be removed and the words "later than 12:00 noon, 60 days prior to the election" shall be added.

*"The nomination petition for any one candidate shall be assembled and united into one petition and filed with the city clerk not **later than 12:00 noon, 60 days prior to the election** ~~earlier than 60 days before the election and later than 12: 00 Noon, 45 days prior to the election.~~ No nomination shall be valid unless at the time of the filing of the nomination petition the candidate shall file with the city clerk in writing his or her consent under oath accepting the nomination. The candidate need sign the consent on only one nomination petition."*

Section 6.04 (a) to be amended as follows: The words "and no earlier than 42 days" shall be removed.

"Names. The name and residence of each candidate shall be given. On a date to be designated by the city clerk but no later than 40 days ~~and no earlier than 42 days~~ prior to the election, the city clerk shall determine, by lot, the order that said candidates' names shall appear on the ballot; provided the proceedings shall be public and the candidates shall be given an opportunity to be present."

YES **184**

NO **44**

BLANK **8**

Return of Votes Cast approved by vote of the Calais City Council on 6/13/24.

Attest: 

Brad D. Phillips

Clerk, City of Calais

CITY OF CALAIS
DOMESTICATED LIVESTOCK ORDINANCE

Sec. 1. - Purpose.

The purpose of this Domesticated Livestock Ordinance ("the Ordinance") is to provide standards for the keeping of domesticated livestock within certain designated areas in the City of Calais. The Ordinance is intended to enable residents of single-family homes to keep a small number of domesticated farm animals on appropriately sized lots while limiting the potential adverse impacts on the surrounding neighborhood.

Sec. 2. - Definitions.

Domesticated farm animals: bovine, horses, donkeys, mules, sheep, goats, swine, llamas, alpacas, and all fowl including ducks, geese, guinea, chickens, turkey and the like.

Barns, stables, and other enclosures: any structure designed to provide safe and healthy living conditions for domesticated farm animals while minimizing adverse impacts to neighboring lot owners. The use of scrap, waste board, sheet metal, or similar materials as construction material is prohibited.

Trespass: An owner or keeper of an animal may not allow, without permission, any domesticated farm animals to enter onto and/or remain on the property of another or on any local, county, or state road or highway.

Removal: The owner or keeper of a domesticated farm animal is responsible, at the owner's or keeper's expense, for removing any animal found trespassing.

Household pets: Unless their numbers and variety qualify their keeping as a kennel or pet breeder, household pets such as dogs, cats, exotic birds, and reptiles may be kept on property in the City of Calais.

Animal Unit: The equivalent of: 1 bovine, horse, or llama; 2 donkeys, swine, or alpacas; 4 goats, sheep, geese, ducks, guinea fowl, turkeys, or rabbits; or 6 chickens (no roosters).

City Officials: City Animal Control Officer, Code Enforcement Officer, Local Health Officer and/or Calais Police Department.

Sec. 3. – Applicability.

This Ordinance applies to all property located in Calais as described: beginning at the mile marker on Main Street heading south and west to the traffic circle, then following the boundary of the international border to the boundary of Calais following the St. Croix River to the place of beginning. The applicable area of the Ordinance is further outlined in the map titled "Calais Domestic Livestock Ordinance", incorporated herein.

Sec. 4. – Lot Sizes, Animal Units, and Setbacks.

For any property subject to this Ordinance, the following limitations apply for domesticated farm animals, excluding fowl:

- a) A single-family residence having a minimum lot area of 2 acres is required for the keeping of domesticated farm animals.
- b) No more than 2 Animal Units (“AU”) shall be kept on a lot with a single-family dwelling, except for lots totaling 3 acres or more may keep an additional 2 AUs for each additional acre.
- c) Minimum setback: Any barns, stables, or other enclosures or structures used to house domesticated farm animals must be at least 35 feet from a property line and at least 50 feet from any residential dwelling located on an abutting property. Securely enclosed roaming or grazing areas must be at least 20 feet from any property line and at least 30 feet from any residential dwelling located on an abutting lot. Existing enclosures in place as of the date of this ordinance enactment shall be exempt.

Sec. 5. Domesticated Fowl.

For any property subject to this Ordinance, the following limitations apply for domesticated fowl. Domesticated fowl is intended to mean chickens, ducks, geese, turkeys, guinea fowl, and the like.

- a) No more than one AU shall be kept on a lot with a single-family dwelling. The minimum lot size required is ½ acre and the minimum setback for fowl enclosure structures on the side and rear is 20 feet from abutting property owners. Fowl enclosure structures are not allowed on the front side or street side of a lot.
- b) A fowl enclosure structure shall be provided to provide safe and healthy living conditions for the fowl while minimizing adverse impacts to other residents in the neighborhood. An existing shed or garage, or portion of an existing building can be used if it meets the standards of this section.
- c) A building permit is required for a new fowl enclosure structure.
- d) Fowl enclosure structures must be enclosed on all sides and have a roof and doors. Access doors must be able to be shut and locked at night.
- e) A roaming pen must have a minimum of 10 sq. feet per fowl and must be constructed to not allow the fowl to get out without human assistance.

Sec. 6. Waste Storage and Removal.

- a) Provisions must be made for the storage and removal of domesticated farm animal waste, including manure. All stored waste and manure shall be covered and not consist of more than 3 cubic yards on lots of 2 acres or less. All other manure not used for composting or fertilizing shall be removed and legally disposed of.
- b) No manure shall be stored within 300 feet of the normal high-water mark of a water body, wetland, brook, stream, vernal pool, or well that supplies water for human consumption.
- c) Excessive odors from domesticated animals, manure, or other related substances shall not be perceptible at the property lines of abutting landowners.
- d) Manure storage must meet all applicable Maine Department of Agriculture, Conservation and Forestry Best Management Practices or similar State or Federal guidelines.

Sec. 7. Rodents, Insects and Parasites.

- a) The property owner shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites.
- b) Feed and water shall be unavailable to rodents, wild birds, and predators by way of rodent proof containers.
- c) Animals found to be infested with insects and parasites shall be removed by the City Official.

Sec. 8. Licensing Requirements.

A person who keeps domesticated animals shall obtain a license from the City Clerk for a fee of \$15.00. The license shall expire annually on the 1st day of April. The license shall be issued after favorable inspection of a property's compliance with this Ordinance by a City Official. The license fee is non-refundable if the license is not approved. There will be a late fee assessed to licenses that have expired, in the amount of \$25.00.

Sec. 9. Complaints.

When any person files a complaint with a City Official that this Ordinance is being violated, the City Official shall respond within 5 working days. All complaints and the action taken will be kept on file. It is at the discretion of the City Official whether a complaint is valid.

Sec. 10. Penalty.

Any person who violates any provision of this Ordinance commits a civil violation punishable by a civil penalty as set out in 30-A MRS § 4452 for each day the violation continues beyond the allotted correction period. In addition, the City may pursue all remedies and relief available at law and/or in equity, including without limitation the remedies and relief provided under 30-A MRS § 4452.

Sec 11. Severability.

If any section, subsection, clause, paragraph, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed to be a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Sec 12. Authority.

This Ordinance is adopted as a local building code ordinance pursuant to 30-A MRS §3001 and 30-A MRS § 3007.

Sec 13. Non-Conforming Uses

- a) Property owners who legally kept domesticated farm animals and/or fowl prior to the enactment of this Ordinance are permitted to continue keeping those animals until they naturally die, are harvested, or otherwise removed from the property, provided they comply with all other provisions of this Ordinance, with the exception of keeping roosters, which is prohibited regardless of prior use.
- b) Property owners claiming grandfathered rights must provide evidence of the existence and age of the domesticated farm animals and/or fowl prior to the enactment of this Ordinance. Acceptable evidence may include dated photographs, receipts for livestock or feed, and/or sworn affidavits.
- c) All enclosures, structures, and practices must comply with the current provisions of this Ordinance. Grandfathered animals must be kept in conditions that meet the requirements for waste storage, setback distances, and other standards set forth in this Ordinance.
- d) Once a grandfathered animal or fowl naturally dies, is harvested, or is otherwise removed from the property, the property owner may not replace it unless the property conforms to the current Ordinance regulations regarding lot size, setbacks, animal units, and other requirements.
- e) Grandfathered rights do not transfer with the sale or transfer of property. New property owners must comply with all provisions of this Ordinance without exception.
- f) If a non-conforming use activity ceases beyond 7 days, property owners must comply with all provisions of this Ordinance without exception.

Sec 14. Effective Date.

This Ordinance shall be effective upon adoption by the City Council of the City of Calais pursuant to the City Charter authorization.

ADOPTED: 6/14/24 by the City Council of the City of Calais

