

Introduced by Councilor Morrill  
On March 13, 2023

**ORDINANCE No. 2, 2023 Series**

**City of Caribou  
County of Aroostook  
State of Maine**

**An Ordinance To Amend Chapter 15 – Nylander Museum**

Short Title: An Ordinance to Amend Chapter 15

**WHEREAS**, the City of Caribou is a Local Unit of Government under the State of Maine; and

**WHEREAS**, the City of Caribou has adopted Chapter 15, Nylander Museum as part of its ordinances and regulations, which outlines the organization and duties of the Nylander Museum Board of Trustees; and

**WHEREAS**, the Caribou City Council is required by the City Charter Section 2.11 (1) to adopt by ordinance to “adopt or amend an administrative code or establish, alter, or abolish any City department, office or agency; and

**WHEREAS**, the Nylander Museum is a City department, currently regarded as a special collection of the Caribou Public Library, located in a building owned by the City of Caribou; and

**WHEREAS**, the Nylander Museum, contains a collection of artifacts owned by the City of Caribou; and

**WHEREAS**, the Nylander Museum is a City department, currently under the supervision of the Caribou Public Library and its Library Director, with no regular full-time or regular part-time employees employed by the City of Caribou; and

**WHEREAS**, the Nylander Museum is a City department, that would benefit from a volunteer working advisory board organized under Chapter 15 of the City of Caribou ordinances; and

**WHEREAS**, the Nylander Museum is a City department and the City Council of the City of Caribou desires to alter the organization of the Nylander Museum by reestablishing a volunteer working advisory board; and

**NOW THEREFORE**, the City Council of the City of Caribou, County of Aroostook, State of Maine, pursuant to the requirements of the City of Caribou Charter, Section 2.11(1), does ordain the following:

**Section I. Chapter 15 Revisions**

Chapter 15 and its related exhibits are hereby amended as indicated in the attached Exhibit A.

**Section II. Severability**

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

**Section III. Posting and Effective Date**

This ordinance, being introduced on March 13, 2023, and a public hearing being held on April 10, 2023 was duly passed by the City Council of the City of Caribou, Maine, this \_\_\_\_ day of \_\_\_\_\_ 2023. This ordinance shall become effective thirty (30) days after adoption by the Council.

\_\_\_\_\_  
Jody Smith, Mayor

\_\_\_\_\_  
Courtney Boma, Deputy Mayor

\_\_\_\_\_  
Dan Bagley, Councilor

\_\_\_\_\_  
R. Mark Goughan, Councilor

\_\_\_\_\_  
John Morrill, Councilor

\_\_\_\_\_  
Joan Theriault, Councilor

\_\_\_\_\_  
Lou Willey, Councilor

Attest: \_\_\_\_\_  
Danielle Brissette, City Clerk

## Exhibit A

### Chapter 15 Nylander Museum

#### ARTICLE I GENERALLY Sec. 15-101 Board of Trustees Established; Appointment; Term; Purpose

Whereas, it is desirable and necessary that all of the collections sold by the late Olof Nylander to the City of Caribou and all other collections donated by others and kept in the Nylander Museum be properly cared for, preserved, added to, and maintained for the use of the public, and for the public good, and for the maintenance, upkeep, and repair of the Nylander Museum, for which said collections are maintained.

Whereas, it is desirable that there be established a board of trustees of the Nylander Museum to advise on its affairs, composed of five (5) voting members who shall be appointed by the Caribou City Council within thirty (30) days after the acceptance of this ordinance by the Caribou City Council, as hereinafter provided, but none of such members of the Caribou City Council shall be eligible for such office of trustees, and whenever any of said trustees becomes a member of said Caribou City Council, he/she shall automatically cease to be such trustee. The Caribou City Council shall appoint a member of the City Council or the City Manager to serve as a non-voting member, ex-officio, in addition to the five (5) voting trustees, who shall serve at the Caribou City Council's pleasure. Initially, the Caribou City Council shall appoint trustees of the Board in the following manner: One (1) trustee for a period of one year; two (2) trustees for a period of two (2) years; two (2) trustees for a period of three (3) years. The respective terms of the trustees shall expire with the end of the municipal year, and whenever a trustee's term shall terminate for any reason before his term shall have expired, the City Council shall appoint a new trustee to finish the unexpired term. At the expiration of the initial terms, trustees will serve a three-year term.

As soon as convenient after the members of said board have been appointed, said trustees shall hold a meeting in the City of Caribou, and organize by the election of a President, Treasurer, Clerk, and, when necessary, all other needful officers and agents.

Whenever a vacancy occurs in the office of President, Treasurer, or Clerk, it shall be promptly filled by said Board of Trustees.

The Board of Trustees shall ordain and establish such by-laws as are necessary for their own convenience. All by-laws must be approved by affirmative vote of the Caribou City Council. Members of the Board shall be eligible to any office under the Board and shall be sworn into office the City Clerk of the City of Caribou.

The Nylander Museum shall be regarded as a special collection of the Caribou Public Library. The Library Director of the Caribou Public Library shall be responsible for the budget and staff resources advise the trustees on matters that will support the mission of the Nylander Museum. In doing so, The President of the Board of Trustees or the Library Director shall make regular updates to the Caribou City Council, the Nylander Board of Trustees, and the City Manager.