

**COUNCIL MEETING
DECEMBER 17, 2019**

Mayor Casavant called the meeting to order at 6:00 p.m.

Roll Call: William Emhiser, John McCurry, Jr., Stephen St. Cyr, Robert Quattrone, Jr., Amy Clearwater, Norman Belanger, Michael Ready, Doris Ortiz, Marc Lessard

The Council, and all who were present, recited the Pledge of Allegiance.

Adjustments to the Agenda:

- Add Order 2019.144
- Remove Update from Biddeford Youth Advisory Council
- Remove Order 2019.140
- Remove Order 2019.141

*Presentation: **Recognition of Outgoing Councilors***

Laura Seaver and Michael Swanton were recognized for their years of service on the City Council; and both were presented with a commemorative chair.

*Presentation: **Update form LaKermesse – 2020 Block Party and Festival***

LaKermesse President, Jessica Quattrone updated the Council on what the LaKermesse organization is planning for the 2020 Block Party and Festival. Thus far, the LaKermesse organization has voted to NOT hold Thursday's Block Party at Mechanics Park; and instead, is hoping to hold it at the St. Louis Field where the actual Festival will be held. One idea that the organization has come up with is to host a Community BBQ as part of the Block Party. They have also discussed having the fireworks on Saturday night, at the Field, as they did during the 2019 LaKermesse Festival.

*Public Hearing: **Liquor License for LaundrYup!***

The Chair opened the public hearing at 6:12 p.m.

There were no public comments.

The public hearing was closed at 6:13 p.m.

*Consideration of Liquor License: **LaundrYup!***

Motion by Councilor McCurry, seconded by Councilor Clearwater to recommend the issuance of a State Liquor License to LaundrYup!

Vote: Unanimous.

*Game of Chance Applications: **Biddeford Eagles, #804***

Motion by Councilor McCurry, seconded by Councilor Lessard to recommend the issuance of the Game of Chance permits to Biddeford Eagles, #804.

Vote: Unanimous.

*Consideration of Minutes: **December 5, 2019***

Motion by Councilor McCurry, seconded by Councilor Lessard to accept the minutes as printed.

Vote: Unanimous.

Second Reading:

{For a copy of the ordinance amendment and first reading, see the Council Meeting minutes of December 5, 2019}

2019.132) Amendment/Part III (Land Development Regulations) Article XIII (Amendments), § 3 (Contract and Conditional Zoning)/Contract Zone #18 Sawmill Park Properties, LLC, Indian Cliff Development Corporation, and Mike Eon Associates, Ltd.

Motion by Councilor Ready, seconded by Councilor Lessard to grant the second reading of the ordinance amendment.

Vote: Unanimous.

Orders of the Day:

2019.133 **IN BOARD OF CITY COUNCIL..DECEMBER 17, 2019**
BE IT ORDERED that the City Council of the City of Biddeford nominate and elect a Council President.

Motion by Councilor Lessard, seconded by Councilor Quattrone to nominate Councilor John McCurry, Jr., as Council President.

Vote: 6/3; Councilors Belanger, Clearwater and Emhiser opposed.

Councilors McCurry, St. Cyr, Quattrone, Ready, Ortiz and Lessard in favor.

Nomination carries.

2019.134 **IN BOARD OF CITY COUNCIL..DECEMBER 17, 2019**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby adopt Roberts Rules of Order, in conjunction with the Code of Ordinances, Appendix A, Rules of the Council (see attached).

Motion by Councilor McCurry, seconded by Councilor Lessard to grant the order.

Vote: Unanimous

2019.135 **IN BOARD OF CITY COUNCIL..DECEMBER 17, 2019**
BE IT ORDERED, that Mayor Alan Casavant's appointment of _____ to the Finance Committee be confirmed.

Motion by Councilor McCurry, seconded by Councilor Lessard to accept Mayor Casavant's nomination of **Councilor Stephen St. Cyr** as his appointment to the Finance Committee.

Vote: Unanimous.

2019.136 **IN BOARD OF CITY COUNCIL..DECEMBER 17, 2019**
BE IT ORDERED, that the Council President's appointment to the Finance Committee be confirmed.

Motion by Councilor Lessard, seconded by Councilor Clearwater to accept the Council President's nomination of **Councilor Michael Ready** as his appointment to the Finance Committee.

Vote: Unanimous.

2019.137 **IN BOARD OF CITY COUNCIL..DECEMBER 17, 2019**
BE IT ORDERED, that Mayor Casavant's appointment of Keith R. Jacques and the firm of Woodman Edmands Smith Danylik, Austin & Jacques, P.A., as City Solicitor, in accordance with the Charter of the City of Biddeford be confirmed.

Motion by Councilor Ready, seconded by Councilor Clearwater to confirm the appointment of Keith R. Jacques as the City Solicitor.

Vote: Unanimous.

2019.138 **IN BOARD OF CITY COUNCIL..DECEMBER 17, 2019**
BE IT ORDERED, that I, Alan Casavant, Mayor of the City of Biddeford, do hereby appoint the following Councilors to the PERSONNEL COMMITTEE:

Michael Ready
William Emhiser
Robert Quattrone, Jr.
Norman Belanger

BE IT FURTHER ORDERED, that the following Councilors are appointed to the POLICY COMMITTEE:

John McCurry, Jr., Chair
Doris Ortiz
Norman Belanger

BE IT FURTHER ORDERED, that the following Councilors are appointed to the CAPITAL PROJECTS COMMITTEE:

Marc Lessard, Chair
Stephen St. Cyr
Robert Quattrone, Jr.

BE IT FURTHER ORDERED, that the following Councilors are appointed to the DOWNTOWN COMMITTEE:

Norman Belanger, Chair
Amy Clearwater
Doris Ortiz
Marc Lessard

BE IT FURTHER ORDERED, that the following Councilors are appointed to the following City Committees/Commission:

SOLID WASTE MANAGEMENT COMMISSION:

Robert Quattrone, Jr.
Amy Clearwater

WASTEWATER MANAGEMENT COMMISSION:

William Emhiser

JOINT BIDDEFORD-SACO COMMITTEE:

Marc Lessard
Michael Ready

MAINE WATER CITIZENS ADVISORY COMMITTEE:

Stephen St. Cyr

BIDDEFORD ARENA BOARD:

Robert Quattrone, Jr.

DOWNTOWN DEVELOPMENT COMMISSION:

William Emhiser

TRI-CITY TRANSIT (SHUTTLEBUS):

Doris Ortiz

CABLE T.V. COMMITTEE:

Stephen St. Cyr

Motion by Councilor Clearwater, seconded by Councilor Lessard to confirm the appointments.
Vote: Unanimous.

2019.139

IN BOARD OF CITY COUNCIL...DECEMBER 17, 2019

BE IT ORDERED, that the City Manager be authorized to purchase one (1) 2020 Elgin street sweeper as per NJPA bid (the “Equipment”) from C.N. Wood Inc.(the “Vendor”) and may pay the Vendor an amount not to exceed \$223,775.00 (before discounts valued at \$24,000.00) for the Equipment as follows:

1. The City of Biddeford expects to incur debt to reimburse expenditures to pay the cost of the Equipment;
2. The City of Biddeford reasonably expects that the maximum principal amount of the debt, including for reimbursement purposes, is \$223,775.00;
3. The City Manager, on behalf of the City of Biddeford, is authorized to enter into a lease purchase, loan or other financing agreement for the Equipment provided that (a) the principal amount of such agreement will not exceed \$223,775.00, (b) the term of such agreement will not exceed one hundred and twenty (120) months and (c) any obligation

of the City of Biddeford to make lease or loan payments pursuant to such agreement is subject to annual appropriation by the City Council of the City of Biddeford;

4. The City Manager is authorized to advance money from the General Fund of the City for payment of the costs of the Equipment; and
5. The City Manager, on behalf of the City of Biddeford, is authorized to negotiate, enter into, execute, deliver and cause to be performed, and to approve, any and all agreements, instruments, certificates and other documents, and to grant security interests in the Equipment, upon such terms, conditions, limitations and undertakings, which the City Manager determines are necessary and proper for the acquisition and financing of the Equipment, provided that any lease purchase, loan or other financing agreement will be countersigned by both the Mayor and the Treasurer of the City of Biddeford. Without limiting the foregoing, the City Manager, on behalf of the City of Biddeford, in connection with the acquisition of the Equipment, is authorized to sell, transfer, trade in or otherwise dispose of any equipment, which the City Manager determines is no longer useful to the City of Biddeford.

NOTE: The purchase of this street sweeper is included in the FY/20 budget line 21204-60603 as a lease

Motion by Councilor Ready, seconded by Councilor Clearwater to grant the order.
Vote: Unanimous.

2019.142 **IN BOARD OF CITY COUNCIL..DECEMBER 17, 2019**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve the purchase of a Scale Node, per the request of the Information Technology Department, in the amount of \$18,999.00. Funding of this purchase is \$10,000 from CIP and \$8,999.00 from CIP Carryover.

Motion by Councilor Clearwater, seconded by Councilor Lessard to grant the order.
Vote: Unanimous.

2019.143 **IN BOARD OF CITY COUNCIL..DECEMBER 17, 2019**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby accept the HUD Lead Hazard Reduction and Healthy Homes Grant. The Planning Department will use this grant money to address childhood lead poisoning, create healthy homes and improve the safety of our community.

NOTE: As a first-time applicant, we were awarded \$3,246,744 for the HUD Lead Hazard Reduction and Healthy Homes Grant. This is a cost recovery grant, which requires \$724,761.71 in matching funds, or in-kind contributions. The majority of the matching funds will be provided through CDBG funding.

Motion by Councilor Clearwater, seconded by Councilor Lessard to grant the order.
Vote: Unanimous.

2019.144 **IN BOARD OF CITY COUNCIL..DECEMBER 17, 2019**
BE IT RESOLVED, that the City Council of the City of Biddeford does hereby approve the CDBG (Community Development Block Grant) Amendment by approving the reduction of housing units in the Multi-Family Housing Rehabilitation Program from 28 units to 12 units and reallocate \$139,000 from the 2018 Action Plan to the 2019 Action Plan.

Motion by Councilor Clearwater, seconded by Councilor Lessard to grant the order.
Vote: Unanimous.

Appointments:

- **Albert Shinkel...Biddeford Housing Authority**
- **Daniel Boucher...Capital Projects Committee**
- **Robert Provencher...Capital Projects Committee**
- **Thomas Craven..Conservation Commission**
- **Chrystina Gastelum...Conservation Commission**

- **Steven Reiter...Conservation Commission**
- **Stephanie Edwards...Downtown Development Commission**
- **Priscilla McGuire...Historic Preservation Commission**
- **Leah Schaffer..Historic Preservation Commission**
- **Aurelie Dyer Wallach...Historic Preservation Commission**
- **Bruce Benway...Planning Board**
- **William Southwick...Planning Board and Planning Board Chair**
- **Nathan Bean...Policy Committee**
- **Renee O'Neil..Policy Committee**
- **Alan Dutremble...Recreation Commission**
- **Paul Lariviere...Shellfish Conservation Committee**
- **Sean Tarpey...Harbor Commission & Wastewater Management Commission**

Motion by Councilor McCurry, seconded by Councilor Clearwater to consider all the appointments in one motion and vote.

Vote: 8/1; Councilor Quattrone opposed.

Councilors Emhiser, McCurry, St. Cyr, Clearwater, Belanger, Ready, Ortiz and Lessard.

Motion carries.

Motion by Councilor McCurry, seconded by Councilor Emhiser to confirm all the above-listed appointments.

Vote: 8/1; Councilor Quattrone opposed.

Councilors Emhiser, McCurry, St. Cyr, Clearwater, Belanger, Ready, Ortiz and Lessard.

Motion carries.

Public Addressing the Council...(5 minute limit per speaker; 30 minute total time limit):

There were no public comments.

City Manager Report:

City Manager, James Bennett had the following items:

- 1) In the current budget, there is \$530,000 projected in building permit revenue. To date, \$244,010 has been collected for the Lincoln Mill Project; and \$144,896 is expected in the near future for the Riverdam Project.
- 2) Biddeford has made the CNBC Top 10 List of Communities in the country to look for jobs. Biddeford was ranked number 5, being lumped with Portland and South Portland.
- 3) He commended the Dept. of Public Works, the Police and Fire Departments and Code Enforcement Officer, Roby Fecteau for all their tireless, round-the-clock efforts in dealing with a major storm drain sinkhole on Western Avenue over the weekend.

There was no *Other Business*

Council President Addressing the Council:

Councilor McCurry thanked the Council for voting him in as Council President for another two years. He would like to see the Council and City put more focus on better communication with the public and better ways of getting information out to the citizens.

He also would like to take a look at changing the budget calendar and handling the Budget Committee process differently. He requested that a Committee-of-the-Whole be included on the next council agenda so the Council can have this discussion.

He noted that the City Manager has stated that there is a lot going on in the City and many projects are in the works. He would like to have a list of all the projects and work with the City Manager to prioritize.

Councilor McCurry wished his fellow Councilors, City Staff and the citizens a Merry Christmas.

Mayor Addressing the Council:

Mayor Casavant would like the Council to come up with a way to make council deliberations more clear and easier for the public to understand and know what is going on.

Mayor Casavant also wished everyone a very Merry Christmas and Happy Holidays.

Executive Session:

- **1 M.R.S. 405(6)(C)..Real Estate Issue**
- **1 M.R.S. 405(6)(E)...Consultation with City Solicitor**

Motion by Councilor McCurry, seconded by Councilor Clearwater to move into Executive Session.

Vote: Unanimous.

Time: 6:45 p.m.

Motion by Councilor McCurry, seconded by Councilor Lessard to move out of Executive Session.

Vote: Unanimous.

Time: 7:20 p.m.

Motion by Councilor McCurry, seconded by Councilor Lessard to adjourn.

Vote: Unanimous.

Time: 7:20 p.m.

Attest by: _____
Carmen J. Morris, City Clerk