

City of Biddeford
City Council
December 04, 2018 6:00 PM Council Chambers

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Adjustment(s) to Agenda**
- 4. Public Hearing**
 - 4.a. Liquor License: Maine Repertory Theater, LLC
[12-04-2018 Liquor License-Maine Repertory Theater.pdf](#)
- 5. Liquor License Consideration**
 - 5.a. Maine Repertory Theater, LLC
[12-04-2018 Liquor License-Maine Repertory Theater.pdf](#)
- 6. Presentation:**
 - 6.a. Homelessness Initiatives - presented by Seeds of Hope
- 7. Consideration of Minutes:**
 - 7.a. November 20, 2018 Council Meeting Minutes
[11-20-2018 Council Meeting Minutes.docx](#)
- 8. Orders of the Day:**
 - 8.a. 2018.137) Designation of Planning Board as the Comprehensive Plan Planning Committee
[12-04-2018 Comp Plan Planning Committee-Appointment.docx](#)
 - 8.b. 2018.138) RESCIND Order 2018.83 - Authorization/Purchase of One Ton Dump Truck w/Plow/O'Connor Motor Sales
[12-04-2018 Rescind of Order 2018.83-One Ton Truck Purchase.doc](#)
[8-07-2018 4x4 One Ton Pickup Truck Purchase-ORDER.docx](#)
 - 8.c. REVISED ORDER 2018.139) Authorization/Purchase of One Ton Dump Truck w/Plow/Arundel Ford
[12-04-2018 4x4 Truck Purchase-UPDATED ORDER.docx](#)
[12-04-2018 4x4 Truck Purchase-UPDATED BIDS.docx](#)
 - 8.d. 2018.139) Authorization/Purchase of One Ton Dump Truck w/Plow/Arundel Ford
[12-04-2018 4x4 Truck Purchase-ORDER.docx](#)
[12-04-2018 4x4 Truck Purchase-BIDS.docx](#)
 - 8.e. 2018.140) Adoption/Fee Structure for Municipal Parking Lots/Addition of Dedicated Parking Spaces
[12-04-2018 Fees for Parking-Dedicated Parking Spaces.docx](#)
 - 8.f. 2018.141) Amendment/Appendix A - Rules of the Council/Rule 5: Committees/Downtown Committee Membership Change
[12-04-2018 Rules of Council-Downtown Comm-Membership.docx](#)
 - 8.g. 2018.142) Authorization/Closure of City Hall on Christmas Eve (4 Hours)
[12-04-2018 City Hall Closed-Christmas Eve.doc](#)
- 9. Appointments:**

- 9.a. Thomas Bryand...Airport Commission
[12-04-2018 Appt-Bryand-Airport Commission.docx](#)
[12-04-2018 Appt-Comm App-Bryand.pdf](#)
- 9.b. Councilor Amy Clearwater...Downtown Committee - Re-designation to Full Voting Member
[12-04-2018 Redesignate Clearwater-Downtown Committee.docx](#)
- 10. Public Addressing the Council..(5 minute limit per speaker; 30 minute total time limit)**
- 11. City Manager Report**
- 12. Other Business**
- 13. Council President Addressing the Council**
- 14. Mayor Addressing the Council**
- 15. Adjourn**

PA \$310.00
11/19/2018

\$10.00 application fee is applicable to all NEW businesses
\$60.00 advertising fee for new liquor license applications is an up-front charge

City of Biddeford
BUSINESS LICENSE APPLICATION

BUSINESS NAME: Mock-A-Fella Center Maine Repertory Theater

Business Address: 40 Main St. Pepperell Mill Map 71 Lot 10
Building 13, Suite 131, Biddeford ME 04005

Mailing Address: 40 Main St. Pepperell Mill, Building 13, Suite 131, Biddeford 04005

Business Telephone Number: Not yet established

Email Address: Maine Repertory Theater@gmail.com
not yet established

OWNER/OPERATOR: Steve Burnette

Home Physical Address: 10 Cori Drive, Saco ME 04072

Home Mailing Address: 10 Cori Drive, Saco ME 04072

Home Telephone Number: (207) 205-2082

Applicant(s) Date of Birth: 7-14-1963

Steve P. Burnette
Applicant's Signature

6-4-2018
Date

Any information provided in this application, which is found to be false, will result in the denial or revocation of this license – per 1 M.R.S.A. 17-A §453.

TYPES OF ENTERTAINMENT: **\$150.00 (single/multiple events)**

- ☐ Concert
☐ Exhibitions (live performances)
☐ Circus/Carnival

☒ Playhouse/Play

- ☐ Indoor Skating Rink **\$150.00 (annual)**
☐ Bowling Lanes
☐ Theater/Movie House
(plus \$25.00 per screen)
☐ Billiard Room(s)

- ☐ Public Firing Range
☐ Bottle Club

AUTOMOBILE REPAIR AND/OR GRAVEYARD:

- ☐ Automobile Repair Garage for maintenance **\$75.00**
☐ Automobile Graveyard **\$200.00**

PLACES/DEALERS IN PRODUCTS:

- ☐ Secondhand Dealers **\$200.00**
☐ Dealers in gold jewelry, etc.
☐ Antique Dealer

- ☐ Flea Market (for 20 tables; \$5 per add'l table)
☐ Junk Dealer/Recycling

\$10.00 application fee is applicable to all NEW businesses

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PAWNBROKER: **\$200.00**

VENDOR ON A PUBLIC PLACE: **\$50.00**

ICE CREAM TRUCK VENDOR **\$75.00**

(need to show proof of at least \$500,000 liability insurance)

VENDING ON WATERWAYS **\$100.00**

OPERATING LICENSE:

- ☐ Victualer (no alcohol)-State Cert. Required **\$75.00**
- ☒ Victualer serving beer and/or wine-State Cert. Required **\$100.00**
- ☐ Victualer serving beer, wine and/or liquor **\$150.00**

State Cert. Required

- ☐ Taxicab, motorbus, public automobile **\$50.00**
(plus \$20.00 per vehicle)

- ☐ Massage Establishment/Therapist **\$100.00**

- ☐ Combined Massage Establishment/Massage Therapist **\$150.00**

- ☐ Adult Business **\$2,000.00**

- ☐ Sludge Disposal **\$50.00**

MISCELLANEOUS:

- ☒ Advertising (for liquor licenses) **\$60.00**
- ☐ Newspaper Vending Machines (per machine) **\$10.00**
- ☐ Video Game Devices (up to a max of \$50.00) **\$10.00 (each machine)**

New Business License Application Disclosure: By submitting, signing and paying the applicable \$10.00 application fee (and \$60.00 advertising, when applicable), the issuance of business license in the City of Biddeford is not guaranteed. You will be required to pay the full business license fee(s) once departmental reviews have been completed and an Occupancy Permit has been issued by the Code Enforcement Office.

CITY COUNCIL APPROVAL DATE (if applicable): _____

CODE ENFORCEMENT APPROVAL: _____
(Occupancy Permit Issued)

CITY CLERK ISSUED: _____ **DATE:** _____

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008 (Regular Mail)
10 WATER STREET, HALLOWELL, ME 04347 (Overnight Mail)
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	
Good SOS & DBA: YES ☐ NO ☐	

PRESENT LICENSE EXPIRES: _____

NEW application: ☒ Yes ☐ No

If business is NEW or under new ownership, indicate starting date: 12-7-2018

Requested inspection (New Licensees/ Ownership Changes Only) Date : 11-20 to 12-7 Business hours: 8:30-1:30 PM

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☐ SPIRITUOUS Monday-Friday

INDICATE TYPE OF LICENSE:

- ☐ RESTAURANT (Class I,II,III,IV) ☐ RESTAURANT/LOUNGE (Class XI) ☐ CLASS A LOUNGE (Class X)
☐ HOTEL (Class I,II,III,IV) ☐ HOTEL, FOOD OPTIONAL (Class I-A) ☐ BED & BREAKFAST (Class V)
☒ CLUB w/o Catering (Class V) ☐ CLUB with CATERING (Class I) ☐ GOLF COURSE (Class I,II,III,IV)
☐ TAVERN (Class IV) ☐ QUALIFIED CATERING ☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: <u>Maine Repertory Theater LLC</u>		Business Name (D/B/A)	
APPLICANT(S) -(Sole Proprietor) DOB:		Physical Location:	
DOB:		City/Town	State Zip Code
Address <u>40 Main Street, Pepperell Mill, Bldg 13 Suite 131</u>		Mailing Address	
City/Town <u>Biddeford</u>	State <u>ME</u>	Zip Code <u>04005</u>	City/Town State Zip Code
Telephone Number <u>(207) 205-6201</u>	Fax Number	Business Telephone Number	Fax Number
Federal I.D. # <u>290-60-5859</u>	Seller Certificate #: or Sales Tax #:		
Email Address: Please Print <u>MaineRepertoryTheater@gmail.com</u>	Website:		

- If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: _____
- State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ _____ LIQUOR \$ _____
- Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐
If Yes, please complete the Corporate Information required for Business Entities who are licensees.
- Do you permit dancing or entertainment on the licensed premises? YES ☒ NO ☐
- Do you permit dancing or entertainment on the licensed premises? YES ☒ NO ☐

6. Do you own or have any interest in any other Maine Liquor License? ☐ Yes ☒ No (Use an additional sheet(s) if necessary.) If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

License # _____ Name of Business _____

Physical Location _____ City / Town _____

7. If manager is to be employed, give name: _____

8. Business records are located at: 40 Main Street, Peppercorn Mill, Suite 131, Building 13, Biddeford ME 04005

9. Is/are applicant(s) citizens of the United States? YES ☒ NO ☐

10. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

11. List name, date of birth, and place of birth for all applicants, managers, and bar managers.

Full Name (Please Print)	DOB	Place of Birth
Steven Burnette	7-14-1963	Lima Ohio
Christine Madden	1-11-1976	Biddeford Maine

12. Residence address on all of the above for previous 5 years (Limit answer to city & state)

Name: Steven Burnette	City: Saco	State: Maine
Name: Steven Burnette	City: Ponte Vedra	State: Florida
Name: Christine Madden	City: Dayton	State: Maine

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____ (use additional sheet(s) if necessary)

14. Will any law enforcement official benefit directly in your license, if issued?

Yes ☐ No ☒ If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☐ NO ☒

16. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: The Mills at Peppercorn, LLC (Eastland Management) 2 Main St. 17-301E Biddeford ME 04005

17. Describe in detail the premises to be licensed: (On Premise Diagram Required) An intimate 57 seat comedy theater that serves soda, popcorn, and hopefully beer and wine.

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES ☐ NO ☐ Applied for: _____

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? St. James Three Quarters of a mile.

Which of the above is nearest? St. James School, Biddeford ME

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐

If YES, give details: Doctor Harry Chamberlin is 20% owner.

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Biddeford ME on November 19, 20 18
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

Print Name

Print Name

FEE SCHEDULE

FILING FEE: (must be included on all applications)..... \$ 10.00

Class I Spirituous, Vinous and Malt \$ 900.00

CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.

Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only) \$1,100.00

CLASS I-A: Hotels only that do not serve three meals a day.

Class II Spirituous Only \$ 550.00

CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.

Class III Vinous Only \$ 220.00

CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.

Class IV Malt Liquor Only \$ 220.00

CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.

Class III & IV Malt & Vinous Only \$ 440.00

CLASS III & IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.

Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts) \$ 495.00

CLASS V: Clubs without catering privileges.

Class X Spirituous, Vinous and Malt – Class A Lounge \$2,200.00

CLASS X: Class A Lounge

Class XI Spirituous, Vinous and Malt – Restaurant Lounge \$1,500.00

CLASS XI: Restaurant/Lounge; and OTB.

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. **All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.**

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the **Treasurer, State of Maine.**

This application must be completed and signed by the Town or City and mailed to:

Bureau of Alcoholic Beverages and Lottery Operations

Division of Liquor Licensing and Enforcement

8 State House Station, Augusta, ME 04333-0008 (Regular address)

10 Water Street, Hallowell, ME 04347 (Overnight address)

Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: _____, Maine _____
City/Town (County)

On: _____
Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the
☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall

notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).][2003, c. 213, §1 (AMD) .]

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987, c. 45, Pt. A, §4 (NEW).]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW).]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD).]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD).]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD).]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW).]

[2009, c. 81, §§1-3 (AMD) .]

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c. 730, §27 (RP).]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993, c. 730, §27 (AMD) .]

[1995, c. 140, §6 (AMD) .]

4. No license to person who moved to obtain a license. [1987, c. 342, §32 (RP) .]

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

[1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF).]

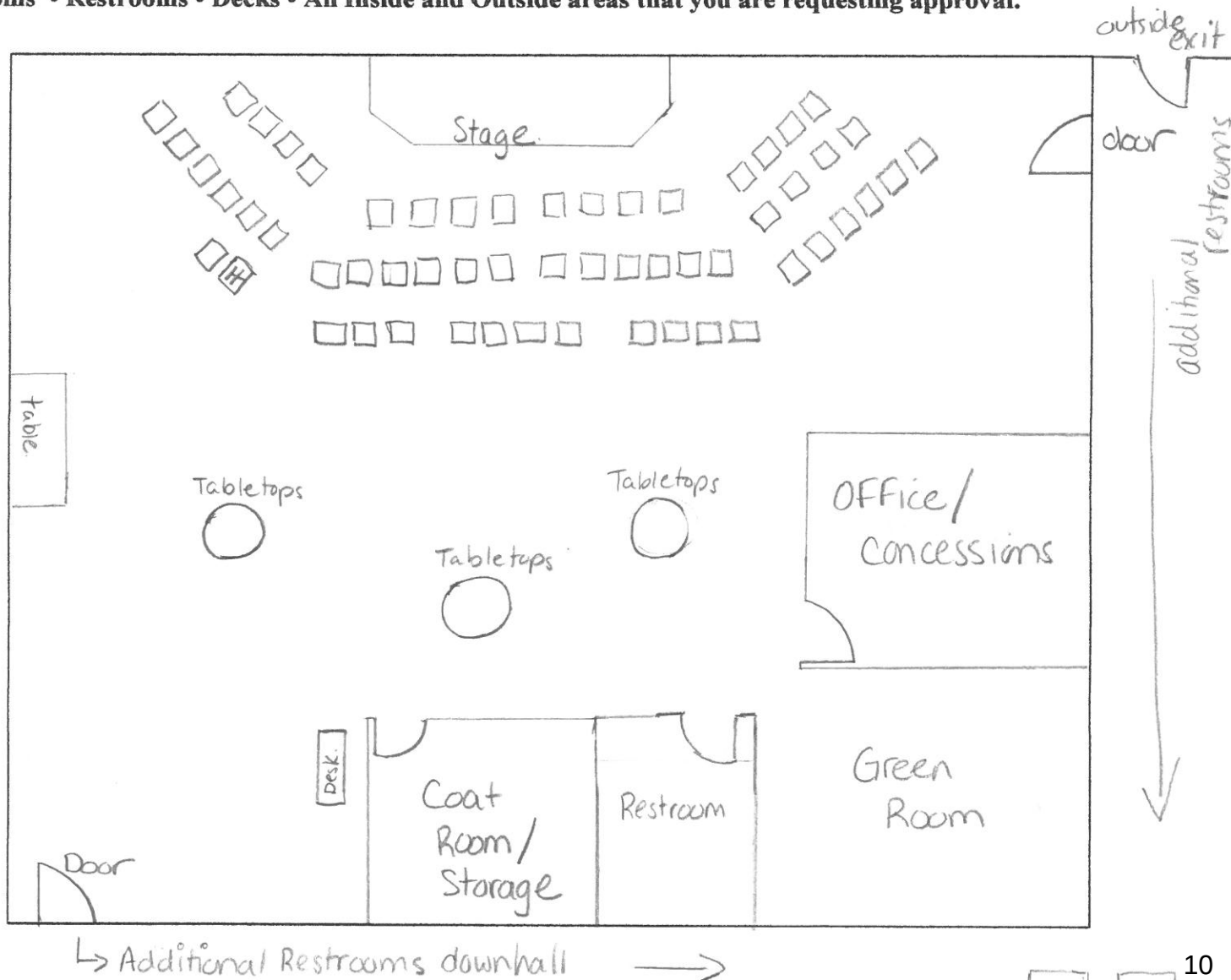
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008
10 Water Street, Hallowell, ME 04347 (overnight)
Tel: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov



ON PREMISE DIAGRAM (Facility Drawing/ Floor Plan)

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas with the following: • Entrances • Office area • Kitchen • Storage Areas • Dining Rooms • Lounges • Function Rooms • Restrooms • Decks • All Inside and Outside areas that you are requesting approval.





Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

SOS Checked: _____

100% Yes ☐ No ☐

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: Maine Repertory Theater LLC
2. Doing Business As, if any: _____
3. Date of filing with Secretary of State: 8-13-2018 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Steve Burnette	10 Cori Drive Saco ME 46 Majestic Eagle Dr. Ponte Vedra FL Richards Way Saco ME	7-14-63	Owner	80%
Dr. Harry Chamberlin	26 Walnut D-7 Old Orchard Beach ME 53 Old Neck Rd. Scarborough	12-10-56	Silent Partner	20%

(Stock ownership in non-publicly traded companies must add up to 100%.)

6. If Co-Op # of members: _____ (list primary officers in the above boxes)

7. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States? ☐ Yes ☒ No

8. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: _____

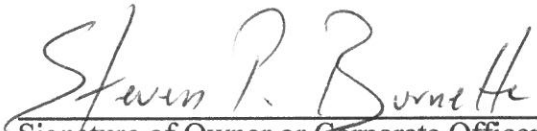
Date of Conviction: _____

Offense: _____

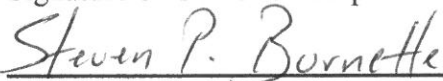
Location of Conviction: _____

Disposition: _____

Signature:


Signature of Owner or Corporate Officer

11-19-2018
Date


Print Name of Owner or Corporate Officer

Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

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Building 13, Suite 131, Biddeford ME 04005

Mailing Address: 40 Main St. Pepperell Mill, Building 13, Suite 131, Biddeford 04005

Business Telephone Number: Not yet established

Email Address: Maine Repertory Theater@gmail.com
not yet established

OWNER/OPERATOR: Steve Burnette

Home Physical Address: 10 Cori Drive, Saco ME 04072

Home Mailing Address: 10 Cori Drive, Saco ME 04072

Home Telephone Number: (207) 205-2082

Applicant(s) Date of Birth: 7-14-1963

Steve P. Burnette
Applicant's Signature

6-4-2018
Date

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☐ Theater/Movie House
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☐ Bottle Club

AUTOMOBILE REPAIR AND/OR GRAVEYARD:

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☐ Automobile Graveyard **\$200.00**

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(need to show proof of at least \$500,000 liability insurance)

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OPERATING LICENSE:

- ☐ Victualer (no alcohol)-State Cert. Required **\$75.00**
- ☒ Victualer serving beer and/or wine-State Cert. Required **\$100.00**
- ☐ Victualer serving beer, wine and/or liquor **\$150.00**

State Cert. Required

- ☐ Taxicab, motorbus, public automobile **\$50.00**
(plus \$20.00 per vehicle)

- ☐ Massage Establishment/Therapist **\$100.00**

- ☐ Combined Massage Establishment/Massage Therapist **\$150.00**

- ☐ Adult Business **\$2,000.00**

- ☐ Sludge Disposal **\$50.00**

MISCELLANEOUS:

- ☒ Advertising (for liquor licenses) **\$60.00**
- ☐ Newspaper Vending Machines (per machine) **\$10.00**
- ☐ Video Game Devices (up to a max of \$50.00) **\$10.00 (each machine)**

New Business License Application Disclosure: By submitting, signing and paying the applicable \$10.00 application fee (and \$60.00 advertising, when applicable), the issuance of business license in the City of Biddeford is not guaranteed. You will be required to pay the full business license fee(s) once departmental reviews have been completed and an Occupancy Permit has been issued by the Code Enforcement Office.

CITY COUNCIL APPROVAL DATE (if applicable): _____

CODE ENFORCEMENT APPROVAL: _____
(Occupancy Permit Issued)

CITY CLERK ISSUED: _____ **DATE:** _____

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008 (Regular Mail)
10 WATER STREET, HALLOWELL, ME 04347 (Overnight Mail)
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	
Good SOS & DBA: YES ☐ NO ☐	

PRESENT LICENSE EXPIRES: _____

NEW application: ☒ Yes ☐ No

If business is NEW or under new ownership, indicate starting date: 12-7-2018

Requested inspection (New Licensees/ Ownership Changes Only) Date : 11-20 to 12-7 Business hours: 8:30-1:30 PM

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☐ SPIRITUOUS Monday-Friday

INDICATE TYPE OF LICENSE:

- ☐ RESTAURANT (Class I,II,III,IV) ☐ RESTAURANT/LOUNGE (Class XI) ☐ CLASS A LOUNGE (Class X)
☐ HOTEL (Class I,II,III,IV) ☐ HOTEL, FOOD OPTIONAL (Class I-A) ☐ BED & BREAKFAST (Class V)
☒ CLUB w/o Catering (Class V) ☐ CLUB with CATERING (Class I) ☐ GOLF COURSE (Class I,II,III,IV)
☐ TAVERN (Class IV) ☐ QUALIFIED CATERING ☐ OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: <u>Maine Repertory Theater LLC</u>	Business Name (D/B/A)
APPLICANT(S) -(Sole Proprietor) DOB:	Physical Location:
DOB:	City/Town State Zip Code
Address <u>40 Main Street, Pepperell Mill, Bldg 13 Suite 131</u>	Mailing Address
City/Town State Zip Code <u>Biddeford ME 04005</u>	City/Town State Zip Code
Telephone Number Fax Number <u>(207) 205-6201</u>	Business Telephone Number Fax Number
Federal I.D. # <u>290-60-5859</u>	Seller Certificate #: or Sales Tax #:
Email Address: Please Print <u>MaineRepertoryTheater@gmail.com</u>	Website:

- If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: _____
- State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ _____ LIQUOR \$ _____
- Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐
If Yes, please complete the Corporate Information required for Business Entities who are licensees.
- Do you permit dancing or entertainment on the licensed premises? YES ☒ NO ☐
- Do you permit dancing or entertainment on the licensed premises? YES ☒ NO ☐

6. Do you own or have any interest in any other Maine Liquor License? ☐ Yes ☒ No (Use an additional sheet(s) if necessary.) If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

License # _____ Name of Business _____

Physical Location _____ City / Town _____

7. If manager is to be employed, give name: _____

8. Business records are located at: 40 Main Street, Peppercell Mill, Suite 131, Building 13, Biddeford ME 04005

9. Is/are applicant(s) citizens of the United States? YES ☒ NO ☐

10. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

11. List name, date of birth, and place of birth for all applicants, managers, and bar managers.

Full Name (Please Print)	DOB	Place of Birth
Steven Burnette	7-14-1963	Lima Ohio
Christine Madden	1-11-1976	Biddeford Maine

12. Residence address on all of the above for previous 5 years (Limit answer to city & state)

Name: Steven Burnette	City: Saco	State: Maine
Name: Steven Burnette	City: Ponte Vedra	State: Florida
Name: Christine Madden	City: Dayton	State: Maine

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____ (use additional sheet(s) if necessary)

14. Will any law enforcement official benefit directly in your license, if issued?

Yes ☐ No ☒ If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☐ NO ☒

16. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: The Mills at Peppercell, LLC (Eastland Management) 2 Main St. 17-301E Biddeford ME 04005

17. Describe in detail the premises to be licensed: (On Premise Diagram Required) An intimate 57 seat comedy theater that serves soda, popcorn, and hopefully beer and wine.

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES ☐ NO ☐ Applied for: _____

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? St James Three Quarters of a mile.

Which of the above is nearest? St. James School, Biddeford ME

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐

If YES, give details: Doctor Harry Chamberlin is 20% owner.

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Biddeford ME on November 19, 20 18
Town/City, State Date

Please sign in blue ink

Steven P. Burnette
Signature of Applicant or Corporate Officer(s)
Steven P. Burnette
Print Name

Signature of Applicant or Corporate Officer(s)

Print Name

FEE SCHEDULE

FILING FEE: (must be <u>included</u> on all applications)	\$ 10.00
Class I Spirituous, Vinous and Malt	\$ 900.00
CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
CLASS I-A: Hotels only that do not serve three meals a day.	
Class II Spirituous Only	\$ 550.00
CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III Vinous Only	\$ 220.00
CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV Malt Liquor Only	\$ 220.00
CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class III & IV Malt & Vinous Only	\$ 440.00
CLASS III & IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
CLASS V: Clubs without catering privileges.	
Class X Spirituous, Vinous and Malt – Class A Lounge	\$2,200.00
CLASS X: Class A Lounge	
Class XI Spirituous, Vinous and Malt – Restaurant Lounge	\$1,500.00
CLASS XI: Restaurant/Lounge; and OTB.	

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. **All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.**

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the **Treasurer, State of Maine.**

This application must be completed and signed by the Town or City and mailed to:

Bureau of Alcoholic Beverages and Lottery Operations

Division of Liquor Licensing and Enforcement

8 State House Station, Augusta, ME 04333-0008 (Regular address)

10 Water Street, Hallowell, ME 04347 (Overnight address)

Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: _____, Maine _____
City/Town (County)

On: _____
Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the
☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall

notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).][2003, c. 213, §1 (AMD) .]

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987, c. 45, Pt. A, §4 (NEW).]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW).]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD).]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD).]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD).]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW).]

[2009, c. 81, §§1-3 (AMD) .]

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c. 730, §27 (RP).]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993, c. 730, §27 (AMD) .]

[1995, c. 140, §6 (AMD) .]

4. No license to person who moved to obtain a license. [1987, c. 342, §32 (RP) .]

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

[1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF).]

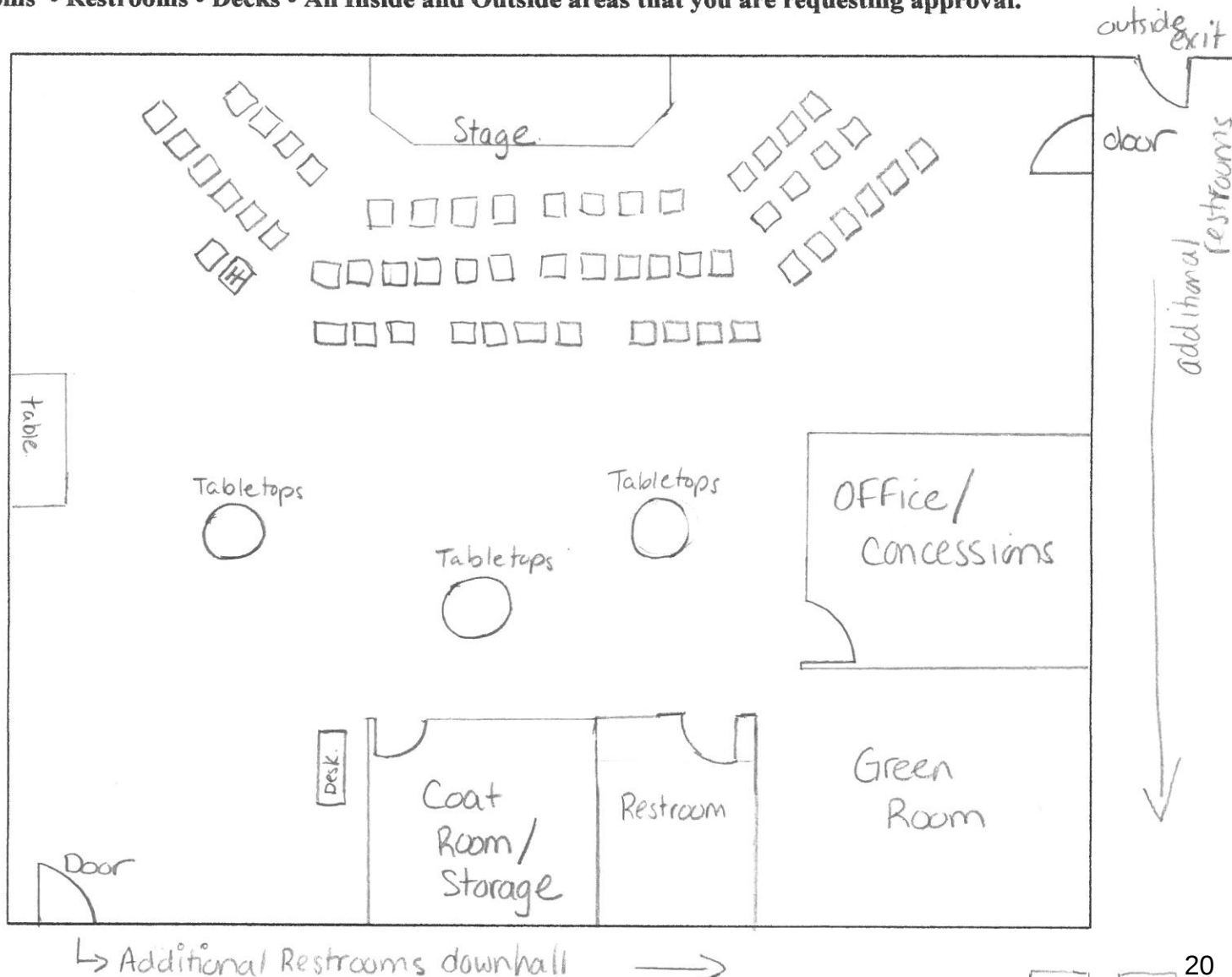
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008
10 Water Street, Hallowell, ME 04347 (overnight)
Tel: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov



ON PREMISE DIAGRAM (Facility Drawing/ Floor Plan)

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas with the following: • Entrances • Office area • Kitchen • Storage Areas • Dining Rooms • Lounges • Function Rooms • Restrooms • Decks • All Inside and Outside areas that you are requesting approval.





Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

SOS Checked: _____

100% Yes ☐ No ☐

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: Maine Repertory Theater LLC
2. Doing Business As, if any: _____
3. Date of filing with Secretary of State: 8-13-2018 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Steve Burnette	10 Cori Drive Saco ME 46 Majestic Eagle Dr. Ponte Vedra FL Richards Way Saco ME	7-14-63	Owner	80%
Dr. Harry Chamberlin	26 Walnut D-7 Old Orchard Beach ME 53 Old Neck Rd. Scarborough	12-10-56	Silent Partner	20%

(Stock ownership in non-publicly traded companies must add up to 100%.)

6. If Co-Op # of members: _____ (list primary officers in the above boxes)

7. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States? ☐ Yes ☒ No

8. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: _____

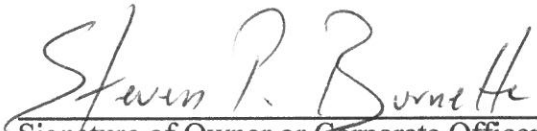
Date of Conviction: _____

Offense: _____

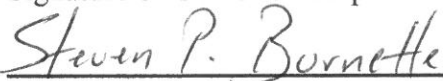
Location of Conviction: _____

Disposition: _____

Signature:


Signature of Owner or Corporate Officer

11-19-2018
Date


Print Name of Owner or Corporate Officer

Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

**COUNCIL MEETING
NOVEMBER 20, 2018**

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

Roll Call: Michael Swanton, John McCurry, Jr., Stephen St. Cyr, Amy Clearwater, Norman Belanger, Michael Ready, Marc Lessard

Robert Quattrone, Jr., and Laura Seaver were excused.

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

There were no adjustments to the agenda.

Beano/Bingo Application: AMVETS, Post #1

Motion by Councilor Ready, seconded by Councilor McCurry to recommend the issuance of the Beano/Bingo – Game of Chance Application to AMVETS, Post #1.

Vote: Unanimous.

Public Hearing: Liquor License – Dizzy Birds Rotisserie, LLC

The Chair opened the public hearing at 6:01 p.m.

There were no public comments.

The public hearing was closed at 6:01 p.m.

Consideration of Liquor License: Dizzy Birds Rotisserie, LLC

Motion by Councilor McCurry, seconded by Councilor Ready to recommend the issuance of a Liquor License to Dizzy Birds Rotisserie, LLC.

Vote: Unanimous.

Consideration of Minutes: November 8, 2018

Motion by Councilor McCurry, seconded by Councilor Ready to accept the minutes as corrected.

Vote: Unanimous.

Orders of the Day:

2018.131

IN BOARD OF CITY COUNCIL.....NOVEMBER 20, 2018

BE IT ORDERED, that the City Manager be authorized to purchase a 2020 Perterbilt truck as per bid of November 9, 2018 (the “Equipment”) from Whitehead Perterbilt (the “Vendor”) and may pay the Vendor an amount not to exceed \$177,500.00 (before discounts valued at \$55,000.00) 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 \$177,500.00;
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 \$177,500.00, (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 Finance Committee will review this item on November 20, 2018 and vote to recommend it to the City Council for approval. The purchase of this item is included in the FY19 CIP budget.

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

2018.117 IN BOARD OF CITY COUNCIL..OCTOBER 2, 2018

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to enter into negotiation and execute an agreement with Hans and Anne Asoera, or their designated representative, owners of the property located at 1 Bay Street (GIS 60-48), to facilitate landscape improvements at said property and the public right-of-way to the beach substantially in the form presented in the letter from Jessica Kimball of Terrence J. DeWan & Associates dated August 2, 2018. The final terms of the agreement shall be beneficial to the City of Biddeford in consultation with the City Attorney.

BE IT FURTHER ORDERED, that any cost associated with the negotiated agreement shall be the responsibility of the property owner except as otherwise required by law.

NOTE: This authorization is limited to the establishment of an agreement between the parties. This Order does not guarantee or otherwise convey or imply permit approval for the proposed improvements. All permitting shall be administratively processed under the independent jurisdiction of the applicable agency, board, commission, or committee.

Motion by Councilor Swanton, seconded by Councilor St. Cyr to remove the order from the table.

Vote: 6/1; Councilor McCurry opposed.

Councilors Swanton, St. Cyr, Clearwater, Belanger, Ready and Lessard in favor.

Motion carries.

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

Motion by Councilor Lessard, seconded by Councilor McCurry to table the order until the full Council is present to vote on this issue.

Vote: 2/5; Councilors Lessard and McCurry in favor.

Councilors Swanton, St. Cyr, Clearwater, Belanger and Ready opposed.

Motion to table fails.

Motion by Councilor Ready, seconded by Councilor McCurry to suspend the rules and allow Councilor Swanton to speak for a 3rd time.

Vote: Unanimous.

Motion by Councilor Ready, seconded by Councilor McCurry to suspend the rules and allow Councilor Lessard to speak for a 3rd time.

Vote: Unanimous.

Motion by Councilor McCurry, seconded by Councilor Lessard to table the order to get a fair market value if the City were to sell the piece of property in question; and also to determine what the cost would be to install and maintain parking spaces in that area, should the City retain the property.

Vote: 5/2; Councilors Belanger and Clearwater opposed.

Councilors Swanton, McCurry, St. Cyr, Ready and Lessard in favor.

Motion carries.

2018.132 IN BOARD OF CITY COUNCIL...NOVEMBER 20, 2018

BE IT ORDERED, that the City Manager prepare amendments to Chapter 58-Solid Waste, by creating multifamily housing recycling program standard, amending the definition of “grandfathered facility” to include a performance-based demonstration of compliance with the multifamily housing recycling program standards, and developing an enforcement protocol applicable to all multifamily housing units of three or more to include loss of curbside solid waste services.

BE IT FURTHER ORDERED, that a draft of the amendments be presented to the Solid Waste Commission in December and that the Solid Waste Commission prepare recommendations for consideration by the Policy Committee no later than January 2, 2019, through the use of special meetings if necessary, for the regular Policy Committee Meeting on January 7, 2019.

BE IT FURTHER ORDERED, that the Policy Committee prepare recommendations for consideration by the City Council no later than January 30, 2019 in preparation for the regular City Council Meeting on February 5, 2019.

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

At this time, former City Councilor, Victoria Foley was recognized for her years of service on the City Council and was presented with a souvenir chair.

2018.133 **IN BOARD OF CITY COUNCIL....NOVEMBER 20, 2018**

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to negotiate and enter into an agreement with Broadreach Public Relations for on-call public relations services under terms determined to be in the best interest of the City as follows:

1. Onboarding/Media Analysis..... \$4,000 (one-time cost)
2. On-Call Retainer..... \$3,000 (annual, prorated)
3. Communications Plan Review/Recommendations..... \$3,000 (one-time cost)
4. Measurement & Reporting @ \$450/month

Item 4 shall not apply until after Broadreach completes a review of the City's communications plan and recommendations are implemented.

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

2018.134 **IN BOARD OF CITY COUNCIL..NOVEMBER 20, 2018**

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve the Management Agreement with York County Arena Association to manage the Ice Arena.

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

2018.135 **IN BOARD OF CITY COUNCIL.....NOVEMBER 20, 2018**

BE IT ORDERED, that the City Manager be authorized to purchase the Biddeford Ice Arena Refrigeration system from Miller Refrigeration Company, Inc.(the "Vendor") and may pay the Vendor an amount not to exceed \$350,000.00 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 \$350,000.00;
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 \$350,000.00, (b) the term of such agreement will not exceed two hundred and forty (240) 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.

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

Vote: Unanimous.

2018.136 **IN BOARD OF CITY COUNCIL...NOVEMBER 20, 2018**
Order Providing For: ISSUANCE OF UP TO \$365,000 CITY OF BIDDEFORD, MAINE REVENUE OBLIGATION SECURITIES (ICE ARENA PROJECT)

WHEREAS, the Finance Authority of Maine Act, 10 M.R.S.A., Ch. 110, §§961 et seq., as amended (the “Act”), authorizes and empowers municipalities in the State of Maine to issue revenue obligation securities in order to provide financing for eligible projects within the corporate limits of the municipality, and to make and enter into all financing documents, security agreements, mortgages, contracts, and trust agreements necessary or convenient to carry out each such power; and

WHEREAS, the City of Biddeford, Maine (the “City”), a municipality of the State of Maine, acting through its City Council (the “Council”), is authorized and empowered by Section 1074 of the Act to issue its taxable municipal revenue bonds for the purpose of financing a replacement compressor system (the “Project”) for the City’s ice arena facilities known as the Biddeford Ice Arena (the “Arena”); and

WHEREAS, under the Act, taxable bonds issued pursuant to Section 1074 are not subject to any limitations or restrictions of any law which may limit the City’s power to issue such taxable bonds or to the procedures set forth in Section 1063 or in Section 1064, subsection 1 of the Act; and

WHEREAS, the Council desires to authorize the issuance, sale and delivery by the City of its taxable revenue bonds in a principal amount not to exceed \$365,000, to finance the Project (the “Revenue Bonds”); and

NOW THEREFORE, BE IT ORDERED, by the City Council of the City of Biddeford as follows:

Section 1. Pursuant to the Act, the acquisition, construction and installation of the Project on such terms and conditions terms as the City Manager shall determine, is hereby authorized and approved.

Section 2. The City Council hereby finds and determines that:

- a. The City is a duly organized municipality of the State of Maine and the City Council are the duly elected municipal officers of the City; and
- b. The Act authorizes and empowers the City to issue the Revenue Bonds and to use the proceeds thereof to finance the cost of the Project; and
- c. The Act authorizes the City to enter into financing documents including security agreements, mortgages, contracts, and trust agreements and all other contracts and agreements which are necessary or convenient to the exercise of its powers under the Act; and
- d. The City Council has determined that at all times there will be revenues and funds sufficient to pay the principal of and interest on the Revenue Bonds as they become due and payable and to pay the cost of operating, maintaining and repairing the Arena and the Project; and
- e. The proceeds of the Revenue Bonds in an aggregate principal amount not to exceed \$365,000 will be required and, when added to the funds provided by the City, will be sufficient to pay the estimated costs of the Project.

Section 3. Pursuant to Section 1074 of the Act, the City Council hereby authorizes and approves issuance of the City’s taxable Revenue Bonds in an aggregate principal amount not to exceed \$365,000, to be designated “City of Biddeford, Maine, Revenue Bonds (Series [Year] - Ice Arena Project) (Federally Taxable)”. The proceeds of the Revenue Bonds, if and when issued by the City, shall be used to finance the Project.

Section 4. The Revenue Bonds shall be executed in the name of and on behalf of the City by the City Treasurer, countersigned by its Mayor, and sealed with the seal of the City, attested to by its Clerk.

Section 5. The Revenue Bonds and may be secured by the Mortgage and the Security Agreement (both as defined below) and such other instruments as the Treasurer shall determine, and shall be in such denominations, with such dates, maturities (not to exceed 25 years), interest rates, call features (with or without premium), and other details as may be approved by the City Treasurer in his sole discretion, his approval to be conclusively evidenced by his execution thereof.

Section 6. The Revenue Bonds may be callable, with or without premiums, prior to their stated dates of maturity.

Section 7. **The Revenue Bonds shall be, and shall contain on their face, a statement substantially to the effect that the Revenue Bonds are, a limited obligation of the City and shall not constitute any debt or liability of the City, the State of Maine or any other political subdivision thereof or municipality therein or a pledge of the faith and credit of the City, the State of Maine or of any other such political subdivision or municipality, but shall be payable solely from revenues of the Project for which they are issued; and the issuance of the Revenue Bonds and the Bond Documents shall not directly or indirectly or contingently obligate the City, the State of Maine or any other political subdivision thereof or municipality therein to expend any funds of the City or to levy or to pledge any form of taxation whatever therefor or to make any appropriation for their payment.**

Section 8. The City Treasurer is authorized to approve, execute and deliver, in the name of and on behalf of the City, a mortgage of the Arena on such terms and conditions as the City Treasurer shall determine to secure the City's performance of the Revenue Bonds (the "Mortgage") and a security agreement with respect to the Arena pledging, among other things, the revenues of the Arena, to secure the City's performance of the Revenue Bonds (the "Security Agreement").

Section 9. The City Treasurer is authorized to approve, execute and deliver, in the name of and on behalf of the City, such other agreements, security agreements, assignments, instruments, documents and certificates, including title insurance, as the City Treasurer determines are necessary and proper to carry out (i) the completion and financing of the Project and (ii) the execution, sale, and delivery by the City of the Revenue Bonds (the "Bond Documents"), which Bond Documents shall be in such form and contain such terms, provisions, and conditions, not inconsistent herewith, as may be approved by the City Treasurer such approval to be conclusively evidenced by his execution thereof.

Section 10. The City Manager, City Treasurer, Mayor and Clerk are authorized in the name of and on behalf of the City to do or cause to be done all such other acts and things as may be necessary or desirable in order to effect the completion of the Project and the issuance, sale and delivery of the Revenue Bonds.

Section 11. If the City Treasurer, Mayor or Clerk are for any reason unavailable to approve and execute the Revenue Bonds or any of the Bond Documents, the person or persons then acting in any such capacity whether as an assistant, a deputy, as the "acting" official or otherwise, are each individually authorized to act for such official with the same force and effect as if such official had herself or himself performed such act.

Section 12. If any of the officers or officials of the City who have signed or sealed the Revenue Bonds shall cease to be such officers or officials before the Revenue Bonds so signed and sealed shall have been actually authenticated or delivered by the City, such Revenue Bonds nevertheless may be authenticated, issued, and delivered with the same force and effect as though the person or persons who signed or sealed such Revenue Bonds had not ceased to be such officer or official; and also any such Revenue Bonds may be signed and sealed on behalf of the City by those persons who, at the actual date of the execution of such Revenue Bonds, shall be the proper officers and officials of the City, although at the nominal date of such Revenue Bonds any such person shall not have been such officer or official.

Section 13. All prior actions of the City Manager or City Treasurer taken with respect to the Project be and hereby are ratified, approved and confirmed.

Section 14. During the term of the Revenue Bonds, all authority granted pursuant to this Order shall be, remain and continue, in full force and effect without the necessity of any further action of the City Council.

Section 15. The City Manager is authorized to execute and deliver from time to time one or more Management Agreements on such terms and conditions as the City Manager shall determine, for the operation of all or such portion or portions of the Arena as the City Manager shall determine.

Section 16. The City Manager is authorized to execute and deliver from time to time one or more leases on such terms and conditions as the City Manager shall determine for the lease of such portion or portions of the Arena as the City Manager shall determine, including a lease of a portion of the Arena for use as a shop for the sale and servicing of ice skating and ice hockey equipment.

Section 17. The provisions of this Order shall take effect immediately.

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

Vote: Unanimous.

Appointment:

IN BOARD OF CITY COUNCIL...NOVEMBER 20, 2018

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby appoint:

**Carolyn Southwick
16 Congress Street
Ward 4**

to the *Biddeford Police Advisory Committee*, for a term to expire in December 2022.

Motion by Councilor Ready, seconded by Councilor Belanger to confirm the appointment.

Vote: Unanimous.

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

There were no public comments.

There was no City Manager Report.

Other Business:

Councilor Swanton: reminded folks that this Thursday, which is Thanksgiving, there will be no trash and recycling pickup. Pick up for those who typically have Thursday pickup has been scheduled for Saturday, November 24th. Also, folks will not be required to use the PAYT bags from Friday, November 23rd through Wednesday, November 28th.

Councilor Clearwater: noted that a snow parking ban has been set for this evening, starting at 8:00 p.m. She is concerned that this is too early for the downtown businesses that are open past 8:00 p.m. City Manager, Jim Bennett explained that there are a couple of different kinds of snow parking bans: (1) during or just after an actual snow event for plowing of the streets; and (2) for snow removal on sidewalks and other places where snow has been piled. Snow event bans are dictated by the timing of the snowstorm; while snow removal bans are more flexible and are set to work around the hours of the downtown businesses.

Councilor McCurry: thinks that the City needs to come up with a more consistent process of scheduling parking bans. For example, should there be a set amount of snow accumulated before a parking ban is scheduled?

Councilor McCurry noted that last night's Public Meeting was very well attended and that Councilor Belanger did an excellent job mediating the meeting. He understands that it's unfortunate that the City will not please everyone with the new parking management plan; however, the City needs to be open to looking at different options.

Councilor Ready: let the rest of the Council know that the City Manager will be providing the Council with information on the possibility of selling the City-owned parking lots.

Councilor Lessard: feels that last night's Public Meeting was a great opportunity to see just how those types of meetings should be run. He commended Council Belanger for the nice job he did mediating the meeting.

Councilor Lessard shared that he recently drove by Waterhouse Field and commended all who were involved with that project on the fantastic job that was done to get the field ready for this year's Fall sports. That said, he would really like to see improvement projects also done at St. Louis Field, which he feels is the most used playing field in the City. He plans to bring this up during the upcoming budget season.

Council President Addressing the Council: Councilor McCurry wished everyone a Happy Thanksgiving and urged all to be safe.

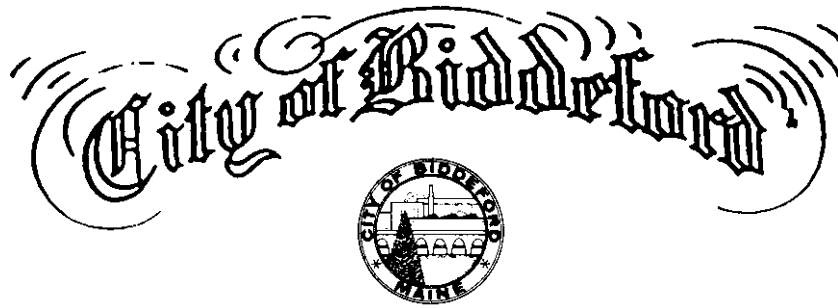
Mayor Addressing the Council: Mayor Casavant shared that yesterday, he entertained visitors from Quebec. They were very impressed with our City and especially liked the holiday lights in the downtown. He thanked all who were involved in putting up the lights this year.

Mayor Casavant wished everyone a Happy Thanksgiving.

Motion by Councilor McCurry, seconded by Councilor Clearwater to adjourn.
Vote: Unanimous. Time: 7:24 p.m.

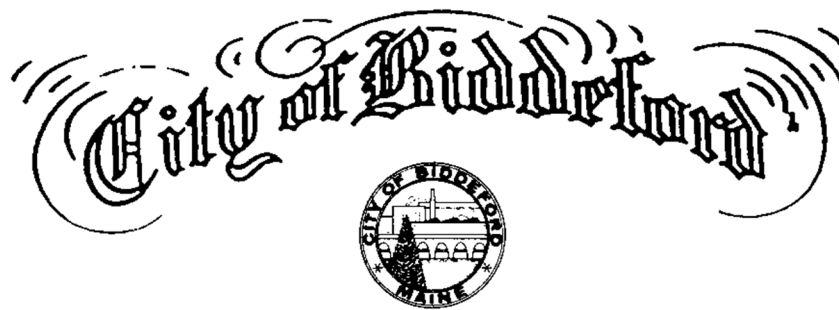
Attest by: _____
Carmen J. Morris, City Clerk

2018.137 **IN BOARD OF CITY COUNCIL...DECEMBER 4, 2018**
ORDERED, that the Biddeford Municipal Officers do hereby designate the Planning Board as the Comprehensive Plan *Planning Committee* in accordance with 30-A M.R.S. § 4324.



2018.138 **IN BOARD OF CITY COUNCIL..DECEMBER 4, 2018**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby
RESCIND Order 2018.83, which was for the authorization of a One Ton Dump Truck
with Plow from O'Connor Motor Sales. {The amount approved was not to exceed
\$51,466.00}

NOTE: O'Connor Motor Sales informed the City that GM stopped the production of the
style truck that had originally been bid on and approved.



2018.83

IN BOARD OF CITY COUNCIL.....AUGUST 7, 2018

BE IT ORDERED, that the City Manager be authorized to purchase a 2019 GMC One-Ton truck as per bid of July 27, 2018 (the "Equipment") from O'Connor Motor Sales (the "Vendor") and may pay the Vendor an amount not to exceed \$51,466.00 (before discounts valued at \$8,608.00) 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 \$51,466.00;
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 \$51,466.00, (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 Finance Committee will review this item on August 6, 2018 and vote to recommend it to the City Council for approval. The purchase of this item is included in the FY19 CIP budget

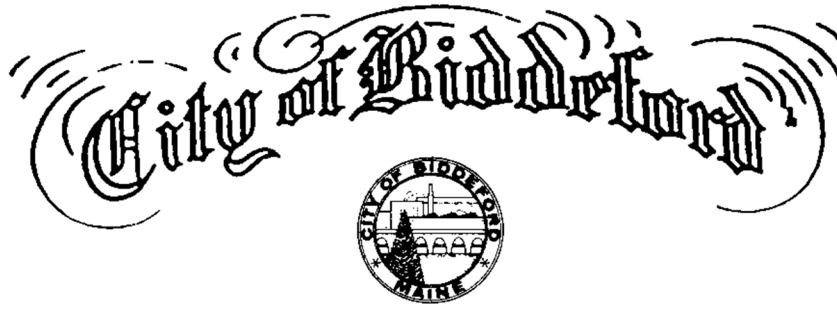
August 7, 2018

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

Vote: Unanimous.

Attest by: _____

Carmen J. Morris, City Clerk



REVISED ORDER

2018.139

IN BOARD OF CITY COUNCIL.....DECEMBER 4, 2018

BE IT ORDERED, that the City Manager be authorized to purchase a 2019 Ford F-350 dump truck as per bid of December 4, 2018 (the "Equipment") from Arundel Ford (the "Vendor") and may pay the Vendor an amount not to exceed \$50,800.00 (before discounts valued at \$5,000.00) 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 \$50,800.00;
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 \$50,800.00, (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.

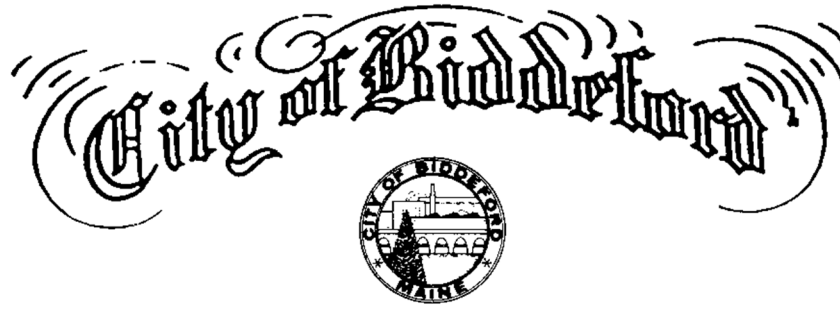
NOTE: The Finance Committee will review this item on December 4, 2018 and vote to recommend it to the City Council for approval. The purchase of this item is included in the FY19 CIP budget.

REVISED BIDS MEMO

Approval to purchase a 4x4 1-Ton dump Truck

We had approval to purchase a new 1-ton dump truck for the Parks Division on August 7, 2018 from O'Connor motors. We were informed that GM has stopped production on these style trucks, so the dealer has been trying to get us a truck from other dealers and failed. I called the next lowest bidder which was Arundel Ford to see if he would still honor his bid and he couldn't because they closed all the orders for the 2018 models. Arundel Ford has quoted a new 2019 that meets all of our specification this truck will cost \$2,038.00 more than their original bid. We are asking for approval to purchase the truck from Arundel Ford in the amount of \$45,800.00 with trade, this truck was approved in the FY19 CIP budget line item 21204-60925 as a lease.

Approved bid from O'Connor	\$51,466.00
Trade:	\$8,608.00
Total:	\$42,858.00
Original bid from Arundel Ford	\$50,692.00
Trade:	\$7,000.00
Total:	\$43,692.00
New price from Arundel Ford	\$50,800.00
Trade:	\$5,000.00
Total:	\$45,800.00



2018.139

IN BOARD OF CITY COUNCIL.....DECEMBER 4, 2018

BE IT ORDERED, that the City Manager be authorized to purchase a 2018 Ford F-350 dump truck as per bid of July 27, 2018 (the "Equipment") from Arundel Ford (the "Vendor") and may pay the Vendor an amount not to exceed \$50,762.00 (before discounts valued at \$7,000.00) 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 \$50,762.00;
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 \$50,762.00, (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.

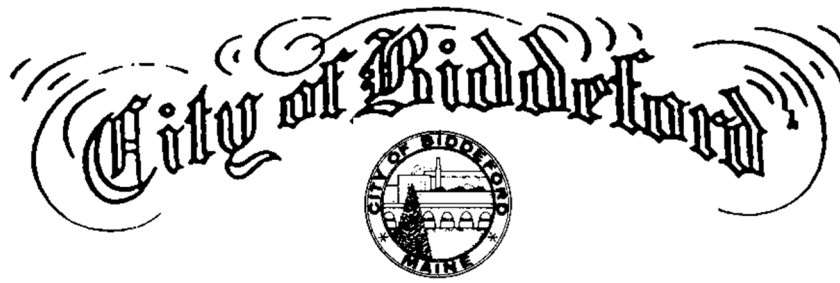
NOTE: The Finance Committee will review this item on December 4, 2018 and vote to recommend it to the City Council for approval. The purchase of this item is included in the FY19 CIP budget

Approval to purchase a 4x4 1-Ton dump Truck

We had approval to purchase a new 1-ton dump truck for the Parks Division on August 7, 2018 from O'Connor motors. We were informed that GM has stopped production on these style trucks, so the dealer has been trying to get us a truck from other dealers and failed. I called the next lowest bidder which was Arundel Ford to see if he would still honor his bid and he couldn't because they closed all the orders for the 2018 models. They have a chassis in stock that meets our specification except for the color and the dump body that would be Galvannealed steel instead of Stainless. He will still give us \$7,000.00 for the trade and can have it done in 3 weeks, the truck will cost \$904.00 more than the approved low bid from O'Connor and \$70.00 more than his original bid. We asking for approval to purchase the truck from Arundel Ford in the amount of \$43,762.00 with trade, this truck was approved in the FY19 CIP budget line item 21204-60925as a lease.

Approved bid from O'Connor	\$42,858.00 with trade
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Stocked truck from Arundel Ford	\$43,762.00 with trade
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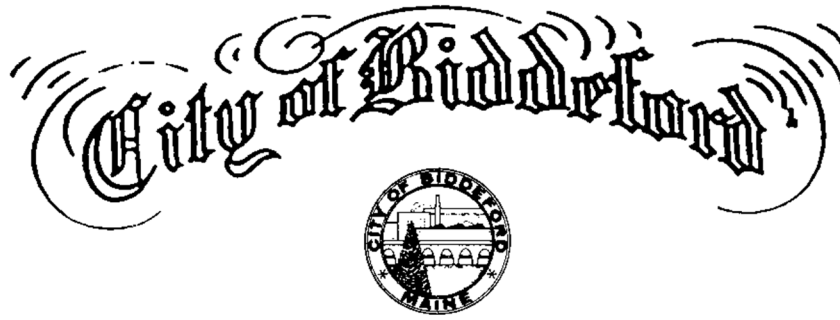
2018.140

IN BOARD OF CITY COUNCIL...DECEMBER 4, 2018

BE IT ORDERED, by the City Council of the City of Biddeford that the following fee structure be adopted for the municipal lots designated as Alfred Street Parking Lot, Downtown Parking Lot, Franklin Street Parking Lot, Federal Street Parking Lot, Foss Street Parking Lot, Gas House Parking Lot, Washington Street Parking Lot, and Wastewater Parking Lot to be programmed into parking permit kiosks as follows:

<u>Implementation</u>	<u>05/01/19</u>	<u>11/01/18</u>
Short-term hourly rate:	\$ 2.00/hour	\$ 1.00/hour
Long-term (Mon-Fri. 7:00 a.m. to 6:00 p.m.):	\$ 50.00/month	\$30.00/month
Long-term (6:00 p.m. to 7:00 a.m. – all day Sat/Sun):	\$ 35.00/month	\$20.00/month
Long-term (24/7):	\$ 65.00/month	\$40.00/month
Winter Parking Ban	\$ 5.00/storm	\$ 2.00/storm
<u>Dedicated Parking Space</u>	<u>\$100.00/month</u>	<u>\$75.00/month</u>

NOTE: The Downtown Committee reviewed this Order and voted to recommend passage by the City Council.



2018.141

IN BOARD OF CITY COUNCIL...DECEMBER 4, 2018

BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Appendix A – Rules of the City Council, is amended by adding or ~~deleting~~ to read as follows:

Sec. A-5 Rule 5: Committees.

- a. The following shall be the standing committees of the City Council: Personnel; Capital Projects/Operations; Policy; Finance; Public Safety; and Downtown Committee.
[Amended 8-19-2014 by Ord. No. 2014.79]
- b. (Reserved)^[1]
[1] *Editor's Note: Former Subsection b, which provided for the establishment of the Finance Committee was repealed 2-4-2014 by Ord. No. 2014.10. For current provisions, see now Subsection a. Prior provisions setting forth the composition for the Coordinating Committee, were repealed 11-4-2010 by Ord. No. 2010.118.*
- c. The Capital Projects/Operations and Policy Committees shall consist of a chairperson, two Council members and two citizens. The two citizen members shall be appointed by the Mayor and confirmed by the Council. No citizen member may be a chairperson.
[Amended 2-4-2014 by Ord. No. 2014.10]
- d. The Personnel Committee shall consist of a chairperson who shall be a City Councilor and three Council members. There shall be no citizen members on the personnel committee.
- e. The Downtown Committee shall consist of ~~the mayor, four~~ **five** councilors, and a member of the Downtown Development Commission. The Downtown Development Commission member shall serve as a non-voting member except in the absence of a full time voting member. A chairperson shall be selected from the voting members.
- f. (Reserved)^[2]
[2] *Editor's Note: Former Subsection e, regarding the membership of the Public Safety Committee, was repealed 3-21-2017 by Ord. No. 2017.27.*
- g. The Council committees are subagents of the full Council which is the sole governing body of the City of Biddeford. The committees are delegated various functions by the full Council and are to provide recommendations upon which the full Council will act except where otherwise specified. The committees will examine the appropriate subject matter before them, collect the facts pertaining thereto and make a report which will recommend what action, if any, should be taken by the full Council. Additionally, each committee may take whatever action specifically authorized by the Charter, ordinance, or state law.
- h. In general, the committees shall have the following subject matter before them:

(1) ^[3]Finance Committee. The duties of the Finance Committee are set forth in the City Charter.
[3] *Editor's Note: Former Subsection f(1), Coordinating Committee, was repealed 11-4-2010 by Ord. No. 2010.118.*

(2) Personnel Committee. The Personnel Committee will investigate matters pertaining to employment matters with the City of Biddeford. It shall review the salaries of department heads and the City Manager. In the event of a termination hearing, for cause, it shall serve as a fair hearing authority before whom an impartial hearing shall take place involving the subject municipal employee.
[Amended 2-4-2014 by Ord. No. 2014.10; 1-5-2016 by Ord. No. 2016.2]

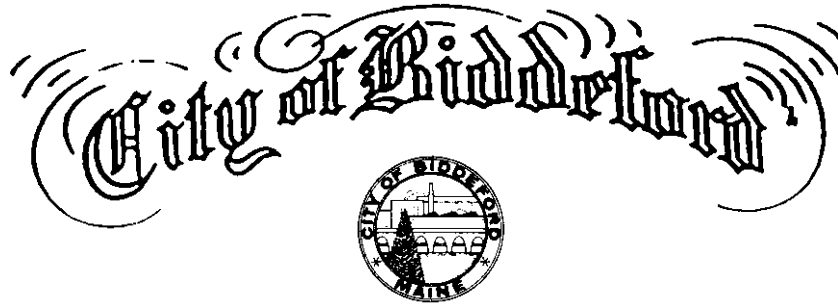
(3) Capital Projects/Operations Committee. The Capital Projects/Operations Committee shall establish a five-year plan for implementation of major capital improvements in the City. It shall review matters involving the Public Works Director, Public Works Department and public property issues. This committee shall review the City's claims issues, insurance issues, making appropriate recommendations to the full Council when necessary. It shall coordinate with the Capital Projects Committee when necessary if issues involve the use of capital improvements within the City.
[Amended 1-5-2016 by Ord. No. 2016.2]

(4) Policy Committee. The Policy Committee shall be responsible for establishing and recommending ordinance language, Code revisions, (except for Chapter 42, Motor Vehicles and Traffic, and all other matters and ordinances that relate to Public Safety) and City policy to the full Council. The Policy Committee shall coordinate with the City Planner and the Code Enforcement Officer regarding the amendment, establishment and/or update of the City's land use ordinances.^[4]
[Amended 8-19-2014 by Ord. No. 2014.79]

[4] *Editor's Note: Former Subsection g(5), Public Safety Committee, which immediately followed, was repealed 3-21-2017 by Ord. No. 2017.27.*

(5) Downtown Committee. The Downtown Committee shall be responsible for reviewing matters affecting the City of Biddeford's downtown, including but not limited to, downtown improvement initiatives, collaborating with external agencies and businesses on downtown improvement projects, all minor garage design feature decisions, and is delegated as the Parking Authority with powers limited to those defined in Sec 42-8.

- i. Each committee meeting is a public proceeding as defined in 1 M.R.S.A. § 402(2). Each committee may hold executive sessions pursuant to the conditions and limitations expressed in 1 M.R.S.A. § 405. Should a committee vote, in public, to proceed into executive session, only those members of the committee shall be present in the executive session.

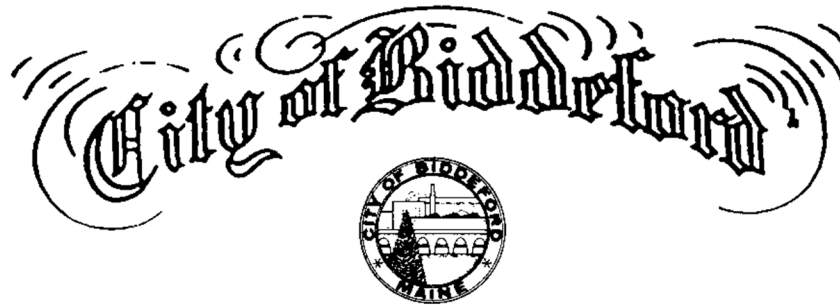


2018.142

IN BOARD OF CITY COUNCIL..DECEMBER 4, 2018

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the closure of City Hall on December 24, 2018 from 8:00 a.m. to noon. All affected employees will be expected to use earned time for the four hours.

NOTE: City Hall is typically only open on Christmas Eve for half a day (8:00 a.m. to noon).



IN BOARD OF CITY COUNCIL...DECEMBER 4, 2018
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby
re-appoint:

Thomas Bryand
456 Pool Street
Ward 1

to the *Airport Commission*, for a term to expire in December 2021.

CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date: _____

Name: _____

Street Address: _____

Mailing Address:
(if different) _____

Phone Number(s): _____

Email Address: _____

Which City Committee, Board or Commission do you request to be appointed to:

- | | |
|---|---|
| _____ • Airport Commission | _____ • Harbor Commission |
| _____ • Biddeford Fire Advisory Committee | _____ • Historic Preservation Commission |
| _____ • Biddeford Housing Authority | _____ • Planning Board |
| _____ • Biddeford Police Advisory Committee | _____ • Policy Committee |
| _____ • Board of Assessment Review | _____ • Project Canopy Committee |
| _____ • Cable T.V. Committee | _____ • Recreation Commission |
| _____ • Capital Projects Committee | _____ • Shellfish Conservation Committee |
| _____ • Conservation Commission | _____ • Solid Waste Management Commission |
| _____ • Downtown Development Commission | _____ • Wastewater Management Commission |
| _____ • Economic Improvement Commission | _____ • Zoning Board of Appeals |

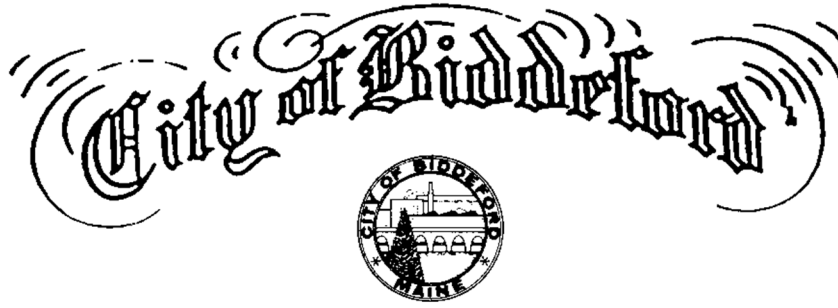
CITY OF BIDDEFORD
Committee Application

Please list any prior experience serving on any Public Boards, Commissions or Committees (and approximate dates)

Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on.

Please provide a brief statement describing your interest in serving the City of Biddeford.

Attach any additional information to this application and return it to the City Clerk's Office.



IN BOARD OF CITY COUNCIL...DECEMBER 4, 2018
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby
re-designate:

Councilor Amy Clearwater

to a full voting member on the *Downtown Committee*.