

**COUNCIL MEETING
NOVEMBER 21, 2017**

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

Roll Call: Michael Swanton, John McCurry, Jr., Stephen St. Cyr, Robert Quattrone, Jr., Victoria Foley, Norman Belanger, Laura Seaver, Marc Lessard

Michael Ready was excused.

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

Adjustment to the Agenda:

- Remove Order 2017.125) Approval/Purchase of Body Cameras/Biddeford Police Dept.

Proclamation: Small Business Saturday

Mayor Casavant read the proclamation. The proclamation has been forwarded to the National Small Business Saturday Coalition.

Game of Chance Application: AMVETS, Post #1

Motion by Councilor McCurry, seconded by Councilor Lessard to recommend issuance of the Game of Chance license to AMVETS, Post #1.

Vote: Unanimous.

Public Hearing: Liquor License Application – Redo, LLC dba Mulligan’s

The Chair opened the Public Hearing at 6:02 p.m.

There were no public comments.

The Public Hearing was closed at 6:02 p.m.

Consideration of Liquor License Application: Redo, LLC dba Mulligan’s

Motion by Councilor McCurry, seconded by Councilor Swanton to recommend issuance of the liquor license to Redo, LLC dba Mulligan’s.

Vote: Unanimous.

Consideration of Minutes: November 9, 2017

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

Vote: Unanimous.

Orders of the Day:

2017.124 IN BOARD OF CITY COUNCIL... NOVEMBER 21, 2017

BE IT ORDERED, that City Manager, James Bennett’s appointment of **Matthew Eddy** as the Economic & Community Development Director for the City of Biddeford, be confirmed.

Motion by Councilor McCurry, seconded by Councilor Seaver to confirm the appointment.

Vote: Unanimous.

2017.114 IN BOARD OF CITY COUNCIL..OCTOBER 17, 2017

BE IT ORDERED that the City Council does hereby request the Planning Board to conduct a Public Hearing and make recommendations to the City Council regarding proposed amendments to the Zoning Ordinance as outlined below.

Part III (Land Development Regulations), Article V (Establishment of Zones), Table B (Dimensional Requirements):

Zoning District	Minimum Lot Size, Square Feet Per Unit A			
	Water and Sewer	Water, No Sewer	Sewer, No Water	Neither Water Nor Sewer
MSRD-2	2,000 <u>B</u>	N/A	N/A	N/A

B. (Reserved)In order to promote higher quality housing facilities and condominium forms of housing in certain Zoning Districts and/or areas the minimum density requirements may be relaxed as follows:

1. Redevelopment of rental housing:

- a. Prior to the effective date of this amendment, and thereafter each new fiscal year, no later than August 15 of that fiscal year, the City Assessor shall determine the median quality grade rating (e.g., “Average”, “Average +10”, “Good”, etc.) for the applicable zoning district.
- b. If a property is proposed for redevelopment/renovation and is currently at or below the established fiscal year quality grade rating according to the City Assessor’s records and it will be redeveloped/renovated in such a manner as to bring the quality grade rating above the established median, the minimum density shall be based on one (1) residential unit for every six-hundred and fifty (650) square feet of existing “living space” as defined on the City Assessing Department’s current tax records.
- c. In order to receive this density bonus, an applicant must provide complete redevelopment/renovation plans to the Code Enforcement Officer who will in turn coordinate the review of such plans with the City Assessor. Prior to the Code Enforcement Officer allowing the density bonus, the City Assessor shall certify in writing that the redevelopment/renovation project presented will result in a quality grade rating above the established median when complete. If the project is provided a density bonus the Code Enforcement Officer shall document the allowable density and number of units in writing for the Code Enforcement Office files.
- d. An applicant provided a density bonus for rental housing shall enter into a contractual agreement with the City of Biddeford obligating them to complete the project as certified resulting in a quality grade rating above the established median in return for receiving the density bonus. The contractual agreement shall be recorded at the York County Registry of Deeds, a copy of which provided to the Code Enforcement Office, prior to the issuance of any building permits.
- e. At the completion of the project and prior to the issuance of any Occupancy Permits the City Assessor shall certify in writing that the project was substantially completed as originally certified and that the facility is now classified as having a grade rating above the established median.

2. Condominium conversions/development:

- a. If a property is proposed for redevelopment/renovation into condominiums the minimum density shall be based on one (1) residential unit for every six-hundred and fifty (650) square feet of existing “living space” as defined on the City Assessing Department’s current tax records.
- b. An applicant provided a density bonus for condominiums shall enter into a contractual agreement with the City of Biddeford obligating them to complete the project as condominiums to be offered for sale upon or before completion of the project in return for receiving the density bonus. The contractual agreement shall be recorded at the York County Registry of Deeds, a copy of which provided to the Code Enforcement Office, prior to the issuance of any building permits.

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

Vote: Unanimous.

Motion by Councilor Foley, seconded by Councilor Seaver to grant the order.

Vote: Unanimous.

2017.126

IN BOARD OF CITY COUNCIL..NOVEMBER 21, 2017

A resolution of the City Council of the City of Biddeford expressing support for the Federal Historic Tax Credit program.

WHEREAS, The federal Historic Tax Credit program (HTC) as we know it today was put in place by Congress and the Reagan Administration to attract capital to historic rehabilitation projects that help stimulate local economies; and

WHEREAS, Since the inception of the HTC, it has created over 2.4 million jobs, rehabilitated more than 42,000 historic buildings, and leveraged \$131.8 billion in private investment; and

WHEREAS, Federal HTC projects have a 99 percent success rate, leverage up to four private dollars for every dollar of federal support, and are catalytic, building neighborhood confidence and generating follow-on projects for blocks around; and

WHEREAS, In addition to revitalizing communities and spurring economic growth, the HTC returns more to the Treasury than it costs with the Treasury receiving \$1.20-\$1.25 in tax revenue for every dollar invested; and

WHEREAS, Over the life of this program, the HTC has generated \$29.8 billion in federal tax revenues compared to \$25.2 billion in credits allocated – more than paying for itself; and

WHEREAS, Recognizing the importance of this successful federal economic development program, more than 30 states – including Maine – have enacted complementary state historic tax credit programs to help revitalize the commercial downtowns of their cities and Main Street communities; and

WHEREAS, Over 40 percent of projects financed in the last 15 years are located in communities of less than 25,000; and

WHEREAS, In Biddeford, over \$40 million has been invested in rehabilitating and restoring historic properties and buildings in the last 10 years that involved the use of the HTC; and

WHEREAS, The HTC has benefited the City of Biddeford's Downtown by making historic preservation projects possible, including the 265 Main Street, Emery School, Mission Hill, the Mill at Saco Falls, and the Lofts at Saco Falls; and

WHEREAS, Other projects currently underway in Downtown Biddeford would not be possible without the HTC and represent an additional investment of approximately \$50 million; and

WHEREAS, Across historic Biddeford, numerous other buildings and their surrounding neighborhoods stand to benefit from rehabilitation projects that would depend on securing HTC support to leverage private investment; and

WHEREAS, The proposed budget from the Trump Administration includes cutting this vital program;

NOW THEREFORE BE IT RESOLVED: That the Biddeford City Council in due regular and legal session convened expresses its support of the federal Historic Tax Credit program and urges the President of the United States and the United States Congress to continue the federal Historic Tax Credit program.

Motion by Councilor McCurry, seconded by Councilor Lessard to grant the resolution.
Vote: Unanimous.

2017.127 **IN BOARD OF CITY COUNCIL ... NOVEMBER 21, 2017**

BE IT ORDERED, pursuant to Chapter 62, Section 101 of the Code of Ordinances, the City Council of the City of Biddeford does hereby waive the following requirements for Crickett Lane Off Buzzell Road, for purposes of their pending subdivision review by the Planning Board and for future consideration of the acceptance of Crickett Lane, as a public street.

1. Waive the requirements for a 5 foot sidewalk. Instead the developer will construct a 3-foot paved walkway as indicated on the submitted Planning Board Preliminary Subdivision Plans.
2. Install striping to define the 3 foot sidewalk and to install signage to depict the sidewalk/street separation line.

NOTE: The Capital Projects Committee discussed this item on November 9, 2017 and voted to send the waiver requests to the full City Council for consideration.

Motion by Councilor Foley, seconded by Councilor Quattrone to grant the order.

Vote: 5/3; Councilors Lessard, McCurry and St. Cyr opposed.

Councilors Swanton, Quattrone, Foley, Belanger and Seaver in favor.

Motion carries.

2017.128 IN BOARD OF CITY COUNCIL..NOVEMBER 21, 2017

BE IT RESOLVED by the City Council of the City of Biddeford as follows:

That the City of Biddeford join with other participating municipal and quasi-municipal employers in a Multiple Employer Welfare Arrangement for the provision of employees health benefits, as authorized by 24-A M.R.S.A. § 6601 et seq., said Arrangement to be known as the “Maine Municipal Employees Health Trust” (Health Trust): and for that purpose and in consideration of the mutual covenants and agreements among the participating employers, to authorize the City Manager to enter into a Participation Agreement on behalf of the City and take whatever other actions may be necessary. The authority granted herein shall remain until revoked.

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

Motion by Councilor Seaver, seconded by Councilor Lessard to table the order until the Fire Department Union has signed off on the change in insurance company/policy.

Vote: 2/6; Councilors Seaver and Lessard in favor.

Councilors Swanton, McCurry, St. Cyr, Quattrone, Foley and Belanger opposed.

Motion to table fails.

Vote on order: 7/1; Councilor Lessard opposed.

Councilors Swanton, McCurry, St. Cyr, Quattrone, Foley, Belanger and Seaver in favor.

Motion carries.

City Manager Report:

City Manager, James Bennett gave the following report:

- 1) He reminded citizens that per City ordinance, overflow trash may be placed outside of the trash container and not in the PAYT bags. This waiver of the use of PAYT bags will be from Friday, November 24th through Thursday, November 30th.
- 2) He also noted that the Recycling Center is open on all the Sundays during the month of November.
- 3) The newly purchased bus for the Senior Center was brought to City Hall this afternoon so that the Councilors could see it.
- 4) He suggested that the City may want to look into instituting a fee to developers who want to request sidewalk waivers. He will have Staff take a look into that.
- 5) He reminded folks that while most of us will be enjoying time off and time with our families over the Thanksgiving weekend, our City emergency personnel will be on duty and ready to serve.

Public Addressing the Council...(3 minute limit per speaker; 30 minute total time limit):

One citizen offered his comments to the Council.

Other Business:

Councilor Lessard: is glad to hear the reminder about the solid waste policy for the holidays and the extended hours at the Recycling Center during the month of November.

Councilor Lessard shared that he, Mayor Casavant and Jim Bennett attended and were a part of the Maine Development Leadership Group that held classes in Biddeford last Friday. He felt this was a great opportunity to showcase the City and all the improvements that have taken place over the past few years.

Council President Addressing the Council: Councilor McCurry noted that tonight’s council meeting is the last one in this administration’s term; and he is looking forward to the next two years with the same group of Councilors. He also wished everyone a Happy Thanksgiving.

Mayor Addressing the Council: Mayor Casavant asked the Councilors to get their committee preferences to him within the next week since he will be making the appointments at the December 19th council meeting.

Mayor Casavant announced that he will be forming an Ad Hoc Committee to come up with recommendations for the J. Richard Martin Community Center. He asked that any citizen who is interested in serving on this committee please contact him.

The first WinterFest planning meeting was held and he is seeking volunteers for this season's event. Again, he urged folks to contact him if they are interested in helping out with the 2018 WinterFest.

He noted that the downtown holiday lights look really good and thanked those who were involved in putting them up.

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

Vote: Unanimous.

Time: 7:12 p.m.

Attest by: _____
Carmen J. Morris, City Clerk