

**COUNCIL MEETING
NOVEMBER 1, 2016**

Mayor Casavant called the meeting to order at 6:09 p.m.

Roll Call: Michael Swanton, John McCurry, Jr., Stephen St. Cyr, Robert Quattrone, Jr., Bob Mills, Rick Laverriere, Michael Ready, Laura Seaver, Marc Lessard

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

Mayor Casavant asked that a moment of silence be observed for Linwood “Jake” Mulligan, who recently passed away. Mr. Mulligan was a driving force behind the local Veterans groups.

There were no adjustments to the agenda.

Proclamation: Small Business Saturday

Mayor Casavant read the proclamation.

Update: Refinancing of General Obligation Bonds

Finance Director, Michael Wilson presented information regarding the savings that will occur over the next 15 or so years by refinancing the City and School general obligation bonds.

Consideration of Minutes: October 18, 2016

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

Vote: Unanimous.

Second Reading:

{For a copy of the ordinance amendment and first reading, see the Council Meeting minutes of October 18, 2016}

**2016.96) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-100-Disability Parking/
Various Amendments**

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

Vote: Unanimous.

Orders of the Day:

2016.97

IN BOARD OF CITY COUNCIL...NOVEMBER 1, 2016

BE IT ORDERED, that the City Manager be authorized to sell by sealed bid process the following tax acquired non-single family properties:

Off of West Street, Map 4, Lot 16-3 (vacant land)
587 South Street, Map 1, Lot 19 (vacant land)
223 River Road, Map 6, Lot 14-2 (vacant land)
46 Meetinghouse Road, Map 9, Lot 37 (vacant land)
9 Joshua Drive, Map 80, Lot 27 (vacant land)
8 Piersons Lane, Map 41, Lot 126 (land and building)

NOTE: The Finance Committee reviewed this item on November 1, 2016, and voted to recommend it to the City Council for approval.

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

Vote: Unanimous.

2016.98

IN BOARD OF CITY COUNCIL...NOVEMBER 1, 2016

BE IT ORDERED, that the City Manager be authorized to purchase one (1) 50,000 lbs. trailer as per bid of October 24, 2016 (the “Equipment”) from Nortrax Equipment (the “Vendor”) and may pay the Vendor an amount not to exceed \$29,050.00 (before trade-in valued at \$6,000.00) 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 \$29,050.00;
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 \$29,050.00, (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 1, 2016 and vote to recommend it to the City Council for approval. The lease-purchase of this item is included in the FY17 CIP budget for Public Works, with a down payment of \$4,000.00.

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

2016.99 **IN BOARD OF CITY COUNCIL..NOVEMBER 1, 2016**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager, on behalf of the City of Biddeford, to enter into an agreement with LaKermesse Franco-Americaine.
Motion by Councilor McCurry, seconded by Councilor Ready to grant the order.

Motion by Councilor Ready, seconded by Councilor McCurry to amend Section 6 of the Agreement, as follows:
Any exception must be specifically authorized by the City Council and a license issued by the State of Maine Bureau of Alcoholic Beverages.
Vote on amendment: Unanimous.

Motion by Councilor Lessard, seconded by Councilor Mills to amend Section 1 of the Agreement, as follows:
The City of Biddeford authorizes LaKermesse Franco-Americaine to have exclusive use of part of St. Louis Field for the purpose of holding the LaKermesse Festival.
Vote on amendment: Unanimous.

Motion by Councilor Lessard, seconded by Councilor Mills to amend Section 9 of the Agreement by changing the term of the Agreement from five years to two years.
Vote on amendment: 2/7; Councilors Lessard and Mills in favor.
Councilors Swanton, McCurry, St. Cyr, Quattrone, Laverriere, Ready and Seaver opposed.
Amendment fails.

Vote on Agreement, as amended; 7/2: Councilors Lessard and Mills opposed.
Councilors Swanton, McCurry, St. Cyr, Quattrone, Laverriere, Ready and Seaver in favor.
Motion carries.

2016.100 **IN BOARD OF CITY COUNCIL..NOVEMBER 1, 2016**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve a “blanket letter of approval” for the renewals of State Beano/Bingo applications and State Game of Chance applications for all applicable local organizations, to cover the calendar year of 2017.

NOTE: This Blanket Letter of Approval eliminates the need to obtain Councilors' signatures each time an application is filed with the City Clerk. However, the City Council still needs to consider and approve each application.

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

Vote: Unanimous.

City Manager Report

City Manager, James Bennett made the following notes:

- By the end of this week, there will be some changes to the City's website. One of the major changes will be the inclusion of an "Open Government" option, which is set up to promote more transparency.
- Per Police Chief Roger Beaupre, there is currently a Facebook page titled "Maine Police and Fire Alerts." Chief Beaupre cautions that the information on this Facebook page is erroneous and cannot be trusted. He urges folks to prescribe to his weekly newsletter for up-to-date police and fire department information.
- The Finance Committee approved the purchase of mobile devices and tablets for the Codes Office personnel, which will enable them to process citations, reports, etc while in the field.

Other Business:

Councilor Lessard: reminded folks that a week from today is Election Day; and he urged folks to get out and vote – especially on all of the City's Charter questions.

Councilor Laverriere: asked what is going on with the issue of newspapers being left in driveways and roadways. He was informed that the Policy Committee will be discussing this item at their November 14th meeting.

Councilor Mills: announced that on Friday, November 11th there will be a Veterans' Day Parade, which begins at 10:00 a.m. in Saco and ends in Biddeford.

Councilor Swanton: noted that the School Department held a meeting last week which included discussion on the needed renovations and improvements at Waterhouse Field, as well as the field across the street from the High School. He stated that the Waterhouse Field renovations are in dire need and the City is going to have to make a decision in the very near future, which will undoubtedly be a cost to the citizens.

Councilor McCurry: asked the Mayor to address the issue of the lack of attendance of School Committee subcommittee members to regular meetings.

Councilor McCurry asked if the City licenses Uber like we do taxi companies. The City Manager answered that Uber is not treated the same as taxi companies; and he went on to say that this is an issued that is being dealt with across the country. Uber has threatened to not service any community that attempts to put regulations on them.

Councilor Ready: reminded folks that on all Sundays in November, the Public Works facility will be open – including the recycling, large item container and leaf/brush drop off.

Councilor Ready reiterated that the Policy Committee will be considering ordinance language that has been drafted by the City Manger and City Attorney on the issue of newspapers being left in driveways and roadways. He also intends to keep Saco informed of what Biddeford proposes to do in an effort to have consistent local laws on this issue.

Councilor Seaver: noted that she assisted a constituent to navigate the City's website to find the information on the proposed Charter questions.

Council President Addressing the Council: Councilor McCurry urged voters to get and vote next Tuesday. He also encourage folks to attend and get involved in the Waterhouse Field improvements efforts that are underway. Lastly, he reminded folks to turn their clocks back this weekend; as well as check their fire detectors and carbon monoxide detectors.

Mayor Addressing the Council: Mayor Casavant shared that the first 2017 WinterFest Committee meeting was held today. He encouraged all to get involved.

Executive Session: 1 MRSA 405(6)(C)..Real Estate Issue

Motion by Councilor McCurry, seconded by Councilor Lessard to move into Executive Session.
Vote: Unanimous. Time: 7:10 p.m.

Motion by Councilor Laverriere, seconded by Councilor McCurry to move out of Executive Session.
Vote: Unanimous. Time: 7:30 p.m.

Motion by Councilor Ready, seconded by Councilor Laverriere to adjourn.
Vote: Unanimous. Time: 7:30 p.m.

Attest by: _____
Carmen J. Morris, City Clerk