

**COUNCIL MEETING
OCTOBER 17, 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, Michael Ready, Laura Seaver, Marc Lessard

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

Adjustments to the Agenda:

- Add Appointment: Victoria Foley...Biddeford-Saco-Old Orchard Beach Transit Committee
- Add Executive Session: 1 MRSA 405(6)(E)..Consultation with Legal Counsel

Public Hearing: Rte 111-Mill Redevelopment Municipal Development & Tax Increment Financing District – Development Program “Seventh Amendment”

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 Minutes: **October 3, 2017**

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

Vote: Unanimous.

Orders of the Day:

2017.111

IN BOARD OF CITY COUNCIL..OCTOBER 17, 2017

WHEREAS, the City of Biddeford (the "City") is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to amend the Rte 111 – Mill Redevelopment Municipal Development and Tax Increment Financing District (the “District”) Development Program (as amended, the "Development Program"); and

WHEREAS, there is a need for economic development in the City of Biddeford, in the surrounding region, and in the State of Maine; and

WHEREAS, there is a need to improve and broaden the tax base of the City of Biddeford; and to improve the general economy of the City of Biddeford and the surrounding region; and

WHEREAS, implementation of the Development Program will help to improve and broaden the tax base in the City of Biddeford and improve the economy of the City of Biddeford and the region by attracting business development to the District; and

WHEREAS, there is a need to implement continued economic development initiatives in the District through the amendment of the Development Program in accordance with the provision of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended; and

WHEREAS, the City desires to amend the Development Program; and

WHEREAS, the City held a public hearing and voted to approve the seventh amendment to the Rte 111 – Mill Redevelopment Municipal Development and Tax Increment Financing District Development Program on October 17, 2017; and

WHEREAS, it is expected that approval will be obtained from the State of Maine Department of Economic and Community Development (the “Department”), approving this ***Seventh Amendment to the Rte 111 – Mill Redevelopment Municipal Development and Tax Increment Financing District Development Program***.

ORDERED AS FOLLOWS:

Section 1. The City of Biddeford hereby approves the Seventh Amendment to the Rte 111- Mill Redevelopment TIF District Development Program; such amendment to be pursuant to the following findings, terms, and provisions:

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

a. This amendment to the Development Program will not result in the District falling out of compliance with any of the conditions of 30-A M.R.S.A. Section 5223(3); and

b. The District and the Development Program will make a contribution to the economic growth and well being of the City of Biddeford and the surrounding region, and will contribute to the betterment of the health, welfare and safety of the inhabitants of the City of Biddeford, including a broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose. The City has considered all evidence, if any, presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined that such adverse economic effect on or detriment to any existing business, if any, is outweighed by the contribution expected to be made through the Seventh Amendment to the Development Program.

Section 3. Pursuant to the provisions of 30-A M.R.S.A. § 5227, the percentage of increased assessed value to be retained as captured assessed value in accordance with the Development Program is hereby established as set forth in the Development Program.

Section 4. The City Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the proposed Seventh Amendment to the Development Program for the District to the Department for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5226; and further is authorized to execute the credit enhancement agreement with the developer consistent with the Development Program as presented and approved herein, and to create accounts and take all the actions described in such agreement.

Section 5. The foregoing adoption of the Seventh Amendment to the Development Program for the District shall automatically become final and shall take full force and effect upon receipt by the City of approval of the by the Department, without requirement of further action by the City, the City Council, or any other party.

Section 6. The City Manager, or his duly appointed representative, is hereby authorized and empowered, at his discretion, from time to time, to make such revisions to the Seventh Amendment to the Development Program for the District as the City Manager deems reasonably necessary or convenient in order to facilitate the process for review and approval of the District by the Department, or for any other reason, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Development Program.

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

Vote: 8/1; Councilor Swanton opposed.

Councilors McCurry, St. Cyr, Quattrone, Foley, Belanger, Ready, Seaver and Lessard in favor.
Motion carries.

2017.112 IN BOARD OF CITY COUNCIL...OCTOBER 17, 2017

BE IT ORDERED that the Covenants governing properties located in the Alfred Road Business Park be amended as follows:

To adopt the following language under Part 4. BUILDING SET-BACK LINES provision to read:

4. **BUILDING SET-BACK LINES:** The front set-back for buildings shall be forty (40) feet from the street line; side and rear yard set-back to be twenty-five (25) feet from the boundary line **or as otherwise provided in the Biddeford Zoning Ordinance.**

Note: The highlighted area is the only proposed language amendment.

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

Vote: Unanimous.

2017.113 IN BOARD OF CITY COUNCIL..OCTOBER 17, 2017

BE IT ORDAINED by the City Council of Biddeford, Maine to amend the Code of Ordinances of the City of Biddeford as follows:

Part III (Land Development Regulations), Article VI (Performance Standards), § 59 (Signs) is amended as follows:

A. Purposes. The purposes of these sign regulations are to encourage the effective use of signs as a means of communication in the City; to maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the

possible adverse impacts of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign regulations.

B. General regulations for all districts.

1. Sign permits. No signs, other than exempt signs as listed in Subsection B13 and B14 below, shall be erected, altered, enlarged, or replaced except as provided in this ordinance. No person, firm, corporation, or organization shall erect, enlarge, or replace a sign without a sign permit issued by the Code Enforcement Office in accordance with the provisions of this ordinance. All sign permit applications shall include a drawing showing dimensions, types of materials to be used, and type and intensity of illumination (if applicable). If the applicant for a sign permit is not the owner of the property on which the sign is to be located, the owner's approval must be obtained prior to submission of a permit application.
2. Nonconformity. Any sign existing at the time of adoption of this ordinance but exceeding the specified standards or otherwise not meeting these requirements shall be considered a nonconforming sign. No sign shall be altered, changed, enlarged or replaced unless it is in conformance with existing regulations, except as permitted in Subsection B3. A nonconforming sign damaged or destroyed by fire, wind, or any cause other than the willful act of the owner or agent may be reconstructed as before if such construction is performed within six months of such casualty.
3. Modification, replacement, or relocation. A permit may be obtained from the Code Enforcement Office to modify existing nonconforming signs. Except for landmark signs, which are given special consideration Subsection B18 of this ordinance, the Code Enforcement Office shall be limited in its power to issue permits under this heading in that:
 - a. No sign shall be altered such that it is not in compliance with this section, except that:
 - (1) A sign may be repaired and maintained to preserve its function and attractiveness; and
 - (2) Sign boards may be changed out to reflect changes in the business for which the sign serves or change of occupancy for which the sign serves.
 - b. No existing nonconforming sign shall be increased in size.
 - c. No sign shall be relocated unless the sign is in conformance with the requirements outlined herein for such location.
4. Maintenance.
 - a. All signs and sign structures shall be properly maintained and kept in a neat and proper state of appearance. Signs found with missing letters or otherwise indicating a lack of maintenance or upkeep shall be considered "in a state of disrepair."
 - b. Where permits are required, sign permits are issued upon the assumption of complete liability in writing by the person or firm for any damage resulting from the sign.
 - c. All signs of any type which are found by the Code Enforcement Office to be in a state of disrepair or are considered dangerous shall be repaired or removed on order from the Code Enforcement Office. Upon failure to comply with this order within the time specified in the order, the Code Enforcement Office is hereby authorized to cause removal of this sign, and any expense resultant thereto shall be borne by the owner of the business or, if the business owner cannot be reasonably located, by the owner of the building to which the sign is attached. In any case where the Code Enforcement Office must notify a business operator that a sign is in disrepair, the property owner shall be notified.
5. Unused signs.
 - a. In order to maintain public safety and avoid visual blight, signs advertising, or otherwise announcing, activities or products no longer on site shall be removed.
 - b. Signboards for businesses which have closed or relocated shall be removed by the property owner within 30 days from the date the accompanying use is. A nonconforming, unused sign with no signboard advertising a bona fide occupancy, or any portion of the sign structure or support thereof that is nonconforming, shall be removed within one year of nonuse.
 - c. Signs which are not used may be taken down by the City, or designated agents of the City, provided that the property owner has not first reutilized the sign. The cost of such notification and removal by the City or its designated agents shall be billed to the property owner.
6. Construction and installation.
 - a. Signs to be securely fastened. All signs and any other awnings, shades, marquees or other structures extending over a sidewalk or public road or way shall be constructed in a structurally sound manner and, if erected above ground level, shall be securely fastened or supported in a manner satisfactory to the Code Enforcement Office to restrain swinging, oscillation or other movement that would endanger people or property.

- b. Professional installation. Where permits are required, construction and installation of all signs shall be by qualified professional sign makers with experience in the trade. Qualifications and examples of work may be required to be submitted at the Code Enforcement Office's discretion.
7. On-premises signs. All signs shall relate to the premises on which they are located and shall only identify the occupant of such premises or advertise the services available within said premises, except for those exempted in Subsection ~~B13~~B14.
8. Prohibited signs and displays. The following signs and displays are prohibited in the City of Biddeford:
 - a. Off-premises signs, except those signs specifically exempted in Subsection B14.
 - b. Moving signs: signs with visible moving, revolving, or rotating parts or visible movement of any description, except for so-called "barber poles."
 - c. Optical illusions: signs which create the effect of optical illusion.
 - d. Roof signs: signs mounted wholly or in part on any roof or above the highest exterior point of any building. This does not include signs that are an integral part of the roof structure or are part of the roofing material.
 - e. Fluorescent or phosphorescent painted signs: signs using any kind of paint which causes the sign to glow in the dark.
 - f. Temporary and/or portable signs which fail to meet standards for setback, size, lighting, and use requirements of the district in which they are located, except those signs otherwise exempted in Subsection B13 and 14 and as provided for in Subsection C, below.
 - g. Neon signs, unshielded, except for permitted window signs.
 - h. Blinking, flickering, flashing, or rotating signs other than those that conform to Section B16 of this ordinance as electronic message centers.
 - i. Animated-type signs, being any sign that uses movement or change of lighting to depict action or create a special effect or scene.
 - j. Strings of lights: strings of lights, with the exception of special occasions be they religious, civic or national, and not to exceed 45 days with the approval of the Code Enforcement Office.
 - k. Bare bulbs: bare bulbs, with the exception of time/temperature signs and theater marquees.
 - l. Large window signs: signs posted in windows (including door windows) covering more than 20% of window area, but in any event not to exceed four square feet. See Subsection A15 below for additional window sign regulations.
 - m. Inflatable signs.
 - n. Sexually explicit signs, being any sign that, by way of images, words or otherwise, is obscene as defined by M.R.S.A. Title 17, Section 2911, or which depicts a nude or seminude male or female, meaning a state of dress in which genital, pubic area, buttocks, anal cleft, or nipple and areola of the female breast are less than completely and opaquely covered, are prohibited.
9. Measurement of sign area: Use the area of the smallest plane rectangle, circle, triangle or combination thereof that will wholly contain the sign, including any material or color forming an integral part of the background of the sign, or used to differentiate the sign from the structure against which it is placed, but does not include supporting posts or any structural elements outside the limits of such perimeter which do not form an integral part of the display.
 - a. Wall signs: The above method shall also be used to measure wall signs, which are signs painted on the surface of a wall, or attached parallel to and are no more than 15 inches from a wall. Note: When extending over sidewalks or public ways, wall signs shall not extend more than eight inches from a wall.
 - b. Hanging signs (double-faced), which are signs attached to and projecting from a building other than a wall sign. Use the above method for only one side of the sign.
 - c. Three-dimensional signs: Using the above method, calculate the projected area of both the front view and one side view of the sign; then use 1/2 of the total of these areas.
 - d. Awning signs:
 - (1) For opaque awnings, sign area is measured using the above method and shall be considered part of the allowable sign area, except that only those sections which incorporate writing, symbols,

emblems or other types of graphics used for the purposes of identification or advertisement shall be included in computing sign area. Street names and numbers shall not be considered to be signs for the purposes of this section, unless a business located within the building has the street name and/or street number as its name.

- (2) For awnings that are translucent and internally illuminated and that incorporate any message, trademark or symbol, the sign area shall be computed as the two-dimensional projection of the awning onto the face of the building on which the awning is to be installed. Such awnings which wrap around the building corner(s) shall be treated as separate awnings on each respective building face and shall be considered as signs if they include any message, trademark or symbol. Internally illuminated bands shall be permitted across the building face without being included in the calculations under this subsection, provided such bands do not include any message, trademark or symbol and that the bands do not exceed three feet in height.
 - (3) Where only a portion of the awning is translucent and internally lit, only the area of the translucent, illuminated portion shall be included in computing sign area, unless any message, trademark or symbol appears on the opaque portion(s) of the awning. Opaque portions of these awnings shall be computed in accordance with Subsection B9d(1) above.
10. External illumination. In all zones where externally lit signs are allowed the illumination shall be by steady, stationary, shielded light sources directed solely on the sign in such a manner as to not cause glare for motorists, pedestrians, or neighboring premises.
11. Visibility to public ways. For traffic safety, where vision may be obscured entering a public way, the whole of the signboard or display elements of any sign shall be either:
 - a. Below three feet in height above the street grade; or
 - b. Above 10 feet in height above the street grade.
12. Extension over sidewalks and public ways. Except as specifically stated below, no sign, or part/component thereof, shall extend over or into public ways, rights-of-way or sidewalks.
 - a. Ground signs, except as permitted in Subsection B12e and exempted in Subsection B14.
 - b. Hanging signs. Hanging signs attached to the structure by way of a frame or bracket which overhangs a pedestrian walkway or public sidewalk are permitted, provided that they do not project more than five feet from the building or 2/3 of the width of the sidewalk, whichever is less, and have a vertical height clearance of 10 feet between the bottom of the sign and the ground.
 - c. Wall signs. Wall signs attached parallel to the structure surface are permitted, provided that they do not project more than eight inches from the building.
 - d. Awnings and canopies. Awnings and canopies projecting over a public right-of-way with or without signs shall project no further than five feet from the building or two-thirds of the width of the sidewalk, whichever is less, and have a vertical clearance of 10 feet. Signs on awnings shall be considered part of the allowable sign area.
 - e. Separate signage. Temporary signs (not including those signs permitted as exempt on-premises and off-premises signs in Subsection B13 and 14), such as sandwich boards, may be allowed on sidewalks or other areas beyond the edge of a public street, where no private land exists between the building and the right-of-way, provided they are permitted as separate signage each year by the Code Enforcement Office in accordance with the following conditions:
 - (1) The signage shall not be affixed to any building or structure, including but not limited to fences, poles and other signs, as well as other fixed objects such as trees;
 - (2) The signage will not exceed 24 inches in width or 36 inches in overall height;
 - (3) The signage shall be displayed during business hours only;
 - (4) The signage shall be of a design which is not offensive to abutters or passersby;
 - (5) The signage shall not block or hinder visibility of vehicular traffic on the adjacent and/or nearby roadways;
 - (6) The signage shall not block or hinder pedestrian traffic;
 - (7) No more than one temporary sign per establishment for each street frontage having a public entrance shall be allowed; and
 - (8) The signage shall only be allowed on the street frontage having a public entrance and shall only be located between the lot lines of the parcel on which the establishment is located.

13. Exempt on-premises signs. The following on-premises signs may be erected and maintained without the approval of the Board of Appeals or Code Enforcement Office:
- a. Real estate: on-premises signs erected for the purpose of advertising the sale of real estate; provided, however, that no such sign shall exceed eight square feet in size and that no person shall erect more than two such signs on any parcel of land. All such signs shall be removed within 15 days after the sale of the premises.
 - b. Subdivision real estate: The Planning Board may approve a sign advertising land in a subdivision but only after the subdivision has received final Planning Board approval. Such sign shall not exceed 64 square feet in size.
 - c. Rental use of buildings, or portions thereof, may be advertised by one temporary sign containing not more than two square feet of area, without artificial lighting, and located on the premises.
 - d. Holiday decorations: temporary decorative materials in place for a holiday or celebration.
 - e. Nameplates: signs indicating the owner or occupant of a residential building, provided that such sign does not exceed two square feet.
 - f. No trespassing signs: signs prohibiting hunting, fishing, or trespassing, provided that such signs are not more than two square feet in size.
 - g. Home occupations: signs erected according to the home occupations standards of this ordinance (Article VI, Section 38).
 - h. Construction signs: signs erected during construction, provided they are not larger than 16 square feet. There shall be no more than one such sign per lot, and such signs shall not be in place longer than six months. The Code Enforcement Office may authorize an extension of this time period upon request and with adequate justification by the applicant.
 - i. Directory signs for commercial establishments not on street level, not larger than four square feet.
 - j. Door signs not larger than two square feet.
 - k. Restaurant menus posted in windows and not larger than two square feet.
 - l. Official plaque or historic markers obtained from the Maine Historic Preservation Commission or other like organizations.
 - m. Signs indicating awards honoring achievements from the state or federal governments or their agencies. Such signs will be limited to no more than two per property, and will be no larger than 32 square feet in size, and will not be displayed for more than two years. The Building Inspections Office will be notified of the proposed signage, and award documentation will be provided along with the letter of notification
 - n. Temporary signs, including banners, advertising or announcing a new business or occupant of a building where the intent of the new business or occupant is to receive approval for, fabricate, and install a permanent sign subject to the following:
 - (1) The temporary sign is permitted for no more than 45 days from the date it was initially installed, whether or not it remains installed for a consecutive forty-five-day period. Under no circumstances shall a temporary sign be installed or reinstalled for the same business/occupant at the same premises for at least another 30 days.
 - (2) Where a permanent sign is subject to approval of a certificate of appropriateness outlined in Article XV (Historic Preservation), within 15 days of the initial installation of the temporary sign an application for a certificate of appropriateness shall be submitted for review to the Planning Department. Upon approval of the certificate of appropriateness, the temporary sign shall remain for no more than an additional 30 days. If the sign subject to the certificate of appropriateness has not been installed within the 30 days, the temporary sign shall be removed and no other temporary sign shall be permitted on the premises for the same business and/or occupant.
 - (3) Signs identified and meeting the standards as "categorical signs" in the Maine Travelers Information Services Act (23 M.R.S.A. § 1913-A), Section 2 (Types of signs outside the right-of-way).
14. Exempt off-premises signs. The following off-premises signs may be erected and maintained without the approval of the Board of Appeals or Code Enforcement Office:
- a. Those signs identified and meeting the standards as "categorical signs" in the Maine Travelers Information Services Act (23 M.R.S.A. § 1913-A), Section 1 (Types of signs).

- b. Those signs identified and meeting the standards as "publicly owned bus stop outdoor advertising signs" in the Maine Travelers Information Services Act (23 M.R.S.A. § 1908-A), subject to compliance with Subsection B17 below. "Publicly owned bus stop outdoor advertising signs" are only affixed to bus shelters and are subject to Subsection B17 of this ordinance.
 - c. Common carriers: signs on the rolling stock of common carriers or on registered and inspected motor vehicles, except those determined by the Code Enforcement Office to be circumventing the intent of this ordinance, including but not limited to signs which are continuously or repeatedly in the same location.
 - d. Temporary sales: temporary unlit signs, excluding real estate signs and mobile/portable signs, erected and maintained for a period of not more than 48 hours to advertise sales of goods which are not ordinarily undertaken by the person so advertising as a regular course of business, including but not limited to so-called lawn sales and garage sales; provided, however, that no such sign shall exceed 10 square feet in size, no such sign shall contain any commercial message, and that no person shall erect more than one such sign on any parcel of land. Said signs shall be removed within 24 hours of completion of the sales of goods, except that no such sign may be erected for more than five consecutive days or five days within a one-week period, whether or not the temporary sale continues.
 - e. Public events: signs to be maintained for not more than three weeks announcing an auction, public supper, lawn sale, fair, exposition, or any other public event, campaign, drive or like event of a public, civic, philanthropic or religious organization. The date of this event shall be conspicuously posted on such signs. No such sign shall be erected within any traffic or median island located within any publicly travelled way. No such sign shall be erected within any City park without the approval of the Code Enforcement Office, Recreation Department, and Department of Public Works.
 - f. Legal notices and identification, information, or directional signs required by governmental bodies.
 - g. Flags and insignia of government.
 - h. Signs directing traffic and parking on private property but bearing no advertising matter.
 - i. Official plaques or historic markers obtained from the Maine Historic Preservation Commission or other like organizations.
 - j. Signs indicating awards honoring achievements from the state or federal governments or their agencies. Such signs will be limited to no more than two per property and will be no larger than 32 square feet in size and will not be displayed for more than two years. The Building Inspections Office will be notified of the proposed signage, and award documentation will be provided along with the letter of notification.
 - k. Political signs: signs erected for the purpose of promoting or opposing the election of a candidate for public office, a pending public referendum, or other public policy matter; provided, however, that such signs may not be placed within the right-of-way prior to six weeks before the election, primary, referendum, vote, hearing or meeting to which they relate and must be removed by the candidate or political committee not later than one week thereafter (Title 23 M.R.S.A. § 1913-A). Further:
 - (1) No such sign shall be erected within any traffic islands or medians on public ways in the City of Biddeford that interfere with a driver's free and unobstructed view of other vehicular or pedestrian traffic.
 - (2) Political signs shall be set back from the edge of the sidewalk so as not to obstruct its use or any part thereof. Where there are no sidewalks, such sign(s) shall be set back five feet from the curbs or the edge of the road.
 - (3) No political sign(s) shall be placed in such a manner as to interfere with a motorist's unobstructed view of other vehicular or pedestrian traffic or placed in such a manner as to otherwise create a safety hazard.
 - (4) The Police Department or Code Enforcement Office may remove political signs that are found in violation of this section.
 - (5) Political signs bearing political messages relating to an election, primary or referendum are not permitted in or on any of the City's parks. Parks and Recreation staff or the Department of Public Works may remove a sign that is placed in violation of this subsection.
 - l. Traffic control signs and construction signs erected by or on behalf of the Maine Turnpike Authority, Maine Department of Transportation, or the City of Biddeford.
 - m. Directional signage erected by the City of Biddeford for the purposes of wayfinding.
15. Window sign regulations.
- a. Window signs (including those on doors) are limited to 20% of a window area.

- b. Of the allowable 20% of the window area, up to four square feet may be illuminated, including unshielded neon.
 - c. Signs advertising business information related to hours of operation, open/closed, and/or vacancy/no vacancy are not included in the allowable window sign area so long as they are in the aggregate no larger than 10 square feet in area. Any such signage above 10 square feet in area counts towards the allowable window sign area. All corporate sponsors/commercial messages shall count towards the maximum allowable window sign area, regardless of size.
 - d. Restaurant menus are not included in the allowable window sign area so long as they are no larger than two square feet in area. Anything above two square feet in area counts towards the allowable window sign area.
16. Electronic message centers (EMCs). Where permitted, electronic message centers are subject to the district regulations in which they are located as well as the following:
- a. EMCs may change messages no more than once every five minutes. EMCs shall not have scrolling, rolling, blinking, or intermittent lighting. EMCs displaying time and/or temperature are exempt from these requirements.
 - b. EMCs are permitted as any sign type (e.g., freestanding, wall, window, or projecting) except that EMCs may make up no more than 50% of the allowable sign area, and time and temperature displays may make up no more than 50% of the allowable EMC display. In no case shall the EMC portion or element of a sign be larger than 40 square feet.
 - c. Gas stations, Public schools and government facilities may install EMCs in any zoning district in accordance with the regulations herein.
 - d. Gas stations may install EMCs solely for advertising fuel prices in any zoning district except for the Institutional (IN) Zone. EMC readerboards (the electronic portions of the sign) shall in no case total more than nine (9) square feet in the aggregate. Gas station pumps may not have EMCs affixed to them.
 - e. Permitted illumination shall conform to the following criteria:
 - (1) EMC illumination shall be single-color only except that gas stations advertising fuel prices may have up to two (2) colors, each of which advertising a different price of fuel for sale.
 - (2) The illuminance shall be measured with an illumination meter set to measure footcandles accurate to at least two decimals. Illuminance shall be measured with the EMC off and again with the EMC displaying a solid message for a ~~single-color~~ EMC. All measurements shall be taken perpendicular to the face of the EMC at the distance determined by the total square footage of the EMC as set forth in the Sign Area versus Measurement Distance Table below.
 - (3) The difference between the off and solid-message measurements using the EMC measurement criteria shall not exceed 0.3 footcandle and shall not exceed 0.5 footcandle at any abutting residential property line.
 - (4) All permitted EMCs shall be equipped with a sensor or other device that automatically determines the ambient illumination and shall be programmed to automatically dim according to ambient light conditions, or that can be adjusted to comply with the 0.3 footcandle measurements.
 - (5) Sign Area Versus Measurement Distance Table:

Area of Sign (in square feet)	Measurement Distance (in feet)
10	32
15	39
20	45
25	50
30	55
35	59
40	63
45	67
50	71
55	74
60	77
65	81
70	84
75	87
80	89
85	92
90	95

95	97
100	100
110	105
120	110
130	114
140	118
150	122
160	126
170	130
180	134
190	138
200	141
220	148
240	155
260	161
280	167
300	173

17. Publicly owned bus stop outdoor advertising signs in the Maine Travelers Information Services Act (23 M.R.S.A. § 1908-A). Where affixed to a bus shelter, said signs shall be limited in number to six and may be no larger than the sides of the shelter itself. EMCs are permitted on bus shelters where EMCs are permitted in the zone where the shelter is located.
 18. Landmark signs. Landmark signs are signs existing as of the adoption of this ordinance that the City of Biddeford has determined has special significance in the City of Biddeford. The City of Biddeford has determined that these signs, although they may be nonconforming for a variety of reasons, should have special considerations and should be able to be removed and either reconstructed off-site and reinstalled at their original location or be removed and replaced with a replica sign in its original location. The City of Biddeford has identified the following signs as landmark signs. There is no statute of limitations in which these landmark signs can be removed, repaired, and reinstalled or removed and replaced with a replica.
 - a. "Alex's Pizza" projecting sign located at: 93 Alfred Street (Tax Map 38, Lot 428).
 - b. The Lincoln Mill clocktower, located at: 17 Lincoln Street (Tax Map 71, Lot 5).
 - c. The Biddeford City Hall clocktower, located at: 205 Main Street (Tax Map 38, Lot 133).
- C. District regulations.
1. In the Suburban Residential, R-1-A, C-R, W-1, and W-3 Districts, only the following signs shall be permitted:
 - a. A home occupation may display a sign as permitted under the home occupation standards of this ordinance (Article VI, Section 38).
 - b. Permitted nonresidential uses may display one nonilluminated sign. No sign shall be larger than four square feet or located on the roof of a building.
 - c. Any sign may be located within the front setback but shall not be closer than 10 feet to the street right-of-way and shall be no closer than 10 feet to either of the side lot lines.
 - d. Permanent project signs identifying a specific housing, subdivision or project. These signs shall be limited to:
 - (1) One sign per project or subdivision.
 - (2) Such sign shall be no more than 32 square feet in size.
 - (3) Such sign shall be no more than four feet in height.
 - (4) Such sign shall be located in such a manner as to not interfere with traffic safety or cause a hazard regarding sight distance for automobile traffic.
 - e. Unless otherwise permitted, no sign shall exceed eight feet in height.
 - f. Electronic message centers are not permitted except that gas stations, public schools and government facilities may install EMCs in accordance with the regulations herein~~Section B16~~.
 2. In the MSRD-2, R-2, R-3, and OR Districts, the following signs shall be permitted:
 - a. A home occupation may display a sign as permitted under the home occupation standards of this ordinance (Article VI, Section 38).

- b. In the R-2 and R-3 Districts, permitted nonresidential uses may display one nonilluminated sign not exceeding eight square feet in area, except as provided in C.2.f below, nor located on the roof of a building. Any sign may be located within the front setback but shall not be closer than 10 feet to the street right-of-way and shall be no closer than 10 feet to either of the side lot lines.
 - c. In the MSRD-2 District, permitted nonresidential uses may display one externally illuminated sign not exceeding eight square feet in area, except as provided in C.2.f below, nor located on the roof of a building. In the OR District, permitted nonresidential uses may display one externally illuminated sign not exceeding 12 square feet in area, except as provided in C.2.f below, nor located on the roof of a building. Where an existing principal building is within 15 feet of the street right-of-way, a ground sign may be located within 10 feet of the street right-of-way if it can be demonstrated to the Code Enforcement Office that there is no other location on the lot that could accommodate a sign to meet the ten-foot setback.
 - d. No signs shall be taller than 10 feet in height.
 - e. Permanent project signs identifying a specific housing subdivision or project. These signs shall be limited to:
 - (1) One sign per project or subdivision.
 - (2) Such sign shall be no more than 32 square feet in size.
 - (3) Such sign shall be no more than four feet in height.
 - (4) Such sign shall be located in such a manner as to not interfere with traffic safety or cause a hazard regarding sight distance for automobile traffic.
 - f. Electronic message centers are not permitted, except that gas stations, public schools and government facilities may install EMCs in accordance with the regulations herein ~~Section B16~~.
3. In the B-2, MSRD-3, and Industrial Districts, only the following signs shall be permitted:
- a. A home occupation may display a sign as permitted under the home occupation standards of this ordinance (Article VI, Section 38).
 - b. On each premises there is permitted one sign affixed to the exterior of a building for each occupancy therein. Affixed signs shall not be placed on the roof of a building. In cases where the building fronts on two or more streets, or is visible to traffic on roadways or streets other than the street on which the building fronts, one additional sign per occupancy may be affixed to each side visible. The combined size of affixed signs shall not exceed 25% of the total frontal facade area of the building or storefront. Frontal facade area shall be computed as follows: width of front x height of sales area (the rectangle formed by the width of the building/storefront and the distance between the floor and the ceiling of the top floor of the sales area) x 0.25 = maximum size of sign allowable.
 - c. Ground, or pole, signs are limited in number to one per lot, except as provided in this section. The top edge of any such freestanding sign shall not be higher than 20 feet vertical measured above the grade of the street nearest the sign support(s).
 - (1) Any sign may be located within the front setback, but in the B-2 and Industrial Districts said signs shall not be closer than 10 feet to the street right-of-way, and shall be no closer than 10 feet to either of the side lot lines.
 - (2) Where an existing principal building is within 15 feet of the street right-of-way, a ground sign may be located within 10 feet of the street right-of-way.
 - (3) One additional ground or pole sign is permitted on a lot that is immediately adjacent to I-95 right-of-way and where a principal building on said lot is located within 500 feet of I-95 right-of-way. Said sign shall be located no further than 500 feet from the I-95 right-of-way and shall be located within 50 feet of a principal building and shall be located for the purpose of gaining visibility to travelers on I-95.
 - d. No freestanding sign shall have a signboard area (or display area, if no signboard) exceeding 72 square feet in gross area. The gross area is the measure of the area within a line connecting and completely enclosing the extreme-most points of the sign.
 - e. Where more than one business sign is attached to a single pole, there shall be a limit of 72 square feet per business, up to a maximum sign size of 210 square feet.
 - f. Unless otherwise permitted, no sign shall exceed 20 feet in height.
 - g. Temporary or portable signs may be used, provided the following requirements are met:

- (1) Signs must meet the setback and size requirements outlined in Subsection C3(1) through (3) above.
 - (2) Signs shall conform to the requirements in Subsection B12 of this section.
 - (3) A permit has been obtained from the Code Enforcement Office. Such permit shall be displayed in the store office at all times. The permit shall be for no more than 30 days and shall not be renewed within six months of initial issue or more than twice within a calendar year.
 - (4) No more than one such sign shall be located on a lot, regardless of the number of businesses operating on said lot.
- h. Electronic message centers are permitted subject to the regulations herein~~Subsection B16~~.
 - i. All signs shall conform to M.R.S.A. Title 23 except as provided in Subsection B16a, relating to the changing of messages on EMCs.
4. In the Rural-Farm and Limited Rural-Farm Districts, only the following signs shall be permitted:
 - a. A home occupation may display a sign as permitted under the home occupation standards of this ordinance (Article VI, Section 38).
 - b. Permitted nonresidential uses may display one nonilluminated sign not exceeding eight square feet in area nor located on the roof of a building.
 - c. Any sign may be located within the front setback, but shall not be closer than 10 feet to the street right-of-way, and shall be no closer than 10 feet to either of the side lot lines.
 - d. Permanent project signs identifying a specific housing subdivision or project.
 - (1) These signs shall be limited to one sign per project or subdivision.
 - (2) Such sign shall be no more than 32 square feet in size.
 - (3) Such sign shall be no more than four feet in height.
 - (4) Such sign shall be located in such a manner as to not interfere with traffic safety or cause a hazard regarding sight distance for automobile traffic.
 - e. Unless otherwise permitted, no sign shall exceed 20 feet in height.
 - f. Electronic message centers are not permitted, except that gas stations, public schools and government facilities may install EMCs in accordance with the regulations herein~~Subsection B16.f~~.
 5. In the B-1, MSRD-1, and W-2 Districts, only the following signs shall be permitted:
 - a. No establishment shall have more than two signs.
 - b. Street level businesses shall not have a sign or signs with a combined aggregate surface area greater than two square feet for each linear foot of building frontage up to a maximum of 100 square feet total nontemporary signage.
 - c. Businesses above the first floor shall not have a sign greater than 12 square feet.
 - d. There shall be no freestanding signs or electronic message centers except in the B-1 and MSRD-1 Zones along Elm Street in the following defined area: From the Biddeford City line with Saco (northerly-most point of Elm Street) to the northerly side of Center Street, and except that gas stations, public schools and government facilities may install EMCs in accordance with the regulations herein~~Subsection B16~~.
 6. Additionally in the MSRD-1, MSRD-2 and MSRD-3 Districts, the following shall apply:
 - a. ~~(1)~~ The Historic Preservation Commission (HPC), or its designee, shall review all sign applications within this district. The Code Enforcement Office shall not issue a sign permit unless the HPC has issued a certificate of appropriateness or one has been issued by the appropriate reviewing authority.
 - b. ~~(2)~~ It shall be the responsibility of the property owner to remove all business signs within 30 days from the date the accompanying use is discontinued.
 - c. ~~(3)~~ Businesses above the first floor shall not have a sign greater than 12 square feet.
 - d. ~~(4)~~ Internally illuminated signs are not permitted except as provided in C.2.f, C.3.h, C.4.f, and C.5.d herein. All new sign illumination shall be from shielded external sources.

e. ~~(5)~~ Signs shall be made of wood, metal, or stone, except that awnings may be made of fabric or canvas, ~~and window signs, and gas station EMC fuel price readerboards (the electronic portions of the signs)~~ may made of any material.

f. ~~(6)~~ Corporate sponsors/commercial messages are not permitted on any sign except for allowable window signs. The area of corporate sponsors in window signs contributes towards the total allowable sign area. See Subsection B15 of this ordinance.

7. In the IN Zone, the following signs shall be permitted, provided that no individual sign shall be larger than 32 square feet and that all signs shall be consistent with the design standards set forth in the approved institutional master plan:
- a. Institution sign: one sign identifying the institution in the center of the campus or at a key location within the campus. This sign shall be ground mounted, located within a landscape area, or attached to a landscape feature such as a wall, boulder or similar object. An institution sign may be externally lit with a shielded light source.
 - b. Gateway signs: one sign identifying the institution located at each principal entrance to the campus from the major road network. Gateway signs shall be ground mounted, located within a landscape area, or attached to a landscape feature such as a wall, boulder or similar object. Gateway signs may be externally lit with a shielded light source.
 - c. Building and facility signs: Each building or facility may be identified by a sign at the principal entrance and at each additional major entrance to the building or facility. Building or facility signs shall be attached to the building or facility or shall be ground mounted or attached to a landscape feature. Building and facility signs may be externally lit with a shielded light source.
 - d. Directional signs: Signs providing directions to buildings or facilities may be placed at appropriate locations within the campus in accordance with the sign standards contained in the institutional master plan. Directional signs may be externally lit with a shielded light source.
 - e. Public safety and regulatory signs: Signs setting forth public safety regulations, parking regulations, or other public informational signs may be placed at appropriate locations within the campus in accordance with the sign standards contained in the institutional master plan. Safety and regulatory signs may be externally lit with a shielded light source.
 - f. Informational kiosks: Facilities for the posting of temporary notices or campus information such as kiosks and bulletin boards may be placed at appropriate locations within the campus in accordance with the sign standards contained in the institutional master plan. Kiosks and bulletin boards may be externally lit with a shielded light source.
 - g. Temporary signs and banners: Temporary signs and banners related to campus events may be placed at appropriate locations within the campus in accordance with the sign standards contained in the institutional master plan, provided that such signs and banners do not remain in place for more than 10 days.

D. Administration. In cases where there is an actual or perceived hardship, an applicant for a sign permit may apply for an administrative appeal to the decision of the Code Enforcement Office. Such appeal shall be submitted in accordance with Article IX of this ordinance. In reviewing administrative appeals under this section the Zoning Board of Appeals shall consider the following as the guiding criteria for the City's attempt to regulate signs:

- 1. The purpose of this ordinance as outlined in Subsection A1 above.
- 2. The City is attempting to avoid a "neon jungle" along the major roadways of the City.
- 3. The City is attempting to maintain the rural and residential character of the several zoning districts where residential use is the primary land use, while trying to ensure that permitted commercial/industrial activities are able to identify their locations.
- 4. In light of the above criteria, the City has adopted the standards set forth herein.

Motion by Councilor Ready, seconded by Councilor Swanton to grant the first reading of the ordinance amendment.

Motion by Councilor Belanger, seconded by Councilor Swanton to amend the ordinance as follows:

- Section B, #15 (d) – *Gas stations may install EMCs **solely for** advertising....*
- Section B, #15 (e)(1) - *...except that gas stations advertising fuel prices may have up to two(2) colors, each **of which** advertising a different price of fuel for sale.*
- Section C, #6 (d) - *...except as provided in C.2.f., C.3.h., **C.4.f.** and C.5.d.....*

Vote on amendments: Unanimous.

Vote on ordinance, as amended: Unanimous.

Motion by Councilor McCurry, seconded by Councilor Swanton to suspend the rules to allow for an immediate second reading so that a local business that is directly impacted by this ordinance amendment may become compliant with State Law.

Vote: 7/2; Councilors Lessard and Ready opposed.

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

Motion carries.

Motion by Councilor Belanger, seconded by Councilor McCurry to grant the second reading of the ordinance amendment.

Vote: 7/2; Councilors Lessard and Ready opposed.

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

Motion carries.

Motion by Councilor McCurry, seconded by Councilor Swanton to suspend the 30-day waiting period of the ordinance amendment to go into effect.

Vote: 7/2; Councilors Lessard and Ready opposed.

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

Motion carries.

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 B	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 Foley, seconded by Councilor McCurry to grant the order.

Motion by Councilor Lessard, seconded by Councilor McCurry to table the order until the next meeting so that more information can be provided, as requested by the Council.

Vote: 8/1; Councilor Belanger opposed.

Councilors Swanton, McCurry, St. Cyr, Quattrone, Foley, Ready, Seaver and Lessard in favor.
Motion carries.

2017.115

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

BE IT ORDERED, that the City Manager be authorized to enter into a contract for the purchase of a heating system at the J. Richard Martin Community Center as per a bid dated September 12, 2017 (the "Equipment") from Jim Godbout Plumbing & Heating (the "Vendor") and may pay the Vendor an amount not to exceed \$255,000 for the Equipment as follows:

The City of Biddeford expects to incur debt to reimburse expenditures to pay the cost of the Equipment;

The City of Biddeford reasonably expects that the maximum principal amount of the debt, including for reimbursement purposes, is \$255,000.00.

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 \$255,000.00, (b) the term of such agreement will not exceed eighty-four (84) 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;

The City Manager is authorized to advance money from the General Fund of the City for payment of the costs of the Equipment; and

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 October 17, 2017 and make a recommendation to the City Council.

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

Motion by Councilor McCurry, seconded by Councilor Ready to amend the order to allocate \$40,000 to deal with the stop-gap by replacing the one boiler that has failed; with the intention to deal with the long-term problem with the Community Center building.

Vote: Unanimous.

Vote on motion, as amended: Unanimous.

2017.116

IN BOARD OF CITY COUNCIL..OCTOBER 17, 2017

BE IT ORDERED, that the regularly scheduled Council Meeting of November 7, 2017 be re-scheduled for **Thursday, November 9th at 6:00 p.m. in the Council Chambers** due to the State Referendum and Municipal General Election on November 7, 2017.

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

Vote: 8/1; Councilor St. Cyr opposed.

Councilors Swanton, McCurry, Quattrone, Foley, Belanger, Ready, Seaver and Lessard in favor.
Motion carries.

Appointments:

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

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

**William Denyer
12 Pinewood Circle
Ward 7**

to the *Biddeford Fire Advisory Committee (BFAC)*, for an initial term to expire in December 2022.

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

Vote: Unanimous.

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

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

**Victoria Foley, City Councilor
26 Mason Street**

to the *Biddeford-Saco-Old Orchard Beach Transit Committee*.

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

Vote: Unanimous.

City Manager Report: City Manager, James Bennett, had no report.

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

One person addressed his comments to the Council.

Other Business:

Councilor Lessard: is glad that the ordinance amendment regarding density of areas was on tonight's council agenda. This is sure to open up a much-needed discussion of the density of areas in the downtown; as well as the possibility of re-looking at the ordinance of splitting certain lots. He would also like to see what the façade ordinance looks like.

Councilor St. Cyr: congratulated the Biddeford-Saco Chamber of Commerce on recently celebrating their 90th Anniversary. He also noted that the Chamber's Director, Craig Pendleton was awarded 2017 Executive of the Year.

Mayor Addressing the Council: Mayor Casavant reminded folks of the Mayoral Gala coming up this Friday, October 20th. The event is being held at the Pepperell Campus from 8:00-11:00 p.m. and tickets are available in both Biddeford and Saco City Clerks' Office; the Chamber of Commerce and online through Eventbrite.

Mayor Casavant mentioned that he and City Manager, Jim Bennett met with the Mayor's Coalition last Friday and had discussions about the issues for the upcoming Legislative session.

Mayor Casavant also congratulated the Chamber of Commerce and is grateful for the partnership that the City shares with the Chamber. He went on to recognize that the Biddeford Education Foundation held their annual event last Saturday and presented awards to Bonita Pothier and Lucien Chantigny.

Executive Session: 1 MRSA 405(6)(E)...Consultation with Legal Counsel

Motion by Councilor McCurry, seconded by Councilor Seaver to move into Executive Session.
Vote: Unanimous. Time: 7:13 p.m.

Motion by Councilor McCurry, seconded by Councilor Foley to move out of Executive Session.
Vote: Unanimous. Time: 7:40 p.m.

Motion by Councilor Belanger, seconded by Councilor Swanton to delay the implementation of the “***Delivery of Unsolicited Printed and Written Material***” ordinance until December 31, 2017; and further, that legal counsel work with the newspaper companies to come to a mutual resolution.

Vote: 6/3; Councilors McCurry, Ready and Lessard opposed.

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

Motion carries.

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

Vote: Unanimous. Time: 7:48 p.m.

Attest by: _____
Carmen J. Morris, City Clerk