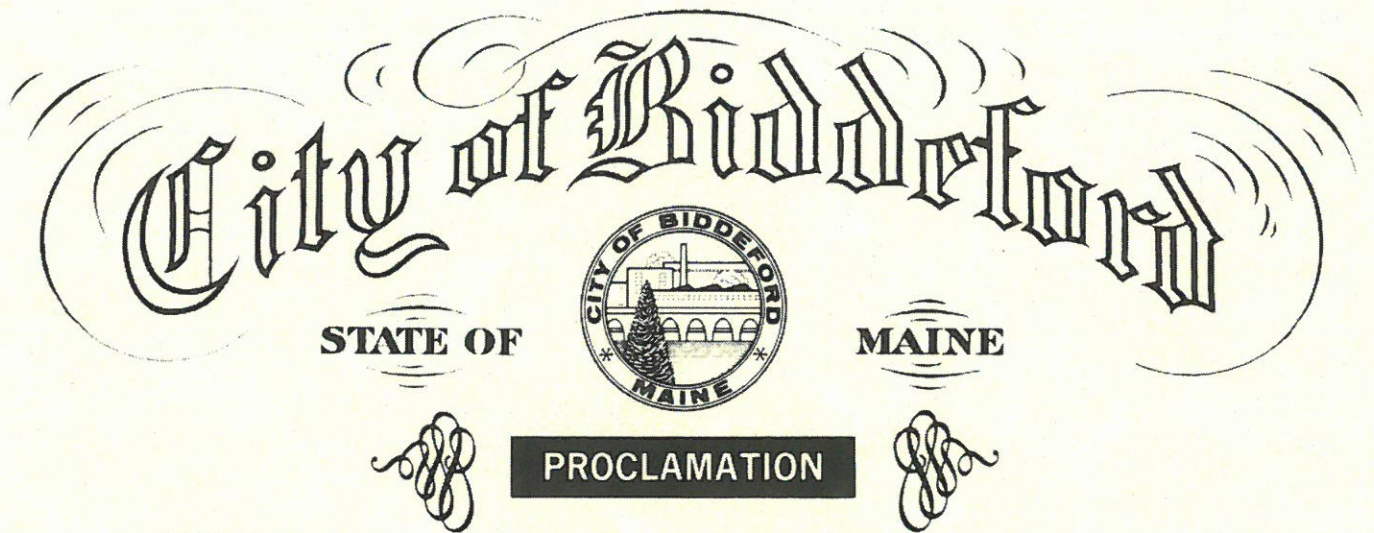


City of Biddeford
City Council
October 16, 2018 6:30 PM Council Chambers

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Adjustment(s) to Agenda**
- 4. Recognition:**
 - 4.a. Biddeford Citizen Charles Butler, Jr.
- 5. Proclamation:**
 - 5.a. Extra Mile Day - November 1, 2018
[10-16-2018 Proc-Extra Mile Day-PDF.pdf](#)
- 6. Presentation:**
 - 6.a. Dirigo Brewing & Biddeford Career Firefighters Donation to Fire Relief Fund
- 7. Public Hearing**
 - 7.a. Banded Brewing Company
[10-16-2018 Banded Brewing Company liquor license.pdf](#)
- 8. Liquor License Consideration**
 - 8.a. Banded Brewing Company
[10-16-2018 Banded Brewing Company liquor license.pdf](#)
- 9. Consideration of Minutes:**
 - 9.a. October 2, 2018 Council Meeting Minutes
[10-02-2018 Council Meeting Minutes.docx](#)
 - 9.b. October 9, 2018 Special Council Meeting Minutes
[10-09-2018 Special Council Meeting Minutes.docx](#)
- 10. Orders of the Day:**
 - 10.a. 2018.123) Amendment/Land Development Regulations/Art. V-Establishment of Zones, Table B-Dimensional Requirements/Utility Setbacks in Industrial Zones
[10-16-2018 Utility Setbacks in Industrial Zones-ORDER.docx](#)
[10-16-2018 Utility Setbacks Proposal-MEMO.pdf](#)
 - 10.b. 2018.124) Approval/Postponement of November 6, 2018 Council Meeting
[10-16-2018 Postpone Nov 6th Council Meeting.docx](#)
 - 10.c. 2018.125) Authorization/Master Plan Agreement for Development of 3 Lincoln Street
- 11. Appointments:**
 - 11.a. Spiros Droggitis...Planning Board - Associate Member
[10-16-2018 Appt-Droggitis-Planning Board.docx](#)
[10-16-2018 Appt Application-Droggitis-PB.pdf](#)
- 12. Public Addressing the Council..(5 minute limit per speaker; 30 minute total time limit)**
- 13. City Manager Report**

- 14. Other Business**
- 15. Council President Addressing the Council**
- 16. Mayor Addressing the Council**
- 17. Executive Session**
 - 17.a. 1 MRSA 405(6)(D)...Labor Contract Negotiations (DPW)
(Possible action to be taken)
[10-16-2018 Public Works Non-Supervisory Union Contract Approval-ORDER.docx](#)
- 18. Adjourn**



Whereas Biddeford is a community which acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively “go the extra mile” in personal effort, volunteerism, and service; and

WHEREAS, Biddeford is a community which encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment and conviction to their individual ambitions, family, friends and community; and

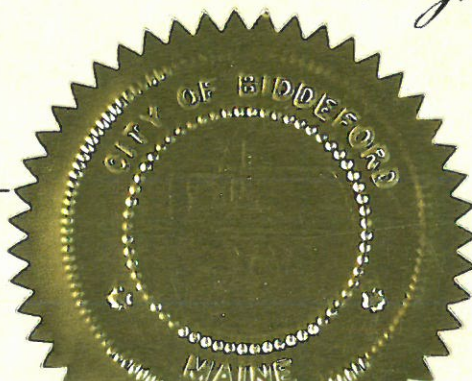
WHEREAS, Biddeford is a community which chooses to shine a light on and celebrate individuals and organizations within its community who “go the extra mile” in order to make a difference and lift up fellow members of their community; and

WHEREAS, Biddeford acknowledges the mission of Extra Mile America to create 550 Extra Mile cities in America and is proud to support “Extra Mile Day” on November 1, 2018.

NOW THEREFORE, I, Alan M. Casavant, Mayor of Biddeford do hereby proclaim November 1, 2018 to be Extra Mile Day. I urge each individual in the community to take time on this day to not only “go the extra mile” in his or her own life, but to also acknowledge all those who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

*In Witness Whereof, We, the undersigned have herewith
affixed our signatures this 16th day of October 2018*

Carmen J. Monis
City Clerk



Mayor

pd 4100.00
9/26/18
up-front charge

City of Biddeford

Business Address: 32 MAIN ST, BLDG 13W, STE 142 Map Lot

Business Telephone Number: (207) 602-1561

OWNER/OPERATOR: IAN MCCONNELL

Home Mailing Address: 87ME

Applicant(s) Date of Birth: _____

Date _____

TYPES OF ENTERTAINMENT:

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

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

- ☐ Public Firing Range
- ☐ Bottle Club

- ☐ Automobile Repair Garage for maintenance
- ☐ Automobile Graveyard

\$200.00

- ☐ Secondhand Dealers
- ☐ Dealers in gold jewelry, etc.
- ☐ Antique Dealer

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

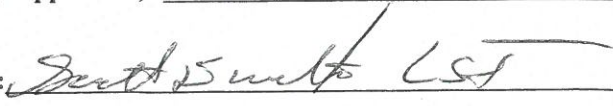
\$10.00 application fee is applicable to all NEW businesses

\$60.00 advertising fee for new liquor license applications is an up-front charge

PAWNBROKER:	\$200.00
VENDOR ON A PUBLIC PLACE:	\$50.00
ICE CREAM TRUCK VENDOR (need to show proof of at least \$500,000 liability insurance)	\$75.00
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 State Cert. Required	\$150.00
☐ Taxicab, motorbus, public automobile (plus \$20.00 per vehicle)	\$50.00
☐ 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
10 WATER STREET, HALLOWELL, ME 04347
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:	

PRESENT LICENSE EXPIRES _____

NEW application: ☒ Yes ☐ No

If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☐ SPIRITUOUS

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: BANDED HORN BREWING CO.			Business Name (D/B/A) BANDED BREWING CO.		
APPLICANT(S) –(Sole Proprietor) IAN MCCONNELL		DOB: 02/24/1980	Physical Location: 32 MAIN ST., BLDG 13W, STE 102		
		DOB:	City/Town BIDDEFORD, ME	State 04005	Zip Code
Address 150 OAK LANE			Mailing Address SAME		
City/Town DAYTON, ME	State 04005	Zip Code	City/Town	State	Zip Code
Telephone Number (207) 602-1561		Fax Number	Business Telephone Number (207) 602-1561		Fax Number
Federal I.D. # 46-2161354			Seller Certificate #: or Sales Tax #: 1165649		
Email Address: Please Print IAN@BANDEDBREWING.COM			Website: WWW.BANDEDBREWING.COM		

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

License #	Name of Business	Physical Location	City / Town

5. Do you permit dancing or entertainment on the licensed premises? YES ☒ NO ☐

6. If manager is to be employed, give name: ANTONIO LYNCH

7. Business records are located at: 32 MAIN ST., BLDG 13W, STE 102, BIDDEFORD, ME 04005

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

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

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

Full Name (Please Print)	DOB	Place of Birth
IAN MCCONNELL	02/24/1980	MAINE
ANTONIO LYNCH	02/01/1983	NEW YORK
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
DAYTON, ME	PORTLAND, ME	
PORTLAND, ME	NEW YORK, NY	

11. 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)

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

Yes ☐ No ☒ If Yes, give name: _____

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

14. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: _____

THE MILLS AT PEPPERELL LLC, 40 MAIN ST., BIDDEFORD, ME 04005

15. Describe in detail the premises to be licensed: (On Premise Diagram Required) _____

TASTING ROOM LOCATED AT BREWERY

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

YES ☒ NO ☐ Applied for: _____

17. 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? 2/10TH MILE

Which of the above is nearest? CHURCH

18. 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: PRIVATE INVESTMENT, BSAEDC COMMERCIAL LOANS, BANGOR SAVINGS BANK COMMERCIAL LOANS

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, MAINE on SEPTEMBER 25, 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)

IAN MCCONNELL

Print Name

Print Name

FEE SCHEDULE

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

Class I	Spirituos, 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	Spirituos, 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	Spirituos 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 V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, 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.**

See attached diagram

DECK

ENTRANCE

PRODUCTION SPACE

STORAGE AREA

OFFICE AREA

TASTING ROOM

ENTRANCE

W/C W/C

31'-8"

BAR

COOLER

KITCHEN

23'-3 1/2"

32'-2 1/2"

SCALE 3/4" = 8'



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: BANDED HORN BREWING COMPANY, LLC
2. Doing Business As, if any: BANDED BREWING COMPANY
3. Date of filing with Secretary of State: 02/13/2013 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 %
IAN MCCONNELL	150 OAK LANE, DAYTON, ME 04005 1925 WASHINGTON AVE., PORTLAND, ME 04103	02/24/1980	OWNER	100%

(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: _____

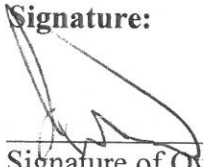
Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:



Signature of Owner or Corporate Officer

9/25/18
Date

IAN MCCONNELL

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

pd 4100.00
9/26/18
up-front charge

City of Biddeford

Applicant(s) Date of Birth: _____

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.

\$150.00 (single/multiple events)

- | | |
|---|--|
| ☐ Indoor Skating Rink | \$150.00 (annual) |
| ☐ Bowling Lanes | ☐ Public Firing Range |
| ☐ Theater/Movie House
(plus \$25.00 per screen) | ☐ Bottle Club |
| ☐ Billiard Room(s) | |

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

\$200.00

- ☐ Secondhand Dealers
- ☐ Dealers in gold jewelry, etc.
- ☐ Antique Dealer
- ☐ Flea Market (for 20 tables; \$5 per add'l table)
- ☐ Junk Dealer/Recycling

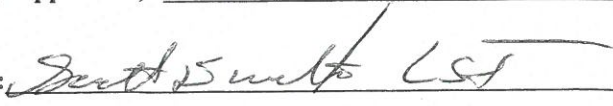
\$10.00 application fee is applicable to all NEW businesses

\$60.00 advertising fee for new liquor license applications is an up-front charge

PAWNBROKER:	\$200.00
VENDOR ON A PUBLIC PLACE:	\$50.00
ICE CREAM TRUCK VENDOR (need to show proof of at least \$500,000 liability insurance)	\$75.00
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 State Cert. Required	\$150.00
☐ Taxicab, motorbus, public automobile (plus \$20.00 per vehicle)	\$50.00
☐ 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
10 WATER STREET, HALLOWELL, ME 04347
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:	

PRESENT LICENSE EXPIRES _____

NEW application: ☒ Yes ☐ No

If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☐ SPIRITUOUS

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: BANDED HORN BREWING CO.			Business Name (D/B/A) BANDED BREWING CO.		
APPLICANT(S) –(Sole Proprietor) IAN MCCONNELL		DOB: 02/24/1980	Physical Location: 32 MAIN ST., BLDG 13W, STE 102		
		DOB:	City/Town BIDDEFORD, ME	State 04005	Zip Code
Address 150 OAK LANE			Mailing Address SAME		
City/Town DAYTON, ME	State 04005	Zip Code	City/Town	State	Zip Code
Telephone Number (207) 602-1561	Fax Number	Business Telephone Number (207) 602-1561		Fax Number	
Federal I.D. # 46-2161354	Seller Certificate #: or Sales Tax #: 1165649				
Email Address: Please Print IAN@BANDEDBREWING.COM	Website: WWW.BANDEDBREWING.COM				

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

License #	Name of Business	Physical Location	City / Town

5. Do you permit dancing or entertainment on the licensed premises? YES ☒ NO ☐

6. If manager is to be employed, give name: ANTONIO LYNCH

7. Business records are located at: 32 MAIN ST., BLDG 13W, STE 102, BIDDEFORD, ME 04005

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

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

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

Full Name (Please Print)	DOB	Place of Birth
IAN MCCONNELL	02/24/1980	MAINE
ANTONIO LYNCH	02/01/1983	NEW YORK
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
DAYTON, ME PORTLAND, ME		
PORTLAND, ME NEW YORK, NY		

11. 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)

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

Yes ☐ No ☒ If Yes, give name: _____

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

14. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: _____

THE MILLS AT PEPPERELL LLC, 40 MAIN ST., BIDDEFORD, ME 04005

15. Describe in detail the premises to be licensed: (On Premise Diagram Required) _____

TASTING ROOM LOCATED AT BREWERY

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

YES ☒ NO ☐ Applied for: _____

17. 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? 2/10TH MILE

Which of the above is nearest? CHURCH

18. 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: PRIVATE INVESTMENT, BSAEDC COMMERCIAL LOANS, BANGOR SAVINGS BANK COMMERCIAL LOANS

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, MAINE on SEPTEMBER 25, 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)

IAN MCCONNELL

Print Name

Print Name

FEE SCHEDULE

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

Class I	Spirituos, 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	Spirituos, 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	Spirituos 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 V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, 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.**

See attached diagram

DECK

ENTRANCE

PRODUCTION SPACE

STORAGE AREA

ENTRANCE

TASTING ROOM

OFFICE AREA

ENTRANCE

W/C W/C

31'-8"

BAR

COOLER

KITCHEN

23'-3 1/2"

32'-2 1/2"

SCALE 3/4" = 8'



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: BANDED HORN BREWING COMPANY, LLC
2. Doing Business As, if any: BANDED BREWING COMPANY
3. Date of filing with Secretary of State: 02/13/2013 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 %
IAN MCCONNELL	150 OAK LANE, DAYTON, ME 04005 1925 WASHINGTON AVE., PORTLAND, ME 04103	02/24/1980	OWNER	100%

(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: _____

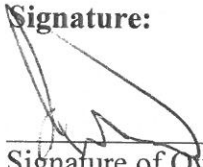
Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:



Signature of Owner or Corporate Officer

9/25/18
Date

IAN MCCONNELL

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
OCTOBER 2, 2018**

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 was excused.

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

Adjustments to the Agenda:

- Remove Order 2018.119 – Approval/Sewer Abatement Policy
- Remove Executive Session

Recognition: Biddeford Citizen James Beaudry

Mayor Casavant noted Mr. Beaudry's long-standing and remarkable leadership as a citizen of Biddeford. Mr. Beaudry was the Director of Athletics at St. Francis College for 21 of his 38 years in education; Mr. Beaudry was head coach or assistant in seven sports, baseball, boys and girls basketball, football, soccer and cross-country. He was an all season's sports standout at Chevrus High School, class of 1941, served in the U.S. Army in World War II, and returned to enroll at the University of Maine at Orono. He taught several courses as an Associate Professor and coached baseball, men's basketball, men's soccer, cross-country and golf at St. Francis before it became the University of New England. Mr. Beaudry was presented with a University of New England chair and a "lifetime pass" to all UNE sporting events. He is a Charter and Executive Committee member of the Maine High School Coaches Association and the District Five National Association of Intercollegiate Athletics which he also served as Vice President. He was inducted into the New England Basketball Hall of Fame and named an Honorary Alumnus and the First Inductee into the University of New England Athletics Hall Of Fame in 2004, and in December, UNE will name their basketball facility the James A Beaudry Gymnasium with a dedication ceremony. Mr. Beaudry served as a Commissioner of the Biddeford Parks and Recreation Department and the Biddeford Wastewater Commission and served on numerous boards and committees. He continues to be active in local sports, teaching clinics at the elementary level and can be seen at numerous sporting events in the Southern Maine area.

Presentation: ShifAME

Molly Fox and Sara Farris of ShifME explained that ShifAME is part of Spurwink and offers Multicultural Case Managers who work specifically with refugees, asylees and immigrant families. They work through the barriers that these groups have when seeking assistance from DHHS, the City's General Assistance Program, Fedcap and other agencies. ShifAME also offers assistance with finding jobs for non-English or limited-English speaking folks; as well as securing public transportation for them.

Consideration of Minutes: September 18, 2018

Motion by Councilor McCurry, seconded by Councilor Seaver to accept the minutes as printed.
Vote: Unanimous.

Second Readings:

{For a copy of the ordinance amendments and first readings, see the Council Meeting minutes of September 18, 2018}

2018.109) Amendment/Land Development Regulations/Art. III-Official Zoning Map/Expansion of MSRD-2 District

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

Vote: Unanimous.

2018.110) Amendment/Land Development Regulations/Change Certain R-1-A and R-3 Zones to New R-1-B Zone w/Different Dimensional Standards

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

Vote: Unanimous.

**2018.112) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-1-Definitions/
Amend LOADING ZONE Definition**

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

Vote: Unanimous.

Orders of the Day:

2018.115

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

BE IT ORDERED, that the City Manager be authorized to purchase two (2) 2019 Ford Fiesta SE cars as per bid of September 21, 2018 (the "Equipment") from Arundel Ford (the "Vendor") and may pay the Vendor an amount not to exceed \$33,996.00 (before discounts valued at \$3,500.00) 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 \$33,996.00;

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 \$33,996.00, (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;

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 2, 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 Foley to grant the order.

Vote: Unanimous.

2018.116

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

BE IT ORDERED, that the City Manager be authorized to purchase a 2019 Ford Transit van as per bid of September 21, 2018 (the "Equipment") from Arundel Ford (the "Vendor") and may pay the Vendor an amount not to exceed \$34,212.00 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 \$34,212.00;

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 \$34,212.00, (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;

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 2, 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 Quattrone to grant the order.

Motion by Councilor McCurry, seconded by Councilor Seaver to table the order until it can be determined what the value of the property in question is; as well as clarification of the current condition of the property.
Vote: Unanimous.

2018.118 **IN BOARD OF CITY COUNCIL...OCTOBER 2, 2018,**
BE IT ORDERED, that the City Manager is hereby authorized to purchase Scale Computing equipment and services through CDW-G in the amount of \$94,953.41.00 in accordance with the CDW-G quote dated September 13, 2018. The funding source shall be from the approved FY2019 CIP IT allocation.

NOTE: The Finance Committee will review this item for approval on October 2, 2018.

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

2018.120 **IN BOARD OF CITY COUNCIL...OCTOBER 2, 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 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.

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

Vote: Unanimous.

2018.121 IN BOARD OF CITY COUNCIL..OCTOBER 2, 2018

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 2019.

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.

Appointments:

IN BOARD OF CITY COUNCIL...OCTOBER 1, 2018

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby appoint the following to the **Downtown Committee**:

**Councilor Norman Belanger
Councilor Marc Lessard
Councilor John McCurry, Jr.
Councilor Michael Ready**

Motion by Councilor McCurry, seconded by Councilor Belanger to confirm the appointments.

Vote: Unanimous.

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

One citizen addressed his concern to the Council.

City Manager Report:

City Manager, James Bennett had the following items:

- 1) Noted that the draft of the Comprehensive Plan is complete and has been forwarded to the Council. The Planning Board will now begin their review process.
- 2) The City has received the paperwork for the Grant that pays for the Opiate Outreach Program that had been instituted as a shared program with Biddeford and Saco. The City’s Grant Writer, Christine Ohman worked to secure the grant.
- 3) Explained that the City is currently competing for a \$150,000 preservation grant from American Express for Historic Preservation. If the City is successful in securing this grant, the money will be used to restore the City Hall Clock Tower. Folks are asked to go online and cast their five votes a day until the end of October.

Other Business:

Councilor Ready: asked about the progress of the Saco River Dredge Project. City Manager, Jim Bennett will get the details and report back.

Councilor St. Cyr: announced that the Chamber of Commerce has a new Director, James Labelle. He thanked Mayor Casavant and City Manager, Jim Bennett for their parts in the selection of the new Director.

Councilor Foley: announced that she is purchasing a new home in Biddeford, but unfortunately, will no longer be living in Ward 5; therefore, she is stepping down from her Ward 5 Council seat. She is honored to have been able to serve on the City Council. She is excited that she will

now have the opportunity to serve the citizens of Biddeford as the District 12 State Representative in Augusta.

Council President Addressing the Council: Councilor McCurry thanked Councilor Foley for her service on the Council and he expressed that she has been a delight and knowledgeable to work with.

Mayor Addressing the Council: Mayor Casavant made the following comments:

- He also thanked Councilor Foley for serving on the Council and he is pleased that he was the one who had originally appointed her. He is thankful for the new points of view she brought to the Council.
- He thanked the Fire Department for hosting an Open House this past weekend. It was very well done, as well as very well attended.
- A couple of weeks ago, he attended a concert of Chamber Singers from Quebec at BMS. His hope is to continue bringing in such events to the City in an effort to bring more cultural heritage and awareness to our citizens.
- He announced that nominations for the BHS Athletic Hall of Fame will be accepted soon, as well as nominations for the Biddeford Hall of Fame.
- He expressed his pleasure with all the recent accolades that some of Biddeford's eating establishments have received from sources outside of Biddeford, and even from outside of Maine. He is thankful to the Council for their vision and continued support of our local businesses.

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

Vote: Unanimous.

Time: 7:08 p.m.

Attest by: _____
Carmen J. Morris, City Clerk

**SPECIAL COUNCIL MEETING
OCTOBER 9, 2018**

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

Roll Call: Michael Swanton, Stephen St. Cyr, Robert Quattrone, Jr., Norman Belanger, Michael Ready, Laura Seaver

John McCurry, Jr. and Marc Lessard were excused.

There were no adjustments to the agenda.

Order of the Day:

IN BOARD OF CITY COUNCIL..OCTOBER 9, 2018

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

**Amy Clearwater
136 Alfred Street**

as **City Councilor for Ward 5**, replacing Victoria Foley, for the remainder of the current term, which will expire in December 2019.

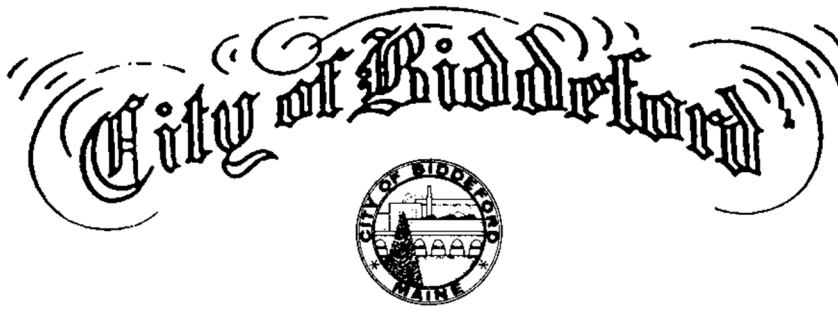
BE IT FURTHER ORDERED, that Councilor Amy Clearwater replace former Councilor Victoria Foley on the Capital Projects/Operations Committee.

Motion by Councilor Ready, seconded by Councilor Swanton to confirm the appointment.
Vote: Unanimous.

City Clerk, Carmen Morris administered the Oath of Office to newly confirmed Councilor Amy Clearwater.

Motion by Councilor Ready, seconded by Councilor Quattrone to adjourn.
Vote: Unanimous. time: 6:02 p.m.

Attest by: _____
Carmen J. Morris, City Clerk



2018.123 **IN BOARD OF CITY COUNCIL..OCTOBER 16, 2018**
BE IT ORDAINED by the City Council of Biddeford, Maine to amend the Code of Ordinances of the City of Biddeford as follows:

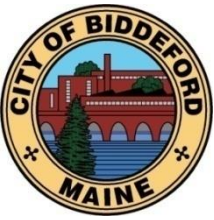
Part III (Land Development Regulations), Article V (Establishment of Zones), Table B (Dimensional Requirements):

Zoning District	Minimum Setback, Feet**			
	From Major R.O.W.	From Other R.O.W.	Side	Rear
I-1 O	40 <u>S</u>	30 <u>S</u>	25 E, <u>S</u>	25 E, <u>S</u>
I-2 O	40 <u>S</u>	30 <u>S</u>	25 E, <u>S</u>	25 E, <u>S</u>
I-3 O	40 <u>S</u>	30 <u>S</u>	25 E, <u>S</u>	25 E, <u>S</u>

NOTES for Table B:

- E. All buildings and structures shall be set back at least 50 feet from any zone in which residential dwellings are an allowed use, except as otherwise provided in this Table.
- S. The Building Inspector may allow a lessening of setback requirements, to no less than ten (10) feet, for utility buildings and structures to facilitate utility infrastructure improvements. Any such buildings or structures built under this provision shall be removed when no longer used for such necessary utility infrastructure.

NOTE: The Planning Board held a duly noticed Public Hearing on this item on October 3, 2018 and voted 4-0 to recommend this amendment be approved by the City Council.



CITY OF BIDDEFORD PLANNING DEPARTMENT

Greg D. Tansley, A.I.C.P.
205 Main Street
PO Box 586
Biddeford, ME 04005
(207) 284-9115

Greg.Tansley@biddefordmaine.org

MEMORANDUM

TO: Mayor Casavant
Council President McCurry & Members of City Council
J. Bennett, City Manager

CC: M. Eddy, Planning and Development Director

FROM: Greg Tansley, AICP, City Planner

A handwritten signature in black ink, appearing to read "Greg Tansley", is written over the "FROM:" line.

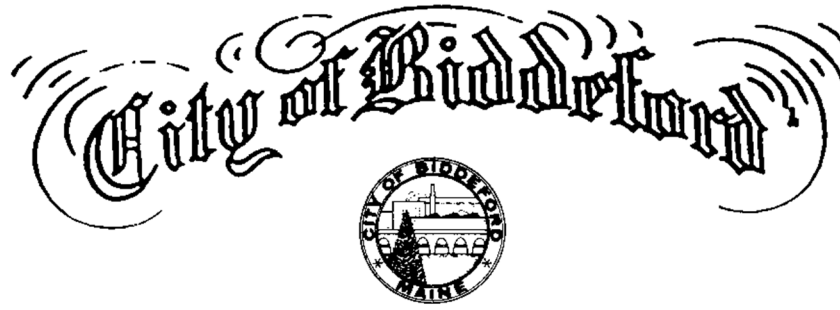
DATE: October 9, 2018

RE: A proposed amendment to allow the Building Inspector to approve decreased setbacks of down to 10 feet for utility buildings and structures construction in Industrial Zones.

Attached is a proposal that has come about through discussions with FMI (Fiber Materials, Inc.) at 5 Morin Street in the Biddeford Industrial Park. FMI needs to make electrical upgrades on their site, and according to FMI representatives, they cannot locate the necessary buildings/structures to comply with the front setbacks from Morin Street.

Through those discussions City Staff have developed the attached language that would provide for exceptions to the setbacks for utility buildings and structures in the Industrial Parks. Such a reduction could be approved by the Code Enforcement Office for such installations, similar to the exceptions allowed for disability compliance structures.

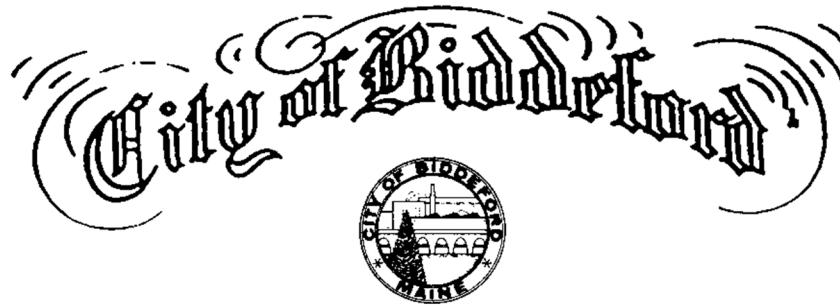
On October 3, 2018 the Planning Board held a duly noticed Public Hearing on the proposal. At that meeting no members of the Public spoke against the proposal. **Following the Public Hearing the Planning Board voted 4-0 to recommend this amendment be approved by the City Council.**



2018.124

IN BOARD OF CITY COUNCIL..OCTOBER 16, 2018

BE IT ORDERED, that the regularly scheduled Council Meeting of November 6, 2018 be re-scheduled for **Thursday, November 8th at 6:00 p.m. in the Council Chambers** due to the State General and Referendum Election on November 6, 2018.



IN BOARD OF CITY COUNCIL...OCTOBER 16, 2018
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby
appoint:

Spiros Droggitis
2 Main St, #35-201
Ward 5

to the *Planning Board* as an Associate Member, (replacing Matthew Boutet), for a term
to expire in December 2019.

CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date: October 6, 2018

Name: Spiros C. Droggitis

Street Address: 2 Main Street, Suite 35-201
Biddeford, Maine 04005

Mailing Address:
(if different) _____

Phone Number(s): 240-479-1964

Email Address: spiros.droggitis@verizon.net

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)

Downtown Development Commission from mid-2016 to present
Served on committee in 2017 to review bids from parking lot consultants and engineering firms on the
prospective parking garage in Biddeford.

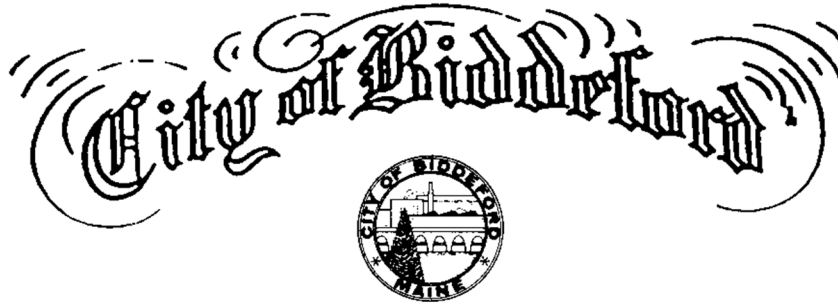
Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on.

During my many years at the U.S. Nuclear Regulatory Commission I served on committees where I learned
the value of receiving a variety of perspectives on issues, but also the need to reach decisions based on the
meeting requirements satisfactorily. I am applying for an position as an alternate member of the Planning
Board.

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

Born and raised in Biddeford, I returned to Biddeford in 2015 after 40 years in the Washington, DC area
where I worked for the U.S. Senate, the Office of Senator Edmund Muskie of Maine and the US Nuclear
Regulatory Commission. I also worked for a year as a Washington representative for Fiber Materials Inc. I
retired from the NRC in 2012 as Associate Director for Federal and External Affairs in NRC's Office of
Congressional Affairs. My wife and I now live in the Mill District and we have an interest in the rehabilitation
and revitalization of Biddeford and its downtown where my grandfather once ran a shoe shine and repair
shop on Main Street and later on Washington Street and where my father and three uncles started and
operated the WonderBar Steak House from 1935-1982.

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



2018.

IN BOARD OF CITY COUNCIL..OCTOBER 16, 2018

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to execute the proposed Public Works Department Non-Supervisory Union Contract substantially in the form presented to the City.