

**COUNCIL MEETING
OCTOBER 1, 2019**

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

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

Robert Quattrone, Jr. and Amy Clearwater were excused.

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

Adjustment to the Agenda: Order 2019.108 was removed

Recognition: McArthur Library Board of Directors – New Members

McArthur Library Director, Jeff Cabral took this opportunity to recognize two new members to the McArthur Library Board of Directors – Patricia Boston and Mimi Bean. He is very pleased to welcome them both, and looks forward to working with them.

Mayor Casavant used this recognition of volunteerism as a lead into his recognition of the **2019 Volunteer of the Year**. The City recently held its 4th Annual Employee & Volunteer Appreciation Banquet; at which the selected Volunteer of the Year could not attend. Mayor Casavant took this opportunity to recognize the person, who currently serves as the President on the McArthur Library Board of Directors, as well as serving on other City organizations, **Roch Angers**.

Public Hearing: Liquor License Application: Magnus on Water, LLC

The Chair opened the Public Hearing at 6:07 p.m.

There were no public comments.

The Public Hearing was closed at 6:07 p.m.

Consideration of Liquor License Application: Magnus on Water, LLC

Motion by Councilor McCurry, seconded by Councilor Belanger to recommend the issuance of a Liquor License to Magnus on Water, LLC.

Vote: Unanimous.

Consideration of Minutes: September 17, 2019

Motion by Councilor McCurry, seconded by Councilor Belanger 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 17, 2019}

2019.102) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-90-No Parking/Add on Evans Road @ Intersection with Lester B. Orcutt Blvd

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

Motion by Councilor Swanton, seconded by Councilor Belanger to amend by changing ‘northeasterly’ to southeasterly.

Vote: Unanimous.

Vote on ordinance amendment, as amended: Unanimous.

2019.103) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-89-Stop intersections/Add on Evans Road, at Lester B. Orcutt Blvd

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

Vote: 6/1; Councilor Swanton opposed.
Councilors McCurry, St. Cyr, Belanger, Ready, Seaver and Lessard in favor.
Motion carries.

2019.104) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-96-Three-way stop streets/Add on Lester B. Orcutt Blvd at Mile Stretch Road; and Delete on Lester B. Orcutt Blvd at First Street

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

Vote: 5/2; Councilors Swanton and Lessard opposed.
Councilors McCurry, St. Cyr, Belanger, Ready and Seaver in favor.
Motion carries.

Orders of the Day:

2019.106 **IN BOARD OF CITY COUNCIL..OCTOBER 1, 2019**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve the reallocation of Assigned Fund Balance.

The following Capital Projects in the Assigned Fund Balance will be discontinued:

22001-60306	Other Professional/Consult	\$ 5,300
22001-60862	Historic Preservation	621
22001-60974	Miscellaneous Reserve	43,874
22001-60975	Allocation for Capital Imp	28,000
22004-60310	Service Contracts Expense	4,000
22004-60979	Saco River Project	<u>75,200</u>
For a total of		\$156,995

The discontinued funding will be reallocated for the following Capital Projects as determined by the city manager to be in the best financial interest of the City:

Police Lockers (Order 2019.106)	\$ 76,756 ¹
Fire Bathrooms (Order 2019.107)	TBD ²
Public Works Electronic Sign (Order 2019.108)	<u>TBD³</u>
For a total of	\$156,995

Notes:

¹Maximum financial requirement not covered by JAG Grant.

²The Fire Department is expecting one (1) additional bid no later than Tues., October 1. The pending bid will be distributed as soon as it is received. A vendor recommendation for the bathroom project will be provided at that time.

³Electronic sign bids are due October 1 and will be presented to Finance and Council at their respective meetings with a vendor selection recommendation.

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

Motion by Councilor McCurry, seconded by Councilor Lessard to amend the order by including \$34,500.00 for the Dual Face Sign at the Dept. of Public Works.

Vote: 6/1; Councilor St. Cyr opposed.
Councilors Swanton, McCurry, Belanger, Ready, Seaver and Lessard in favor.
Amendment carries.

Vote on order, as amended: 6/1; Councilor St. Cyr opposed.
Councilors Swanton, McCurry, Belanger, Ready, Seaver and Lessard in favor.
Motion carries.

NOTE: This leaves \$45,739.00 in unallocated funds.

2019.107

IN BOARD OF CITY COUNCIL..OCTOBER 1, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve the purchase of 64 Spacesaver Police Duty Lockers from Donnegan Systems, Inc. in an amount not to exceed \$105,767.00. The total price include Optional Components, freight and installation.

Funding source for this project is as follows: \$30,000.00 from previously approved JAG Grant; with the remaining \$75,767.00 to be funded from the re-designated Assigned Fund Balance.

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

Vote: Unanimous.

2019.109

IN BOARD OF CITY COUNCIL..OCTOBER 1, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve the purchase of Dual Face LED Sign to be installed at the Department of Public Works at 371 Hill Street.

NOTE: Bids are due on October 1, 2019, per the attached Notice of Request for Bids. Bids will be open and results compiled at 1:30 p.m. Bid information and recommendation for purchase will be provided prior to the October 1, 2019 Finance Committee meeting.

Motion by Councilor McCurry, seconded by Councilor Ready to grant the order, going with Sign Design, Inc. of Portland, ME, in the amount of \$34,500.00.

Vote: 5/2; Councilors St. Cyr and Belanger opposed.

Councilors Swanton, McCurry, Ready, Seaver and Lessard in favor.

Motion carries.

2019.110

IN BOARD OF CITY COUNCIL..OCTOBER 1, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the award of contract for the paving of Morin Street to Shaw Brothers, Inc. in an amount not to exceed \$461,000. Funding for this project will breakdown as follows:

- \$100,000 from Industrial Park Fund (31101-60604)
- \$361,000 from Road Construction/Improvements Fund (21204-60604)

NOTE: The Finance Committee will review this item at their October 1, 2019 meeting and vote to make a recommendation to the Council.

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

Motion by Councilor Lessard, seconded by Councilor Swanton to amend the order to include that if the revenue does not come in from the expected building permits for future projects, that the delta be taken out of the Contingency Account to cover the costs of this paving project.

Vote: 6/1; Councilor St. Cyr opposed.

Councilors Swanton, McCurry, Belanger, Ready, Seaver and Lessard in favor.

Amendment carries.

Motion by Councilor McCurry, seconded by Councilor Ready to further amend to also include the paving of Drapeau Street in the amount of \$158,000.00.

Vote: 4/3; Councilors Swanton, St. Cyr and Belanger opposed.

Councilors McCurry, Ready, Seaver and Lessard in favor.

Amendment carries.

Vote on order, as amended: 6/1; Councilor St. Cyr opposed.

Councilors Swanton, McCurry, Belanger, Ready, Seaver and Lessard in favor.

Motion carries.

2019.111

IN BOARD OF CITY COUNCIL..OCTOBER 1, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the purchase of a Pedestrian Warning Traffic Light in an amount not to exceed \$10,000 through the Maine Department of Transportation.

The funding for this purchase will be taken from the **Rte 111-Mill Redevelopment Municipal Development and Tax Increment Financing District**, account (31179-60313).

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

2019.112 **IN BOARD OF CITY COUNCIL..OCTOBER 1, 2019**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the development and implementation of a “Warning to First Time Parking Violator” Policy for overtime parking on all Downtown City Streets, and those municipal parking lots that allow hourly (timed) parking. This Policy is intended to warn violators of the Overtime Parking Ordinances, including the timed parking within the Municipal Lots, as a one-time action per registered owner. This Policy is not intended to include any other parking restrictions established or imposed within the Code of Ordinances.

Motion by Councilor Belanger, seconded by Councilor Swanton to grant the order.
Vote: 3/4; Councilors Lessard, Ready, McCurry and St. Cyr opposed.
Councilors Swanton, Belanger and Seaver in favor.
Motion fails.

2019.113 **IN BOARD OF CITY COUNCIL..OCTOBER 1, 2019**
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 2020.

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.

2019.114 **IN BOARD OF CITY COUNCIL..OCTOBER 1, 2019**
BE IT ORDERED, that the regularly scheduled Council Meeting of November 5, 2019 be re-scheduled for **Thursday, November 7th at 6:00 p.m. in the Council Chambers** due to the State Referendum and Municipal General Election on November 5, 2019.

Motion by Councilor McCurry, seconded by Councilor Ready to grant the order.
Vote: 6/1; Councilor St. Cyr opposed.
Councilors Swanton, McCurry, Belanger, Ready, Seaver and Lessard in favor.

Public Addressing the Council..(5 minute limit per speaker; 30 minute total time limit):
There were no comments from the public.

City Manager Report:

City Manager, James Bennett reported on the following items:

- Process with FEMA
- Application for and receipt of funds from VW Grant
- \$3.2 million HUD Grant to help eradicate lead paint from buildings within the City
- October 9th is the Ground Breaking Ceremony for the Lincoln Mill Project
- Gave a general update on upcoming development projects

Other Business:

Councilor Swanton: noted that the Journal Tribune has announced that they are closing; which now means the City will need to find an alternative way to advertise.

Council President Addressing the Council: Councilor McCurry encouraged his fellow Councilors and the general public to come together, no matter what people’s opinions are, to support the future parking garage and to help ensure its success.

Mayor Addressing the Council: Mayor Casavant announced that Saturday, October 12th is Biddeford Cultural Heritage Day, with an event being held at Biddeford High School.

Mayor Casavant then talked a bit about volunteerism. He feels that volunteers are generally under-appreciated by the public. He noted that many organizations, including the City, depend heavily on volunteers, and unfortunately, it seems as though it's getting more and more difficult to get volunteers to fill spots on committees, commissions and boards throughout the City. He highly encouraged citizens to get involved and to volunteer and in the process, reap the rewards and self-satisfaction of volunteering and giving back to the community.

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

Vote: Unanimous.

Time: 7:03 p.m.

Attest by: _____
Carmen J. Morris, City Clerk