

City of Biddeford
City Council
September 19, 2023 6:00 PM Council Chambers & Zoom

Status:

1. Roll Call

Chairman Belanger - present
Councilor Lessard - present
Councilor Ortiz - absent
Councilor Emhiser - present
Councilor Whiting - present
Councilor Grohman - present
Councilor Mills -present
Councilor Schlaver - present
Councilor LaFountain - present

2. Pledge of Allegiance

3.Adjustment(s) to Agenda

- 3.a. Add Order 2023.120 Approval/Appointment James Bennett as Interim Tax Collector

4. Communications

- 4.a. Upcoming Order for Temporary Change to Council Rules Regarding Zoom Participation in Council Meetings. Order 2023.116

City Manager Jim Bennett presented several options prepared by staff to reduce the exposure to inappropriate Zoom behavior happening in Maine right now. He spoke in support of those who have been impacted by these disruptions and stated that Biddeford is committed to being a place where people feel safe and are free from intimidation.

The options can be combined or used separately but whatever policy the Council passes will be used City wide for all committees and meetings that have public input via zoom.

Council discussed the pros and cons of the options presented, they want to encourage public participation but in a safe and respectful manner.

City Attorney Harry Center explained that for a new Council policy the vote would require a simple majority to pass.

Councilor Belanger – motion to amend Council rules to require that anyone who is participating remotely through Zoom do so with an authenticated Zoom account.

Moved: Councilor Emhiser

Second: Councilor Whiting

Councilor Emhiser – requested that if this is approved that staff publish clear directions for the authentication process.

Several Councilors spoke in favor of public participation and in support of the motion.

Vote: Unanimous in favor.

Motion passed.

5. Proclamation:

5.a. Constitution Week

Constitution Week -PROCLAMATION

Mayor Casavant read the proclamation

5.b. Hispanic Heritage Month

Hispanic Heritage Month -PROCLAMATION

Mayor Casavant read the proclamation

6. Public Hearing

6.a. Approval/Liquor License - Peng's Pizza Pies

Peng's Pizza Pies Liquor License Application

Legal Liquor ad Peng's pizza pies September 2023

Public Hearing began at: 6:37 pm

There were no public comments

Public Hearing closed at: 6:38 pm

7. Liquor License Consideration

7.a. Approval /Liquor License - Peng's Pizza Pies

Legal Liquor ad pengs pizza pies September 2023

Peng's Pizza Pies Liquor License Application

Motion: Councilor Belanger

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

8. Public Addressing the Council...(3 minute limit per speaker for up to a total of 15 minutes)

No public comments

9. Consideration of Minutes:

- 9.a. Council minutes 8-29-2023
City Council Minutes 8-29-2023

Motion: Councilor Mills
Second: Councilor Lessard
Vote: Unanimous in favor.
Motion passed.

- 9.b. Council Minutes 9-5-2023
City Council minutes 9-5-23

Motion: Councilor Mills
Second: Councilor Lessard
Vote: Unanimous in favor.
Motion passed.

10. Second Reading:

- 10.a. 2023.102 Amend/Harbor Ordinance Sec 74-35 Wharfs, Piers, Landings
20230905 Amendment to Harbor Ordinance Sec 74-35 - ORDER 2nd
20230905 Amendment to Harbor Ordinance Sec 74-35 - BRIEF

Motion: Councilor Mills
Second: Councilor Lessard
Vote: Unanimous in favor.
Motion passed.

11. Orders of the Day:

- 11.a. 2023.116 Approval/Temporary Change to Council Rules Regarding Zoom
Participation in City Council Meetings
20230919 Change to Council Rules Regarding Zoom Participation in Meetings -
BRIEF

See item 4.a.

- 11.b. 2023.117 MMA Annual Business Meeting Voting Credentials
20230919 MMA Annual Business Meeting Voting Credentials - ORDER
20230919 MMA Annual Business Meeting Voting Credentials - BRIEF
MMA Annual Business Meeting and Voting Credentials

Motion: Councilor Grohman
Second: Councilor Lessard
Vote: Unanimous in favor.
Motion passed.

- 11.c. 2023.118 Appointments to Ad hoc Eastern Fire/EMS Building Committee

Ad Hoc Eastern Fire-EMS Building Committee-APPOINTMENTS Order
Appointment Application- James Plamondon -Eastern Fire.EMS Building Committee
Appointment Application- Paul Brady- Eastern Fire.EMS Building Committee
AppointmentApplication- Scott Joslin - Eastern Fire.EMS Building Committee

Motion: Councilor Grohman
Second: Councilor Lessard

Councilor LaFountain – asked if there were additional committee members needed.
Response – there could be 1 Councilor, 1-2 more community members and 2 staff people on the committee.

Vote: Unanimous in favor.
Motion: Motion passed.

- 11.d 2023.119 Approval/Request to Waive Property Taxes for Map 30 Lot 58, Winding Creek Lane, former Gervais Dube Properties
20230919 Request to Waive Taxes - Map 30 Lot 58 former Gervais Dube Property - ORDER
20230919 Request to Waive Taxes - Map 30 Lot 58 former Gervais Dube Property - BRIEF
20230919 Request to Waive Taxes - Map 30 Lot 58 former Gervais Dube Property - REFERENCE

Motion: Councilor Belanger
Second: Councilor Lessard

City Manager Bennett provided an overview of the property history, this was part of the land swap of 100 acres from Mr. Dube to the City for Clifford Park in exchange for 6 acres. The timing of the property transfer was delayed due to appraisals and no fault of the property owner.

Councilors Grohman and Mills spoke in support of the order.

Vote: Unanimous in favor.
Motion passed.

- 11.e. 2023.120 Approval/Appointment of James Bennett as Interim Tax Collector
Motion: Councilor Mills
Second: Councilor Belanger

City Manager Bennett gave an overview of the issues created by the Finance Department vacancies and upcoming deadlines in the lien process that require a Tax Collector.

Several Council members expressed their support for the City Manager but concerns with all of the responsibility with one person, asked if there were others who could do this.

City Manager Bennett explained the processes for bonding, training and risks of another person and further explained the recruiting process to date. This is an interim situation, staff is working diligently to fill the vacancies in Finance.

Councilor Belanger – motion to amend to name James Bennett as Interim Tax Collector until the second Council meeting in November and come up with another person at that point in time.

Second – Councilor LaFountain.

Vote on the amendment:

3 yeas – Councilors Belanger, Whiting and LaFountain

5 nays – Councilors Lessard, Mills, Schlaver, Grohman and Emhiser

Amendment failed.

Councilors Lessard and LaFountain asked for additional information about the tax collector responsibilities and financial impact.

City Manager explained the plan for each position when the Finance department is fully staffed. There are 100 liens in the next week. Property tax liens will be coming as well once the prescribed tax dates are followed.

Vote on the original order:

5 yeas – Councilors Belanger, Whiting, Schlaver, Emhiser and Mills.

3 nays – Councilors Lessard, LaFountain and Grohman.

Motion passed.

12. Public Addressing the Council..(5 minute limit per speaker)

No public comments

13. City Manager Report

City Manager Bennett gave an update on the extra duties that he and COO Phinney will take on to cover the vacancies in the Finance department. He requested that Councilors let him know of any projects they want included in the next budget cycle so staff can get pricing.

14. Other Business

Councilor Lessard – provided current data on the US economy and debt.

Councilor LaFountain – excellent job by everyone on Household Hazardous Waste day.

Councilor Grohman - will be grilling at the Biddeford Recovery Community Softball game on Saturday, September 30th.

15. Council President Addressing the Council

Council President Belanger did not address the Council.

16. Mayor Addressing the Council

Mayor Casavant spoke about the current tax bills, the process is controlled by State law and the City has to follow the set values or there are financial penalties on individual exemptions and State subsidies to the City. Citizens should reach out to their Council representative, the City Assessor or the Mayor with questions.

17. Executive Session

17.a. Executive Session 1 MRSA 405 (6) (c) Economic Development

Motion to go into executive session by Councilor Mills at 7:32 pm

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

Motion to come out of executive session by Councilor Mills at 8:38 pm

Second: Councilor Belanger

Vote: Unanimous in favor.

Motion passed.

18. Adjourn

Motion to adjourn by Councilor Mills at 8:38 pm

Second: Councilor Belanger

Vote: Unanimous in favor.

Meeting adjourned.

Attest: _____

Robin Patterson, City Clerk

