

**COUNCIL MEETING
SEPTEMBER 18, 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

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

There were no adjustments to the agenda.

Recognition:

- **Presentation of Certificate of National Accreditation to the Biddeford Police Department of its Achievement & Meeting the National Standards set forth by the Commission on Accreditation of Law Enforcement Agencies (CALEA)**

Mayor Casavant began the presentation by congratulating the Police Department on this most impressive accomplishment. He then introduced Greg Murphy, who serves as the Chair of the Northern New England Police Accreditation Coalition (NNEPAC). NNEPAC was formed in 1987 and is comprised of law enforcement agencies from Vermont, New Hampshire, Massachusetts and Maine. Its mission is to be an active proponent of law enforcement professionalism and of the law enforcement accreditation process.

Mr. Murphy and several NNEPAC agencies were very instrumental in helping the Biddeford Police Department achieve its national accreditation by providing guidance during the accreditation process and conducting a mock assessment prior to the formal CALEA assessment.

Greg Murphy offered his congratulations to the Police Department and noted that only 5% of police departments nationally have gained national accreditation. This goes to show the very high standard of conduct the Biddeford Police Department operates under. He went on to introduce Paul MacMillan, who is the Northeast Program Manager for CALEA. Mr. MacMillan presented Chief Roger Beaupre with the official CALEA certificate, which will now be proudly hung at the Police Station. Chief Beaupre, Lt. Ricky Doyon, Sgt. Jeffrey Greene and the Accreditation Manager, James Emerson were all recognized for their roles in this process.

Chief Roger Beaupre extended his thanks to both Mr. Murphy and Mr. MacMillan for being in attendance and part of this evening's recognition. He also recognized and thanked City Manager, Jim Bennett, Mayor Casavant and the Council for their commitment and support throughout the whole accreditation process.

- **Presentation to Biddeford Police Department by Senator King's Office and State of Maine Legislature**

Mayor Casavant read sentiments and presented an official certificate from Senator Angus King's Office in recognition of the Biddeford Police Department in their CALEA achievement.

State Senator Susan Deschambault expressed her heartfelt congratulations to the Biddeford Police Department, and presented Chief Beaupre with a State of Maine Flag and American Flag, both of which had been flown over the State Capital on September 7th, 2018 in honor of the Biddeford Police Department's achievement of Accreditation.

Mayor Casavant closed the recognition with special thanks to Chief Roger Beaupre and his steady and exemplary leadership in all his years of service to the City, and especially through the accreditation process. Lastly, he extended sincere thanks to the spouses and significant others of our Police Department personnel, for their undying support.

Consideration of Minutes; September 4, 2018; September 11, 2018

Motion by Councilor Ready, seconded by Councilor Foley to accept the minutes of September 4, 2018 as printed.

Vote: Unanimous.

Motion by Councilor Ready, seconded by Councilor Foley to accept the minutes of September 11, 2018 as printed.
Vote: Unanimous.

Second Readings:

{For a copy of the ordinance amendments and first readings, see the council meeting minutes of September 4, 2018}

2018.100) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-56 – Taxi Parking

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

Vote: Unanimous.

2018.101) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-59 – Snow Emergency Parking Ban

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

Vote: 6/3; Councilors Foley, Seaver and Ready opposed.

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

Motion carries.

2018.102) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-62 – Identification and Use of Municipal Parking Lots

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

Vote: 6/3; Councilors Seaver, Ready and Swanton opposed.

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

Motion carries.

2018.103) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-64 – Fees for Parking Violations

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

Vote: 7/2; Councilors Seaver and St. Cyr opposed.

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

Motion carries.

2018.104) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-66 – Beach Permit Parking Enumerated

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

Vote: Unanimous.

2018.105) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-90 - No Parking

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

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

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

Motion carries.

2018.106) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-92 – Limited Parking

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

Vote: 8/1; Councilor Seaver opposed.

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

Motion carries.

2018.107) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-94 – Taxi Stands

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

Vote: Unanimous.

2018.109

IN BOARD OF CITY COUNCIL..SEPTEMBER 18, 2018

Part III (Land Development Regulations), Article III (Official Zoning Map), be amended to expand the MSRD-2 District as depicted on the attached map.

NOTE: The Planning Board held a duly noticed Public Hearing on this item (at the request of the City Council) and voted 4-0 to recommend this amendment be approved by the City Council.

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

Vote: Unanimous.

2018.110

IN BOARD OF CITY COUNCIL..SEPTEMBER 18, 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 III (Official Zoning Map), be amended to create an R-1-B District as depicted on the attached map.

Part III (Land Development Regulations), Article V (Establishment of Zones), Section 2 (General description of zones and allowed uses):

c. Residential Zones

R-1-B: These areas are limited to single-family residential uses similar to the R-1-A Zone. The lot size and setbacks are generally smaller. These areas are served by water and sewer. These districts are best characterized as in-town single-family neighborhoods.

Part III (Land Development Regulations), Article V (Establishment of Zones), Table A (Table of Land Uses):

KEY:

* Subject to Article VI, Performance Standards, of this ordinance.

P Permitted use.

Not permitted.

C Conditional use. See Article VII for specific standards.

A Accessory use

	Article VI Section	R-1-A	<u>R-1-B</u>
Residential uses:			
Accessory dwelling unit* 27	78	P	<u>P</u>
Accessory structure*	2	P 3	<u>P 3</u>
Boarding, rooming house*	10		
Bed-and-breakfast*	9		
Cluster development*	18	C	<u>C</u>
Congregate housing*	19		
Duplex/2-family	24		
Home occupation*	38	C	<u>C</u>
Manufactured housing*			
Mobile home park*			
Multifamily dwelling*	47		
Planned unit developments*	73		
Single-family dwelling 11	2	P	<u>P</u>

	Article VI Section	R-1-A	<u>R-1-B</u>
Commercial uses:			
Adult business	3		
Amusement center*	5		
Art gallery			
Art studio			
Auto body shops			
Automobile graveyard, automobile recycling business, junkyard*	7		
Automobile repair, sales			
Boat building, repair, marine services, sales, boat livery, marina, yacht club			
Building materials retail sales			
Carwash*	14		
Commercial gardening, commercial greenhouse*	17	C	<u>C</u>
Commercial recreation*	18		
Commercial school*	53		
Drugstore/medical supply			
Financial institution			
Firewood processing*	33		
Fisheries processing, storage*	34		
Funeral parlor			
Gasoline service station*	36		
Hotel/motel*	40		
Indoor theater			
Kennel, veterinary hospital*	42		
	Article VI Section	R-1-A	<u>R-1-B</u>
Medical marijuana dispensaries			
Medical marijuana growing facilities			
Neighborhood convenience store		C 4	<u>C 4</u>
Off-street loading and parking lot and facilities, commercial parking garage	49		
Offices, business and professional*	52		
Planned unit developments*	73		
Publishing, printing			
Restaurant*	56		
Retail store			
Sawmill*	33		
Services			
Shopping center			
Telecommunications facilities	71		
Wholesale business			
Industrial uses:			

Air transportation related use			
Air transportation dependent use*			
Airport	4		
Bulk oil terminal*	41		
Contractor's storage yard			
Demolition disposal*	23		
Experimental research and testing laboratory	29		
Light manufacturing*	41		
	Article VI Section	R-1-A	<u>R-1-B</u>
Light trucking dependent industry*	41		
Manufacturing*	41		
Planned unit developments*	73		
Resource recovery facility			
Recycling facilities	76		
Redemption centers			
Storage of bulk gaseous fuels*	41		
Transportation facilities			
Trucking, distribution terminal*			
Warehousing and storage*	60		
Self-storage facilities*	60		
Educational, institutional public uses:			
Addiction treatment facility 22			
Church, synagogue*		C	<u>C</u>
Civic, convention centers			
Community centers, clubs			
Day care center, adult	22	C	<u>C</u>
Day care home, adult	22	C	<u>C</u>
Day care home, children's	22	C	<u>C</u>
Day care center, children's	22	C	<u>C</u>
Essential services	27	C	<u>C</u>
Fire, police station			
Group homes, hospice	19	C	<u>C</u>
Hospital*	39		
Municipal use	47.1	C	<u>C</u>
	Article VI Sectiona	R-1-A	<u>R-1-B</u>
Museum, library			
Nursing home*	39		
Public and private schools*	53	C	<u>C</u>
Public facility		C	<u>C</u>
Rehabilitation facility			
University/college*			
University uses*			

Outdoor, resource-based uses:			
Agriculture*	3, 31		
Agricultural products processing and storage*	3, 31		
Animal breeding or care	42		
Campground*	13		
Cemetery	14.1	C	<u>C</u>
Extractive industry*	30		
Farm stands* 13	31		
Timber harvesting	64		
Golf course excluding miniature golf		P	<u>P</u>
Parks and recreation*		P	<u>P</u>

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

Zoning District	Minimum Lot Size, Square Feet Per Unit A				Frontage			Minimum Setback, Feet**				Maximum Heights+	
	Water and Sewer	Water, No Sewer	Sewer, No Water	Neither Water Nor Sewer	Water and Sewer	Water or Sewer	Neither Water Nor Sewer	From Major R.O.W.	From Other R.O.W	Side	Rear	Stories	Feet
R-1-A, single-family	10,000	20,000	10,000	20,000	100	100	100	40	25	10	10	3	35
<u>R-1-B, single-family</u>	<u>5,000</u>	<u>20,000</u>	<u>5,000</u>	<u>20,000</u>	<u>50</u>	<u>50</u>	<u>50</u>	<u>25</u>	<u>10</u>	<u>5</u>	<u>5</u>	<u>3</u>	<u>35</u>

Part III (Land Development Regulations), Article VI (Performance Standards), Section 59 (Signs), C (District regulations):

1. In the Suburban Residential, R-1-A, R-1-B, C-R, W-1, and W-3 Districts, only the following signs shall be permitted:

Part III (Land Development Regulations), Article VI (Performance Standards), Section 71 (Telecommunications facilities), E (Zoning districts/performance standards/dimensional requirements):

1. In the LRF and I-3 Districts telecommunications facilities shall be allowed as a conditional use conforming to the performance standards and dimensional requirements noted below.

Suburban Residential Zones (SR), Residential Zones (~~R-1-A~~, R-1-B, R-2, R-3), Coastal Residential Zone, Institutional Zone (IN), Rural Farm (RF): communication towers are prohibited.

NOTE: The Planning Board held a duly noticed Public Hearing on this item (at the request of the City Council) and voted 3-1 to recommend this amendment be approved by the City Council.

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

Vote: Unanimous.

2018.111 IN BOARD OF CITY COUNCIL..SEPTEMBER 18, 2018
BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article IV Specific Street Regulations, **Section 42-90 No Parking**, is amended by adding or ~~deleting~~ to read as follows:

Pool Street, both sides, from the intersection with Hills Beach Road, thence easterly to the Kennebunkport Town line.

NOTE: The Policy Committee considered this item at their Sept. 10, 2018 meeting and voted unanimously to recommend passage by the City Council **as an EMERGENCY due to Public Safety reasons.**

Motion by Councilor Belanger, seconded by Councilor Lessard to grant the first reading of the ordinance amendment.

Vote: Unanimous.

Motion by Councilor McCurry, seconded by Councilor Lessard to suspend the rules to allow for the second reading and to make this ordinance amendment effective immediately as an emergency ordinance for the sake of public safety.

Vote: Unanimous.

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

Vote: Unanimous.

2018.112 IN BOARD OF CITY COUNCIL..SEPTEMBER 18, 2018
BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article I - IN GENERAL, **Section 42-1** Definitions, is amended by adding or ~~deleting~~ to read as follows:

LOADING ZONE A parking area reserved exclusively for use in the active loading or unloading of a vehicle that is displaying commercial, apportioned, ~~or~~ other commercial vehicle registration plates, or with a permit issued by the Chief of Police for that purpose.

NOTE: The Policy Committee considered this item at their Sept. 10, 2018 meeting and voted unanimously to recommend passage by the City Council.

Motion by Councilor Belanger, seconded by Councilor Swanton to grant the first reading of the ordinance amendment.
Vote: Unanimous.

2018.113 **IN BOARD OF CITY COUNCIL...SEPTEMBER 18, 2018**
BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article IV Specific Street Regulations, **Section 42-90 No Parking**, is amended by adding or ~~deleting~~ to read as follows:

Cathedral Oaks Drive, odd-numbered side, beginning at the southeast corner of the intersection with Indian Ridge Drive, at the four way intersection of Cathedral Oaks Drive, Alexander Drive, and Indian Ridge Drive, thence southerly for a distance of ~~60~~ 75 feet.

NOTE: The Policy Committee considered this item at their Sept. 10, 2018 meeting and voted unanimously to recommend passage by the City Council

Motion by Councilor Seaver, seconded by Councilor Belanger to grant the first reading of the ordinance amendment.
Vote: Unanimous.

2018.114 **IN BOARD OF CITY COUNCIL..SEPTEMBER 18, 2018**
BE IT ORDERED, that the City Council of the City of Biddeford hereby adopts the Maine Municipal Association Model Ordinance, General Assistance Appendices (A-D) – **General Assistance Maximums** for the period of October 1, 2018 to September 30, 2019.

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

Appointments:

MMA Annual Business Meeting – Voting Credentials

Motion by Councilor McCurry, seconded by Councilor Ready that City Manager, James Bennett be nominated as Biddeford’s voting member for the MMA Annual Business Meeting.
Vote: Unanimous.

IN BOARD OF CITY COUNCIL...SEPTEMBER 18, 2018
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby appoint:

Marshall Alexander
31 Bridge Road
Ward 1

to the *Shellfish Conservation Committee*, for a term to expire in December 2021.

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

IN BOARD OF CITY COUNCIL...SEPTEMBER 18, 2018
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby re-designate:

Sean Tarpey
110 Cleaves Street
Ward 2

on the *Planning Board* from an Associate Member to a Voting Member, for a term to expire in December 2019.

Motion by Councilor McCurry, seconded by Councilor Seaver to confirm the appointment.
Vote: Unanimous.

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

City Manager Report:

City Manager, James Bennett had the following items:

- 1) In an on-going effort to better the communications between City Government and the citizens/public, the City has recently launched a Facebook page – City Government, Biddeford, Maine. This social media connection will now be used along with the City Departments’ Twitter feeds and, of course, the City’s revamped website.
- 2) He informed the Council that they will receive an electronic copy of the updated Comp Plan by the end of next week.
- 3) He shared that on Monday, Sept. 24th, the City will be holding a press release in the Council Chambers at 10am to make a big announcement. He says that the announcement is a once in a lifetime opportunity for Biddeford.

Other Business:

Councilor Swanton: this past Saturday, Sept. 15th, the City hosted a Household Hazardous Waste Day at Public Works. He noted that the major rush was over by 9:30 a.m. because of how well organized everything was.

Councilor Quattrone: announced that tomorrow, Sept. 19th there will be a Food Distribution Night held at the JFK School.

Councilor Foley: reminded folks that the Mayor’s Ad Hoc Community Center Review Committee will host a Listening Session on Wednesday, September 19th at 6pm in the J. Richard Martin Community Center auditorium to gather feedback on the value of the Community Center and its services.

Council President Addressing the Council: Councilor McCurry extended his congratulations to the Police Department for the Accreditation achievement.

Mayor Addressing the Council: Mayor Casavant thanked the Heart of Biddeford and all the numerous volunteers who made this past weekend’s Fringe Fest and RiverJam a huge success.

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

Vote: Unanimous.

Time: 6:36 p.m.

Attest by: _____
Carmen J. Morris, City Clerk