

City of Biddeford
City Council
August 29, 2023 6:00 PM Council Chambers & Zoom

Status:

1. Roll Call - meeting opened at 7:04 pm

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

2. Pledge of Allegiance

3. Orders of the Day:

- 3.a. 2023.100 Approval/Garage Stabilization Payment 4, BRC1, LLC
Motion: Councilor Belanger
Second: Councilor Lessard

Chief Operating Officer Brian Phinney reviewed the stabilization payment schedule.

City Manager Jim Bennett – recommended asking for financial analysis and setting up an executive session with the City Attorney to review components of this.

Councilor Lessard - will need to look at the rates, including market rates for surface lots and the garage.

Councilor Grohman – should consider deducting some amount from the invoice to give them some incentive to fix the issues. Will not support it as written. He is not supportive of this. They are not responsive to customer service issues.

Councilor Emhiser – the stabilization payment is not for Premium.

City Manager Bennett – Can send a message to Amber to fix the issues or the Council will demand a change in operator.

Councilor Ortiz – There are frustrations with the contract and with the operator but the stabilization payment is in the contract. Does not want to break the contract. She provided comparison costs to Portland parking garages. If our lots aren't full it doesn't make sense to increase the prices.

Councilor Belanger – wants an analysis on the increase to discuss in the future.

Mayor Casavant – we have to pay the stabilization payment and not be in default, this will be a good time to look at rates and reassess the overall parking plan, create an incentive system and have a back-up plan.

Councilor LaFountain – supports both parts of the order, the stabilization payment and the request to the City Manager for more financial data. There should also be a request to the City Manager to come back with recommendations for a different operator if changes are not made. Would like to ask for it now so it will be ready in a few months.

Councilor LaFountain - motion to amend – further order that no later than the first Council meeting in January of 2024 to have a list of options from Amber.

Second – Councilor Mills

Vote on the amendment: Unanimous in favor.

Amendment passed.

Councilor Emhiser – should have the City Attorney review the contract to see about the surface lots.

Councilor Grohman – recommends paying the amount minus the pass through or ten percent.

City Manager Bennett – the City would renegotiate that component. If we don't pay the full payment they will take action and it changes the dynamics.

Councilor Mills – asked the COO about the impact if it was tabled to a future meeting. COO Phinney responded that it would be a breach of contract.

Vote: 5 yeas – Councilors Belanger, Emhiser, Schlaver, LaFountain and Ortiz.

3 nays – Councilors Lessard, Mills and Grohman

Motion passed.

4. Executive Session

4.a. Executive Session 1 MRSA 405 (6) (a) Personnel Matters

Motion to go into Executive Session by Councilor Belanger at 7:32 pm

Second: Councilor Lessard

Vote: Unanimous

Motion to come out of Executive Session by Councilor Lessard at 7:40 pm
Second: Councilor Belanger
Vote: Unanimous

5. Adjourn

Motion to adjourn by Councilor Lessard at 7:40 pm
Second: Councilor Belanger
Vote: Unanimous.

Attested by: _____



Robin Patterson, City Clerk