

**COUNCIL MEETING
AUGUST 21, 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, Michael Ready, Laura Seaver, Marc Lessard

Norman Belanger was excused.

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

There were no adjustments to the agenda.

Proclamation: Maine Childhood Cancer Awareness Month

Mayor Casavant read the Proclamation. The Proclamation will be mailed to “Team Hailey Hugs” to show Biddeford’s support in Maine Childhood Cancer Awareness.

Consideration of Minutes: August 7, 2018

Motion by Councilor McCurry, seconded by Councilor Foley to accept the minutes as printed.

Vote: Unanimous.

Orders of the Day:

2018.86

BOARD OF CITY COUNCIL.....AUGUST 21, 2018

BE IT ORDERED, that the Biddeford City Council does hereby grant approval pursuant with Title 15 M.R.S.A. §5824(3) & §5822(4)(A) to the transfer of \$3,700.00 in U.S. Currency, or any portion thereof, on the grounds that the City of Biddeford Police Department did make a substantial contribution to the investigation of this or related criminal case.CR-15-1471. These funds shall be transferred to the City of Biddeford, Asset Forfeiture Account 3119-40576.

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

Vote: Unanimous.

2018.87

BOARD OF CITY COUNCIL.....AUGUST 21, 2018

BE IT ORDERED, that the Biddeford City Council does hereby grant approval pursuant with Title 15 M.R.S.A. §5824(3) & §5822(4)(A) to the transfer of \$2,413.00 in U.S. Currency, or any portion thereof, on the grounds that the City of Biddeford Police Department did make a substantial contribution to the investigation of this or related criminal case.CR-15-477. These funds shall be transferred to the City of Biddeford, Asset Forfeiture Account 3119-40576.

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

Vote: Unanimous.

2018.88

BOARD OF CITY COUNCIL.....AUGUST 21, 2018

BE IT ORDERED, that the Biddeford City Council does hereby grant approval pursuant with Title 15 M.R.S.A. §5824(3) & §5822(4)(A) to the transfer of \$2,700.00 in U.S. Currency, or any portion thereof, on the grounds that the City of Biddeford Police Department did make a substantial contribution to the investigation of this or related criminal case.CR-16-261. These funds shall be transferred to the City of Biddeford, Asset Forfeiture Account 3119-40576.

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

Vote: Unanimous.

2018.89

IN BOARD OF THE CITY COUNCIL.....AUGUST 21, 2018

BE IT ORDERED, that the City Council of the City of Biddeford does hereby accept the 2018 Edward Byrne Memorial Justice Assistance Grant (JAG), which has been awarded by the U.S. Department of Justice to the Biddeford Police Department. The Police Department will use this grant money to purchase Mobile Computer equipment, replacing older units.

NOTE: A stipulation of this Grant is that these funds, or any part thereof may not be used to supplant the Police Department budget. This is a direct Grant, which requires no matching funds,

or in-kind contributions. Grant is in the amount of \$34,062.00 and must be officially approved by the city council in order to receive funds.

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

2018.90 **IN BOARD OF CITY COUNCIL..AUGUST 21, 2018**

BE IT ORDERED, that in accordance with the provisions set forth under *Ch. 6, Amusements, Article V – Sales, Possession and Consumption of liquor at and during Special Events on City Public Property*, the City Council of the City of Biddeford does hereby grant approval for ***Fringe Festival, part of RiverJam***, to serve liquor at their festival on September 14th, 2018 at Shevenell Park, providing that the said ***Fringe Festival*** is and remains in compliance with the provisions set forth under Ch. 6, Section 6-178 et seq.

BE IT FURTHER ORDERED, that the City Council also approves the issuance of a Special Event Permit for a Block Party to be held at Shevenell Park and Main Street from Washington Street to Alfred Street by ***Fringe Festival, part of RiverJam***.

Motion by Councilor Swanton, seconded by Councilor Foley to grant the order.
Vote: 5/3; Councilors Lessard, Seaver and Ready opposed.
Councilors Swanton, McCurry, St. Cyr, Quattrone and Foley in favor.
Motion carries.

2018.91 **IN BOARD OF CITY COUNCIL..AUGUST 21, 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:

Yale Street, even numbered side, from May Street to Round Hill Street

NOTE: The Policy Committee considered this item at their August 13, 2018 meeting and voted unanimously to recommend passage by the City Council.

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

2018.92 **IN BOARD OF CITY COUNCIL...AUGUST 21, 2018**

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to sign an agreement with Ransom Consulting, Inc for services required to complete an appeal to the 2017 Preliminary Flood Insurance Rate Maps issued by FEMA for the Biddeford coastline. The Phase II(b) work includes transect-based analysis and mapping and the preparation of the appeal documentation. Phase II(b) costs shall not exceed \$41,060.

Note: The funding source for this authorization shall be ~~21111-60798 Contingency~~ 21111-60797, *Miscellaneous Expenses*; this order represents a reallocation of funds previously authorized by Council Order 2017.102. See the City Planner's memorandum included in the Council Packet for more information.

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

2018.93 **IN BOARD OF CITY COUNCIL...AUGUST 21, 2018**

BE IT ORDERED, that the Finance Director is authorized to create dedicated reserve accounts under the listed fund balance accounts, and transfer remaining balances identified from the FY 2018 Budget to said dedicated accounts as herein named in amounts not to exceed those stated, as of June 30, 2018 deducting any encumbrances:

10013-30101, General Fund Assigned Fund Balance

<u><i>FY18 Account #</i></u>	<u><i>Description</i></u>	<u><i>Amount</i></u>
21201-60904	City Hall Improvements	25,000
21201-60907	IT Improvements	20,006
21201-60926	Telephone System	5,915

21202-60463	Park Improvements/Amenities	49,997
21202-60905	Community Center Repairs	50,000
21202-60950	Rotary Park Improvements	15,000
21203-60936	FD Building Improvements	82,821
21162-60462	Road Painting (work underway estimated completion 8/15/18)	6,534
21164-60502	Solid Waste Commission	6,093
21204-60604	Road Construction (projects in design, construction ongoing)	353,696
21204-60906	PW Facility Repairs	12,000
21204-60925	PW Equipment Lease – Chipper	6,000
21204-60942	PW Salt Shed Improvements	65,000
21204-60970	Thacher Brook Watershed (projects underway, local share)	52,735
21204-60979	Saco River Projects	190,000
21204-60980	PACTS Projects	114,800
21204-60983	Main Street – Sidewalks (project still continuing)	60,019
Total		1,115,616

16013-30101, Wastewater Assigned Fund Balance

<u>FY17 Account #</u>	<u>Description</u>	<u>AMOUNT</u>
35101-40250	Inflow & Infiltration Reserve (Sec 70-170)	75,603
35102-60501	Op Supplies/Equip (CSO Flow Monitors-Horrigans)	18,970
35102-60310	Service Contracts – Flow Monitoring Equipment	25,774
35102-60605	Sewer Construction/Imp	541,840
	FMI Pump Station Upgrade	
	Process water to CSO	
	Install Green Infrastructure	
Total		\$662,187

BE IT FURTHER ORDERED, that the City Manager be authorized to expend from the above dedicated reserves for expenses related to on-going project costs as approved in accordance with the Purchasing Code.

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

2018.94 IN BOARD OF CITY COUNCIL..AUGUST 21, 2018

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve the Capital Improvement Projects Master Plan allocation for FY19, in the amount of \$1,515,547 as recommended by the Capital Projects Committee. (see attached list)

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

2018.95 IN BOARD OF CITY COUNCIL...AUGUST 21, 2018

BE IT ORDERED, that the City Manager is authorized to accept FAA and State grants on behalf of the City, in the amounts not to exceed \$522,500, for upcoming safety projects at Biddeford Municipal Airport. An additional \$27,500 will be contributed to the total project cost from local Airport funds. The total estimated project cost of \$550,000 includes costs for design and permitting for runway reconstruction, design and permitting for compliant runway safety areas, vegetation obstruction removal on previously acquired aviation easements in the runway 24 approach surface, drainage, and reimbursable agreement for the design of Precision Approach Path Indicators (PAPI) and associated work.

BE IT FURTHER ORDERED, that the City Manager may advance up to \$16,250 from airport funds to cover the grant match. The FY19 budget carries a FY19 grant match of \$11,250 at 31132-60306. The combined grant match totals \$27,500.

BE IT FURTHER ORDERED, that the City Manager be authorized to sign contracts with the lowest qualified bidder (contractor) to provide construction services for the upcoming safety projects at Biddeford Municipal Airport. The amount of these contracts is included in the \$550,000 estimated total project cost, which will be funded 90% from FAA and 5% from State grants, with the remaining 5% from local Airport funds. This contract will be funded in fiscal year 2019.

Motion by Councilor McCurry, seconded by Councilor Seaver to grant the order.
Vote: 7/1; Councilor Lessard opposed.
Councilors Swanton, McCurry, St. Cyr, Quattrone, Foley, Ready and Seaver in favor.
Motion carries.

2018.96

IN BOARD OF CITY COUNCIL...AUGUST 21, 2018

BE IT ORDERED, that the City Manager be authorized to enter into an agreement with Gale Associates, Inc., for the preparation and submittal of a grant application for Airport Improvement Funds available through the 2018 Consolidated Appropriations Act (2018 CSA) for airport planning and improvement projects. Grant award may be as much as \$5,550,000 with a zero match requirement.

BE IT FURTHER ORDERED, that the City Manager be authorized to accept FAA and State grant awards resulting from the 2018 CSA application.

BE IT FURTHER ORDERED, that the City Manager be authorized to sign contracts with the lowest qualified bidder (contractor) to provide construction services for eligible projects associated with a successful 2018 CSA grant application.

Motion by Councilor McCurry, seconded by Councilor Swanton to grant the order.
Vote: 7/1; Councilor Lessard opposed.
Councilors Swanton, McCurry, St. Cyr, Quattrone, Foley, Ready and Seaver in favor.
Motion carries.

Public Addressing the Council...(5 minute limit per speaker; 30 minute total time limit):
One citizen addressed his comments to the Council.

City Manager Report:

City Manager, James Bennett noted the following:

- 1) A preliminary look at the end-of-year numbers show that the FY18 Budget will close in the positive.
- 2) Clarified that it has been erroneously reported that the Lincoln Street CSO work is being done to benefit the Lincoln Mill Project. The work being done has been scheduled as part of the overall CSO schedule of projects, and is not intended to benefit any one developer or other project.
- 3) Admitted that the City poorly handled the communication aspect of the South Street Project, which is currently underway. He regrets the lack of communication with the residents in that area, and ensures that communication about future projects will be handled in a much better manner. He also noted that while the South Street Project was originally anticipated to end in October; it looks like the project won't wrap up until sometime in December due to issues that Maine Water Company has run into.

Other Business:

Councilor Lessard: suggested that the Council hold a Workshop in the near future (and well before the start of the FY20 Budget process), to discuss a three to four year plan for capital improvements; as well as to discuss the impact the CIP budget will have on the taxpayers.

Councilor Foley: was pleased to announce that a Public Listening Meeting has been scheduled for September 19th from 6:00-8:00pm at the Community Center to hear citizens' concerns and ideas about the future of the J. Richard Martin Community Center.

Councilor Quattrone: acknowledged Carl Walsh and the Recreation Department for the outstanding summer camp put on this summer season. Councilor Quattrone suggested an increase in the Recreation Department budget (and possibly the School Department to make certain budget adjustments) so that they may better service more programs in order to reach even more children.

Councilor Swanton: announced that the Public Works Department has been leaving recycling flyers on all recycling bins to remind folks of what is acceptable and not acceptable recyclables. There is an aggressive plan in place to gain compliance of the recycling program; and therefore, to avoid additional charges from Casella.

Councilor Swanton mentioned that he gets a lot of inquiries about when Pool Street will

be re-paved. He explained that Pool Street is a State road, and therefore, maintained by the State. Pool Street is currently slated to be re-paved in 2020; however, he encouraged folks to reach out to the State Legislators to move the project up to this year.

Councilor McCurry: stated that he works in the recycling industry, and he fully understands what is happening with the current recycling trends. He would like to see of list of items that are no longer acceptable recyclables (that used to be acceptable), per Casella.

Council President Addressing the Council: Councilor McCurry agrees with Councilor Lessard about scheduling a Council Workshop to discuss the CIP Budget for the next few fiscal years; and to give the City Manager a clear direction of what the Council wants with regard to future CIP budgeting.

Councilor McCurry reminded folks that school is back in session starting next week, and urged everyone to be watchful and safe.

Mayor Addressing the Council: Mayor Casavant thanked Dirigo Brewing for their support of the Biddeford Career Firefighters with the new release of their beer, “Big Water.” Partial proceeds of Big Water beer will be given to the Fire Victims Fund, which is administered through the City’s General Assistance Office.

Executive Session: 1 MRSA 405(6)(E)...Consultation with City Attorney

Motion by Councilor Ready, seconded by Foley to move into Executive Session.

Vote: Unanimous. Time: 7:07 p.m.

Motion by Councilor Ready, seconded by Councilor Seaver to move out of Executive Session.

Vote: Unanimous. Time: 7:45 p.m.

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

Vote: Unanimous. Time: 7:45 p.m.

Attest by: _____
Carmen J. Morris, City Clerk