

COUNCIL MEETING

AUGUST 17, 2021

NOTE: Due to COVID-19, this meeting was held in-person in the Council Chambers, as well as virtually (via ZOOM),

Mayor Casavant called the meeting to order at 6:01 p.m.

Roll Call: William Emhiser, John McCurry, Jr., Stephen St. Cyr, Ashanti Williams, Norman Belanger, Michael Ready, Doris Ortiz, Marc Lessard

Amy Clearwater was excused.

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

Adjustments to the Agenda:

- Remove Update on Comprehensive Plan
- Add Order of the Day: Approval of Funds for Comprehensive Plan Survey
- Remove Executive Session

Presentation: Heart of Biddeford – Great American Main Street Award Application

Heart of Biddeford Volunteer David Flood briefly explained what the **Great American Main Street Award** is and requested a letter of support from the City Council for the Heart of Biddeford's application.

Motion by Councilor McCurry, seconded by Councilor Belanger that a letter be drafted and submitted for signature of the Mayor and Councilors in support of the Heart of Biddeford's application for the **Great American Main Street Award**.

Vote: Unanimous.

Recognition: Spirit of America Volunteer of the Year

Mayor Casavant recognized David Flood as the Spirit of America Volunteer of the Year.

Public Hearing: Adams Point Municipal Development and Tax Increment Financing (TIF) District

The Chair opened the Public Hearing at 6:09 p.m.

There were no public comments.

The Public Hearing was closed at 6:09 p.m.

Consideration of Minutes: **August 3, 2021**

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

Vote: Unanimous.

Orders of the Day:

CITY OF BIDDEFORD CITY COUNCIL ORDER

Adams Point Municipal Development and Tax Increment Financing District

2021.87

IN BOARD OF CITY COUNCIL..AUGUST 17, 2021

WHEREAS, the City is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate the **Adams Point Municipal Development and Tax Increment Financing District** (the "District,") and the Development Program (the "Development Program," for the District; and

WHEREAS, there is a need for economic development in the City of Biddeford, in the surrounding region, and in the State of Maine; and

WHEREAS, there is a need to improve and broaden the tax base of the City of Biddeford; and to improve the general economy of the City of Biddeford and the surrounding region; and

WHEREAS, implementation of the Development Program will help to improve and broaden the tax base in the City of Biddeford and improve the economy of the City of Biddeford and the region by attracting business development to the District; and

WHEREAS, there is a need to implement continued economic development initiatives in the District through the Development Program in accordance with the provision of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended; and

WHEREAS, it is expected that approval will be obtained from the State of Maine Department of Economic and Community Development (the “Department”), approving the *Adams Point Municipal Development and Tax Increment Financing District* and the Development Program related thereto;

ORDERED AS FOLLOWS:

Section 1. The City of Biddeford hereby designates the District and adopts the associated Development Program for the District; such designation and adoption to be pursuant to the following findings, terms, and provisions:

Section 2. The City Council hereby finds and determines that:

- a. At least twenty-five percent (25%), by area, of the real property within the District, as hereinafter designated, is suitable for commercial uses; and
- b. The total area of the District does not exceed two percent (2%) of the total acreage of the City, and the total area of all existing and proposed development districts within the City (including the District) does not exceed five percent (5%) of the total acreage of the City; and
- c. The original assessed value of all existing and proposed tax increment financing districts (including the District) does not exceed five percent (5%) of the total value of equalized taxable property within the City as of April 1, 2021; and
- d. The District and pursuit of the Development Program will make a contribution to the economic growth and well-being of the City of Biddeford and the surrounding region, and will contribute to the betterment of the health, welfare and safety of the inhabitants of the City of Biddeford, including a broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose. The City has considered all evidence, if any, presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined that such adverse economic effect on or detriment to any existing business, if any, is outweighed by the contribution expected to be made through the District and Development Program.

Section 3. Pursuant to the provisions of 30-A M.R.S.A. § 5227, the percentage of increased assessed value to be retained as captured assessed value in accordance with the Development Program is hereby established as set forth in the Development Program.

Section 4. The City Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the proposed Development Program for the District to the State of Maine Department of Economic and Community Development for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5226.

Section 5. The foregoing designation of the District and adoption of the Development Program for the District shall automatically become final and shall take full force and effect upon receipt by the City of approval by the State of Maine Department of Economic and Community Development, without requirement of further action by the City, the City Council, or any other party.

Section 6. The City Manager, or his duly appointed representative, is hereby authorized and empowered, at his discretion, from time to time, to make such revisions to the District and Development Program as the City Manager may deem reasonably necessary or convenient in order to facilitate the process for review and approval of the District by the State of Maine Department of Economic and Community Development, or for any other reason, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Development Program.

Section 7. The City Manager, in the name and on behalf of the City, is hereby authorized and directed to enter into a credit enhancement agreement between the City and the developer of the

project to be located in the District, on terms as described in the Development Program and any other negotiated agreements between the City and the Developer.

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

Councilor Lessard asked that it be publicly stated what the time length of this TIF is. City Manager James Bennett answered that this is a 75% TIF for thirty(30) years. Councilor Lessard went on to state that the City Council has done a good job in working to address affordable housing in the City by supporting projects such as this one.

Councilor Ready noted that one of the differences with this project compared to other affordable housing projects is the size of the apartments that will be built. The proposal includes apartments that will be able to accommodate families, and not just contain single person apartments.

Vote on order: Unanimous.

2021.88 IN BOARD OF CITY COUNCIL..AUGUST 17, 2021

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve a contract with H.E. Callahan Construction of Auburn, ME to renovate the dorm rooms at Central Fire Station for an amount not to exceed \$138,000.00. Funding of this project will come out of the Infrastructure and Building Improvements/Repairs Municipal Bond that was approved by the voters at the November 3, 2020 Municipal Referendum Election.

BE IT FURTHER ORDERED, that the City Council approve the allocation of \$16,454 for the purchase of furniture for the newly constructed dorm rooms.

NOTE: This item will be considered by the Finance Committee at the August 17, 2021 meeting.

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

Vote: Unanimous.

2021.89 IN BOARD OF CITY COUNCIL..AUGUST 17, 2021

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to enter into an agreement with T.Y. Lin International to complete the “Transportation Alternatives and South Street Connections Study” (Turnpike Authority Exit 32).

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

Vote: Unanimous.

2021.90 IN BOARD OF CITY COUNCIL...AUGUST 17, 2021

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**, be amended by adding or deleting to read as follows:

Hill’s Beach Road, both sides, beginning at the intersection with Pool Street (Route 9), thence easterly to end of Fort Hill, No Parking on Pavement, or any part thereof.

NOTE: The Policy Committee considered this item at their August 10, 2021 meeting and voted unanimously to recommend passage by the Council.

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

Motion by Councilor St. Cyr, seconded by Councilor Lessard to table the ordinance amendment until City Staff can be asked to identify the rights of ways at Hills Beach and Biddeford Pool areas and that those can be clearly marked for the public.

Vote: 3/5; Councilors St. Cyr, Emhiser and Lessard in favor.

Councilors McCurry, Williams, Belanger, Ready and Ortiz opposed.

Motion fails.

Motion by Councilor McCurry, seconded by Councilor Lessard to table the ordinance amendment until City Staff can be asked to identify the rights of ways and public parking areas at Hills Beach, Biddeford Pool and Fortunes Rocks areas prior to January 2022.
Vote: 3/5; Councilors Lessard, McCurry and St. Cyr in favor.
Councilors Emhiser, Williams, Belanger, Ready and Ortiz opposed.
Motion fails.

Motion by Councilor Lessard, seconded by Councilor McCurry to table the ordinance amendment until the 2nd meeting in September, by which the necessary information can be provided.
Vote: 3/5; Councilors McCurry, St. Cyr and Lessard in favor.
Councilors Emhiser, Williams, Belanger, Ready and Ortiz opposed.
Motion fails.

Vote on ordinance amendment, as written: 5/3; Councilors McCurry, St. Cyr and Lessard opposed.
Councilors Emhiser, Williams, Belanger, Ready and Ortiz in favor.
1st reading carries.

2021.91 **IN BOARD OF CITY COUNCIL..AUGUST 17, 2021**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby allocate an amount not to exceed \$17,500 for the cost of printing and mailing of direct mail surveys to all households in Biddeford, as part of the Comprehensive Plan process. Funding source for this project is in the Planning and Development Department Budget (21109-60306).

Motion by Councilor McCurry, seconded by Councilor Belanger to grant the order.
Vote: 5/3; Councilors Lessard, Ready and St. Cyr opposed.
Councilors Emhiser, McCurry, Williams, Belanger and Ortiz in favor.
Motion carries.

Appointment:

IN BOARD OF CITY COUNCIL...AUGUST 17, 2021
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby appoint:

Roger Hurtubise
9 Village Lane
Ward 6

to the *Biddeford Fire Advisory Committee*, replacing William Denyer, for a term to expire in December 2022.

Motion by Councilor McCurry, seconded by Councilor Lessard 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 announced that the Fire Department was recently awarded a \$285,304.55 Grant for SCBA breathing apparatuses.

Other Business:

Councilor Ready: reported that the Social Service Budget Committee met and came to a unanimous decision on the allocation of Social Service funds. The Committee also determined that any Agency who has been allocated more than \$10,000 will received the funds in two installments.

Councilor St. Cyr: publicly announced that he will not be seeking another term as the Ward 3 Councilor. He noted that he had originally been appointed to the Council by Mayor Casavant in 2015 and has served ever since. He publicly thanked his fellow Councilors and his Ward 3 constituents for their support over the years.

Councilor McCurry: and Mayor Casavant have had a discussion about instituting a Senior Tax Credit Program. If there is support from the rest of the Council, he would like to ask the City Manager to come up with a proposed Senior Tax Credit Program to present to Council for consideration. City Manager Jim Bennett noted that there are funds in the FY22 Budget to cover a Senior Tax Credit Program and he is confident that City Staff can put together a proposal that will not be overly cumbersome to implement. Councilor Belanger suggested that this should be a Workshop item.

Council President Addressing the Council: Councilor McCurry announced that nomination papers for municipal office are now available and he encouraged folks to get involved.

Mayor Addressing the Council: Mayor Casavant announced that Heart of Biddeford sponsored Fringe Fest is taking place on Friday, August 20th; and River Jam will be on Saturday, August 21st.

He acknowledged the passing of Fr. Renald Labarre, who was beloved by many in our community.

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

Vote: Unanimous.

Time: 7:11 p.m.

Attest by: _____
Carmen J. Morris, City Clerk