

City of Biddeford
City Council
August 07, 2018 6:30 PM Council Chambers

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Adjustment(s) to Agenda**
- 4. Consideration of Minutes:**
 - 4.a. July 17, 2018 Council Meeting Minutes
[7-17-2018 Council Meeting Minutes.docx](#)
- 5. Second Readings:**
 - 5.a. 2018.75) Amendment/Ch. 42, Motor Vehicles & Traffic/Add New Sec. 42-8-Parking Authority
[7-17-2018 Parking Management Prog-Authority Granted.docx](#)
 - 5.b. 2018.76) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-62-Identification and use of municipal parking lots/Authority to implement fees
[7-17-2018 Parking Management Prog-Authority to Implement Fees.docx](#)
- 6. Orders of the Day:**
 - 6.a. 2018.78) Amendment/Land Development Regulations/Art. V-Establishment of Zones/Add Medical Marijuana Growing Facility to I-3 Zone
[8-07-2018 Medical Marijuana Growing in I3 Zone-ORDER.docx](#)
[8-07-2018 Medical Marijuana Growing in I3 Zone-Letter from Lawyer.pdf](#)
 - 6.b. 2018.79) Amendment/Land Development Regulations/Art. VI-Performance Standards, Section 59-Signs/Banners of Light Poles
[8-07-2018 Banners on Light Poles - ORDER.docx](#)
[8-07-2018 Banners on Light Poles - MEMO.docx](#)
 - 6.c. 2018.80) Endorsement Pursuant to Land Development Regulations, Art. V, Sec. 9/Contract Zone #18 - 240-Unit Multi-Family Project off Barra Road
[8-07-2018 Contract Zone #18-Multi-family Project-ORDER.docx](#)
[8-07-2018 Contract Zone #18-backup docs.pdf](#)
 - 6.d. 2018.81) Directive to Planning Board/Development of Zoning Ordinance for "Dog Daycares"
[8-07-2018 Directive to PB-Doggie Daycares.docx](#)
 - 6.e. 2018.82) Authorization/Purchase of 3/4 Ton Pickup Truck w/Plow/Arundel Ford
[8-07-2018 4x4 3 Quarter Ton Pickup Truck Purchase-ORDER.docx](#)
[8-07-2018 4x4 3 Quarter Ton Pickup Truck-BIDS.docx](#)
 - 6.f. 2018.83) Authorization/Purchase of One Ton Dump Truck w/Plow/O'Connor Motor Sales
[8-07-2018 4x4 One Ton Pickup Truck Purchase-ORDER.docx](#)
[8-07-2018 4x4 One Ton Pickup Truck - BIDS.docx](#)
 - 6.g. 2018.84) Approval/Police Department Union Contract
[8-07-2018 Police Union Contract Approval-ORDER.docx](#)
 - 6.h. 2018.85) Authorization/Master Plan Agreement for 3 Lincoln Street

7. **Appointments:**
 - 7.a. MMA Annual Election - Vice President & Executive Committee Members
[8-07-2018 MMA Executive Committee Elections.pdf](#)
 - 7.b. Daniel Lamontagne...Solid Waste Management Commission
[8-07-2018 Appt-Lamontagne-SWMC.docx](#)
[8-07-2018 Committee Application-Daniel Lamontagne.pdf](#)
8. **Public Addressing the Council..(5 minute limit per speaker; 30 minute total time limit)**
9. **City Manager Report**
10. **Other Business**
11. **Council President Addressing the Council**
12. **Mayor Addressing the Council**
13. **Adjourn**

**COUNCIL MEETING
JULY 17, 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, Marc Lessard

Laura Sever was excused.

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

Adjustment to the Agenda:

- Add Order 2018.77) Authorization/Contract w/Becker Structural Engineers for On-call Parking Structure Administrative Review Service

Presentation: Communication Plan Progress Update

Communications Intern, Danica Lamontagne gave the update via a PowerPoint presentation, and gave a general overview of what the 2018 Strategic Communication Plan is.

Consideration of Minutes: June 19, 2018

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

Second Reading:

{For a copy of the Order and first reading, see the Council Meeting Minutes of June 19, 2018}

2018.62) Approval/Moratorium – Downtown Parking Requirements Waivers

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

Vote: 5/3; Councilors Belanger, Foley and St. Cyr opposed.

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

Motion carries.

Orders of the Day:

2018.65

IN BOARD OF CITY COUNCIL..JULY 17, 2018

BE IT ORDERED, that the City Council of the City of Biddeford does hereby award a contract with Headworks, Inc. of Houston, Texas, for the purchase of two(2) wash presses for the Wastewater Treatment Plant, in an amount not to exceed \$118,117.00.

NOTE: Funding for this project is in the Wastewater Equipment Purchase, Capital FY18; and the Designated Fund Balance.

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

Vote: Unanimous.

2018.66

IN BOARD OF CITY COUNCIL.....JULY 17, 2018

BE IT ORDERED, that the City Manager be authorized to purchase two (2) 2019 Ford Explorer utility police cars as per bid of June 25,2018 (the “Equipment”) from Arundel Ford (the “Vendor”) and may pay the Vendor an amount not to exceed \$61,460.00 (before discounts valued at \$13,000.00) for the Equipment as follows:

1. The City of Biddeford expects to incur debt to reimburse expenditures to pay the cost of the Equipment;
2. The City of Biddeford reasonably expects that the maximum principal amount of the debt, including for reimbursement purposes, is \$61,460.00;
3. The City Manager, on behalf of the City of Biddeford, is authorized to enter into a lease purchase, loan or other financing agreement for the Equipment provided that (a) the principal amount of such agreement will not exceed \$61,460.00, (b) the term of such agreement will not exceed one hundred and twenty (120) months and (c) any obligation of the City of Biddeford to make lease or loan payments pursuant to such agreement is subject to annual appropriation by the City Council of the City of Biddeford;

4. The City Manager is authorized to advance money from the General Fund of the City for payment of the costs of the Equipment; and
5. The City Manager, on behalf of the City of Biddeford, is authorized to negotiate, enter into, execute, deliver and cause to be performed, and to approve, any and all agreements, instruments, certificates and other documents, and to grant security interests in the Equipment, upon such terms, conditions, limitations and undertakings, which the City Manager determines are necessary and proper for the acquisition and financing of the Equipment, provided that any lease purchase, loan or other financing agreement will be countersigned by both the Mayor and the Treasurer of the City of Biddeford. Without limiting the foregoing, the City Manager, on behalf of the City of Biddeford, in connection with the acquisition of the Equipment, is authorized to sell, transfer, trade in or otherwise dispose of any equipment, which the City Manager determines is no longer useful to the City of Biddeford.

NOTE: The Finance Committee reviewed this item on July 17, 2018 and voted to recommend it to the City Council for approval. The purchase of this item is included in the FY19 Budget line 21146-60603

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

2018.67 **IN BOARD OF CITY COUNCIL..JULY 17, 2018**
BE IT ORDERED that the City Council does hereby request the Planning Board to conduct a Public Hearing and make recommendations to the City Council regarding proposed amendments to the Zoning Ordinance as outlined below.

Part III (Land Development Regulations), Article III (Official Zoning Map), is amended to rezone the area depicted on the attached map from R-2 to MSRD-2.

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

2018.68 **IN BOARD OF CITY COUNCIL..JULY 17, 2018**
BE IT ORDERED that the City Council does hereby request the Planning Board to conduct a Public Hearing and make recommendations to the City Council regarding proposed amendments to the Zoning Ordinance as outlined below.

Part III (Land Development Regulations), Article III (Official Zoning Map), is amended to rezone the areas depicted on the attached map from R-1-A and R-3 to R-1-B and the following:

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 Section	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):

Zonin g Distri ct	Minimum Lot Size, Square Feet Per Unit A				Frontage			Minimum Setback, Feet**				Maximum Heights+	
	Wat er and Sewe r	Wate r, No Sewe r	Sewe r, No Wate r	Neith er Wate r Nor Sewe r	Wat er and Sewe r	Wat er or Sewe r	Neith er Wate r Nor Sewe r	From Majo r R.O. W.	From Othe r R.O. W	Sid e	Rea r	Stori es	Fe et
R-1- A, single - famil y	10,000	20,000	10,000	20,000	100	100	100	40	25	10	10	3	35
<u>R-1- B, single - famil y</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.

In addition, the shared use of preexisting accessory-use towers and alternative tower structures is permitted in the Medical Zones (M), — 125 feet, Business Zones (B-1, B-2), and Industrial Zones (I-1, I-2, I-4) — 250 feet. Maximum height is measured from top of the tower or attached apparatus to the bottom of the tower or other structure on which the tower is mounted. The tower or structure height is not increased beyond the following limits:

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.

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

Vote: Unanimous.

2018.69

IN BOARD OF CITY COUNCIL.....JULY 17, 2018

BE IT ORDERED, that the City Manager be authorized to sign a unit cost contract with J Pratt Inc. of Hebron, Maine for the construction of the Lincoln Street Reconstruction Project Phase II as per the bids opened on June 29, 2018, in the bid amount of \$1,394,171.00, funding for this work to be provided in part from the MDOT BPI grant received by the City with the required City match amount from City TIF account and additional funding from the PACTS MPI grant with the required City match.

NOTE: The Finance Committee will review this item at their July 17, 2018 meeting.

The Capital Projects Committee has been provided a copy of the Project Information for their review.

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

Vote: Unanimous.

2018.70

IN BOARD OF CITY COUNCIL..... JULY 17, 2018

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve the Main Street Sidewalk Improvement Project Phase II Design. The project will include reconstruction of the sidewalks, crosswalks, resetting of curbing, installation of cobblestones, lighting and saving/removal/replanting of certain in-ground trees as conditions may dictate.

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

Vote: 5/3; Councilors Lessard, Belanger and Foley opposed.

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

Motion carries.

2018.71

BOARD OF CITY COUNCIL.....JULY 17, 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 \$20,872.00 in U.S. Currency, or any portion thereof, and \$8,358.00 in currency, or any portion thereof (\$3,946.05) 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-18-91. These funds shall be transferred to the City of Biddeford, Asset Forfeiture Account 31119-40576

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

Vote: Unanimous.

2018.72

IN BOARD OF CITY COUNCIL.. JULY 17, 2018

BE IT ORDERED, that said Property Tax Commitment shall be payable in two equal installments on October 10, 2018 and April 10, 2019 with any odd amount to be due on the first installment, and that interest shall be collected at the rate of 8.00% per annum on any taxes remaining unpaid after each respective installment date. A taxpayer that pays an amount in excess of that finally

assessed shall be repaid the amount of overpayment plus interest from the date of overpayment at the annual rate of 4.00%.

BE IT FURTHER ORDERED, that the Tax Collector by authorized to accept voluntary prepayments on property taxes and to pay interest on these voluntary prepayments at the rate of 0% per annum.

Motion by Councilor Belanger, seconded by Councilor Swanton to grant the order.
Vote: Unanimous.

2018.73 **IN BOARD OF CITY COUNCIL...JULY 17, 2018**
ORDERED, that the City Council of the City of Biddeford does hereby confirm the City Manager's appointment of:

Nicholas Desjardins

as the City Assessor.

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

2018.74 **IN BOARD OF CITY COUNCIL...JULY 17, 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 Biddeford Saco Chamber of Commerce to serve liquor at their Membership Cookout on August 23, 2018 at Mechanics Park, providing that the said Biddeford Saco Chamber of Commerce is and remains in compliance with the provisions set forth under Ch. 6, Section 6-178 et seq.

Motion by Councilor Swanton, seconded by Councilor Foley to grant the order.
Vote: 6/2; Councilors Lessard and Ready opposed.
Councilors Swanton, McCurry, St. Cyr, Quattrone, Foley and Belanger in favor.
Motion carries.

2018.75 **IN BOARD OF CITY COUNCIL...JULY 17, 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, **New Section 42-8-Parking Authority**, to read as follows:

The City Council may establish rules, regulations and/or other restrictions for parking; or the City Council may delegate authority by Council Order. Any rules, regulations and/or other restrictions so promulgated shall have the full force and effect of an ordinance, except that the delegated authority is limited to the following:

- 1) Creation, elimination or relocation of Disability Parking spots under Sec. 42-100.
- 2) Creation, elimination or otherwise amending of Limited Parking under Sections 42-56, 42-60, 42-92.1, 42.94 to include: Timed Parking; Loading Zones, Drop Off Zones, Taxi or Bus Parking, etc.
- 3) Creation, elimination or otherwise amending Limited Parking zones within the municipal surface parking lots identified under Section 42-62, e.g., Time Parking and the charging of a fee for its use.

Any changes to the parking regulations identified herein shall require only one vote by the parking authority to become effective.

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

Motion by Councilor Belanger, seconded by Councilor Foley to amend the ordinance by removing all language from the letter (a) on. (This language is not reflected in these minutes)
Vote: 7/1; Councilor Lessard opposed.
Councilors Swanton, McCurry, St. Cyr, Quattrone, Foley, Belanger and Ready in favor.
Motion carries.

Vote on ordinance, as amended: 7/1; Councilor Swanton opposed.
Councilors McCurry, St. Cyr, Quattrone, Foley, Belanger, Ready and Lessard in favor.
Motion carries.

2018.76 **IN BOARD OF CITY COUNCIL...JULY 17, 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 III, Parking, Stopping and Standing, **Section 42-62-Identification and use of municipal parking lots**, to add the following:

The City Council has the authority to regulate the use of all municipal parking lots and may establish and implement parking fees, permits and rates for the use thereof.

Motion by Councilor Ready, seconded by Councilor Foley to grant the first reading of the ordinance amendment.
Vote: 5/3; Councilors Swanton, Lessard and Quattrone opposed.
Councilors McCurry, St. Cyr, Foley, Belanger and Ready in favor.
Motion carries.

2018.77 **IN BOARD OF CITY COUNCIL....JULY 17, 2018**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to negotiate and enter into an agreement with Becker Structural Engineers for on-call parking structure administrative review services on a time and materials basis at the established unit rates. The authorization shall not exceed \$50,000 without prior authorization.

Be it further ordered that this expenditure is categorized as an “original expenditure” as defined by the Declaration of Official intent adopted April 4, 2017.

Note: The Declaration of Official Intent authorized the following:

1. The City of Biddeford currently intends to proceed with the following project (the “Project”):

Design, construction, furnishing and equipping of a downtown parking garage expected to be located in or near the City’s Mill Redevelopment TIF District.
2. The City intends to finance some or all of the costs of the Project through issuance of the City’s tax-exempt bonds.
3. The City reasonably expects that the maximum principal amount of bonds to be issued for the Project, including for reimbursement purposes, is an amount not to exceed \$14,000,000.
4. The City expects to pay certain costs of the Project, prior to the issuance of such bonds (the “original expenditures”) and the City Manager is hereby authorized to advance money from the General Fund or from the City’s TIF Fund(s) for payment of original expenditures of the Project.
5. The City expects to use bond proceeds to reimburse itself for such original expenditures.
6. This is a declaration of official intent pursuant to the requirements of Treasury Regulation §1.150-2.
7. This declaration is in accordance with the City’s Declaration of Official Intent adopted April 4, 2017.

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

Motion by Councilor Lessard, seconded by Councilor McCurry to amend the order by striking the word “construction” in #1.

Vote on amendment: 2/6; Councilors Lessard and Quattrone in favor.

Councilors Swanton, McCurry, St. Cyr, Foley, Belanger and Ready opposed.

Amendment fails.

Vote on order: Unanimous.

Appointments:

MMA Legislative Policy Committee:

Motion by Councilor McCurry, seconded by Councilor Foley to nominate Laurie Smith, Town Manager of Kennebunkport, to the MMA Legislative Policy Committee.

Vote: Unanimous.

Social Service Committee:

IN BOARD OF CITY COUNCIL...JULY 17, 2018

ORDERED, that I, Alan Casavant, Mayor of the City of Biddeford, do hereby appoint the following City Councilors to the **Social Services Committee:**

**Michael Ready
Norman Belanger
Robert Quattrone, Jr.**

Motion by Councilor Swanton, seconded by Councilor McCurry to confirm the appointments.

Vote: Unanimous.

Charles Drapeau...Solid Waste Management Commission

IN BOARD OF CITY COUNCIL...JULY 17, 2018

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby appoint:

**Charles Drapeau
8 Cherryfield Avenue
Ward 3**

to the *Solid Waste Management Commission*, replacing Martin Grohman, for a term to expire in December 2018

Motion by Councilor McCurry, seconded by Councilor Swanton 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 gave the following report:

- 1) He explained that the original intent of the cobblestone bump outs on Main Street was to slow down traffic.
- 2) He noted that interviews with the four Governor Candidates are available on the MMA website
- 3) Finally, he gave a quick update on the cost-savings of the streetlight conversion

Other Business:

Councilor Ready: expressed his concern about how the City needs to be proceeding with the parking issue for new housing projects in the downtown, and would like to have recommendations brought forward soon so that the issue is not dragged out.

Councilor McCurry: brought up the fact that the Animal Control Officer will no longer be a shared or joint position with Saco; and he asked if the budget could be adjusted to deal with the revenue shortfall this will cause.

He also expressed his concern with the marina expansion proposed, and how it will affect navigation in the Saco River.

Councilor Ready clarified that the joint Animal Control Officer position had been publicly discussed and both Biddeford and Saco had originally fully supported the position. He’s actually surprised to hear about Saco’s change of decision. That said, he is cautious about concluding that the ACO position should be reduced here in Biddeford.

Council President Addressing the Council: Councilor McCurry noted that the track is currently being built and should be ready for the start of the school season.

Mayor Addressing the Council: Mayor Casavant shared that he had been invited and went to Quebec City a couple of weeks ago for a celebration of their City. He is eager to continue to work towards opening up communications between Quebec City and Biddeford, as well as the cultural, historical and culinary tourism between the two Cities.

Executive Session:

- **1 MRSA 405(6)(D)...Labor Contract Negotiations**
- **1 MRSA 405(6)(A)...Employee Evaluation (possible action)**

Motion by Councilor Belanger, seconded by Councilor Foley to move into Executive Session.
Vote: Unanimous. Time: 7:25 p.m.

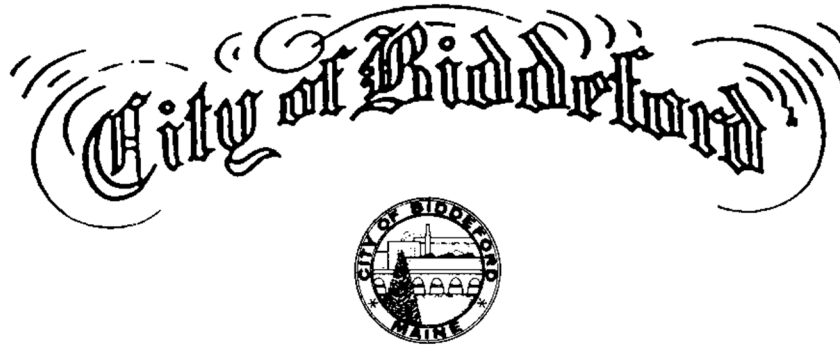
Motion by Councilor McCurry, seconded by Councilor Foley to move out of Executive Session.
Vote: Unanimous. Time: 8:31 p.m.

City Manager Contract:

Motion by Councilor McCurry, seconded by Councilor Belanger to extend the City Manager’s contract one year, with a \$1,000 bonus and a 3% wage increase.
Vote: Unanimous.

Motion by Councilor Swanton, seconded by Councilor McCurry to adjourn.
Vote: Unanimous. Time: 8:32 p.m.

Attest by: _____
Carmen J. Morris, City Clerk



2018.75

IN BOARD OF CITY COUNCIL...JULY 17, 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, **New Section 42-8-Parking Authority**, to read as follows:

The City Council may establish rules, regulations and/or other restrictions for parking; or the City Council may delegate authority by Council Order. Any rules, regulations and/or other restrictions so promulgated shall have the full force and effect of an ordinance, except that the delegated authority is limited to the following:

- 1) Creation, elimination or relocation of Disability Parking spots under Sec. 42-100.
- 2) Creation, elimination or otherwise amending of Limited Parking under Sections 42-56, 42-60, 42-92.1, 42.94 to include: Timed Parking; Loading Zones, Drop Off Zones, Taxi or Bus Parking, etc.
- 3) Creation, elimination or otherwise amending Limited Parking zones within the municipal surface parking lots identified under Section 42-62, e.g., Time Parking and the charging of a fee for its use.

Any changes to the parking regulations identified herein shall require only one vote by the parking authority to become effective.

~~(a)-~~

~~There shall be no parking on the following streets for the specified distance:~~

~~Adams Street, even-numbered side (City Hall side), from Main Street to the intersection of South Street (monument)~~

~~Adams Street, even-numbered side, beginning at a point 500 feet southwesterly from the intersection with Jefferson Street, thence southwesterly for a distance of 29 feet~~

~~Adams Street, odd-numbered side (hotel side), from alleyway between the Journal building to Main Street~~

~~Adams Street, northwesterly side, across from St. Demetrios Church from bank curb cut to corner of Adams Street and Jefferson Street~~

~~Alfred Street, from the Elm Street intersection, westerly to the Arundel town line, both sides of the street~~

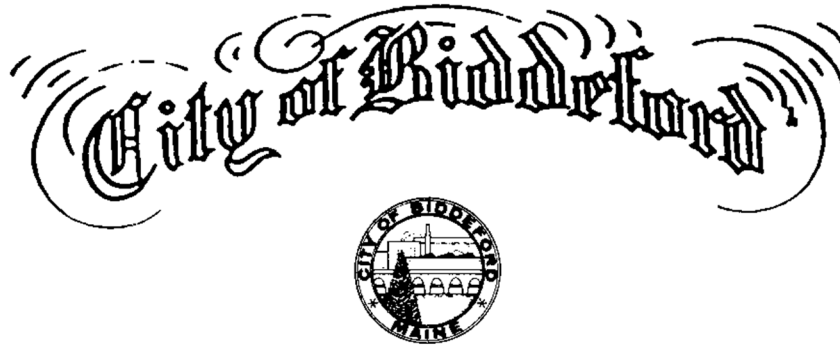
~~Alfred Street, 39 Alfred Street:~~

~~Handicapped parking at corner of Bacon Street and Alfred Street~~

~~Two spaces for police use only~~

~~Alfred Street, even side, from Franklin Street to Jefferson Street~~

~~Alfred Street, even side, from Jefferson Street to Washington Street~~



Alfred Street, northeasterly corner, from Birch Street to a distance of 50 feet from the corner of Birch Street on Alfred Street

Alfred Street, northeasterly side, from 1,000 feet before the entrance of the turnpike and 1,000 feet beyond the entrance of the turnpike

Alfred Street, odd-numbered side, from Pool Street to the police facility building to a distance of 255 feet

Alfred Street, odd-numbered side, from Summer Street to Pool Street

Alfred Street, on a curve for a distance of 75 feet on curve and within lot line

Alfred Street, southeasterly corner, from Birch Street back to a distance of 50 feet from Birch Street on Alfred Street

Alfred Street, southwesterly side, for a distance of 50 feet southeasterly from Graham Street

Birch Street, even-numbered side, from Alfred Street to 50 feet beyond Prospect Street

Birch Street, even-numbered side, from Graham Street, 220 feet toward Alfred Street

Birch Street, northerly side, from Alfred Street easterly back to a distance of 75 feet on Birch Street

Birch Street, northerly side, from Prospect Street back to a distance of 40 feet heading in an easterly direction on Birch Street

Birch Street, odd-numbered side, from Prospect Street, a distance of 40 feet in a westerly direction on Birch Street, toward Foss Street

Bradbury Street, even-numbered side, from Main Street to South Street

[Added 12-2-2014 by Ord. No. 2014.121]

Bradbury Street, odd-numbered side, for six feet on either side of the small driveway (exit) of St. Joseph's Credit Union

Bradbury Street, westerly side, from Main Street to a distance of 50 feet from the corner of Main Street on Bradbury Street

Center Street, odd-numbered side, beginning at a point 100 feet east from the northeast corner of the intersection with Kossuth Street, thence easterly for a distance of 42 feet

[Added 9-20-2011 by Ord. No. 2011.64]

Crescent Street, even-numbered side, from Green Street to South Street

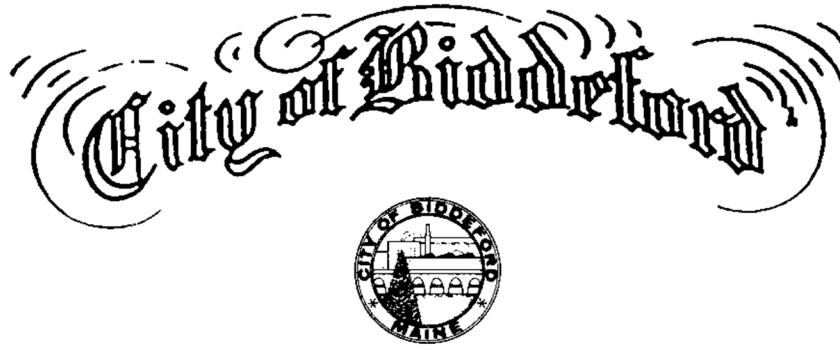
Cutts Street, even-numbered side between Elm Street and Bradbury Street

Elm Street, even-numbered side, from the intersection of Elm Street and South Street back to a distance of 50 feet from the intersection

Elm Street, even-numbered side, from the Saco City line, thence southerly to the intersection with Main Street.

[Added 7-15-2014 by Ord. No. 2014.59]

Elm Street, even-numbered side, from the intersection with St. Joseph Street, thence southerly to the intersection with South Street.



[Added 7-15-2014 by Ord. No. 2014.60]

Elm Street, odd-numbered side between South Street and Main Street

Elm Street, from the intersection of Main Street and Elm Street to the intersection of Cutts Street and Elm Street (Steego Auto Parts side)

Elm Street, 150 feet from Five Points to the Tousignant property and First National Bank property lot line, 325 feet

Elm Street, westerly (even-numbered) side, from the corner of St. Joseph's Street northerly for a distance of 88 feet

Emery Street, Main Street to Bacon Street, parking on righthand side only

Federal Street, both sides, from Washington Street to entrance of Franklin Street parking lot

Federal Street, northeasterly side

Foss Street, easterly side (church side), back for a distance of 35 feet from the intersection of Summer Street and Foss Street

Foss Street, even-numbered side, from Main Street to Pool Street

Foss Street, odd-numbered side, from King Street to Main Street

Foss Street, odd-numbered side, from Porter Street to Myrtle Street

Franklin Street, even-numbered side, from the intersection with Main Street, thence southwesterly to Federal Street

Franklin Street, odd-numbered side, from the intersection with the Downtown Parking Lot, thence southwesterly to Alfred Street

Graham Street, easterly (odd-numbered) side, for a distance of 20 feet northerly and 55 feet southerly from the entrance to the Ledgewood Apartments

Graham Street, even-numbered side, beginning at the point of 20 feet from the southwesterly corner of the intersection with Birch Street, thence southwesterly for a distance of 50 feet from 7:00 a.m. to 4:00 p.m. on school days

Graham Street, even-numbered side, from Birch Street to a distance of 40 feet

Graham Street, for 20 feet, on either side of the entry of the Ledgewood Apartments building, namely 9 Graham Street

Graham Street, westerly (even-numbered) side, for a distance of 145 feet from Fogg Avenue

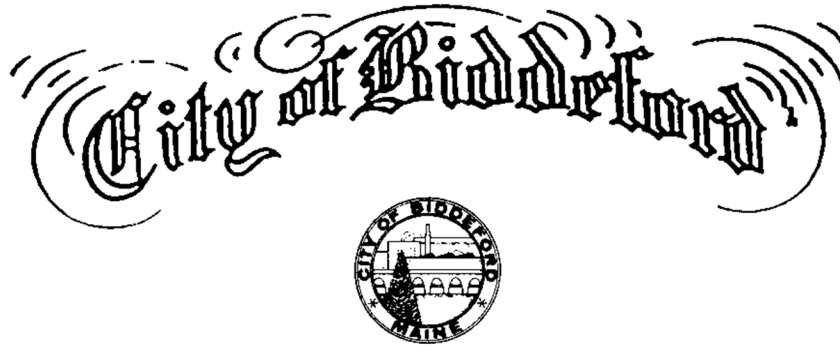
Hill Street, even-numbered side, from Bacon Street to Pool Street

Hill Street, even-numbered side, from Pool Street to Birch Street

Hill Street, from the intersection of Main Street along southeast side of Hill Street for 120 feet

Hill Street, odd-numbered side, from Main Street to a point 25 feet up Hill Street

Hill Street, odd-numbered side, from West Street to Raymond Street



Hill Street, right side, from the corner of Hill Street and Pool Street to Emery School

Hill Street, right side, from Main Street to Bacon Street

Jefferson Street, from the intersection of Washington Street along the northeasterly side of Jefferson Street easterly to a point 50 feet east of the intersection of Jefferson and Washington Streets

Jefferson Street, northeasterly side, from 18 Jefferson Street to Center Street

Jefferson Street, odd-numbered side, from Alfred Street to South Street, except for two spaces in front of Mickey's Market and two spaces in front of the Sandwich Man

Jefferson Street, southwesterly side, from South Street to Alfred Street

southerly to the intersection with Mile Stretch Road

Lincoln Street, even-numbered side, along the entire frontage of the M.E.R.C. property, from Pearl Street to the Newman lot line, being a distance of 140 feet, more or less

Lincoln Street, from Pearl Street to Elm Street (U.S. Route 1) (M.E.R.C. plant exit)

Lincoln Street, northeasterly (odd-numbered) side, for a distance of 30 feet from the entrance and exit of the M.E.R.C. facility

Main Street, even-numbered side, beginning at the northeast corner of the intersection with St. Mary's Street, thence easterly for a distance of 80 feet±

Main Street, odd-numbered side, beginning at the southwest corner of the intersection with Bradbury Street, thence westerly for a distance of 50 feet±

Main Street, northerly side, from the Rotary Park entrance westerly to South Street

Main Street, northerly side, for a distance of 50 feet west of the intersection of Main Street and Elm Street and for a distance of 120 feet east of the intersection

Main Street, southerly side, for a distance of 50 feet west of the intersection of Main Street and Elm Street and for a distance of 30 feet east of the intersection

Main Street, southerly side, from Maplewood Avenue to Highland Street, from 7:00 a.m. to 4:00 p.m., school days only

Main Street, odd-numbered side, beginning at the southwest corner of the intersection with Elm Street, thence westerly for a distance of 250 feet.

[Added 7-15-2014 by Ord. No. 2014.61]

Main Street, odd-numbered side, from the intersection with South Street, thence easterly for a distance of 540 feet, no parking

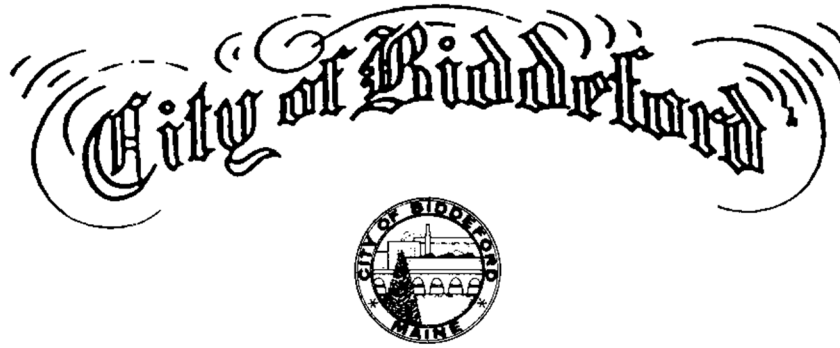
[Amended 7-20-2010 by Ord. No. 2010.64]

Main Street, southwesterly side, from Bradbury Street to 30 feet from the corner of St. Mary's Street

Main Street, odd-numbered side, from Main Street Bridge to Hill Street

Main Street, odd-numbered side, from Foss Street to Alfred Street

Main Street, even-numbered side, from Laconia Street, thence westerly for a distance of 40 feet



Main Street, even numbered side, from the Biddeford Saco American Legion Memorial Bridge (Lower Main Street) thence westerly for a distance of 407± feet

McArthur Way, both sides from the intersection of Elm Street to the end

Pearl Street, lefthand side, heading in an easterly direction from Lincoln Street to Smith Street

Pine Street, northerly side, from Elm Street to Pine Street bridge

Pool Street, odd numbered side from northeast corner of Pool Street and Foss Street, easterly for a distance of 63 feet

Pool Street, southwesterly side, from Alfred Street to Foss Street

Pool Street, southwesterly side, in front of St. Andre's Credit Union, from entrance to exit

Pool Street, westerly side of northerly leg, for a distance of not less than 75 feet from the intersection of Hill Street

St. Mary's Street, odd and even numbered sides, from the ninety degree angle down to extension leading to railroad tracks to the end

St. Mary's Street, odd numbered side from the ninety degree curve, thence southeasterly for a distance of 87 feet

[Added 11-17-2009 by Ord. No. 2009.86]

St. Mary's Street, odd numbered side from the ninety degree curve, thence southwesterly for a distance of 25 feet

[Added 11-17-2009 by Ord. No. 2009.87]

Smith Street, both sides

South Street, even numbered side, from Adams Street (monument) to a distance of 177 feet from Adams Street (City Hall side)

South Street, even numbered side, from Green Street to William's Court

South Street, even numbered side, from a point beginning 236 feet east of pole J 83, thence to the intersection of Brook Street

South Street, odd numbered side, from Adams Street (monument) back for a distance of 70 feet from Adams Street (bank side)

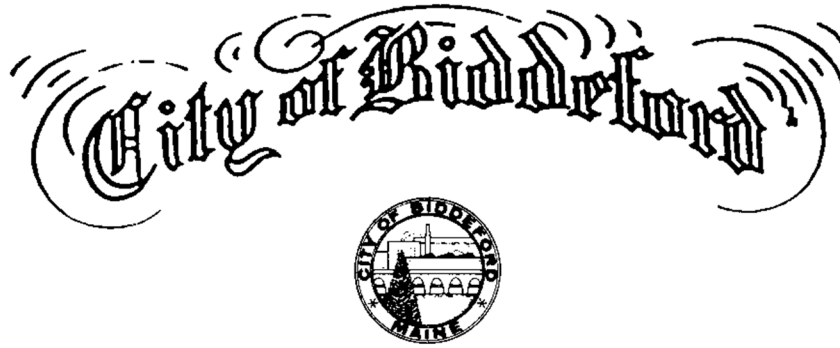
South Street, odd numbered side, from Green Street to Elm Street intersection

Stone Street, easterly (odd numbered) side, from the funeral home driveway south for a distance of 50 feet

Stone Street, both sides, for a distance of 120 feet from Pearl Street

Summer Street, westerly side, from Alfred Street to Prospect Street

Washington Street, beginning at a point on the odd numbered side of Washington Street, said point being more specifically identified as 181 feet from CMP Pole No. 11, thence proceeding for a distance of 81 feet



Washington Street, a distance of 10 feet from either side of driveway entrance to Presidential Apartments located at 80 Washington Street

Washington Street, northerly side, from Alfred Street to the post office exit

Water Street, odd-numbered side, from Main Street to White's Wharf Street

Water Street, righthand side, from High Street to Clifford Street

Water Street, southerly side, from Hill Street for a distance of 73 feet

Water Street, southerly side, between Sullivan Street and High Street

West Cutts Street, even-numbered side, beginning at the northeast corner of the intersection with Harvey Street, thence southerly to the dead end

Sec. 42-91. No parking tow zone area.

[1975, § 14-81; Ord. of 11-21-1989(2); Ord. of 6-5-1990(1); Ord. of 6-5-1990(2); Ord. of 6-5-1990(3); Ord. of 6-13-1990; Ord. of 11-7-1990; Ord. of 3-16-1993; Ord. of 6-6-1995; Ord. No. 2003.53, 5-6-2003]

The following streets are hereby designated as no parking tow zone areas:

Hazel Street, both sides, from St. Mary's Street to Spruce Street

[Added 11-18-2014 by Ord. No. 2014.118]

Main Street, from the corner of Main Street and Elm Street, 50 feet from the corner heading a westerly direction to the sign, being the lefthand side of Main Street from the traffic light, allowing for the flow of traffic on a green arrow

South Street, northerly side, from the intersection of Elm Street and South Street, to the first driveway on South Street

Sec. 42-92. Limited parking.

[Code 1975, § 14-82; Ord. of 7-17-1990(2); Ord. of 10-2-1990(2); Ord. of 10-1-1991(2); Ord. of 5-19-1992(2); Ord. of 5-19-1992(3); Ord. of 5-19-1992(4); Ord. of 11-4-1992; Ord. of 12-21-1993(2); Ord. of 12-21-1993(3); Ord. of 4-5-1994(2), § 14-82; Ord. of 8-15-1995; Ord. of 9-5-1995; Ord. of 9-20-1995; Ord. of 9-20-1995; Ord. of 6-4-1996(2);

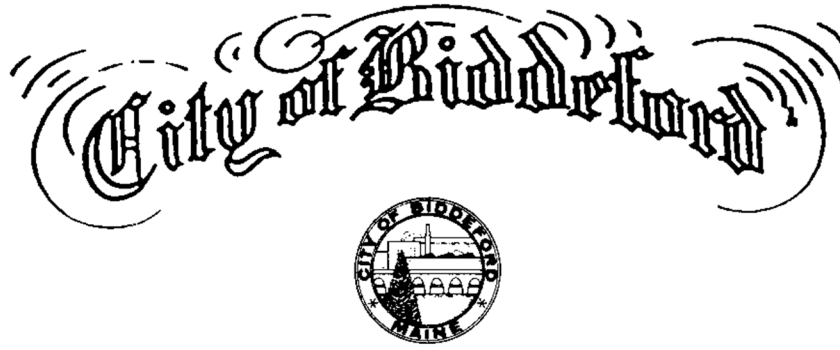
(a) Parking will be limited at the following locations in the specified manner:

Beginning at a point 50 feet westerly of the intersection of the northeasterly side of Main Street with the northwesterly side of Elm Street;

Thence, westerly along said Main Street a distance of 36 feet to the first driveway apron;

Thence, beginning at a point 106 feet westerly of the intersection of the northeasterly side of Main Street with the northwesterly side of Elm Street;

Thence, westerly along said Main Street a distance of 54 feet to a point



Said herein described premises creates five parking spaces which will be restricted to two hour parking

Adams Street, even numbered side, beginning at a point 20 feet from the intersection of Main Street and Adams Street curblines, thence southerly for three, one hour parking spaces, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Saturdays; exception: holidays

Alfred Street, southwesterly (even numbered) side, from Main Street from the second handicap parking space to Franklin Street, for all available spaces to be two hours, 8:00 a.m. to 5:00 p.m.; exception: Sundays and holidays

Alfred Street, southerly (odd numbered) side, from Main Street to Bacon Street, two hours, 8:00 a.m. to 5:00 p.m.; exception: Sundays and holidays

Alfred Street, westerly side, between signs, at Lot 177, Map 34, for 118 feet (from lot line to lot line), also known as 200 Alfred Street, two hours, from 9:00 a.m. to 5:00 p.m.

Alfred Street, even numbered side, from Birch Street towards W. Myrtle for four spaces, 15 minutes

Alfred Street, even numbered side, beginning at a point 20 feet from the intersection of Birch Street and Alfred Street, thence easterly, for one fifteen minute parking space

Alfred Street, odd numbered side, from Summer Street toward Pool Street, three spaces for 15 minutes

Alfred Street, in front of the Farm Store located at 38 Alfred Street, one space, 15 minutes

Alfred Street, odd numbered side, at corner of Summer Street towards Mt. Vernon Street, two spaces, two hours

Alfred Street, even numbered side, beginning at a point 20 feet southwest from the intersection with Main Street, thence southwesterly of a distance of 44 feet, 15 minutes

Alfred Street Parking Lot, commencing with Rows 2 and 3, being 44 spaces; Row 1 shall be reserved for police parking only, being 15 spaces, with the exception of two spaces in the first row to be marked handicap parking only, two hours

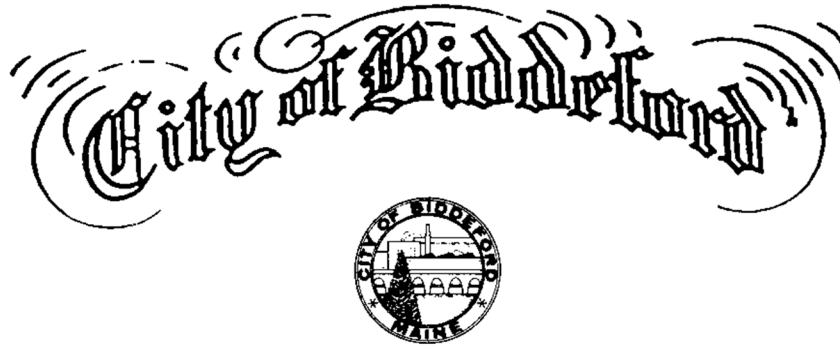
Alfred Street Parking Lot, fourth row (closest to St. Andre's Credit Union), four hours

Alfred Street Parking Lot, from the first snowfall or December 1, from the hours of 12:00 a.m. (midnight) to 6:00 a.m. unit May 1, except Christmas Eve and New Year's Eve, with the exception of police vehicles

Bacon Street, northeasterly (odd numbered) side, Alfred Street to Foss Street, two hours, 8:00 a.m. to 5:00 p.m.; exception: Sundays and holidays

Birch Street, odd numbered side, from Alfred Street to Graham Street, six spaces, ten minute parking 7:00 a.m. through 4:00 p.m. Monday through Friday

Birch Street, at the corner of Birch Street and Summer Street, being two spaces in front of store on Birch Street, 15 minutes



City Hall Parking Lot, from the intersection of Adams Street and the entrance to the City Hall parking lot, beside and easterly of City Hall, six one hour parking spaces

City Hall Parking Lot, northerly of the Civil War Memorial traffic island, five one hour parking spaces

Elm Street, easterly (odd numbered) side, from the northerly side of Thornton Street and running south 96 feet, two hours

Elm Street, even numbered side, beginning at a point 20 feet southwesterly of the intersection with Cutts Street, thence southwesterly for a distance of two parking spaces (44 feet ±), 15 minutes

Elm Street, even numbered side, beginning at a point 180 feet south of the intersection of St. Joseph Street, thence for a distance of 21 feet, 15 minutes. This area is more specifically located in front of 200 Elm Street

Elm Street, westerly (even numbered) side, from Thornton Street a distance of 85 feet in a southwesterly direction, two hours

Foss Street Parking Lot, no parking from 12:00 a.m. (midnight) to 6:00 a.m. commencing with the first snowfall or December 1 until May 1, except for Christmas Eve and New Year's Eve

Franklin Street, even numbered side, beginning at a point 57 feet from the intersection with Alfred Street, thence westerly for a distance of 66 feet, 15 minutes

Franklin Street, odd numbered side, beginning at a point 42 feet southeast from the intersection with Main Street, thence southwesterly to the intersection with the Downtown Parking Lot, two hours, from 8:00 a.m. to 5:00 p.m. Monday through Friday, except holidays

Franklin Street, odd numbered side, beginning at a point 20 feet from the intersection with Main Street, thence southwesterly for a distance of one space, 15 minutes

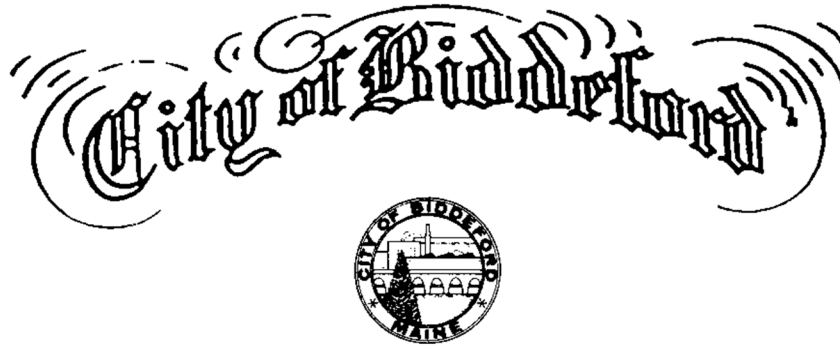
Hill Street, odd numbered side, beginning at a point 20 feet northeast from the northeast corner of the intersection with Pool Street, thence northeasterly for a distance of two parking spaces, 20 minutes, Monday through Friday from 8:00 a.m. to 5:00 p.m.

[Added 4-21-2015 by Ord. No. 2014.130]

Jefferson Street, northeasterly (odd numbered) side, from the Franklin Street parking lot entrance to Washington Street, 15 minutes

Lincoln Street, odd numbered side, beginning at a point 20 feet south from the intersection with Stone Street, thence southerly for two two hour parking spaces, from 8:00 a.m. to 5:00 p.m., Monday through Saturday, except holidays

Lincoln Street, westerly (even numbered) side, commencing at Pearl Street and running southerly a distance of 225 feet, two hours



Main Street, even-numbered side, beginning at a point 20 feet west from the intersection with Elm Street, thence northwesterly for a distance of two parking spaces, 15 minutes

[Added 12-2-2014 by Ord. No. 2014.115]

Main Street, even-numbered side, beginning at a point of the perpendicular sight line with the northwest corner of the intersection with Emery Street, thence westerly to Laconia Street, two hours, between the hours of 8:00 a.m. and 6:00 p.m., Monday through Friday, except on holidays, and excepting for those spaces that have been designated elsewhere in this chapter for disability parking, loading zone, or otherwise

[Added 3-15-2011 by Ord. No. 2011.9]

Main Street, even-numbered side, from Laconia Street to Elm Street, two hours, between the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except holidays, and excepting for those spaces that have been designated elsewhere in this chapter for disability parking, loading zone, or otherwise

Main Street, odd-numbered side, from Hill Street to Elm Street, two hours, between the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except holidays, and excepting for those spaces that have been designated elsewhere in this chapter for disability parking, loading zone, or otherwise

Main Street, even-numbered side, two parking spaces in front of 144 Main Street, 15 minutes, 11:00 a.m. to 1:00 p.m.

Main Street, odd-numbered side, beginning at a point 20 feet southeast from the intersection with Washington Street, thence southerly for a distance of 21 feet, 15 minutes, between the hours of 8:00 a.m. to 5:00 p.m. Monday through Saturday

Main Street, odd-numbered side, beginning at a point 58± feet southwest from the curblines with the intersection with Adams Street, thence southwesterly for a distance of two parking spaces (44± feet) 30 minutes, between the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except holidays

Main Street

[Amended 3-15-2011 by Ord. No. 2011.9; repealed 11-19-2013 by Ord. No. 2013.94]

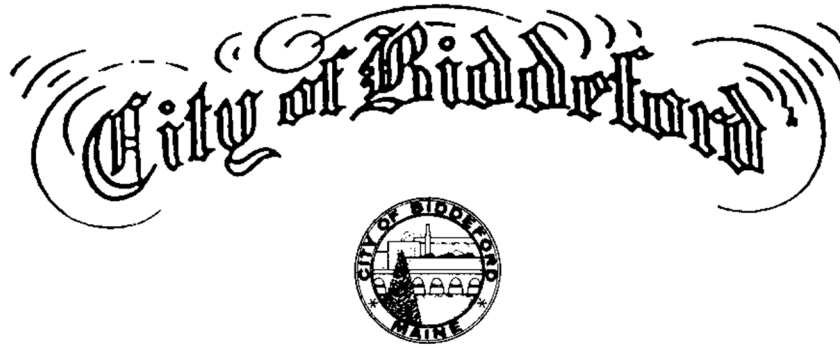
Main Street, southerly (odd-numbered) side, beginning 20 feet from the corner of Washington Street, two 15-minute spaces

Pool Street, in front of Pool Street Market, store side, three spaces, 15 minutes

Prospect Street

St. Mary's Street, even-numbered side from the ninety-degree curve, thence southwesterly for a distance of 60 feet

[Added 11-17-2009 by Ord. No. 2009.88]



St. Mary's Street, even numbered side, beginning at a point 20 feet west from the intersection with Hazel Street, thence northwesterly to end of street, no parking between the hours of 7:00 a.m. and 7:00 p.m.

[Amended 11-18-2014 by Ord. No. 2014.119]

South Street, east side, behind Christ Episcopal Church/Headstart Headquarters, for a distance of 30 feet, from 8:00 a.m. to 1:00 p.m., Monday through Friday

Spruce Street, northerly side beginning at a point 177 feet from the intersection of Elm Street and Spruce Street for a distance of 66 feet, two hours

Summer Street, even-numbered side, beginning at a point 20 feet northeast from the intersection with Birch Street, thence northeasterly for a distance of 20 feet, 15 minutes

Summer Street, southerly side, corner of Alfred Street, three spaces, two hours

Washington Street, even numbered side, beginning at a point of 20 feet southwest from the intersection of Main Street, thence southeasterly for a distance of 43 feet (two spaces) from 8:00 a.m. to 8:00 p.m., 15 minutes

[Added 11-15-2011 by Ord. No. 2011.78]

Washington Street, even numbered side, beginning at a point 63 feet southwest from the intersection with Main Street, thence southeasterly for a distance that is within 146 feet of the intersection with Jefferson Street, two hours, from 8:00 a.m. to 5:00 p.m. Monday through Friday, except holidays

Washington Street, even numbered side, beginning at a point of 20 feet southwest from the intersection of Main Street, thence southeasterly for a distance of 43 feet (two spaces) from 12:00 noon to 5:00 p.m., two hours, Monday through Friday

Washington Street, odd numbered side, beginning at a point 63 feet southeast from the intersection with Main Street, thence southwesterly to the intersection with Jefferson Street, two hours, from 8:00 a.m. to 5:00 p.m. Monday through Friday, except holidays

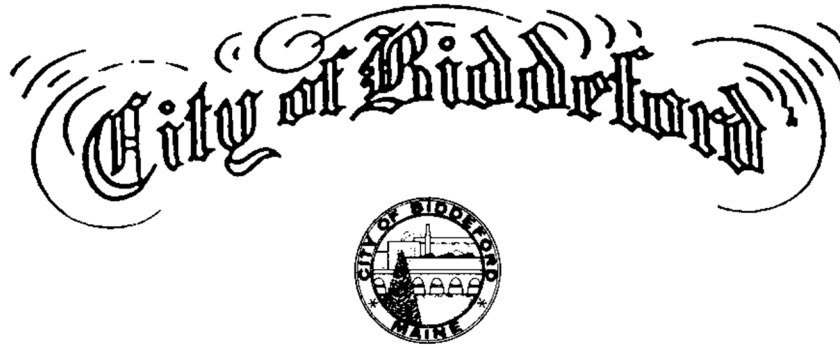
Water Street, southerly side, from Liberty Park to Sullivan Street, 30 minutes

Sec. 42-93 Loading zones.

[Code 1975, § 14-83; Ord. of 2-19-1991(1); Ord. of 6-18-1991; Ord. of 10-20-1992; Ord. of 8-3-1993(2); Ord. of 4-5-1994(1), § 14-83; Ord. of 9-20-1995; Ord. of 10-17-1995; Ord. of 12-17-1996; Ord. of 7-15-1997(2); Ord. of 8-4-1998(5); Ord. of 10-20-1998(2); Ord. of 10-20-1998(4); Ord. of 7-20-1999; Ord. No. 99.89, 10-19-1999; Ord. No. 2001.28, 4-17-2001; Ord. No. 2002.37, 4-16-2002; Ord. No. 2002.53, 6-4-2002; Ord. No. 2002.97, 9-17-2002; Ord. No. 2003.42, 4-15-2003; Ord. No. 2003.78, 7-15-2003; Ord. No. 2006.80, 10-3-2006]

The following areas are designated as loading zones and are subject to the indicated restrictions:
Alfred Street, even numbered side in front of 38 Alfred Street (Goodwill Store), one space, from 7:00 a.m. to 11:30 a.m.

Center Street, northerly side, from the corner of Jefferson Street back to a distance of 35 feet



City Hall Parking Lot, one space located adjacent to City Hall basement door from 6:00 a.m. to 3:00 p.m., Monday through Friday

Cutts Street, odd-numbered side, beginning at a point 20 feet northwesterly of the intersection with Elm Street, thence northwesterly for a distance of 33 feet±, between the hours of 7:00 a.m. and 5:00 p.m., Monday through Friday

[Added 7-7-2009 by Ord. No. 2009.47]

Franklin Street, even-numbered side, beginning at a point 20 feet from the intersection with Alfred Street, thence westerly for a distance of 37 feet, 8:00 a.m. to 4:00 p.m. Monday through Friday

Franklin Street Parking Lot, one space, located directly behind 62 Alfred Street, and adjacent to the rear door, between the hours of 8:00 a.m. and 9:00 p.m.

Franklin Street Parking Lot, two spaces located immediately in the rear of the Super Sub Shop (69 Jefferson Street), for deliveries only, 7:00 a.m. to 5:00 p.m.

Hill Street, odd-numbered side, beginning at a point 84 feet from the southerly corner of the intersection with Pool Street, thence southwesterly for a distance of 20 feet, 15 minutes from 8:00 a.m. to 6:00 p.m.

Main Street, odd-numbered side, beginning at a point 20 feet east from the southeast corner of the intersection with Emery Street, thence easterly for a distance of 44 feet, (two parking spaces) between the hours of 8:00 a.m. and 6:00 p.m.

[Added 11-19-2013 by Ord. No. 2013.93]

Main Street, odd-numbered side, beginning at a point 20 feet southeasterly from the intersection of Western Avenue, thence easterly for a distance of 20 feet, one space, from 8:00 a.m. to 6:00 p.m., Monday through Friday.

Pearl Street, even-numbered side, from Stone Street to Lincoln Street

Summer Street, even-numbered side, from the corner of Birch Street back to a distance of 30 feet on Summer Street, two spaces.

Thornton Street, southerly side, beginning from the proposed handicap parking space, 30 minutes, between the hours of 9:00 a.m. to 6:00 p.m., two spaces

Sec. 42-94-Taxi stands.

[Code 1975, § 14-84; Ord. of 12-17-1996; Ord. No. 2003.78, 7-15-2003]

The following streets and areas are hereby designated as taxi stands:

Lincoln Street, odd-numbered (westerly) side, beginning at a point 20 feet north from the intersection with Main Street, thence northerly for a distance of three parking spaces

The following locations shall be designated as bus stops.

Adams Street, odd-numbered side, in front of the Thatcher Hotel

Washington Street, odd-numbered side, beginning at pole J-7 thence northeasterly for a distance of ±79 feet

Sec. 42-98-Truck zone.



[Code 1975, § 14-87]

The location designated as a truck zone is on Main Street, two spaces in front of 143 Main Street, from 8:00 a.m. to 12:00 noon.

Sec. 42-100. Disability parking.

[Code 1975, § 14-89; Ord. of 6-5-1990(3); Ord. of 6-5-1990(4); Ord. of 2-19-1991(2); Ord. of 4-16-1991; Ord. of 5-21-1991(3); Ord. of 4-6-1993(1); Ord. of 4-6-1993(2); Ord. of 5-18-1993(1); Ord. of 12-17-1996; Ord. of 7-15-1997(4); Ord. of 12-22-1997; Ord. of 5-5-1998(3); Ord. of 12-15-1998(10); Ord. No. 99.80, 9-21-1999; Ord. No. 99.81, 9-21-1999; Ord. No. 99.88, 10-19-1999; Ord. No. 2000.23, 4-4-2000; Ord. No. 2000.58, 7-5-2000; Ord. No. 2000.108, 10-26-2000; Ord. No. 2000.126, 11-21-2000; Ord. No. 2001.11, 3-8-2001; Ord. No. 2001.28, 4-17-2001; Ord. No. 2002.26, 3-19-2002; Ord. No. 2002.97, 9-17-2002; Ord. No. 2003.6, 1-21-2003; Ord. No. 2003.41, 4-15-2003; Ord. No. 2003.78, 7-15-2003; Ord. No. 2003.92, 9-30-2003; Ord. No. 2005.36, 5-3-2005; Ord. No. 2006.99, 11-21-2006; Ord. No. 2006.105, 12-5-2006]

(a) In addition to those areas listed below, and designated as disability parking, the Chief of Police is authorized to temporarily designate an area as reserved for "disability parking" in order to meet special needs and circumstances. The enforcement of these spaces would be consistent and pursuant to the provisions under Section 42-51(a). All such designated disability parking shall remain in effect for not longer than 72 hours.

The following locations are designated for disability parking only:

Adams Street, odd-numbered side, in front of 25 Adams Street, three spaces between 8:00 a.m. and 4:00 p.m. only on those days that District Court is open to conduct regular business.

[Amended 6-17-2014 by Ord. No. 2014.44]

Foss Street, odd-numbered side, 26 feet from the intersection of Foss/Pool Street, one space

Graham Street, odd-numbered side, beginning at a point 20 feet northeasterly from the intersection with Harding Street, thence northeasterly for a distance of two parking spaces.

[Added 2-21-2012 by Ord. No. 2012.14]

Graham Street, two spaces, easterly side, in front of the United Church of Christ, Congregational, transept (or annex) entrance

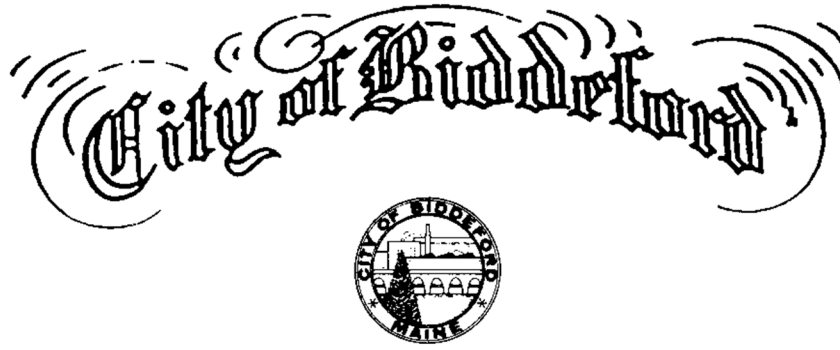
Lincoln Street, even-numbered side, beginning at a point 50 feet from the intersection of Main Street and Lincoln Street curblines, thence northerly, for one handicap parking space

Main Street, even-numbered side, beginning at a point 47 feet west from the northwest corner of the intersection with Laconia Street, thence northwesterly for a distance of one parking space

Main Street, even-numbered side, one space in front of the Biddeford Savings Bank

Main Street, odd-numbered side, beginning at a point 61 feet west from southwest corner of the intersection with Alfred Street, thence westerly for a distance of one parking space

Main Street, odd-numbered side, beginning at a point 62 feet southwest from the intersection with Alfred Street, thence northwesterly for a distance of 21 feet



Main Street, one parking space in front of 205 Main Street, beginning at a point 36 feet from the intersection of Main and Adams Street curblines, thence northwesterly for one handicap parking space

Main Street, one space in front of McArthur Library, located at 270 Main Street

Washington Street, odd-numbered side, beginning at a point 20 feet southeast from the intersection with Main Street, thence southwesterly for a distance of 43 feet, two parking spaces

July 17, 2018

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

Motion by Councilor Belanger, seconded by Councilor Foley to amend the ordinance by removing all language from the letter (a) on.

Vote: 7/1; Councilor Lessard opposed.

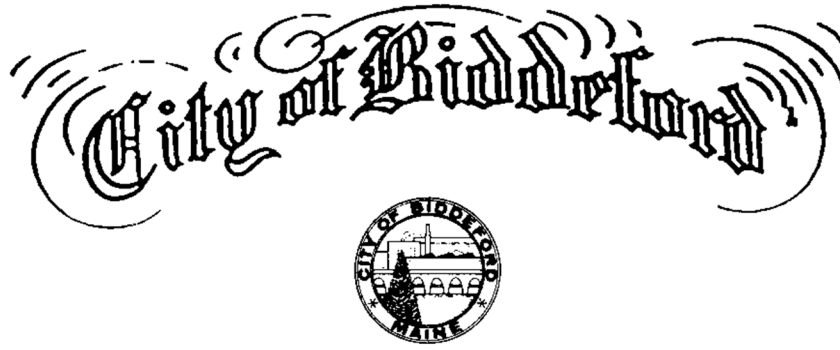
Councilors Swanton, McCurry, St. Cyr, Quattrone, Foley, Belanger and Ready in favor.

Motion carries.

Vote on ordinance, as amended: 7/1; Councilor Swanton opposed.

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

Motion carries.



2018.76

IN BOARD OF CITY COUNCIL..JULY 17, 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 III, Parking, Stopping and Standing, **Section 42-62-Identification and use of municipal parking lots**, to add the following:

The City Council has the authority to regulate the use of all municipal parking lots and may establish and implement parking fees, permits and rates for the use thereof.

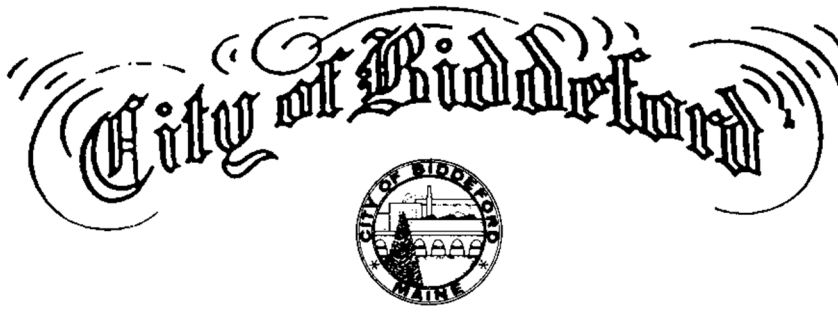
July 17, 2018

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

Vote: 5/3; Councilors Swanton, Lessard and Quattrone opposed.

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

Motion carries.



2018.78

IN BOARD OF CITY COUNCIL..AUGUST 7, 2018

BE IT ORDAINED by the City Council of Biddeford, Maine to amend the Code of Ordinances of the City of Biddeford as follows:

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

	I-3
Medical Marijuana Growing Facility	<u>C28</u>

NOTES:

28. This use is not permitted on those properties subject to the Robert G. Dodge Business Park and the Alfred Road Business Park covenants.

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.

Shepard & Read

ATTORNEYS AT LAW

93 MAIN STREET ♦ KENNEBUNK, MAINE 04043

BRUCE M. READ
ALAN E. SHEPARD

Tel: (207) 985-2911
Fax: (207) 985-2326
E-Mail: alan@shepardandreadlaw.com

May 29, 2018

Biddeford City Council
205 Main Street
Biddeford, ME 04005

RE: Proposed Zoning Change

Dear Council Members:

Our office represents Norman Crepeau and Fabien Dube who under the name M.R.C. Realty are the record owners of a property located at 17-19 Pomerleau Street in the City. This is an industrial property in the I-3 Zone located off of Alfred Road.

It is my understanding that Councilman Mike Ready recently submitted to the Council a proposed zoning change that my clients are seeking, to make a minor adjustment as to what is an allowed use in the I-3 Zone. I had spoken with the Town Planner, and got his assistance in drafting this provision, that would allow as a conditional use a medical marijuana growing facility in this industrial zone.

As I suspect you all remember, a few years back there was a change in the zoning ordinance to add medical marijuana growing facilities and dispensaries within certain zones in the City.

At the time, the decision was made to allow the medical marijuana growing facilities in the other industrial parks, and allow a dispensary in the I-3 zone.

In speaking with the Town Planner, he recalled that the distinction was made at the time because the I-3 zone contains the Alfred Road Business Park which has frontage along Route 111, and would not be generally suitable for a medical growing facility, and another section of the I-3 which is the Robert G. Dodge Business Park has a number of medical facilities, and would potentially be more suitable for a dispensary.

The property owned by M.R.C. Realty at 17-19 Pomerleau, is not in either of these named parks, and the lots are large and isolated and would be very suitable for a growing facility.

The proposed zoning change was drafted in the narrowest manner to just affect the section of the I-3 that is not in the two named parks, to avoid the concerns outlined above, and also to avoid the deed covenants that limit the uses in these named parks.

I hope the Council would agree that zoning ordinances should remain open to flexible changes, to allow the business community to benefit from certain market trends. At this point in time, there is a very high demand for spaces that would allow grows by medical caregivers. My clients made a big investment in this property, and they would like to opportunity to rent to a tenant seeking space for a medical growing facility.

It is important to note that this request has nothing to do with any recreational market. How the City may choose to deal with retail sales and cultivation of recreational marijuana is a future consideration, which is unrelated to this zoning change.

We hope that the Council will choose to send this request to the Planning Board for further consideration. I look forward to answering any questions you may have at the June 5th meeting.

Yours truly,

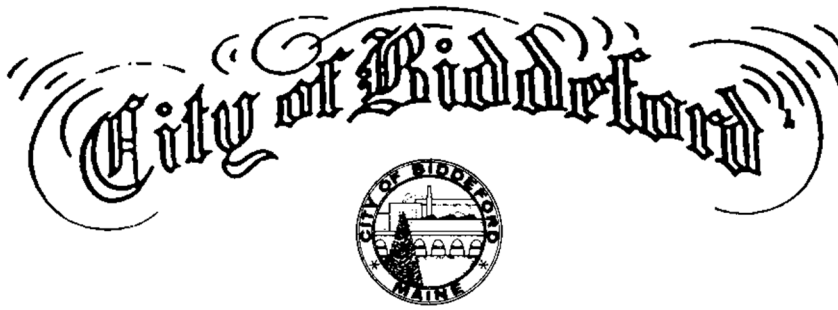
SHEPARD & READ

A handwritten signature in black ink, appearing to read 'Alan E. Shepard', written over a horizontal line.

Alan E. Shepard

AES/rrl

cc: M.R.C. Realty
Greg Tansley, Town Planner



2018.79

IN BOARD OF CITY COUNCIL..AUGUST 7, 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 VI (Performance Standards),
Section 59 (Signs):**

B.14 Exempt off-premises signs. The following off-premises signs may be erected and maintained without the approval of the Board of Appeals or Code Enforcement Office:

n. Banners on light poles within a public right-of-way that are attached top and bottom to permanent or temporary structural members for the purposes of identifying municipal and institutional zone (university/college) areas and events within the city must be approved by the City of Biddeford Department of Public Works. Approved banners may be erected by the City of Biddeford Department of Public Works, a university/college, or agents of either the City of Biddeford or a university/college. Such banners may not contain any advertising other than that related to the relevant municipal and/or institutional zone entity.

C.7 In the IN Zone, the following signs shall be permitted, provided that no individual sign shall be larger than 32 square feet and that all signs shall be consistent with the design standards set forth in the approved institutional master plan:

h. Banners on light poles within a public right-of-way that are attached top and bottom to permanent or temporary structural members for the purposes of identifying municipal and institutional zone (university/college) areas and events within the city must be approved by the City of Biddeford Department of Public Works. Approved banners may be erected by the City of Biddeford Department of Public Works, a university/college, or agents of either the City of Biddeford or a university/college. Such banners may not contain any advertising other than that related to the relevant municipal and/or institutional zone entity.

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



CITY OF BIDDEFORD
PLANNING DEPARTMENT

Greg D. Tansley, A.I.C.P.
205 Main Street
PO Box 586
Biddeford, ME 04005
Greg.Tansley@Biddefordmaine.org

PLANNING BOARD REPORT

TO: Larry Patoine, Chair & Members of the Biddeford Planning Board

FROM: Greg Tansley, AICP, City Planner

A handwritten signature in black ink, appearing to read "Greg Tansley", is written over the printed name.

DATE: July 10, 2018

RE: NEW BUSINESS ITEM #B - 2018.17 Public Hearing, take comments, and make recommendations to the City Council regarding a proposed amendment to exempt from permitting certain City installed and/or approved banners on light poles in a public right-of-way.

MEETING DATE: July 18, 2018 @ 6:00 PM

This is a Staff initiated amendment for the Planning Board to consider. It has been initiated as a result of Mr. Kyle Noble of Hills Beach raising issues of the UNE banners on the light poles on Pool Road. Under State Law the City of Biddeford can erect banners on light poles in the public right-of-way for noncommercial purposes. Our Ordinance is not entirely clear on this so I was asked to prepare an amendment that would make it clear that noncommercial banners could be erected on light poles so long as they were erected by the City of Biddeford, or if not physically erected by the City of Biddeford, were approved by the City of Biddeford Department of Public Works. The suggested Ordinance language is attached.

1. STAFF RECOMMENDATION

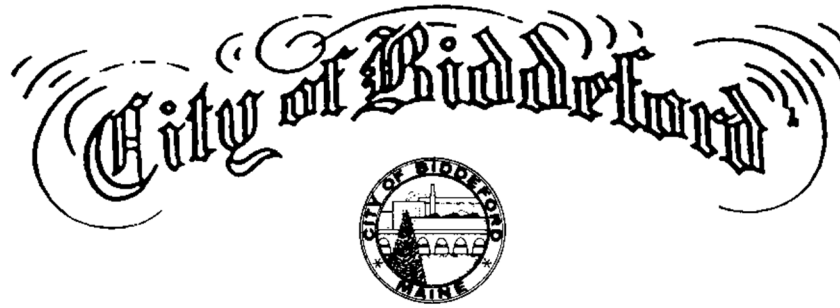
Staff recommends the Board listen to any public comment and make a recommendation back to the City Council for or against the proposed zoning change.

2. SAMPLE MOTIONS:

Motion to recommend/not recommend the Zoning Change pass at the City Council.

ATTACHMENTS

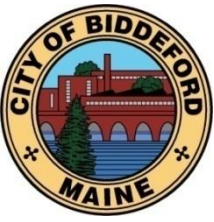
1. Suggested Ordinance Amendment.



2018.80

IN BOARD OF CITY COUNCIL..AUGUST 7, 2018

BE IT ORDERED, that the City Council of the City of Biddeford does hereby advise the Planning Board of its endorsement of the proposed Contract Zone #18 located off Barra Road for a 240-unit multi-family project as outlined in the applicant's letter to the City Planner dated July 27, 2018 and its attached "REQUEST FOR CONSIDERATION AND APPLICATION FOR CONTRACT ZONE PURSUANT TO ARTICLE V, SECTION 9 OF THE ZONING ORDINANCE OF THE CITY OF BIDDEFORD".



CITY OF BIDDEFORD

PLANNING DEPARTMENT

Greg D. Tansley, A.I.C.P.
205 Main Street
PO Box 586
Biddeford, ME 04005
(207) 284-9115

Greg.Tansley@Biddefordmaine.org

MEMORANDUM

To: Mayor Casavant
Council President McCurry & Members of City Council
J. Bennett, City Manager

From: Greg Tansley, AICP, City Planner

A handwritten signature in black ink, appearing to read "Greg Tansley", is written over the "From:" line.

Date: July 31, 2018

Re: Requested Contract Zone – Sawmill Park Properties, LLC; Indian Cliff Development Corp.; and Mike Eon Associates, LTD (Tax Map 2, Lot 43-1; Tax Map 7, Lot 15; Tax Map 2, Lot 42-1)

The Planning Department is in receipt of a request for a Contract Zone for property located off the end of Barra Road. Current Zoning is both Industrial-3 (I-3) and Residential-3 (R-3). The purpose of the Contract Zone is to allow a multi-family housing project with a density of approximately 1,500 square feet of land per unit. A total of 240 studio and 1-bedroom housing units in 2 buildings is proposed. The Conceptual Plan is included in the Council packet.

The first step of a Contract Zone request is to present the request to City Council, with the City Planner's recommendation. If the City Council endorses the concept presented by the applicant, the proposal returns to the Planning Board for a more detailed review. This Planning Board review will develop recommended actions/conditions for the Contract Zone, which will be forwarded back to City Council for final consideration.

The State of Maine enabled communities to use Contract Zoning in 1982, recognizing that it was a tool to provide flexibility in the local planning process. According to the Biddeford Zoning Ordinance, Article V, Section 9, Contract and Conditional Zoning must meet three (3) "tests":

1. The proposed use must be consistent with the comprehensive plan;
2. The proposed use must be consistent with existing or permitted uses within the existing original zone;
3. The contract zone may only contain conditions that relate to the physical development and operation of the property.

Test 1 - Comprehensive Plan Consistency:

After reviewing the Comprehensive plan, it is my opinion that the proposal is consistent with the Comprehensive Plan as follows:

1. Affordable Housing:

Policy #2: "To promote and maintain housing opportunities for the City's elderly residents."

Policy #5: "To provide a climate that encourages the development of affordable housing."

Project Relationship:

This proposal, if implemented, will create 240 units of primarily studio and 1-bedroom rental housing units. Given the proposal location being close to services (including medical) and employment, and being on an existing transit line as well as the Eastern Trail, it can reasonably assumed that the units will be available and priced for people of all income groups and ages.

2. Orderly Growth:

Subsection 1, Policy #1: "Ensure orderly growth in designated growth areas by amending zoning standards while continuing to protect the rural character of non-growth areas."

Project Relationship:

The proposed project is in a Growth Area. A Contract Zone is a zoning amendment and as such, if approved, entirely supports this policy.

As such, the proposed project appears to satisfy Test 1.

Test 2 – Consistency with Existing Uses within the Existing Original Zone:

Given a portion of the project would be in an existing R-3 zone which allows for and contains existing multi-family residential uses, it is consistent with that respect. Although the I-3 zone does not allow residential uses, the I-3 zoning of Tax Map 2, Lot 43-1 directly abuts the R-3 Zone. Given its relative geographic proximity to the R-3 abutting zone, it could be argued that the I-3 designation of that particular lot could be easily absorbed into the R-3 so it is my opinion that for all intent and purpose this is also consistent.

As such, the proposed project appears to satisfy Test 2.

Test 3 - The contract zone may only contain conditions that relate to the physical development and operation of the property:

This test would come out of the Contract Zone review process at the Planning Board and ultimate City Council consideration of the approval of a Contract Zone.

As such, the proposed project appears to satisfy Test 3.

City Planner's Recommendation:

As outlined above, I am of the opinion that the proposed Contract Zone is consistent with the Comprehensive Plan and existing residential land uses in the original and directly abutting zone. Further, the Contract Zone would contain only conditions related to the physical development and operation of the property.

Further, from a planning perspective, this proposal has significant merit:

- The location is in a designated City of Biddeford Growth Area.
- The project is ideally located in close proximity to services and employment.
- The project, as presented, would be studio and 1-bedroom units the impact on the school system should be minimized. This project will likely cater to the younger workforce and the elderly, although will also be available for people in-between.
- The project would be serviced by public sewer and water.
- The project is located on an existing transit line.
- The project is served by existing sidewalks on Barra Road, Pomerleau Street, and Route 111.
- The project is also located on the Eastern Trail offering residents recreational opportunities.

As such, I recommend that the City Council endorse the concept of a Contract Zone based on what has been presented by the applicant in their cover letter dated July 27, 2018 and the attached Request and Concept Plan.

If the concept moves forward, the Planning Board will conduct a more detailed review of the proposal, and will forward to City Council specific recommendations for the conditions to be placed on the Contract Zone. As such, City Council remains the final approval authority for this request.

Enclosures

Cc: M. Eon, Application Representative
M. Eddy, Planning and Development Director
File



260 Main Street · P.O. Box 444 · BIDDEFORD, MAINE 04005
OFFICE: 207-283-3000 · FAX: 207-283-4140
E-MAIL: Office@MikeEonAssoc.com

July 27, 2018

Greg D. Tansley, City Planner
City of Biddeford
P.O. Box 586
Biddeford, ME 04005

Re: Contract Zone Application

Hi Greg:

Per our past discussion I have included the request for a contract zone.
Hopefully this can be put on the Council's August 7th agenda. Please let me
know if you need anything else.

Thanks,

Mike Eon

(correspondence/tansley 7-18)

REQUEST FOR CONSIDERATION AND APPLICATION FOR
CONTRACT ZONE
PURSUANT TO ARTICLE V, SECTION 9 OF
THE ZONING ORDINANCE OF
THE CITY OF BIDDEFORD

To: Biddeford City Council
c/o Gregory Tansley, Planner
City of Biddeford, Maine

Applicants: Sawmill Park Properties, LLC
P. O. Box 444
Biddeford, ME 04005 (with respect to Map 2, Lot 43-1)

Indian Cliff Development Corp.
P. O. Box 444
Biddeford, ME 04005 (with respect to a portion of Map 7, Lot 15)

Mike Eon Associates, LTD.
P. O. Box 444
Biddeford, ME 04005 (with respect to a portion of Map 2, Lot 42-1)

Project Developer: Saxon Partners, LLC or its nominee
25 Recreation Park Drive, Suite 204
Hingham, MA 02043

Location of Property: Barra Road
Biddeford, Maine 04005 (the "Property")

Current Zoning: I-3 District & R-3 District

Proposed Zoning: Contract Zone #_____

General Outline: The applicants hereby make application to the City of Biddeford for a zoning amendment pursuant to the Contract Zoning provisions contained in Article V, Section 9 of the Zoning Ordinance of the City of Biddeford. The Applicants are the owners of several separate lots of land, portions of which containing approximately 10 acres situated at and near the current terminus of the improved portion of Barra Road in said Biddeford is requested to be the subject of this Contract Zone. Currently the Property is undeveloped land to which public sewer and public water services are available as well as electrical and natural gas service. The proposal is to create approximately 240 units of housing in two to four wood frame buildings. The residential units shall be a combination of studio and single bedroom units. Density shall be no less than 1500 square feet per unit. There shall be a total of 288 parking spaces which is 1.2 spaces for each unit of housing. The housing contemplated is intended to provide support housing for the surrounding commercial and business uses.

- A. Attached hereto as Exhibit A is a plan prepared entitled "CONCEPT PLAN, 240 APARTMENTS, Barra Road, Biddeford, Maine" by BH2M Inc. dated May, 2018, which is a preliminary conceptual plan of the improvements and parking.
- B. The names and mailing address of the Applicants appears above. The primary contact person for this project is Michael R. Eon. His telephone number is 207-283-3000.
- C. Currently the bulk of the property is located in the I-3 zone with a small portion being zoned R-3.
- D. As stated above, the property is currently unimproved. It is proposed to amend the current zoning ordinance on a contract basis to allow certain residential uses on the Property which is currently not allowed. Certain nearby properties are located in the R-3 zone and the intended use would be allowed in said zone. However, the minimum lot size in the R-3 zone is 15,000 square feet for the first 2 Units and 6000 for each additional unit. The Applicants are requesting that the minimum lot size for this project be reduced to no less than 1500 square feet per unit and the setback and heights requirements will remain as in the existing I-3 zone. The anticipated zone change is consistent with the City of Biddeford's Comprehensive Plan as the City has developed since the current Comprehensive Plan adopted in 1999, and the current discussions involving amendments to the Comprehensive plan. Biddeford has a greater percentage of persons renting housing instead of owning housing than other municipalities in the area. For this reason rental housing is to be encouraged. Further the Barra Road area contains many large employers such as the hospital, at least 2 medical office buildings, an elderly day care facility and a behavioral health care facility. This project is designed to provide small size housing for younger workers in these facilities.

It is requested that the City Planner consult with the Code Enforcement Officer of the City of Biddeford and develop a recommendation for consideration at a regular City Council meeting. Following that, the Applicants look forward to the recommendation of the City Council that the Planning Board proceed with further review of the Project in order to develop a zoning contract.

Dated at Biddeford, Maine this 27th day of July, 2018

Sawmill Park Properties, LLC

By: Michael R. Eon
Michael R. Eon, Member

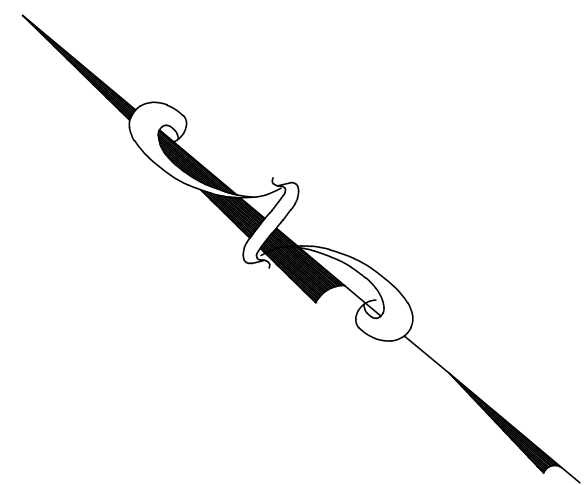
Indian Cliff Development Corp.

By: Michael R. Eon
Michael R. Eon, President

Mike Eon Associates, LTD.

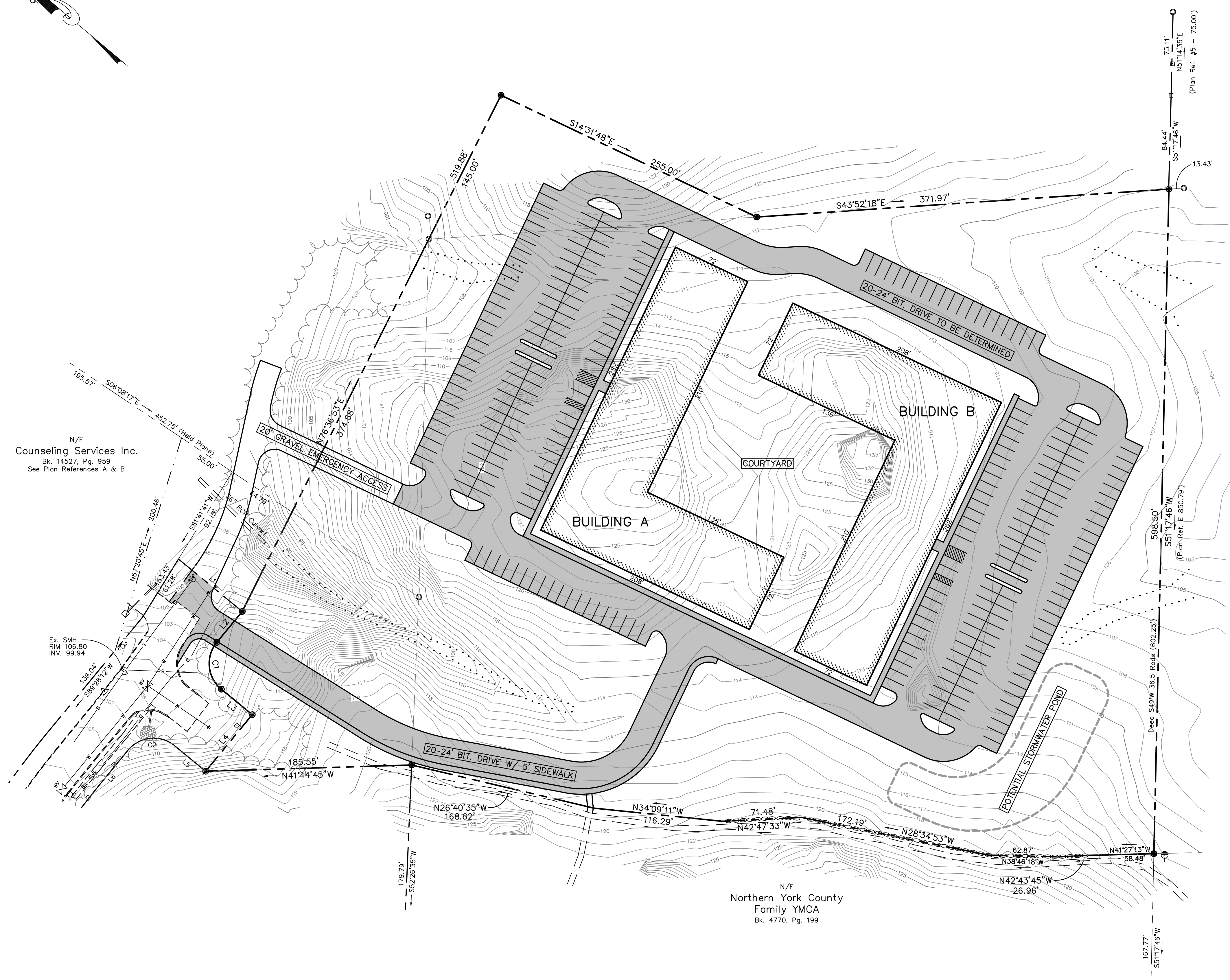
By: Michael R. Eon
Michael R. Eon, President

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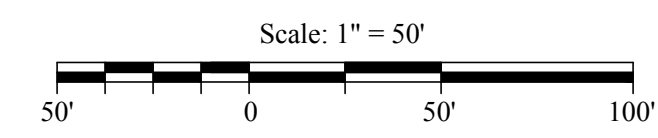
N/F
Counseling Services Inc.
Bk. 14527, Pg. 959
See Plan References A & B

Ex. SWH
RM 106.80
INV. 99.94



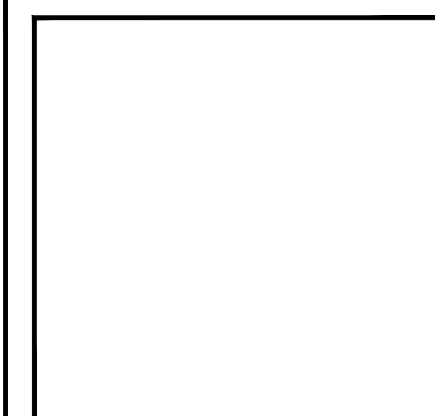
N/F
Sawmill Park
Properties, LLC
Bk. 9246, Pg. 192
See Plan Reference E

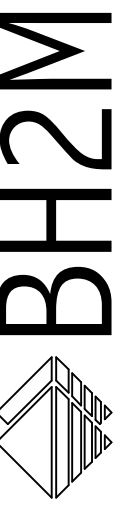
N/F
Northern York County
Family YMCA
Bk. 4770, Pg. 199



- NOTES:
- TOTAL PARKING - 288 SPACES
- PARKING FINISHED GRADE - ELEVATION 118.0±
- | SYMBOL | LEGEND | DESCRIPTION |
|--------|--------|------------------------|
| --- | | PROPOSED PROPERTY LINE |
| | | LIMIT OF WETLAND |

REVISION		
NO.	DATE	DESCRIPTION





BH2M
Berry, Huff, MacDonald, Milligan Inc.
Engineers, Surveyors
28 State Street
Gordian, Maine 04038
Tel: (207) 839-2771
Fax: (207) 839-8250

FOR
Saxon Partners
23 Recreation Drive
Hingham, MA 02043

CONCEPT PLAN

240 UNIT APARTMENTS

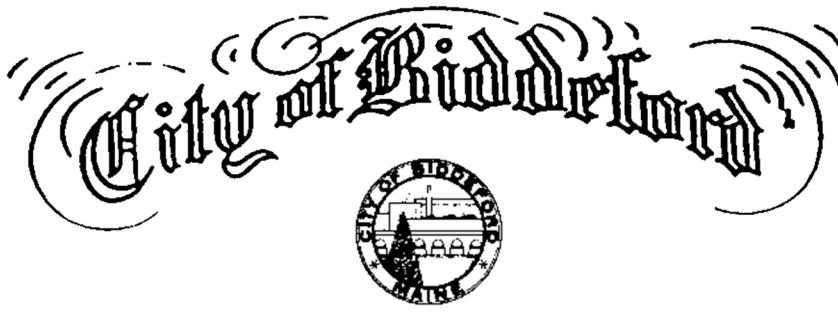
BARRA ROAD
BIDDEFORD, MAINE

DESIGNED W. Thompson	DATE May 2018
DRAWN W. Pelkey	SCALE As Noted
CHECKED W. Thompson	JOB. NO. 18070

SHEET

1

REPRODUCTION OR REUSE OF THIS DOCUMENT WITHOUT THE EXPRESSED WRITTEN CONSENT OF BH2M INC. IS PROHIBITED

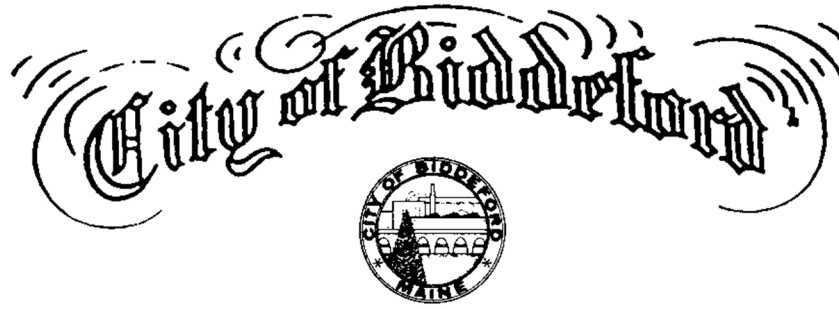


2018.81

IN BOARD OF CITY COUNCIL..AUGUST 7, 2018

BE IT ORDERED that the City Council does hereby request the Planning Board to develop Zoning Ordinance amendments, to conduct a Public Hearing on said amendments, and make recommendations to the City Council related to the following:

- Defining “Dog Daycare” as a land use and recommend zones where it might be Permitted, Conditional, or Not Permitted as a land use;
- Develop recommended Performance Standards to regulate “Dog Daycare”; and
- Review the relationship of the existing ordinance pertaining to “Kennel” and “Kennel, boarding” with “Dog Daycare”, and if warranted, recommend appropriate amendments related to such relationship.



2018.82

IN BOARD OF CITY COUNCIL.....AUGUST 7, 2018

BE IT ORDERED, that the City Manager be authorized to purchase a 2019 Ford F-250 pickup as per bid of July 27, 2018 (the "Equipment") from Arundel Ford (the "Vendor") and may pay the Vendor an amount not to exceed \$33,592.00 (before discounts valued at \$4,000.00) for the Equipment as follows:

1. The City of Biddeford expects to incur debt to reimburse expenditures to pay the cost of the Equipment;
2. The City of Biddeford reasonably expects that the maximum principal amount of the debt, including for reimbursement purposes, is \$33,592.00;
3. The City Manager, on behalf of the City of Biddeford, is authorized to enter into a lease purchase, loan or other financing agreement for the Equipment provided that (a) the principal amount of such agreement will not exceed \$33,592.00, (b) the term of such agreement will not exceed one hundred and twenty (120) months and (c) any obligation of the City of Biddeford to make lease or loan payments pursuant to such agreement is subject to annual appropriation by the City Council of the City of Biddeford;
4. The City Manager is authorized to advance money from the General Fund of the City for payment of the costs of the Equipment; and
5. The City Manager, on behalf of the City of Biddeford, is authorized to negotiate, enter into, execute, deliver and cause to be performed, and to approve, any and all agreements, instruments, certificates and other documents, and to grant security interests in the Equipment, upon such terms, conditions, limitations and undertakings, which the City Manager determines are necessary and proper for the acquisition and financing of the Equipment, provided that any lease purchase, loan or other financing agreement will be countersigned by both the Mayor and the Treasurer of the City of Biddeford. Without limiting the foregoing, the City Manager, on behalf of the City of Biddeford, in connection with the acquisition of the Equipment, is authorized to sell, transfer, trade in or otherwise dispose of any equipment, which the City Manager determines is no longer useful to the City of Biddeford.

NOTE: The Finance Committee will review this item on August 6, 2018 and vote to recommend it to the City Council for approval. The purchase of this item is included in the FY19 CIP budget

Bid Opening for a 4 x 4 ¾ Ton Pick-Up Truck with Plow

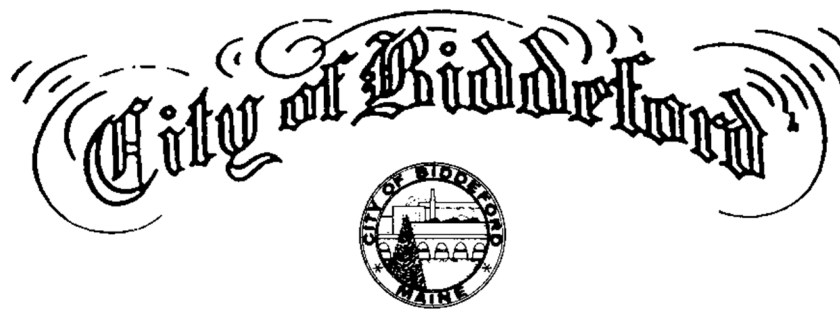
Present: Carl Marcotte - Public Works
Kara Cote - Public Works
Don Turgeon - Frank Galos

Bids were opened at the Public Works Department at 11:00 AM on July 27, 2018. Staff is recommending the low bid with trade from Arundel Ford for a total of \$29,592.00. This pickup was approved in the FY-19 CIP budget line item 21204-60925.

<u>Arundel Ford</u>	2019 Ford F250	\$33,592.00
	Trade In	-\$4000.00
	Total:	\$29,592.00

<u>O'Connor</u>	2018 GMC Sierra	\$38,698.00
	Trade In	-\$4588.00
	Total:	\$34,110.00

<u>Quirk Chevrolet</u>	2018 Chevrolet Silverado	\$37,469.00
	Trade In	-\$2500.00
	Total:	\$34,969.00



2018.83

IN BOARD OF CITY COUNCIL.....AUGUST 7, 2018

BE IT ORDERED, that the City Manager be authorized to purchase a 2019 GMC One-Ton truck as per bid of July 27, 2018 (the "Equipment") from O'Connor Motor Sales (the "Vendor") and may pay the Vendor an amount not to exceed \$51,466.00 (before discounts valued at \$8,608.00) for the Equipment as follows:

1. The City of Biddeford expects to incur debt to reimburse expenditures to pay the cost of the Equipment;
2. The City of Biddeford reasonably expects that the maximum principal amount of the debt, including for reimbursement purposes, is \$51,466.00;
3. The City Manager, on behalf of the City of Biddeford, is authorized to enter into a lease purchase, loan or other financing agreement for the Equipment provided that (a) the principal amount of such agreement will not exceed \$51,466.00, (b) the term of such agreement will not exceed one hundred and twenty (120) months and (c) any obligation of the City of Biddeford to make lease or loan payments pursuant to such agreement is subject to annual appropriation by the City Council of the City of Biddeford;
4. The City Manager is authorized to advance money from the General Fund of the City for payment of the costs of the Equipment; and
5. The City Manager, on behalf of the City of Biddeford, is authorized to negotiate, enter into, execute, deliver and cause to be performed, and to approve, any and all agreements, instruments, certificates and other documents, and to grant security interests in the Equipment, upon such terms, conditions, limitations and undertakings, which the City Manager determines are necessary and proper for the acquisition and financing of the Equipment, provided that any lease purchase, loan or other financing agreement will be countersigned by both the Mayor and the Treasurer of the City of Biddeford. Without limiting the foregoing, the City Manager, on behalf of the City of Biddeford, in connection with the acquisition of the Equipment, is authorized to sell, transfer, trade in or otherwise dispose of any equipment, which the City Manager determines is no longer useful to the City of Biddeford.

NOTE: The Finance Committee will review this item on August 6, 2018 and vote to recommend it to the City Council for approval. The purchase of this item is included in the FY19 CIP budget

Bid Opening for 4 x 4 1-Ton Dump Truck with Plow

Present: Carl Marcotte - Public Works
Kara Cote - Public Works
Don Turgeon - Frank Galos

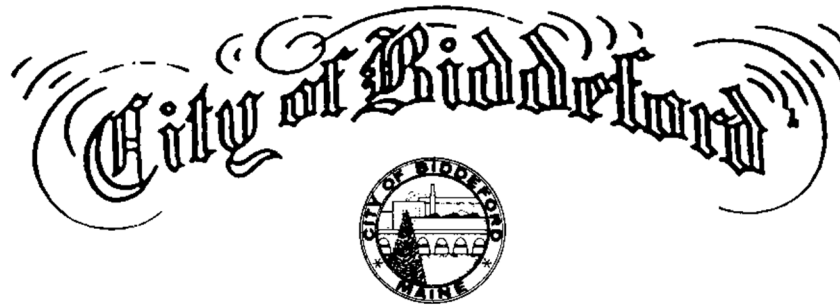
Bids were opened at the Public Works Department at 11:00 AM on July 27, 2018. Staff is recommending the low bid with trade from O'Conner Motor Sales for a total of \$42,858.00. This One-Ton truck was approved in the FY-19 CIP budget line item 21204-60925.

<u>Arundel Ford</u>	2019 Ford F350	\$50,692.00
	Trade In	-\$7000.00
	Total:	\$43,692.00

<u>O'Connor</u>	2019 GMC 3500	\$51,466.00
	Trade In	-\$8608.00
	Total:	\$42,858.00

<u>Quirk Chevrolet</u>	2019 Chevrolet Silverado	\$51,000.00
	Trade In	-\$5000.00
	Total:	\$46,000.00

<u>Frank Galos</u>	2019 Chevrolet 3500 hd 4wd	\$49,471.00
	Trade In	-\$4200.00
	Total:	\$45,271.00



2018.84

IN BOARD OF CITY COUNCIL..AUGUST 7, 2018

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to execute the proposed Police Union Contract substantially in the form presented to the City.



Maine Municipal Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.memun.org

TO: Key Municipal Officials of MMA Member Cities, Towns and Plantations

FROM: Stephen W. Gove, MMA Executive Director

DATE: July 11, 2018

SUBJECT: MMA Annual Election - Vice President and Executive Committee Members

Deadline: Friday, August 17, 2018 by 12:00 noon

Nomination Process – Each year member municipalities have an opportunity to vote on the election of the proposed MMA Vice President and municipal officials to serve on the MMA Executive Committee. A five-member Nominating Committee was appointed in March to review nominations submitted by municipal officials and conduct interviews with those municipal officials qualifying for and interested in serving as the MMA Vice President and Executive Committee. The MMA Nominating Committee completed its task in May and put forth a Proposed Slate of Nominees for 2018 to member municipalities.

Petition Process – As part of the May mailing, information was also provided on the MMA Petition Process. Pursuant to the MMA Bylaws, nominations may also be made by Petition signed by a majority of the municipal officers in each of at least 5 member municipalities. The deadline for receipt of nominations by petition was Monday, July 9, by 4:30 pm. There were no municipal officials nominated by petition.

It is now time for each member municipality to cast its official vote.

Election Process – Enclosed you will find the MMA Voting Ballot which includes the proposed Slate of Nominees to serve on the MMA Executive Committee as selected by the MMA Nominating Committee. A brief biographical sketch on each nominee listed on the MMA Voting Ballot is enclosed for your reference. You will note that unlike municipal elections, MMA does not provide for “*Write-in Candidates*” since our process includes an opportunity to nominate a candidate by petition, as noted above.

The MMA Voting Ballot must be signed by a majority of the municipal officers **or** a municipal official designated by a majority of the municipal officers, and received by the Maine Municipal Association by 12:00 noon on Friday, August 17. We have enclosed a self-addressed self-stamped envelope for your convenience. The MMA Voting Ballots will be counted that afternoon and the election results confirmed under the direction of MMA President Linda C. Cohen, Mayor, City of South Portland.

Election results will be available by contacting the MMA Executive Office or by visiting the MMA website at www.memun.org on Monday, August 20. A formal announcement of the election results will be made at the MMA Annual Business Meeting being held *Wednesday, October 3, at 1:30 p.m. at the Augusta Civic Center*. Newly elected Executive Committee members will be introduced at the MMA Awards Luncheon as well as the MMA Annual Business Meeting and will officially take office on January 1, 2018.

If you have any questions on the Election Process, please contact me or Theresa Chavarie at 1-800-452-8786 or in the Augusta area at 623-8428, or by e-mail at tchavarie@memun.org. Thank you.

**MAINE MUNICIPAL ASSOCIATION
BIOGRAPHICAL SKETCH OF
PROPOSED SLATE OF NOMINEES FOR 2019 EXECUTIVE COMMITTEE**

MMA VICE PRESIDENT (1-Year Term)

CHRISTINE LANDES (Town Manager, Town of Bethel)

(Note: Ms. Landes will become the City Manager of Gardiner effective August 13, 2018)

Professional & Municipal Experience:

- Town Manager, Town of Bethel, Maine (November 2014 – present)
- Deputy Clerk, City of Brewer, Maine (December 2012 – May 2014)
- Deputy Clerk, Town of Veazie, Maine (September 2012 – December 2012)
- Deputy Tax Collector/Counter Clerk – Clay County Tax Collectors Office, Orange Park, Florida (July 2010 – September 2012)
- Town Clerk, Town of Warren, Maine – (August 1998 – June 2010)
- Branch Manager, The Waldoboro Bank, Maine (September 1990 – August 1998)

Other Experience, Committees and Affiliations:

- Member, Maine Municipal Association (MMA) Executive Committee (September 2016 – present)
- Member, MMA Strategic & Finance Committee (October 2016 – present)
- Chairperson, MMA Strategic & Finance Committee (2017 – 2018)
- Member, MMA Property & Casualty Pool Board of Directors (Sept 2016 – present)
- Member, MMA Workers Compensation Fund Board of Trustees (Sept 2016 – present)
- Member, Maine Service Centers Coalition Executive Committee (2016 – present); Treasurer (2017-2018)
- Member, Maine Town, City & County Management Association
- Member, Evaluation Committee for ICMA Annual Conference
- 2nd Vice President, Maine Welfare Directors Association
- Volunteer, Mahoosuc Heat & Soul Volunteer; Member, Hiring Team

Education:

- Master's Degree, Business Administration with concentration in Public Administration, Southern New Hampshire University
- Bachelor's Degree, Public Administration University of Maine at Augusta, /cum laude graduate
- Associate's Degree, Arts Program, Florida State College, Jacksonville

Awards and Certifications:

- Certified Maine Manager
- Recipient, Dr. Edward F. Dow Student Scholarship Award, Maine Town, City & County Management Association

MMA EXECUTIVE COMMITTEE MEMBERS (Three 3-Year Terms)

ELAINE ALOES (Chair of Selectboard, Town of Solon)

Professional & Municipal Experience:

- Chair of Selectboard, Assessor and Overseer of the Poor, Town of Solon, Maine (March 1998 – present)
- 2nd Selectman, Assessor and Overseer of the Poor, Town of Solon, Maine (March 1990 – March 1994)

- Auto Damage Appraiser, Bishop Adjustment Company (March 1990 – present)
- Owner/Operator, Mid Maine Adjustment Company (independent insurance adjusting company) (June 1987 – March 2005)
- Auto body repair businesses in Massachusetts and Maine (1972 – June 1987)
- Tax Preparer, H & R Block (1985 – 1992)
- Salesperson, Combined Insurance (health and accident insurance) (1985 – 1986)

Other Experience, Committees and Affiliations:

- Member, Maine Municipal Association (MMA) Legislative Policy Committee (1999 – present)
- Member, Somerset County Budget Committee (2001 – present); Vice Chair (2012 – 2016); Chair (2017 – 2018)
- Member, MMA Executive Committee (2001 – 2003) and (Dec 2016 – present)
- Member, MMA Property & Casualty Pool Board of Directors (2001 – 2003) and (Dec 2016 – present)
- Member, MMA Workers Compensation Fund Board of Trustees, (2001 – 2003) and (Dec 2016 – present)
- Member, MMA Strategic & Finance Committee (2002 – 2003) and (2017 – present)
- President, Somerset County Municipal Association (2001 – present)
- Member, Maine Municipal's Rural/Service Center Committee (2002)
- Member, Somerset County Jail Planning Committee (2006 – 2008)
- Vice Chairman, Somerset County Charter Commission (2008 – 2010)
- Chair, Regional School Planning Committee for MSAD 74, MSAD 59, MSAD 12, MSAD 13 and several small towns (2007 – 2009)

Education:

- High school graduate, Medfield High School, Medfield, Massachusetts
- Kennebec Valley Technical College (courses in computers, accounting and supervisory management)
- Insurance Institute of America (Introduction to Claims)
- State of Maine (four part Property Tax Assessment course)
- Maine Municipal Association (many workshops and training on a wide variety of municipal topics such as budget preparation, finance management, personnel issues, right to know, town meetings, assessing)
- Maine Local Roads Center (variety of workshops on road issues and maintenance)

Awards and Certifications:

- State of Maine, All Lines Adjuster
- Maine Roads Scholar – Maine Local Roads (completed ten required road related workshops to earn award)

WILLIAM BRIDGEO (City Manager, City of Augusta)

Professional & Municipal Experience:

- City Manager, Augusta, Maine (1998 – present)
- Adjunct Professor, Government Program, University of Maine at Augusta (2009 – present)
- Adjunct Professor, MBA Leadership and Ethics Courses, Thomas College (2013 – present)
- City Manager, City of Canandaigua, New York (1987 – 1998)
- Assistant Director, Maine State Housing Authority (1985 – 1987)
- City Manager, City of Calais, Maine (1979 – 1985)
- Assistant Town Manager, Town of Killingly, Connecticut (1976 – 1979)

Other Experience, Committees and Affiliations:

- Member, Maine Municipal Association (MMA) Executive Committee, (2002 – 2004; July 2015 - present)
- Member, MMA Property & Casualty Pool Board of Directors, Member (2002 – 2004; July 2015 - present)

- Member, Workers Compensation Fund Board of Trustees, Member (2002 – 2004; July 2015 – present)
- Member, Maine Service Centers Coalition, Executive Committee (2002 – present); Chair (2004 – 2007; 2016 – present)
- Member, Ethics Committee, Maine Town, City & County Management Association (present)
- Member, Maine Service Centers Coalition, Steering Committee (2001)
- Member, Maine Town, City & County Management Association, (1979 – 1985) and (1998 – present)
- New York State Municipal Management Association, Member (1987 – 1998); President (1995)
- Charter Member, Board of Regents, International City/County Management Association (1990 – 1996)
- Ex-officio Member, Board of Directors, New York Conference of Mayors & Other Municipal Officials
- Member, Board of Directors, Maine Development Foundation (2000-2005)
- Member, Board of Directors, Augusta YMCA (2009 – present)

Education:

- Master's Degree, Public Administration, University of Hartford
- Bachelor's Degree, Political Service, St. Michael's College in Vermont

Awards and Certifications:

- Link Stackpole Manager of the Year Award, Maine Town, City & County Management Association

MELISSA DOANE (Town Manager, Town of Bradley)

Professional & Municipal Experience:

- Town Manager, Clerk, Treasurer, Tax Collector, General Assistance Administrator, Registrar of Voters and Road Commissions, Town of Bradley, Maine (2005 – present)
- Membership Coordinator, GrowSmart of Maine (2016 – present)
- Secretary/Administrative Assistant, Roy Associates, CPAs (2004 – 2005)
- Administrative Assistant/Town Agent, Town of Bradley, Maine (1998 – 2004)
- Coordinator Clinical Operations/Secretary/Patient Accounts/Patient Registrations, Neurology Associates, (1994 – 1998)
- Secretary/Receptionist, Dr. James Iannetta Medical Office (1991 – 1994)

Other Experience, Committees and Affiliations:

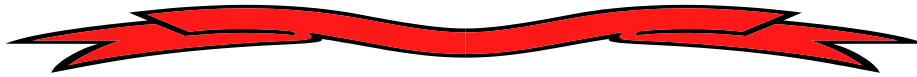
- Member, Executive Board, Maine Town, City & County Management Association (2016 – present)
- Co-Chair Membership Committee, Maine Town, City & County Management Association (2016 – present)
- President, Executive Board, Living History Museum, Maine Forest and Logging Museum

Education:

- Business Management Studies, Husson College
- Associate's Degree, Business Management, Beal College
- Associate Degree, Office Management, Beal College
- Associate College Preparation, Foxcroft Academy

Awards and Certifications:

- Rookie of the Year Award, Maine Town, City & County Management Association



MAINE MUNICIPAL ASSOCIATION

VOTING BALLOT

Election of MMA Vice President and Executive Committee Members

Deadline for Receipt of Voting Ballots – 12:00 noon on Friday, August 17, 2018

VICE-PRESIDENT - 1 YEAR TERM

Vote for One

Proposed by MMA Nominating Committee:

Christine Landes, Town Manager, Town of Bethel

☐

(Note: Ms. Landes will become the City Manager of Gardiner effective August 13, 2018)

EXECUTIVE COMMITTEE MEMBERS - 3 YEAR TERM

Vote for Three

Proposed by MMA Nominating Committee:

Elaine Aloes, Chair of Selectboard, Town of Solon

☐

William Bridgeo, City Manager, City of Augusta

☐

Melissa Doane, Town Manager, Town of Bradley

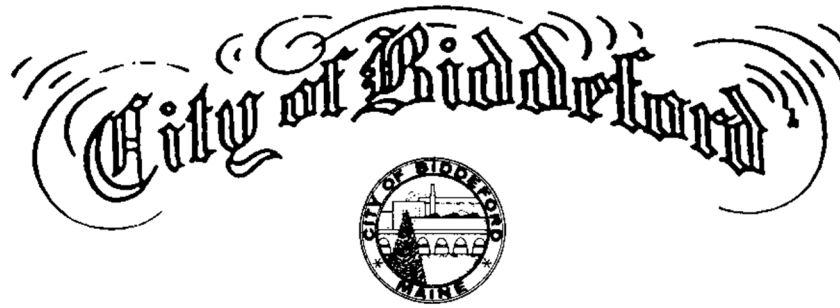
☐

Please note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since our process includes an opportunity to nominate a candidate by petition.

The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers of each Municipal member.

Date: _____		Municipality: _____	
Signed by a Municipal Official designated by a majority of Municipal Officers:			
Print Name: _____		Signature: _____	
Position: _____			
OR Signed by a Majority of Municipal Officers		Current # of Municipal Officers: _____	
Print Names:		Signatures:	
_____		_____	
_____		_____	
_____		_____	
_____		_____	
_____		_____	
_____		_____	
_____		_____	

Return To:
MMA Annual Election
Maine Municipal Association
60 Community Drive
Augusta, Maine 04330
FAX: (207) 626-3358 or 626-5947
Email: tchavarie@memun.org



IN BOARD OF CITY COUNCIL...AUGUST 7, 2018

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby appoint:

Daniel Lamontagne
286 Pool Street
Ward 2

to the *Solid Waste Management Commission*, replacing James Emerson, for a term to expire in December 2020

CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date: 7-19-2018

Name: Daniel P. Lamontagne

Street Address: 286 Pool St
Biddeford, ME 04005

Mailing Address:
(if different) _____

Phone Number(s): 207-284-9510

Email Address: danlamo63@gmail.com

Which City Committee, Board or Commission do you request to be appointed to:

- | | |
|--|---|
| ☐ • Airport Commission | ☐ • Harbor Commission |
| ☐ • Biddeford Fire Advisory Committee | ☐ • Historic Preservation Commission |
| ☐ • Biddeford Housing Authority | ☐ • Planning Board |
| ☐ • Biddeford Police Advisory Committee | ☐ • Policy Committee |
| ☐ • Board of Assessment Review | ☐ • Project Canopy Committee |
| ☐ • Cable T.V. Committee | ☐ • Recreation Commission |
| ☐ • Capital Projects Committee | ☐ • Shellfish Conservation Committee |
| ☐ • Conservation Commission | ☒ • Solid Waste Management Commission |
| ☐ • Downtown Development Commission | ☐ • Wastewater Management Commission |
| ☐ • Economic Improvement Commission | ☐ • Zoning Board of Appeals |

CITY OF BIDDEFORD
Committee Application

| Please list any prior experience serving on any Public Boards, Commissions or Committees (and approximate dates)

none

| Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on.

none

| Please provide a brief statement describing your interest in serving the City of Biddeford.

Environmental issues are very important to me, so I wish to be involved in the City of Biddeford's recycling and solid waste management issues. I hope my efforts will help to save taxpayer dollars while also meeting the needs of the citizens.

Attach any additional information to this application and return it to the City Clerk's Office.