

City of Biddeford
City Council
August 06, 2019 6:00 PM Council Chambers

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Adjustment(s) to Agenda**
- 4. Presentation:**
 - 4.a. Swearing in of Biddeford Youth Advisory Council
 - 4.b. Biddeford Police Department CALEA Update
[8-06-2019 Year 1 PD Accreditation Assessment.docx](#)

Update:

2019 LaKermesse Franco-Americaine Festival

- 5. Appointments:**
 - 5.a. MMA Annual Election - Vice President and Executive Committee Members
[8-06-2019 MMA Annual Election-Voting Ballot.pdf](#)
- 6. Consideration of Minutes:**
 - 6.a. July 16, 2019 Council Meeting Minutes
[7-16-2019 Council Meeting Minutes.docx](#)
- 7. Orders of the Day:**
 - 7.a. 2019.77) Amendment/Ch. 46, Parks and Recreation/Sec. 46-1-Word usage and definitions/Add Athletic Field
[8-06-2019 Athletic Field Defined in Ch 46.doc](#)
 - 7.b. 2019.78) Amendment/Ch. 46, Parks and Recreation/Sec. 46-13-Park operating policy/Add Dogs on athletic fields
[8-06-2019 Dogs on Athletic Field-Ch 46.doc](#)
 - 7.c. 2019.79) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-90-No Parking/Delete on Elm Street and Add on Elm Street from Biddeford/Saco City Line to Biddeford/Arundel Town Line
[8-06-2019 No Parking-ALL of Elm Street.doc](#)
 - 7.d. 2019.80) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-92-Limited Parking/Delete on Elm Street at intersection with St. Joseph Street
[8-06-2019 Limited Parking-Repeal on Elm St at St. Joseph St.doc](#)
 - 7.e. 2019.81) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-100-Disability Parking/Delete on Graham Street at intersection with Harding Street
[8-06-2019 Disability Parking-Repeal on Graham Street.doc](#)
 - 7.f. 2019.82) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-88-One-Way Streets/Amend on Franklin Street
[8-06-2019 Franklin Street - One-Way Street.doc](#)
[Council Briefing Memo - Order 2019.82, Amend One-Way Designation for Franklin Street](#)

- 7.g. 2019.83) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-89-Stop Intersections/Add on Franklin Street and Delete on Federal Street
[8-06-2019 Stop Intersections-Franklin and Federal Streets.doc](#)
[Council Briefing Memo - Order 2019.83, Add and Delete Stop Signs Federal & Franklin Streets](#)
- 7.h. 2019.84) Acceptance of 2019 Edward Byrne Memorial Justice Assistance Grant
[8-06-2019 JAG Grant Funds Acceptance 2019.doc](#)
- 7.i. 2019.85) Authorization/FY20 Budget Adjustments/Southern Maine Planning & Development
[8-06-2019 Budget Amendment - Southern Maine Planning and Development.docx](#)
[Council Briefing Memo - 2019.85 Budget Amendment - SMPDC Dues](#)
- 7.j. 2019.86) Authorization/Acceptance of Pre-payments of Taxes/Interest Rate for Repayment on Overpayments
[8-06-2019 Prepayment Interest Rate FY20-ORDER.docx](#)
- 7.k. 2019.87) Approval/Discontinuance of Federal Street
[8-06-2019 Discontinuance of Federal Street.docx](#)
[Council Briefing Memo - Order 2019.87, Discontinuance of Federal Street](#)
- 7.l. 2019.88) Authorization/Expenditure for Installation of Median at 5 Points - in front of Starbucks Coffee Entrance/Exit
[8-06-2019 Median Project at Starbucks - ORDER.doc](#)
[Council Briefing Memo - Installation of Median at 5-Points - Starbucks Coffee](#)
- 7.m. 2019.89) Approval/Expenditure to Pave Green (Franklin Street) Parking Lot and Franklin Street
[8-05-2019 Green Lot Paving ORDER.doc](#)
- 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**



BIDDEFORD POLICE DEPARTMENT

39 ALFRED STREET, BIDDEFORD, MAINE 04005

COURAGE • HONOR • INTEGRITY



ROGER P. BEAUPRE
Chief of Police

(207) 282-5127
biddefordmaine.org/police

BIDDEFORD POLICE DEPARTMENT YEAR 1 CALEA ACCREDITATION REVIEW AND ASSESSMENT

On July 17, 2019, Chief Roger P. Beaupre was notified by the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA®) that it had completed the Year 1 annual accreditation review and assessment of the Biddeford Police Department. CALEA reported that BPD was found to be in compliance with the reviewed national standards without exception.

The Biddeford Police Department was awarded its first national accreditation at the CALEA conference in Grand Rapids, Michigan on July 28, 2018. The award was the culmination of the voluntary accreditation process started during 2016. During the initial review and assessment by CALEA, BPD was found to be in compliance with all the applicable national standards without exception.

BPD is one of 732 federal, state, county, and municipal law enforcement agencies nationally accredited. In the State of Maine, only five other law enforcement agencies have been awarded national accreditation.

Accredited agencies must be reaccredited every four years. During the four year cycle, agencies must annually provide CALEA with status reports, update agency information and statistical tables, and complete a web-based assessment to verify continued compliance to the national standards.

About CALEA

The Commission on Accreditation for Law Enforcement Agencies, Inc., (CALEA®) was created in 1979 as a credentialing authority through the joint efforts of law enforcement's major executive associations: International Association of Chiefs of Police (IACP), National Organization of Black Law Enforcement Executives (NOBLE), National Sheriffs' Association (NSA), and Police Executive Research Forum (PERF). The purpose of CALEA's Accreditation Programs is to improve the delivery of public safety services primarily by: maintaining a body of standards, developed by public safety practitioners, covering a wide range of up-to-date public safety initiatives; establishing and administering an accreditation process; and recognizing professional excellence.



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 8, 2019

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

Deadline: Friday, August 16, 2019 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 2019 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 Friday, July 5, 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 16. 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 Mary Sabins, Town Manager, Town of Vassalboro.

Election results will be available by contacting the MMA Executive Office or by visiting the MMA website at www.memun.org on Monday, August 19. A formal announcement of the election results will be made at the MMA Annual Business Meeting being held *Wednesday, October 2, at 1:30 p.m. at the Cross Insurance Center in Bangor*. 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, 2019.

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

VOTING BALLOT

Election of MMA Vice President and Executive Committee Members

Deadline for Receipt of Voting Ballots – 12:00 noon on Friday, August 16, 2019

VICE-PRESIDENT - 1 YEAR TERM

Vote for One

Proposed by MMA Nominating Committee:

James Gardner, Jr., Town Manager, Town of Easton

☐

EXECUTIVE COMMITTEE MEMBERS - 3 YEAR TERM

Vote for Three

Proposed by MMA Nominating Committee:

Jon Beekman, Chair Selectboard, Town of Fayette

☐

David Cyr, Town Manager, Town of Mars Hill

☐

Ivan McPike, Mayor, Town of Hampden

☐

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

**MAINE MUNICIPAL ASSOCIATION
BIOGRAPHICAL SKETCH OF
PROPOSED SLATE OF NOMINEES FOR 2020 EXECUTIVE COMMITTEE**

MMA VICE PRESIDENT (1-Year Term)

JAMES GARDNER, JR. (Town Manager, Town of Easton)

Professional & Municipal Experience:

- Town Manager, Town of Easton, Maine (2011 – present)
- Town Manager, Town of Ashland, Maine (2005 – 2010)
- Town Manager, Town of Washburn (1999 – 2005)
- Code Enforcement Officer, City of Presque Isle – (1994 – 1999)
- Civil Service, Department of Defense, Loring Airforce Base(1983 – 1994)

Other Experience, Committees and Affiliations:

- Member, Maine Municipal Association Executive Committee (2017 – present)
- Member, Maine Municipal Association Property & Casualty Pool Board of Directors (2017 – present)
- Member, Maine Municipal Association Workers Compensation Fund Board of Trustees (2017 – present)
- Member, Maine Municipal Association Strategic & Finance Committee (2017 – present)
- Member, Governor's Municipal Advisory Committee (1992 – 1996) (2019 – present)
- Member, Aroostook Managers Association; President
- Member, Executive Board of Directors, Northern Maine Development Commission
- Member, Maine Community Development Association
- Member, Maine Town, City & County Management Association
- Member, Maine Town & City Clerks Association\
- Member, Presque Isle Rotary Club
- US Army (1973 – 1976 and 1979 – 1983); Vietnam Veteran

Education:

- Ricker College, Small Business Administration, one year
- Unity College, Business Law, one year
- Northern Maine Vocational and Technical Institute, Business Administration, two years
- Department of Defense, Non-Commission Officer Primary Leadership graduate
- Certified State of Maine Code Enforcement Officer
- Certified State of Maine Local Plumbing Inspector
- Certified State of Maine CDBG Grant Writer/Administrator/Technician
- HUD Certification in Community Development Housing Rehabilitation and Construction

Awards and Certifications:

- Department of Defense, Civilian of the Year Award
- Loring Airforce Base, Superior Performance Award

NMA EXECUTIVE COMMITTEE MEMBERS (Three 3-Year Terms)

JON BEEKMAN (Chair of Selectboard, Town of Fayette)

Professional & Municipal Experience:

- Selectman, Town of Fayette (2012 – 2019); current Chairman
 - ✓ Budget Committee (2010 – 2012)
- Member, Finance Committee, Town of Natick, Massachusetts (1980 – 2005)
 - ✓ Town Meeting Member
 - ✓ Board of Appeals
 - ✓ DPW Advisory Board
 - ✓ Conservation Commission
- Self-Employed Strategic Advisor for local/international municipal clients and regional engineering firms (2011 – 2017)
- Manager, Division of Water Resources and Clerk of Cambridge Water Board, Cambridge Massachusetts
- Assistant Director Water Resources, Providence Water Supply Board, Providence, Rhode Island
- Principal and first Director of Municipal Services, Kleinfeld / SEA Consultants, Augusta, Maine (retired 2010)
- National Water Practice Leader, Earth Tech, Inc., Scarborough, Maine & Concord, Massachusetts
- Principal, Vice President and Member of Board of Directors, Whitman & Howard, Inc.

Other Experience, Committees and Affiliations:

- Member, Maine Municipal Association Executive Committee (2019 – present)
- Member, Maine Municipal Association Property & Casualty Pool Board of Directors (2019 – present)
- Member, Maine Municipal Association Workers Compensation Fund Board of Trustees (2019 – present)
- Past President, New England Water Works Association
- Past President, American Water Works Association, New England Section
- Past President, American Council of Engineering Companies, Massachusetts Member Organization
- Past Corporator, 1st American Bank of Boston
- U.S. Navy – Honorable Discharge

Education:

- Master of Public Administration, Kennedy School of Government, Harvard University
- BSF, Forest Management, Cum Laude, University of New Hampshire
- A.A.S. Civil Engineering, Technology, SUNY, Mohawk Valley Community College
- Executive Management Program, Pennsylvania State University

Awards and Certifications:

- A.D. Little Fellow, Harvard University
- University of New Hampshire, Outstanding Alumnus
- Mohawk Valley Community College, Alumni of Merit Award
- American Council of Engineering Companies, Fellow
- American Water Works Association's George Warren Fuller Award
- Award of Merit, New England Section American Water Works Association
- Eagle Scout, BSA, Vigil – Order of the Arrow

DAVID CYR (TOWN MANAGER, TOWN OF MARS HILL)

Professional & Municipal Experience:

- Town Manager, Town of Mars Hill (2014 – present)
- Resident Project Representative, NicCait Construction Services, Presque Isle
- Construction Engineer, Soderberg Construction, Caribou
- Engineer, Criterium Brown Engineers, Washburn
- Public Works Director, Town of Fort Kent
- Project Engineer, Civil Engineering Services, Brewer
- Public Works Director for the Unorganized Territories, County of Aroostook, Caribou
- Project Engineer, Cianbro Corporation, Pittsfield
- Engineer/Soil Technician, Brescia Construction/Caribou Soils, Inc., Caribou
- Selectmen, Town of Woodland (1995 – 2004); Chairman for five years
- Firefighter 1/EMT, Caribou Fire and Ambulance, Town of Caribou (1985 – 1988)
- Firefighter 1/EMT, Budd Lake Volunteer Fire Company, Budd Lake, New Jersey (1983 – 1984)

Other Experience, Committees and Affiliations:

- Member, Aroostook Municipal Association (2014 – present); Treasurer (2017); Secretary (2018 – present)
- Board Member, Northern Maine Development Commission Executive Committee (2014 - present), Chair since 2018; NMDC Revolving Loan Committee (2014 – present), Chair since 2016; NMDC Treasurer (2017); NMDC Finance & Audit Committee; Chairperson (2018 - present)
- President, Mars Hill Rotary Club (July 2016 – present)
- Assistant Chief of Stadium, US Ski and Snowboard Association Supertour competition, Presque Isle (2019)
- Volunteer, Cross Country Ski Trail Groomer at Woodland Community Trails
- Volunteer, Biathlon World Cup Competitions in Presque Isle; Assistant Chief of Stadium (2016)
- Board Member, Northern Maine Solid Waste Management Committee, (1992 – 2000); Chairman (1999 – 2000)
- Member, MDOT Regional Transportation Advisory Committee (1997 – 2002); Chair (1999 – 2000)
- Member, Public Advisory Committee, MDOT Aroostook County Transportation Study
- Board Member, Maine Chapter of the American Public Works Association (1998 – 2000); Secretary (1999); Treasurer (2000)

Education:

- Bachelor of Mechanical Engineering Technology, University of Maine at Orono

Awards and Certifications:

- State of Maine State Board of Registration for Professional Engineers
- Maine Municipal Certified Assessor
- Maine Department of Transportation Local Roads Center “Road Scholar”
- Graduate, Rotary Leadership Institute, Rotary District 7810
- State of Maine Class A Commercial Driver’s License with Hazardous Materials Endorsement

IVAN MCPIKE (MAYOR, TOWN OF HAMPDEN)

Professional & Municipal Experience:

- Council, Town of Hampden (2015 – current); Mayor (2017 – current)
- Self Employed Owner, Maine Salt Co., Hampden, (retired in 2010)

Other Experience, Committees and Affiliations:

- President, Downtown Bangor Association
- President, Greater Bangor Chamber of Commerce
- Member, Board of Directors, Bangor YMCA
- Member, Board of Directors, EMCC Foundation Committee
- Member, Board of Friends of Maine Hockey
- Advisor to Fund Raising Committee, St. Joseph Hospital
- Sargent at Arms and Board Member, Bangor Breakfast Rotary Club, 20 years
- Mason, Past Master Mystic Lodge 66 of Hampden
- Life Member, Anah Shriners of Bangor

Education:

- Hampden Academy, Graduate (1966)
- Bachelor of Accounting, University of Maine

Awards and Certifications:

- Paul Harris Fellow Award
- Jaycees Outstanding Young Man Award for the State of Maine

**COUNCIL MEETING
JULY 16, 2019**

Mayor Casavant called the meeting to order at 6:11 p.m.

Roll Call: Michael Swanton, John McCurry, Jr., Stephen St. Cyr, Robert Quattrone, Jr., Amy Clearwater, Norman Belanger, Michael Ready, Laura Seaver, Marc Lessard

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

Adjustment to the Agenda:

- Remove Order 2019.75 – Renovations at Fire Department/2nd Floor Restroom

Consideration of Minutes: **July 2, 2019; July 8, 2019; July 9, 2019**

Motion by Councilor McCurry, seconded by Councilor Clearwater to accept the minutes of **July 2, 2019** as printed.

Vote: Unanimous.

Motion by Councilor McCurry, seconded by Councilor Clearwater to accept the minutes of **July 8, 2019** as printed.

Vote: Unanimous.

Motion by Councilor McCurry, seconded by Councilor Clearwater to accept the minutes of **July 9, 2019** as printed.

Vote: Unanimous.

Orders of the Day:

2019.69 **IN BOARD OF CITY COUNCIL..JULY 16, 2019**

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the allocation of paying funds for the Re-claim/Paving Project on Pool Street – covering approximately 1.3 miles from Parkside Drive to Decary Road East.

Through PACTS Municipal Partnership Initiative (MPI), the City is expected to receive \$205,000.00 towards the \$555,936.00 quoted by Shaw Brothers Inc for this project.. The remainder of the funds for this project will be taken out of Account 34161-60604 Road Construction/Improvements.

NOTE: The Finance Committee will consider this item at the July 16, 2019 meeting and vote to recommend approval by the City Council.

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

Vote: 8/1; Councilor Lessard opposed.

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

Motion carries.

2019.70 **IN BOARD OF CITY COUNCIL....JULY 16, 2019**

BE IT ORDERED, that the Finance Director is authorized to create dedicated reserve accounts under the listed fund balance accounts, and transfer remaining balances identified from the FY 2019 Budget to said dedicated accounts as herein named in amounts not to exceed those stated, as of June 30, 2019 deducting any encumbrances:

10013-30101, General Fund Assigned Fund Balance

<u>FY19 Account #</u>	<u>Description</u>	<u>Amount</u>
21128-60859	DDC	2,269
21201-60904	City Hall Improvements	100,000
21201-60907	IT Improvements	12,500
21121-60450	City Buildings Security evaluation	50,000
21123-60450	Community Center	60,000
21185-60754	Debt Principal (used for paydown on vehicles)	90,000
21186-60755	Debt Interest (used for paydown on vehicles)	20,000
21202-60940	Mayfield Middle Field	4,500
21202-60923	Court Resurface	18,500

21202-60991	Park Security Camera	10,000
21202-60922	Clifford Park MCC	5,000
21202-60950	Rotary Park Improvements	18,500
21202-60990	Mayfield Playground Equipment	12,000
21202-60992	Park Signage	3,852
21202-60910	Rotary Beach	50,000
21202-60989	Park Benches	2,304
21204-60604	Road Construction (projects in design, construction ongoing)	46,424
21204-60925	PW Equipment Lease – wastepacker/plow truck	225,849
21204-60979	Saco River Projects	50,000
Total		731,698

16013-30101, Wastewater Assigned Fund Balance

<u>FY19 Account #</u>	<u>Description</u>	<u>AMOUNT</u>
35101-40250	Inflow & Infiltration Reserve (Sec 70-170)	60,876
Total		60,876

FY2019 Budget Amendment: Move 3 kiosk machines from the Parking Fund to the Pool Beach Improvement Fund, as 3 kiosks are being used for beach parking.

<u>FY19 Account #</u>	<u>Description</u>	<u>AMOUNT</u>
31234-60330	Decrease Expense Equipment Rent by	17,794
31106-60330	Increase Expense Equipment Rent by	17,794
	The purchase of 15 kiosks were posted to the Parking Fund, when in fact the Pool Beach Fund is using 3 of those kiosks.	0

BE IT FURTHER ORDERED, that the City Manager be authorized to expend from the above dedicated reserves for expenses related to on-going project costs as approved in accordance with the Purchasing Code, and authorize the movement of 3 kiosks to the Pool Beach Fund.

NOTE: This item will consider this item at the July 16, 2019 meeting and vote to recommend approval by the City Council.

Motion by Councilor Swanton, seconded by Councilor Belanger to grant the order.
Vote: 6/3; Councilors McCurry, Lessard and Quattrone opposed.
Councilors Swanton, St. Cyr, Clearwater, Belanger, Ready and Seaver in favor.
Motion carries.

2019.71 IN BOARD OF CITY COUNCIL...JULY 16, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve the Capital Improvement Projects Master Plan allocation for FY20, in the amount of **\$1,059,520** as recommended by the Capital Projects Committee. (see attached list)

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

FY20 BUDGET AMENDMENT

2019.72 IN BOARD OF CITY COUNCIL...JULY 16, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby adopt the following estimated revenues and appropriations from fund balance in support of the general fund budget for the fiscal year commencing July 1, 2019 and ending June 30, 2020:

City Estimated Revenues:

Non-School:	\$ 7,754,552
State Revenue Sharing:	\$ 1,975,000
	\$ 1,830,000
Homestead:	\$ 814,593
	\$ 835,415
BETE:	\$ 350,099
	\$ 365,000

Appropriations from Fund Balance, City:	\$ 0
TOTAL ESTIMATED REVENUES AND APPROPRIATIONS	\$ 10,894,244
FROM FUND BALANCE:	\$ 10,784,967

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

FY20 BUDGET AMENDMENT

2019.73 **IN BOARD OF CITY COUNCIL...JULY 16, 2019**

BE IT ORDERED, that the City Council of the City of Biddeford does hereby appropriate the sum of ~~\$7,760,810~~ ~~\$5,424,060~~ for the Biddeford Airport comprised of \$260,810 for the AIRPORT OPERATIONS FUND and ~~\$7,500,000~~ ~~\$5,163,250~~ in reimbursable grant expenses for the AIRPORT REIMBURSABLE IMPROVEMENT FUND for the fiscal year commencing on July 1, 2019 and ending June 30, 2020, and

BE IT FURTHER ORDERED, that estimated revenues to the Biddeford Airport Fund in the sum of ~~\$7,745,505~~ ~~\$5,150,593~~ comprised of \$245,505 for the AIPORT OPERTIONS FUND and ~~\$7,500,000~~ ~~\$4,905,088~~ for the AIRPORT REIMBURSABLE IMPROVEMENT FUND be hereby adopted in support of the Biddeford Airport appropriation.

Motion by Councilor Clearwater, seconded by Councilor McCurry to grant the order.
Vote: 7/2; Councilors Lessard and St. Cyr opposed.
Councilors Swanton, McCurry, Quattrone, Clearwater, Belanger, Ready and Seaver in favor.
Motion carries.

2019.74 **IN BOARD OF CITY COUNCIL..JULY 16, 2019**

BE IT ORDERED, that the City Assessor be authorized to commit property taxes for the fiscal year commencing July 1, 2019 and ending June 30, 2020 in the total sum of \$48,049,747 with \$1,282,292 raised for County Taxes, \$23,045,885 raised for School/Educational use, \$25,296,820 raised for Municipal use, and \$1,564,442 raised for TIF funding use, less estimated State Revenue Sharing and direct State aid for tax relief of \$3,139,692, and

BE IT FURTHER ORDERED, that said Property Tax Commitment shall be payable in two equal installments on October 9, 2019 and April 8, 2020 with any odd amount to be due on the first installment, and that interest shall be collected at the rate of 9.00% per annum on any taxes remaining unpaid after each respective installment date.

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.

BE IT FURTHER ORDERED, that said Property Tax Commitment be recommended to be at the rate of \$19.98 per \$1,000 of Property Valuation.

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

2019.76 **IN BOARD OF CITY COUNCIL..JULY 16, 2019**

BE IT ORDERED that the City Council does hereby request the Planning Board develop a proposal and conduct a Public Hearing for recommendations to the City Council for potential amendments to the Zoning Ordinance related to Dog Daycare Facilities in Biddeford.

Motion by Councilor McCurry, seconded by Councilor Seaver to grant the order.
Vote: 8/1; Councilor Quattrone opposed.
Councilors Swanton, McCurry, St. Cyr, Clearwater, Belanger, Ready, Seaver and Lessard in favor.
Motion carries.

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

City Manager Report:

City Manager, James Bennett had the following items:

1. Staff has determined that it will cost between \$10,000 and \$12,000 to construct a median at the entrance/exit of Starbucks at 5 Points.
2. The citywide street light conversion is approximately halfway done; and so far, the project has been a success and the City has already seen a cost savings. There has only been one complaint so far, and the complaint was that the light is too bright.

Other Business:

Councilor McCurry: asked City Solicitor, Keith Jacques what the difference between Town Government and City Government is. Keith explained that in a City Government form of government, the citizens elect City Officials who make municipal policy, set the municipal budget, and other decisions for the City. In a Town Government form of government, Town Meetings are held where all citizens are encouraged to participate and vote on town policies, budgets, and other decisions for the Town.

Councilor McCurry made the argument that if the City were to close all the public parking lots and put them up for sale that would, more than likely, cause even more of a public outcry.

Councilor Ready: gave his approval to moving forward with the construction of a median at the entrance/exit of Starbucks. Other Councilors concurred.

Councilor Quattrone: thanked everyone who was involved in the Finding Pieces Summer Camp this year; and is pleased to have had another successful Camp. He predicts that the Camp will be able to take even more children next year.

Councilor Clearwater: is pleased to have been able to enjoy being outside this summer and urged everyone to get out and enjoy.

Councilor Clearwater recently went to another community that charges for parking and she paid a lot more than what Biddeford is charging.

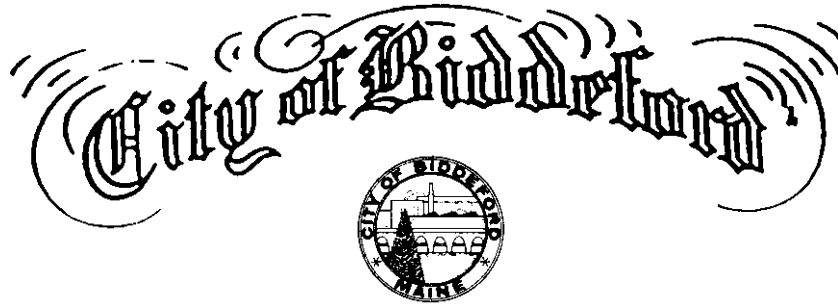
Mayor Addressing the Council: Mayor Casavant has had some conversations over the past couple of weeks that have brought to his attention that there is still some misinformation out in the public regarding downtown parking. For example, the new bump outs on Main Street and large stone flower planters have not caused the loss of parking spaces. On-street parking in the downtown is still free; the only paid parking is in the City-owned parking lots that have kiosks. He noted that there are plenty of critics to the new parking program, but these same critics are not offering solutions. He went on to recognize that the Downtown Committee has done a good job of addressing various issues that have come up and has been able to resolve many of these issues due to and since the implementation of the parking program last Fall.

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

Vote: Unanimous.

Time: 6:41 p.m.

Attest by: _____
Carmen J. Morris, City Clerk



2019.77 **IN BOARD OF CITY COUNCIL..AUGUST 6, 2019**
BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 46, Parks, **Section 46-1** Word usage and definitions, be amended by adding or deleting to read as follows:

Sec. 46-1 Word usage and definitions.

a) When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

(b) For the purpose of this chapter, the following terms, phrases, words and their derivatives shall have the meanings given herein:

ATHLETIC FIELD An area of land usually enclosed by a fence or other barrier that includes the playing field, where sports or other events takes place.

CITY The City of Biddeford.

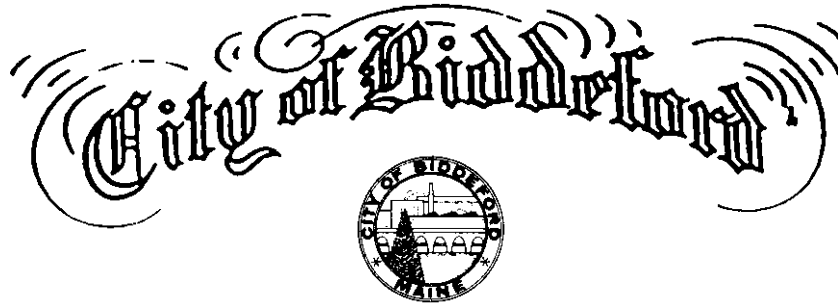
DIRECTOR The Parks and Recreation Director appointed pursuant to § 46-2 of the Code of the City of Biddeford.

DOG PARK An area that has been fenced in and designated for exclusive use by dogs. Dog parks shall have clearly established rules for their use, which shall be posted at all entrances.

PARK Shall be limited to the areas within the boundaries, as described in the records of the City of Biddeford Assessor, of the following City-owned recreational properties and facilities.¹¹

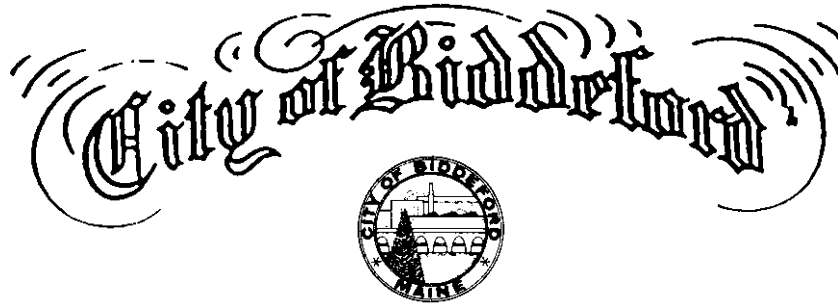
TOBACCO Includes but is not limited to cigarettes, cigars, snuff, pipes, spit tobacco, and vaping.

TOBACCO-FREE ZONE Includes City-owned playgrounds, athletic fields, sports fields, parks and beaches.



VEHICLE Any wheeled conveyance, whether motor-powered, animal-drawn or self-propelled. The term shall include but not be limited to any trailer in tow, automobile, truck, wagon, snowmobile, motor bike, skateboard, motorcycle or trail bike of any size, kind or description. Exception is made for baby carriages, bicycles used at the Clifford Park and Rotary Park, and vehicles used in the maintenance and operation of City parks.

NOTE: The Policy Committee considered this ordinance amendment at their July 15, 2019 meeting and voted unanimously to recommend approval by the City Council.



2019.78

IN BOARD OF CITY COUNCIL..AUGUST 6, 2019

BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 46, Parks, **Section 46-13** Park operating policy, be amended by adding or deleting to read as follows:

Sec. 46-13 Park operating policy.

(a) Hours. All parks, as defined herein, shall be open to the public every day of the year from dawn to dusk. In the event that activities are conducted at either the St. Louis Field or Mechanics Park for which there is an admission fee charged or access is otherwise controlled, no member of the public shall have the right to enter said park areas without authorization and/or payment of such admission fee. The Director shall cause notices of the opening and closing hours to be posted in each individual park for public information and enforcement purposes.

(b) Closed areas. Any section or part of any park may be declared closed to the public by the Director at any time for any interval of time, either temporarily or at regular stated intervals (daily or otherwise).

(c) Entry prohibited. Except with the written permission of the Director, no person shall enter, pass through or remain in any park, or the closed area of any park, except during the hours and times when such park, or portion thereof, is open to the public as provided in this section.

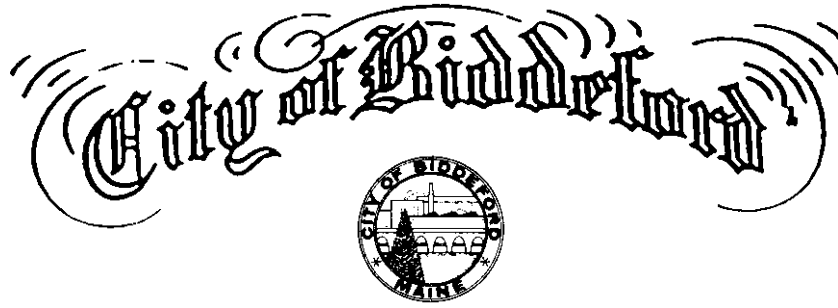
(d) Dogs, horses and horse-drawn vehicles.

(1) Dogs, horses and horse-drawn vehicles are prohibited from entering or remaining in any park, athletic field or beach areas, except as follows:

a. City beaches: No unleashed dog is allowed on any of the City's public beaches from March 15 to September 15. Dogs are completely prohibited from May 25 to September 15 between the hours of 9:00 a.m. and 5:00 p.m. Unleashed dogs under voice command are allowed on the City's public beaches all day from September 16 to March 14. This subsection does not apply to the beach at Rotary Park.

b. Rotary Park: Horses, horse-drawn vehicles, or dogs may not use any part of the Rotary Park beach between the hours of 9:00 a.m. and 8:00 p.m. from May 25 to September 15 of each year.

NOTE: The Policy Committee considered this ordinance amendment at their July 15, 2019 meeting and voted unanimously to recommend approval by the City Council.



2019.79 **IN BOARD OF CITY COUNCIL..AUGUST 6, 2019**
BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article IV Specific Street Regulations, **Section 42-90 No Parking**, be amended by adding or deleting to read as follows:

~~Elm Street, both sides (Route 1), from the beginning of the Prescott Metals driveway southerly for a distance of 500 feet~~

~~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.~~

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

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

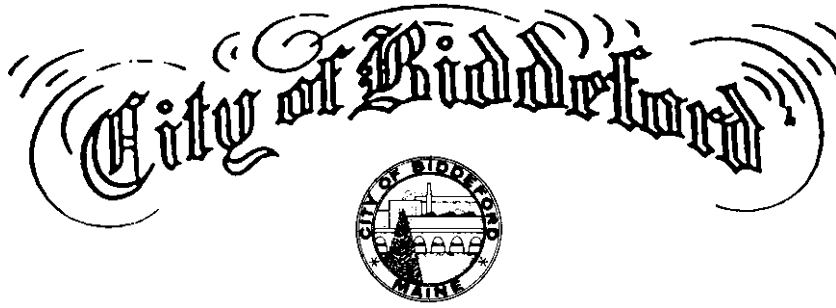
~~Elm Street, from the intersection of Main Street and Elm Street to the intersection of Cutts Street and Elm Street (Steego Auto Parts side)~~

~~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~~

Elm Street, except as otherwise authorized under section 42-92 (Limited Parking) of this Chapter, there is No Parking on both sides of Elm Street beginning at the Biddeford/Saco City Line, thence southerly to the Biddeford/Arundel Town Line.

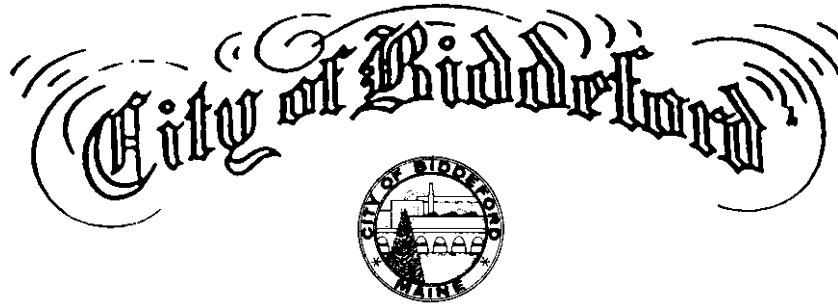
NOTE: The Policy Committee considered this ordinance amendment at their July 15, 2019 meeting and voted unanimously to recommend approval by the City Council.



2019.80 **IN BOARD OF CITY COUNCIL..AUGUST 6, 2019**
BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article IV Specific Street Regulations, **Section 42-92 Limited Parking**, be amended by adding or deleting to read as follows:

~~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~~

NOTE: The Policy Committee considered this ordinance amendment at their July 15, 2019 meeting and voted unanimously to recommend approval by the City Council.

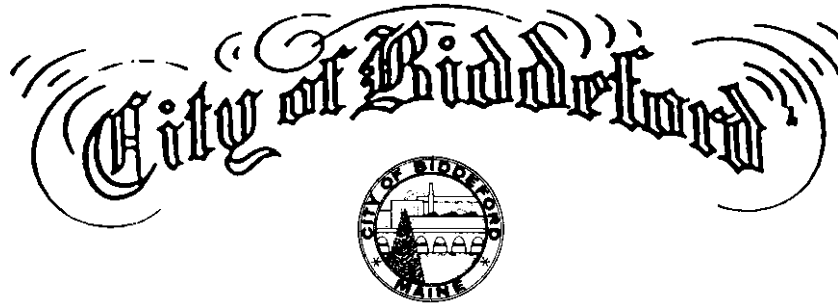


2019.81 **IN BOARD OF CITY COUNCIL..AUGUST 6, 2019**
BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article IV Specific Street Regulations, **Section 42-100 Disability Parking**, be amended by adding or deleting to read as follows:

~~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.~~

NOTE: Business for which this ordinance amendment was added is no longer at this location.

NOTE: The Policy Committee considered this ordinance amendment at their July 15, 2019 meeting and voted unanimously to recommend approval by the City Council.



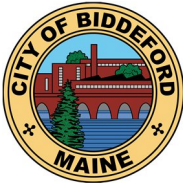
2019.82

IN BOARD OF CITY COUNCIL..AUGUST 6, 2019

BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article IV Specific Street Regulations, **Section 42-88, One-Way Streets** be amended by adding or deleting to read as follows:

Franklin Street, from ~~Main Street~~ the 90 degree elbow, thence easterly to Alfred Street.

NOTE: The Policy Committee considered this ordinance amendment at their July 15, 2019 meeting and voted unanimously to recommend approval by the City Council.



City of Biddeford

Chief Operating Officer/Technology Dept/IPP
P.O. Box 586 • 205 Main Street
Biddeford, ME 04005
Phone: (207) 571-0032 • Fax: (207) 571-0656

Briefing Memo

TO: Mayor Alan Casavant, Council President John McCurry, and Members of the City Council

CC: James Bennett, City Manager

FROM: Brian S. Phinney, COO/Technology/IPP

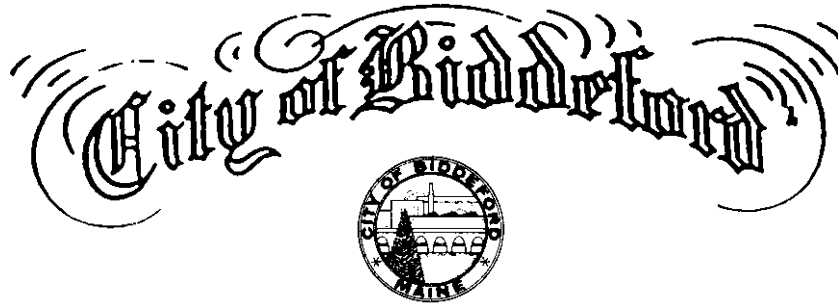
DATE: August 1, 2019

RE: Briefing Memo – Order 2019.82, One-way Street/Amend on Franklin Street

There are several steps required to implement the plan to reconfigure the Green and Yellow Lot as approved. The physical lot work is underway and nearing completion. Order 2019.82 amends Sec. 42-88 *One-way Streets* by limiting the one-way section of Franklin Street to that of the exit on to Alfred Street. Franklin Street becomes a two-way street allowing traffic to flow between Main Street and Jefferson Street in both directions.

The Downtown Committee exercised its authority to amend the various affected ordinance sections to facilitate the reconfiguration on July 29th. Sec. 42-88 is not covered under the authority delegated to the Downtown Committee.

Note: The Downtown Committee's authority includes a provision specifying that one affirmative reading of an order constitutes final approval and the order is effective immediately. Staff recommends that the Council treat this order as an emergency order since the action of the Downtown Committee and this order are linked to the implementation of the reconfiguration.



2019.83

IN BOARD OF CITY COUNCIL..AUGUST 6, 2019

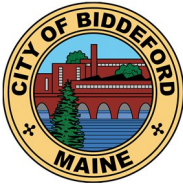
BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article IV Specific Street Regulations, **Section 42-89, Stop Intersections** be amended by adding or deleting to read as follows:

Add: Franklin Street at Main Street

and

Delete: ~~Federal Street at Washington Street~~

NOTE: The Policy Committee considered this ordinance amendment at their July 15, 2019 meeting and voted unanimously to recommend approval by the City Council.



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Briefing Memo

TO: Mayor Alan Casavant, Council President John McCurry, and Members of the City Council

CC: James Bennett, City Manager

FROM: Brian S. Phinney, COO/Technology/IPP

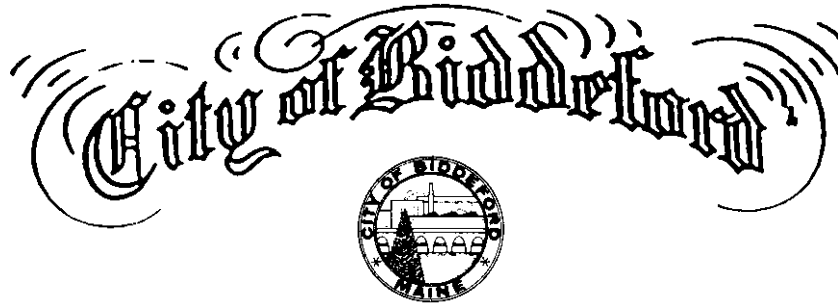
DATE: August 1, 2019

RE: Briefing Memo – Order 2019.83, Add a& Delete Stop Signs on Federal & Franklin Streets

There are several steps required to implement the plan to reconfigure the Green and Yellow Lot as approved. The physical lot work is underway and nearing completion. Order 2019.83 amends Sec. 42-89 *Stop Intersections* by adding a stop sign at the intersection of Franklin and Main and eliminating the stop sign at the intersection of Federal Street and Washington Street. These changes are required due Franklin Street becoming two-way at main Street and the elimination of Federal Street.

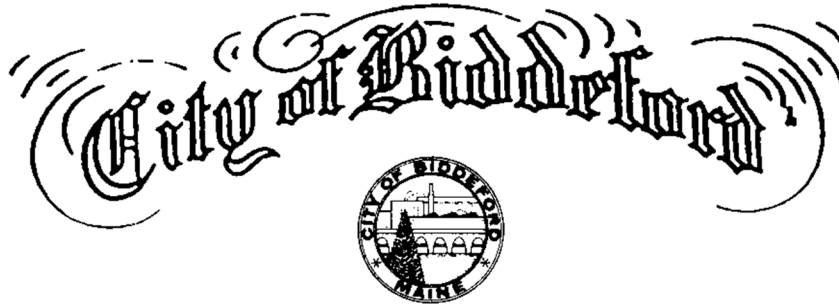
The Downtown Committee exercised its authority to amend the various affected ordinance sections to facilitate the reconfiguration on July 29th. Sec. 42-89 is not covered under the authority delegated to the Downtown Committee.

Note: The Downtown Committee's authority includes a provision specifying that one affirmative reading of an order constitutes final approval and the order is effective immediately. Staff recommends that the Council treat this order as an emergency order since the action of the Downtown Committee and this order are linked to the implementation of the reconfiguration.



2019.84 **IN BOARD OF THE CITY COUNCIL.....AUGUST 6, 2019**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby accept the 2019 Edward Byrne Memorial Justice Assistance Grant (JAG), which has been awarded by the U.S. Department of Justice to the Biddeford Police Department. The Police Department will use this grant money to purchase personal storage lockers as part of the locker room upgrade.

NOTE: A stipulation of this Grant is that these funds, or any part thereof may not be used to supplant the Police Department budget. This is a direct Grant, which requires no matching funds, or in-kind contributions. Grant is in the amount of \$30,017.00 and must be officially approved by the city council in order to receive funds.

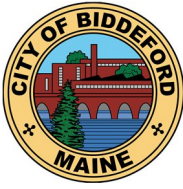


2019.85

IN BOARD OF CITY COUNCIL...AUGUST 6, 2019

BE IT ORDERED, that the Finance Director is authorized to adjust the fiscal year 2020 budget: to increase the annual budgeted dues for Southern Maine Planning and Development by.

<u>FY20 Account #</u>	<u>Description</u>	<u>AMOUNT</u>
21128-60860	Increase Expense So ME Reg Planning Comm by	811
21111-60797	Decrease Expense Miscellaneous Expense by	811
		0



City of Biddeford

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Briefing Memo

TO: Mayor Alan Casavant
Council President John McCurry and Members of the City Council

CC: James Bennett, City Manager
Cheryl Fournier, Finance Director

FROM: Brian S. Phinney, COO/Technology/IPP

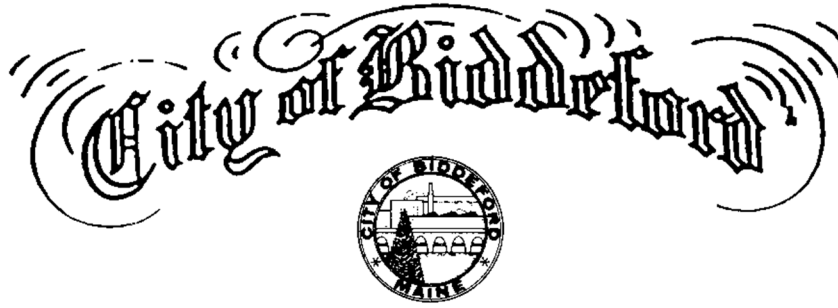
DATE: August 5, 2019

RE: Budget Amendment – Southern Maine Planning and Development Commission

This is a council member request specific to program funding for Southern Maine Planning and Development Commission. The original agency request totaled \$8,928.00 based on a formula used to calculate dues for participating communities, see attachment. Council action during the budget process reduced the Municipal Services appropriation to “2019 levels”. This reduced the agency request by \$811.00.

The budget amendment removes \$811.00 from 21111-60797 (General Administration-Misc) and adds \$811.00 to 21128-60860 (Municipal Services – Southern Maine Planning and Development Commission).

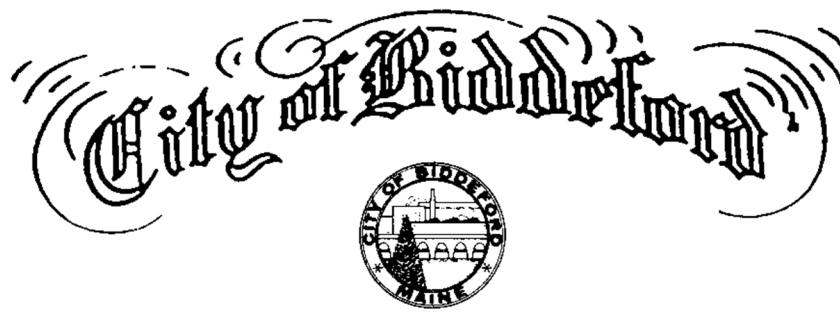
Note: The Finance Committee is scheduled to review this item at the August 5th meeting.



2019.86

IN BOARD OF CITY COUNCIL..AUGUST 6, 2019

BE IT ORDERED, in accordance with 36 M.R.S.A Section 506, the Tax Collector/Treasurer is authorized to accept prepayment of taxes not yet committed or prior to any due date and pay no interest thereon. In accordance with 36 M.R.S.A. Section 506-A, a taxpayer who 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 **5.00%.**



2019.87

IN BOARD OF CITY COUNCIL... AUGUST 6, 2019

BE IT ORDERED, that the City does hereby discontinue "Federal Street", a public street located between Washington Street and Franklin Street.

BE IT FURTHER ORDERED, that the City Council finds that there are no properties have frontage abutting Federal Street, and that no damage shall be awarded to any person resulting from the discontinuance.

BE IT FURTHER ORDERED, that the City shall retain a limited public easement over the discontinued public street for the purpose of establishing public parking over the discontinued public street.



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Briefing Memo

TO: Mayor Alan Casavant
Council President John McCurry and Members of the City Council

CC: James Bennett, City Manager

FROM: Brian S. Phinney, COO/Technology/IPP

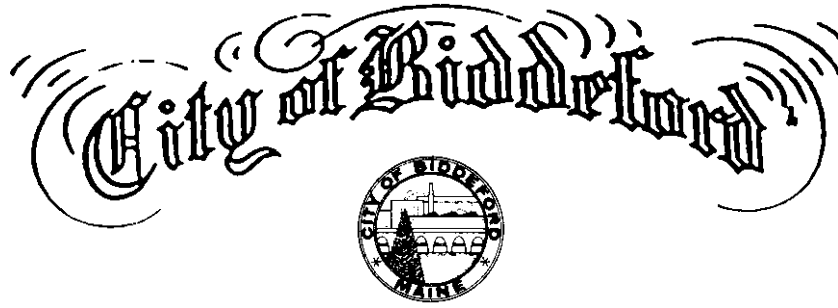
DATE: August 5, 2019

RE: Briefing Memo – Order 2019.87, Discontinuance of Federal Street

There are several steps required to implement the plan to reconfigure the Green and Yellow Lots as approved. The physical lot work is underway and nearing completion. Order 2019.87 represents formal discontinuance of Federal Street. For background purposes, Federal Street extends from Washington Street to Franklins Street. Reconfiguring the Green Lot encloses the lot area thus eliminating Federal Street.

The Downtown Committee exercised its authority to amend the various affected ordinance sections to facilitate the reconfiguration on July 29th. Discontinuance of a street is not covered under the authority delegated to the Downtown Committee.

Note: The Downtown Committee's authority includes a provision specifying that one affirmative reading of an order constitutes final approval and the order is effective immediately. Staff recommends that the Council treat this order as an emergency order since the action of the Downtown Committee and this order are linked to the implementation of the reconfiguration.

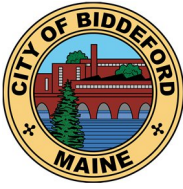


2019.88

IN BOARD OF CITY COUNCIL..AUGUST 6, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve awarding a project to construct a median at 5 Points that will stop left turns out of Starbucks Coffee, located at 352 Alfred Street to J. Pratt Construction of Hebron, Maine, in an amount not to exceed \$12,750.00. Funds for this project will be taken from account 31374-60300-Road Paving Bond proceeds.

NOTE: This item will be considered at the August 6, 2019 Finance Committee Meeting.



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Briefing Memo

TO: Mayor Alan Casavant
Council President John McCurry and Members of the City Council

CC: James Bennett, City Manager

FROM: Brian S. Phinney, COO/Technology/IPP

DATE: August 5, 2019

RE: Installation of Median at 5-Points – Starbucks Coffee Entrance/Exit

This is a council member request based on safety considerations at the 5-Points intersection. Currently, the roadway at the Rt. 111 feeder entering the intersection has a median painted to prevent traffic from executing a left-hand turn into the Starbucks parking lot and a left-hand turn out of the Starbucks parking lot toward the 5-Points intersection. Both left-hand turns are illegal traffic movements. Nonetheless, the turns have been observed on a number of occasions despite the pavement markings and signs restricting the turns.

As a response, the proposal includes a physical extension of the curbed median to serve as a physical barrier to motorists, thus preventing execution of the prohibited left-hand turns.

Department of Public Works staff has discussed this internally and with Maine DOT personnel. The section of road is within the urban compact zone and it is within the discretion of the City to install the curbing.

The estimated cost for work is \$12,750 based on pricing provided by J Pratt Construction of Hebron. J. Pratt is working on the Main Street Project. The project will require night work due to the busy nature of the 5-Points intersection.

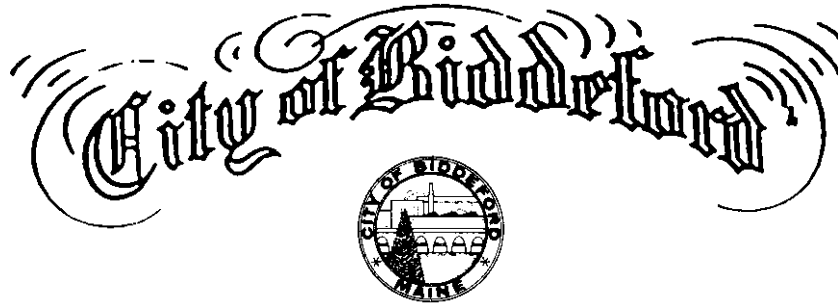
An attempt will be made to obtain additional prices from contractors. Information related to “bids” will be reported at the Finance Committee meeting or as the information becomes available.

This project is not budgeted. If approved to move forward, the proposed funding source would be 31374-60300 *Road Paving Bond* proceeds.

As requested;

- \$12,750 is equivalent to paving an area approximately 750-feet long by 22-feet wide with a pavement depth of 1.5-inches at today's cost of \$73.50 a ton for bituminus.
- Paving projects slated for completion under the *Road Paving Bond* are Luc Lane, Southgate Ave., (with a drainage project involved) and Maddox Pond Rd.

Note: This item will be discussed at the August 6 meeting of the Finance Committee.



2019.89

IN BOARD OF CITY COUNCIL..AUGUST 6, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve the expenditure for paving of the **Green (Franklin Street) Parking Lot**; with the project work awarded to **Thyng Paving LLC** in the amount of **\$57,000**. The cost of this project will be charged to the Parking Fund, 31235-60306

BE IT FURTHER ORDERED, that the paving of Franklin Street by paid out of the Road Construction/Improvement Account, 21204-60604, in the amount of \$17,650.