

COUNCIL MEETING

AUGUST 2, 2022

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

Mayor Casavant called the meeting to order at 6:00 p.m.

Roll Call: William Emhiser, Scott Whiting, Martin Grohman, Bobby Mills, Amy Clearwater, Norman Belanger, Marc Lessard

Doris Ortiz and Liam LaFountain were excused.

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

Adjustment to the Agenda:

- Add Order of the Day 2022.69) Approval/Biddeford Saco Chamber of Commerce to Serve Alcohol on City Property (Mechanics Park)/Approval of Special Event Permit

Public Hearing: State Liquor License Application: Lucky Dog Tasting Room – Batson River

The Chair opened the Public Hearing at 6:01 p.m.

There were no public comments.

The Public Hearing was closed at 6:01 p.m.

Liquor License Application Consideration: Lucky Dog Tasting Room – Batson River

Motion by Councilor Clearwater, seconded by Councilor Belanger to recommend the issuance of a State Liquor License to Lucky Dog Tasting Room, DBA Batson River.

Councilor Whiting pointed out a couple of discrepancies on the State application which will be brought to the applicant's attention and rectified before filing with the State Liquor Division.

Vote: Unanimous.

Election of Maine Municipal Association Vice President and Executive Committee Members:

Motion by Councilor Clearwater, seconded by Councilor Mills to vote for the submitted candidates on the MMA Voting Ballot.

Motion by Councilor Belanger, seconded by Councilor Clearwater to amend the motion to further allow the City Clerk to sign the Voting Ballot on behalf of the Municipal Officers.

Vote: Unanimous.

Vote on original motion, as amended: Unanimous.

Public Addressing the Council..(3 minute limit per speaker for up to 15 minutes):

Two citizens addressed their concerns to the Council.

Consideration of Minutes: **July 19, 2022**

Motion by Councilor Mills, seconded by Councilor Clearwater to accept the minutes as printed.

Vote: Unanimous.

Second Readings:

{For a copy of the ordinance amendments and first readings, see the Council Meeting Minutes of July 19, 2022}

2022.57) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-62-Identification and use of municipal parking lots/Changes to City Hall Parking Lot per New Hours

Motion by Councilor Whiting, seconded by Councilor Clearwater to grant the second reading of the ordinance amendment.

Vote: Unanimous.

2022.58) Amendment/Land Development Regulations/Rezoning of 3 Parcels at University of New England to Institutional Zone (IN)

Motion by Councilor Mills, seconded by Councilor Clearwater to grant the second reading of the ordinance amendment.

Vote: 6/1; Councilor Lessard opposed.

Councilors Emhiser, Whiting, Grohman, Mills, Clearwater and Belanger in favor.

2nd reading carries.

Orders of the Day:

2022.68

IN BOARD OF CITY COUNCIL..AUGUST 2, 2022

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 **Heart of Biddeford** to have beer/wine sold and served at their **River Jam 2022 Music Festival** in Mechanics Park, providing that the sale and consumption of the alcoholic beverages be confined within a clearly defined area that has been approved and licensed by the State of Maine Bureau of Alcoholic Beverages.

BE IT FURTHER ORDERED, that the City Council does hereby approve the issuance of a Special Event Permit for this event.

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

Vote: Unanimous.

2022.69

IN BOARD OF CITY COUNCIL..AUGUST 2, 2022

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 2, 2022 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.

BE IT FURTHER ORDERED, that the City Council also approves the issuance of a Special Event Permit for the Biddeford & Saco Chamber of Commerce Trade Show/Business Expo Event on August 2, 2022 at Mechanics Park.

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

Vote: Unanimous.

Committee-of-the-Whole: Discussion on Bird Scooters – Rental of Stand-Up Scooters

Motion by Councilor Grohman, seconded by Councilor Emhiser to move into Committee-of-the-Whole.

Vote: 6/1; Councilor Mills opposed.

Councilors Emhiser, Whiting, Grohman, Clearwater, Belanger and Lessard in favor.

Motion carries.

Time: 6:13 p.m.

Chief Operating Officer Brian Phinney gave an overview of the Bird Scooter proposal. He explained that the design is to reduce vehicle traffic in the downtown; to have staging areas throughout the community where scooters can be picked up and dropped off. The scooters are equipped with GEO-Zone Technology that would program and restrict the scooters from certain areas of the City (like parks). Staff has looked at the proposal and has identified a number of issues including potential issues with parking; use of sidewalks; and other administrative hurdles.

Councilor Clearwater is opposed to this proposal for a number of reasons, including the sidewalks being too narrow. Further, she feels that using Staff time for this would be a waste of time, especially when there are much more pressing items that need Staff attention.

Councilor Emhiser also spoke in opposition and feels it would be too unsafe in the downtown. He does like the concept, but does not support it for Biddeford.

Councilor Whiting is also in opposition to the proposal, again, due to the narrowness of the sidewalks. He also brought up the speed of the scooters versus vehicular traffic, including the ability of the scooters being able to make it up hills.

Mayor Casavant spoke in favor of the proposal, explaining that the City would have the ability to restrict where the scooters can go, so any street with a hill could be prohibited. He suggested offering scooters in a small area of the City, at least as a trial run.

Councilor Grohman is in favor of the proposal; and he thinks students will probably be the largest users. He has used them in other places and thinks they are great. He likened them to bicycles. He noted that if Biddeford goes forward with this proposal, we would be the first community in Maine to have them.

Councilor Clearwater reiterated that the City is not structured to have scooters used safely in the downtown due to the narrowness of the sidewalks and the traffic the City already deals with.

Jeremy Lynch, a representative from Bird Scooters addressed the concerns brought forward. He stressed that the scooters would be used only in areas that are deemed safe and he assured the Council that the scooters can go up hills. Bird Scooters would hire a local manager who would manage the drop off and pick up of the scooters. He understands the parking and vehicular issues that have been discussed, and he suggested installing parking corrals in areas that are deemed safe and away from high traffic areas.

Councilor Mills is concerned about safety; especially with more and more problems with distracted drivers and issues with people on skateboards and bicycles getting hit.

Motion by Councilor Lessard, seconded by Councilor Clearwater to move out of Committee-of-the-Whole.

Vote: Unanimous.

Time: 6:33 p.m.

Public Addressing the Council...(5 minute limit per speaker; 30 minute total time limit):
There were no comments from the public.

City Manager Report:

Chief Operating Officer Brian Phinney thanked the public for their understanding and cooperation with all the street projects that are currently underway at both ends of the City. He noted that overall, MaineDOT has worked well with the Public Works Department to keep traffic flowing as efficiently as possible.

There have been many inquiries about the newly passed legislation on Property Tax Stabilization, and Brian shared that the City Assessor and Deputy Assessor are at a training this week and will learn more about this program and the process that the City will need to follow. He offered assurances that the City will provide more information through all the typical media outlets as it becomes available.

Other Business:

Councilor Mills: has had three or four constituent concerns that he has passed along to the appropriate Staff. He hopes the concerns will be addressed soon.

Council President Addressing the Council: Councilor Belanger, in response to Councilor Mills' request to move the August 8th Council Workshop to after the next Council Meeting, said that he prefers to keep the Council Workshop on August 8th since the topic of discussion (parking garage financials) could take up to an hour or two.

Mayor Addressing the Council: Mayor Casavant spoke of a couple of upcoming events in the City: Sugar Soiree, which is a fundraiser for Heart of Biddeford and Engine, is taking place Thursday, August 4th. River Jam is scheduled for the weekend of August 19th and 20th, with Fringe Fest taking place Friday, August 19th at Shevenell Park/Main Street; and River Jam Music Festival on Saturday, August 20th at Mechanics Park.

Mayor Casavant asked the Council to give more thought to the Bird Scooter proposal. He feels that offering scooter rentals would be a great addition to the City and would add better mobility

for folks to move around the downtown. He understands the reservations that were discussed, but he feels that those can be worked through.

Executive Session: 1 MRSA 405(6)(A)...Personnel Matter

Motion by Councilor Grohman, seconded by Councilor Clearwater to move into Executive Session.

Vote: Unanimous.

Time: 6:41 p.m.

Motion by Councilor Mills, seconded by Councilor Emhiser to move out of Executive Session.

Vote: Unanimous.

Time: 6:57 p.m.

Motion by Councilor Mills, seconded by Councilor Emhiser to adjourn.

Vote: Unanimous.

Time: 6:57 p.m.

Attest by: _____
Carmen J. Bernier, City Clerk