

City of Biddeford
City Council
August 01, 2023 6:00 PM Council Chambers & Zoom

Status: In-Person and via Zoom; Council Chambers; 6:00 p.m.

1. Roll Call – all present

Chairman Belanger
Councilor Lessard
Councilor Ortiz
Councilor Emhiser
Councilor Whiting
Councilor Grohman
Councilor Mills
Councilor Schlaver
Councilor LaFountain

2. Pledge of Allegiance

3. Adjustment(s) to Agenda

Add Executive Session, 405 (6) (a) personnel matters

4. Appointments:

- 4.a. 2023.93 Catherine Ellis to Recreation Director
20230801 Approval Catherine Ellis as Recreation Director - ORDER
20230801 Employment Agreement - Ellis, C

Motion: Councilor Belanger
Second: Councilor Mills
Vote: Unanimous in favor.
Motion passed

5. Recognition:

- 5.a. Recognition Albert Duc Than - Wooven
Albert Duc Than-Wooven- CERTIFICATE

6. Proclamation:

- 6.a. Proclamation National Night Out
National Night Out 2023-PROCLAMATION
Mayor Casavant read the proclamation

7. Voting Ballot

- 7.a. **Maine Municipal Association - Election of Vice President and Executive Committee Members**
20230801-MMA Annual Election

Motion: Councilor Emhiser
Second: Councilor Belanger

Chief Financial Officer Brian Phinney – the ballot has 1 candidate for MMA Vice President and one candidate each for 3 Executive Committee Members. An affirmative vote would authorize the City Clerk to sign the ballot as the municipal official designated by the Council.

Vote: Unanimous in favor.
Motion passed.

8. **Public Addressing the Council...(3 minute limit per speaker for up to a total of 15 minutes)** none

9. **Consideration of Minutes:**

- 9.a. July 18, 2023 Council minutes
Council Minutes 7-18-23

Motion: Councilor Mills
Second: Councilor Belanger
Vote: Unanimous in favor.
Motion passed.

- 9.b. Executive Session Minutes 7-18-2023
City Council Executive Session minutes 7-18-2023

Motion: Councilor Belanger
Second: Councilor Lessard
Vote: Unanimous in favor.
Motion passed.

10. **Second Reading:**

- 10.a. 2023.84 Approval/Adoption of Back Lot Ordinance
2023.24 Back Lot City Council ADOPTION memo 7-18-23
Back Lot Ordinance City Council Second Reading to CC 8-1-23 with CC amendments
Back Lot Ordinance Council Order 7-18-23 - attest first reading
Back Lot Ordinance Council Transmittal Letter 8-1-23 second reading

Motion: Councilor Mills
Second: Councilor Lessard

Councilor Belanger - question about the changes to the back lot recommended size.

City Planner Galbraith – kept the minimum recommendation.

Vote: Unanimous in favor.

Motion passed.

10.b 2023.83 Approval/Clifford Park Rules

Council Order Clifford Park Rules 2023 2nd.docx

Agenda Brief City Council 7-18-23 Clifford Park Rules.docx

Chapter 46 Sec 46.5 City parks, beaches and athletic fields-facility list.pdf

Map Title-provided by Assessors Office.pdf

Property Record Cards -2.pdf

Motion: Councilor Belanger

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

11. Orders of the Day:

11.a. 2023.90 Approval/Authorizing Issuance of \$9,000,000 of the City's General Obligation Bonds to Construct, Equip and Furnish an Addition to the Biddeford Primary School

2023.90 Bond Order - Biddeford Primary School Addition

BPS_JFK Bond Memo - City Council

Motion: Councilor Belanger

Second: Councilor Lessard

Councilor Emhiser – question about the referendum language in line 13 of the Order. Can it have additional information added?

City Attorney Harry Center – this is the legal language provided by bond council and follows the City Charter.

Councilor Mills – in previous ballot questions it was up to the Councilors to educate the public.

Councilor Grohman – asked the Superintendent for an update since the last time they met. Asked for the number of students this would add.

Superintendent Ray – wrote the bond to not exceed 9 million. The lobby area has expanded. This will add 16 classrooms and accommodate approximately 125 additional students. It will bring much needed climate control year-round to the classrooms, especially cooling for summer sessions. It will allow the school to

expand Pre-K from half days to full days for those who want it. Geo tech work has begun using ESSR funds. That area has a lot of ledges.

Councilor Mills - question about room for the behavior program.

Superintendent Ray – there is room for that.

He also spoke about current upgrades – replacing windows, they have signed up for solar array credits and the School Committee voted to put solar panels on the roof of the high school.

This will have 2 readings and a public hearing.

Vote: Unanimous in favor.

Motion passed.

- 11.b 2023.91 Approval/Acceptance of JAG Grant for Police Department
20230801 Acceptance of JAG Grant Funds - ORDER
20230801 JAG Grant Funds-2023-MEMO

Motion: Councilor Belanger

Second: Councilor Grohman

Vote: Unanimous in favor.

Motion passed.

- 11.c. 2023.92 Approval/Selection of Architect for Eastern Fire/EMS Station
20230801 Eastern Fire EMS Substation Award - Context Architecture - ORDER
20230801 Eastern Fire EMS Substation Award - Context Architecture - BRIEF Rev
20230801 Eastern Fire EMS Substation - Context - Full Design - PROPOSAL
20230801 Eastern Fire EMS Substation - Context - Phase I - PROPOSAL
20230621 Context Architecture - RFQ Response
20230621 Port City Architecture - RFQ Response
20230621 ArtifexAE - RFQ Response
20230621 WSP - RFQ Response
20230621 TGAS - RFQ Rspnse
20230621 LiRo Corp - RFQ Response

Councilor Belanger – his firm has connections to several of the companies that have submitted proposals, he requests to abstain from the discussion and vote.

Councilor Emhiser - Motion to allow Councilor Belanger to abstain.

Second: Councilor Mills

Vote: Unanimous in favor.

Motion to abstain passed.

Motion on the original order: Councilor Emhiser

Second: Councilor Whiting

Councilor Lessard – this was reviewed in the Finance Committee. He supports the fire station project but disagrees with spending \$158,000 now for information that will say the project will be 7,500 square feet and cost 4 million. He would prefer to send it to the citizens for approval for up to 5 million dollars.

Councilor Emhiser – was part of the group that reviewed the proposals and interviewed the architectural firms. This money will provide important information on site selection, ledge information, environmental issues, size of the station, early engineering reports and grants. Much like the current school bond proposal. It will give the Council a solid understanding and full information to present to the voters.

Councilor Mills – agrees with Councilor Lessard. Better to go to the voters for approval first.

CFO Phinney – suggested to read the Order as presented to the Finance Committee into the minutes, as follows:

2023.92 IN BOARD OF CITY COUNCIL... AUGUST 1, 2023 BE IT ORDERED, that the City Manager may enter into a professional services agreement with Context Architecture of Boston, MA., for design of the so-called Eastern Fire/EMS Substation, in the amount not-to-exceed \$150,000. BE IT FURTHER ORDERED, that the City Manager may, at his discretion, secure a site survey and other soft cost services as may be needed to supplement information need to prepare for a public referendum vote not-to-exceed \$8,000. Note: The award is limited to Phase I of the project, which includes sufficient design to allow the City the ability to provide information to voters and obtain a referendum vote before proceeding to full design and construction. The cost of full design as per the Context proposal is \$529,540.

Vote – 6 yeas – Councilors Ortiz, Emhiser, Whiting, Grohman, Schlaver and LaFountain.

2 nays – Councilors Lessard and Mills.

1 abstention – Councilor Belanger.

Motion passed.

12. Public Addressing the Council..(5 minute limit per speaker)

The public did not address the Council

13. City Manager Report

The City Manager did not submit a report

14. Other Business

Councilor LaFountain – great job by Public Works handling several difficult situations. A citizen has concerns with the crossing at Dartmouth and Elm Streets.

Councilor Mills – public works has done a great job handling a frustrating situation, it is appreciated. He asked about having the PD notices go out to the public.

Councilor Grohman – complimented the progress on the spur project. Reminder of the project hotline 207-571-0616.

Councilor Whiting – visited Clifford Park recently and took a picture of the signage. He will share it with everyone.

15. Council President Addressing the Council

The Council President did not address the Council

16. Mayor Addressing the Council

The Mayor did not address the Council

Agenda Item added: Executive Session 1 MRSA 405 (6) (a) personnel matters

Councilor Belanger - Motion to go into Executive Session, 1 MRSA 405 (6) (a) at 6:39 pm

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

Councilor Lessard, Motion to come out of executive session at 7:10,

Second: Councilor Belanger

Vote: unanimous in favor.

Motion passed.

17. Adjourn

Councilor Lessard - Motion to adjourn at 7:10 pm

Second: Councilor Belanger

Vote: Unanimous in favor.

Meeting adjourned.

Attested by: _____

Robin Patterson, City Clerk