

City of Biddeford
City Council
July 02, 2019 6:00 PM Council Chambers

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Adjustment(s) to Agenda**
- 4. Consideration of Minutes:**
 - 4.a. June 18, 2019 Council Meeting Minutes
[6-18-2019 Council Meeting Minutes.docx](#)
- 5. Second Reading:**
 - 5.a. 2019.58) Amendment/Land Development Regulations/Art. III-Official Zoning Map/Extend B-2 Zone to Include 472, 480 and 486 Elm Street
[6-18-2019 LDR - B2 Zone Shift-Elm Street-ORDER.docx](#)
[6-18-2019 LDR-B2 Zone Shift-Elm Street-MEMO.pdf](#)
[6-18-2019 LDR-B2 Zone Shift-Elm Street-MAP.pdf](#)
 - 5.b. 2019.64) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-66-Beach permit parking regulations enumerated/Increase Beach Permit Fees
[6-18-2019 Beach Permits-Increase in fees-2019.docx](#)
- 6. Orders of the Day:**
 - 6.a. 2019.67) Approval/Biddeford Saco Chamber of Commerce to Serve to Alcohol on City Property (Mechanics Park)
[7-02-2019 Waiver Request to Serve Alcohol-Chamber of Commerce-ORDER.docx](#)
[7-02-2019 Waiver Request to Serve Alcohol-Chamber of Commerce-LETTER.docx](#)
[7-02-2019 Special Event Application-Bidd Saco Chamber of Commerce.pdf](#)
 - 6.b. 2019.68) Approval/Purchase of Truck Lift for Dept. of Public Works/Sourcwell Contract (NJPA) and Automotive Garage Tools
[7-02-2019 Truck Lift at DPW - ORDER.docx](#)
[7-02-2019 Truck Lift at DPW-backup docs.pdf](#)
- 7. Appointments:**
 - 7.a. Spiros Droggitis...Planning Board - Redesignate from Alternate to Voting Member
[7-02-2019 Appt-Redesignation-Droggitis-Planning Board.docx](#)
 - 7.b. Michael P. Cantara...Planning Board - Alternate Member
[7-02-2019 Appt Application- Cantara-Planning Board.pdf](#)
[7-02-2019 Appt-Cantara-Planning Board.docx](#)
 - 7.c. James Emerson...Cable T.V. Committee
[7-02-2019 Appt-Emerson-Cable TV Committee.docx](#)
[7-02-2019 Appt Application-Emerson-Cable Committee.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. Executive Session

13.a. 1 MRSA 405(6)(A)...Employee Evaluation (possible action)

14. Adjourn

**COUNCIL MEETING
JUNE 18, 2019**

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., 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:

- Add Order 2019.65 - Contingency Plan for LaKermesse Fireworks

**Recognition: Annabelle Carpenter – 2019 Biddeford Spirit of America Tribute:
Volunteer of the Year**

Mayor Casavant honored Biddeford resident Annabelle Carpenter for her over 20 years of volunteerism to the Bon Appetit Program. She has always spent her volunteer time in the background; always finding ways to help anyone who needed assistance. Annabelle is the essence of someone who gives back to their community. With much gratitude, Mayor Casavant presented Annabelle with a plaque, on behalf of the City.

Special Event Application: Biddeford Municipal Airport Open House

Motion by Councilor McCurry, seconded by Councilor Seaver to approve the Special Event Application for the Biddeford Airport Open House, scheduled for August 17, 2019.
Vote: Unanimous.

Proclamation: Seashore Trolley Museum Month – July 2019

Mayor Casavant read the proclamation.

Consideration of Minutes: June 4, 2019

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

Orders of the Day:

2019.50 **IN BOARD OF CITY COUNCIL..MAY 21, 2019**

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 III (Official Zoning Map), is amended to rezone a portion of the property (300 feet deep off Guinea Road) at 226 Guinea Road (Tax Map 78, Lot 1) from R-F to SR-1.

Motion by Councilor Lessard, seconded by Councilor McCurry to remove the ordinance amendment from the table.

Vote: Unanimous.

Motion by Councilor Belanger, seconded by Councilor Swanton to table this item until the Planning Board has reviewed the amendment along with the new condition, as spelled out in the applicant's letter and make a recommendation to the Council.

Vote: 6/3; Councilors Lessard, Ready and McCurry opposed.

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

Motion to table carries.

2019.58 **IN BOARD OF CITY COUNCIL..JUNE 18, 2019**

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 III (Official Zoning Map), be amended to extend the B-2 Zone to include the rear portions of 472, 480, and 486 Elm Street (Tax Map 18, Lots 32, 29, 29-1, and 29-2) as depicted on the attached map.

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

2019.59 **IN BOARD OF CITY COUNCIL ... JUNE 18, 2019**
BE IT ORDERED, pursuant to Chapter 62, Section 101 of the Code of Ordinances, the City Council of the City of Biddeford does hereby waive the following requirements for Crickett Lane Off Buzzell Road, for purposes of their pending subdivision review by the Planning Board and for future consideration of the acceptance of Crickett Lane, as a public street.

1. Waive the requirements for a 5 foot sidewalk. Instead the developer will construct a 3-foot paved walkway as indicated on the submitted Planning Board Preliminary Subdivision Plans.
2. Install striping to define the 3 foot sidewalk and to install signage to depict the sidewalk/street separation line.

NOTE: The Capital Projects Committee will discuss this item at their June 18, 2019 meeting and vote to send the waiver requests to the full City Council for consideration.

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

Councilor Quattrone noted that the Capital Projects Committee reviewed this item at their meeting earlier this evening and voted unanimously to recommend passage by the Council.

Vote: 6/3; Councilors McCurry, Swanton and Lessard opposed.
Councilors St. Cyr, Quattrone, Clearwater, Belanger, Ready and Seaver in favor.
Motion carries.

2019.60 **IN BOARD OF CITY COUNCIL.....JUNE 18, 2019**
BE IT ORDERED, that the City Manager be authorized to purchase three (3) 2020 Ford Explorer utility police cars as per bid of June 7, 2019 (the "Equipment") from Arundel Ford (the "Vendor") and may pay the Vendor an amount not to exceed \$100,824.00 (before discounts valued at \$14,900.00) for the Equipment, and 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 June 18, 2019 and vote to recommend it to the City Council for approval. The purchase of these cars are included in the FY20 Budget line 21146-60603

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

Councilor McCurry noted that the Finance Committee considered this item at their meeting earlier and voted unanimously to recommend passage by the Council.

Vote: Unanimous.

2019.61 **IN BOARD OF CITY COUNCIL...JUNE 18, 2019**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the purchase of a Concrete Vault/Actuator for the Public Works Department's Wastewater Division from D&C Construction Company, Inc. of Waterboro, Maine in an amount not to exceed \$189,255.00. This project will be funded from Account 31322-60609 – CSO Capital Projects.

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

2019.62 **IN BOARD OF CITY COUNCIL...JUNE 18, 2019**

BE IT ORDERED, that the City Council of the City of Biddeford does hereby suspend the enforcement of parking regulations relating to the charging of parking fees in the Brown Parking Lot (Wastewater Treatment Facility) and the Maroon Parking Lot (Gas House) on Thursday, June 20, 2019 between the hours of 7:00 a.m. to 12:00 midnight during the LaKermesse Block Party, including setup and tear down.

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

Vote: 8/1; Councilor Ready opposed.

Councilors Swanton, McCurry, St. Cyr, Quattrone, Clearwater, Belanger, Seaver and Lessard in favor. Motion carries.

2019.65 **IN BOARD OF CITY COUNCIL...JUNE 18, 2019**

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve that the LaKermesse Fireworks be held on Saturday, June 22nd at St. Louis Field; only in the case of inclement weather on Thursday, June 20th and the Fireworks cannot be held as initially scheduled.

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

Vote: Unanimous.

2019.63 **IN BOARD OF CITY COUNCIL...JUNE 18, 2019**

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve the expenditure for the reconfiguration of the Green (Federal Street) Parking Lot; with the project work being done by the Public Works Department. The cost of this project will be charged to the parking fund 31235-60105 (labor) and 31235-60313 (materials) as follows:

Labor total:	\$11,630.40
Materials total:	<u>\$7,700.10</u>
Project total:	\$19,330.50

NOTE: This item will be reviewed by the Finance Committee at their June 18, 2019 meeting to recommend approval by the City Council.

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

Vote: 7/2; Councilors Seaver and Swanton opposed.

Councilors McCurry, St. Cyr, Quattrone, Clearwater, Belanger, Ready and Lessard in favor. Motion carries.

2019.64 **IN BOARD OF CITY COUNCIL...JUNE 18, 2019**

BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, MOTOR VEHICLES & TRAFFIC, **Section 42-66 Beach permit parking regulations enumerated, Sub-section (2) & (3).** is amended by adding or ~~deleting~~ to read as follows:

(2) For the purpose of this section, the word “resident” shall meet one of the following criteria:

- a. Person who pays real estate property taxes to the City;
- b. Person who is a registered voter in the City;
- c. Person who can provide a vehicle registered both in the City and the State of Maine. All residents of the City may obtain parking permits for compliance with this Section for a fee of ~~\$25~~ **\$28** for the first vehicle, \$15 per additional vehicle registered at the same address, \$15 for residents 65 and older, payable to the City Clerk. Proof of eligibility will be the burden of the applicant.

(3) Persons ineligible under Subsection (2) may obtain a parking permit to be in compliance with this section for a fee of ~~\$125~~ **\$153** for a season permit; ~~\$65~~ **\$79** for a seven-day permit; ~~\$40~~ **\$46** for a three-day permit; and ~~\$20~~ **\$22** for a one-day permit. The seven-day and three-day permits are valid in consecutive days only, and are not transferable from vehicle to another.

NOTE: This item was submitted by Councilor Michael Swanton; and was reviewed by the Policy Committee at their June 10, 2019 meeting with a unanimous vote to forward to Council for approval.

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

Motion by Councilor Swanton, seconded by Councilor Lessard to amend by adding that the new beach permit fees will become effective September 3, 2019.

Vote: 8/1; Councilor McCurry opposed.

Councilors Swanton, St. Cyr, Quattrone, Clearwater, Belanger, Ready, Seaver and Lessard in favor. Motion carries.

Vote on ordinance, as amended: 7/2; Councilors McCurry and Ready opposed.

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

Motion carries.

Committee-of-the-Whole: Cable Franchise Negotiation Process

Motion by Councilor McCurry, seconded by Councilor Swanton to move into Committee-of-the-Whole.

Vote: 8/1; Councilor Ready opposed.

Councilors Swanton, McCurry, St. Cyr, Quattrone, Clearwater, Belanger, Seaver and Lessard in favor. Motion carries.

Councilor Ready understands that Spectrum has entered into Franchise Agreements with other communities, including Saco. He knows that Brian Phinney has more information about what Saco has negotiated with Spectrum; but unfortunately, Brian's not at this meeting. Councilor Ready would like a better understanding of what transpired with Saco and Spectrum before taking any action here in Biddeford.

City Manager, Jim Bennett suggested that the Council designate the Cable TV Committee to come up with a set of recommendations for the Franchise Agreement, and bring those forward to the Council, who will then consider the recommendations in an Executive Session. He also suggests that the Council designate Staff to enter into the actual negotiations with Spectrum, and the City Attorney will be brought in when needed.

Councilor McCurry can go along with what Jim is suggesting, as long as the Cable TV Committee comes up with some key points that they recommend to be included in the Franchise Agreement. He further agrees that the Council would then have a discussion in Executive Session to discuss how to proceed.

Motion by Councilor McCurry, seconded by Councilor Lessard to move out of Executive Session.

Vote: Unanimous.

Motion by Councilor Seaver, seconded by Councilor Clearwater to send the Cable Franchise Negotiation to the Cable TV Committee, asking them to make recommendations for the Franchise Agreement and then bring the issue back to the Council, where discussion will take place in an Executive Session.

Vote: Unanimous.

Committee-of-the-Whole: Scheduling of General Meeting of Citizens (possible action)

Motion by Councilor Clearwater, seconded by Councilor McCurry to move into Committee-of-the-Whole.

Vote: Unanimous.

Councilor Swanton noted that the Solid Waste Management Commission is meeting this Wednesday, so he suggested scheduling the General Meeting for Thursday, June 20th in order to accommodate the request in the petition.

Councilor McCurry offered clarification that it is the Council that sets the date of the General Meeting, regardless of what the petition language says. The City Attorney confirmed this, stating

that the Council determines the date; and he suggested that the Council set a date that allows time to give ample public notice prior to the General Meeting. Ultimately, all the petition language is meant to do is identify the topic and make the request for a General Meeting.

Councilor McCurry then asked City Clerk, Carmen Morris how General Meetings were scheduled in the past. She noted that in 2017, which was the last time a General Meeting was requested and scheduled, the Council set the date, the start time, the end time and the location of the General Meeting.

Councilor McCurry further suggested scheduling the General Meeting on the same evening as the next Council Meeting (July 2nd).

Councilor Seaver expressed concern about the number of people who signed the petition requesting the General Meeting and would like to accommodate their request sooner rather than later. She suggested scheduling it for some time next week. Councilor Quattrone agreed that next week would be better. It was then clarified that, per the City Charter, the Moderator for the General Meeting will be chosen by a majority of those in attendance at the General Meeting.

Councilor Seaver suggested scheduling the General Meeting on Tuesday, June 25th at 7:00 p.m. in the Council Chambers.

Councilor Lessard suggested scheduling the General Meeting this Thursday, June 20th in an effort to adhere to what the request on the petition is. His reason for this suggestion is a hope to avoid being charged with accusations of not doing what the people have asked for. Mayor Casavant chimed in with a reminder that the LaKermesse Block Party is Thursday, June 20th.

Councilor Clearwater agrees with Councilor Seaver's suggestion, and added that the venue should be large enough to accommodate more people than what the Chambers can hold. Mayor Casavant, again, gave a reminder that the School Committee is meeting on Tuesday, June 25th at 7:00 p.m. in the Little Theater.

Wednesday, June 26th was thrown out as a suggestion, to take place from 6:00-7:30 p.m. in the Little Theater. Councilors Belanger, Clearwater and Quattrone advised that they will more than likely not be able to make the meeting on that date.

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

Vote: Unanimous.

Motion by Councilor Clearwater, seconded by Councilor Belanger to schedule the General Meeting of Citizens for Wednesday, June 26, 2019 from 6:00-7:30 p.m. at the Biddeford High School Little Theater.

Vote: Unanimous.

Appointments:

IN BOARD OF CITY COUNCIL...JUNE 18, 2019

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby appoint Martin Grohman as Chairperson on the *Solid Waste Management Commission* for the remainder of 2019; thus making Adam Bellefeuille, who is currently serving as Chairperson, a regular voting member.

Motion by Councilor Lessard, seconded by Councilor Belanger to confirm the change of Chairperson on the Solid Waste Management Commission.

Vote: 8/1; Councilor Swanton opposed.

Councilors McCurry, St. Cyr, Quattrone, Clearwater, Belanger, Ready, Seaver and Lessard in favor. Motion carries.

IN BOARD OF CITY COUNCIL...JUNE 18, 2019

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

**Public Works Director, Jeff Demers
and
Chief Operating Officer, Brian Phinney**

as Alternate Voting Members for PACTs.

Motion by Councilor McCurry, seconded by Councilor Clearwater to confirm the appointments.
Vote: Unanimous.

IN BOARD OF CITY COUNCIL...JUNE 18, 2019

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 McCurry, seconded by Councilor Clearwater to confirm the appointments.
Vote: Unanimous.

Public Addressing the Council..(5 minute limit per speaker; 30 minute total time limit)
A few citizens addressed their concerns to the Council.

{Councilor Belanger had to leave due to a family emergency – 7:38 p.m.}

City Manager Report:

City Manager, James Bennett had the following items:

- 1) The State Budget has been approved and signed. He recently sent an email to the Council noting what the municipal impacts of the State Budget are. Notably, the approved budget brings the Revenue Sharing from 2% to 3%, which translates to an additional \$300,000 coming to the City from what was originally budgeted for. At some point, the Council will need to determine where those additional funds will go. Also notable is the fact that the Homestead Exemption is going up to \$5000 effective in the FY21 Budget.
- 2) Staff has decided that with the change in the recycling market, Public Works personnel will no longer be collecting cardboard from local businesses.

Other Business:

Councilor Clearwater: exclaimed a “Happy Pride Month;” and hopes that maybe next year, Biddeford can plan a Pride Month event.

She suggested that the City reach out to Portland, in light of their situation with the 150 asylum seekers who have been transported to Portland, and offer some kind of assistance.

Councilor Seaver: also recognized Pride Month and is proud to have ridden in one of the floats during the Pride Month Parade in Portland over the weekend.

She shared that a constituent had reached out to her to let her know that this constituent had an issue that needed Public Works attention and was pleased with how the issue was handled by our City Public Works Department.

Council President Addressing the Council: Councilor McCurry hopes for good weather for this weekend’s LaKermesse Festival.

Executive Sessions:

- **1 MRSA 405(6)(D)...Labor Contract Negotiations-DPW Supervisors (possible action)**
- **1 MRSA 405(6)(E)...Consultation with Legal Counsel**
- **1 MRSA 405(6)(A)...Employee Evaluation**

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

Vote: Unanimous.

Time: 8:00 p.m.

Council moved out of Executive Session to take action on the Labor Contract Negotiations with the Department of Public Works Supervisors Unit.

Time: 8:12 p.m.

2019.66

IN BOARD OF CITY COUNCIL...JUNE 18, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to execute the proposed Teamsters 340 Public Works Department Supervisor Unit Contract substantially in the form presented to the City.

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

Vote: 4/4; Councilors McCurry, Quattrone, Lessard and St. Cyr opposed.

Councilors Swanton, Clearwater, Ready and Seaver in favor.

Mayor Casavant voted in favor to break the tie.

Motion carries.

Motion by Councilor McCurry, seconded by Councilor Lessard to move back into Executive Session.

Vote: Unanimous.

Time: 8:14 p.m.

Motion by Councilor Clearwater, seconded by Councilor Seaver to move out of Executive Session.

Vote: Unanimous.

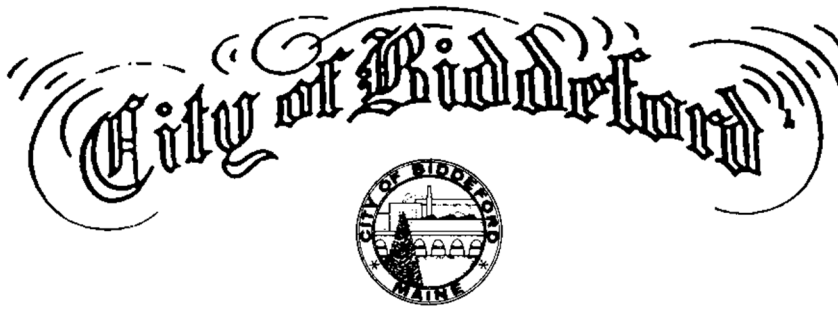
Time: 8:47 p.m.

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

Vote: Unanimous.

Time: 8:47 p.m.

Attest by: _____
Carmen J. Morris, City Clerk



2019.58

IN BOARD OF CITY COUNCIL...JUNE 18, 2019

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 III (Official Zoning Map), be amended to extend the B-2 Zone to include the rear portions of 472, 480, and 486 Elm Street (Tax Map 18, Lots 32, 29, 29-1, and 29-2) as depicted on the attached map.

June 18, 2019

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

Vote: Unanimous.



CITY OF BIDDEFORD

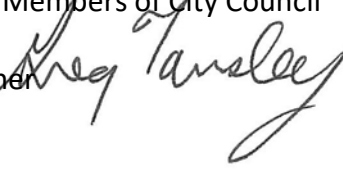
PLANNING DEPARTMENT

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

From: Greg Tansley, AICP, City Planner 

Date: June 7, 2019

Re: Proposed Amendment to proposed amendment to the Official Zoning Map to rezone the rear portions of 472, 480, and 486 Elm Street (Tax Map 18, Lots 32, 29, 29-1, and 29-2) from R-1-A to B-2.

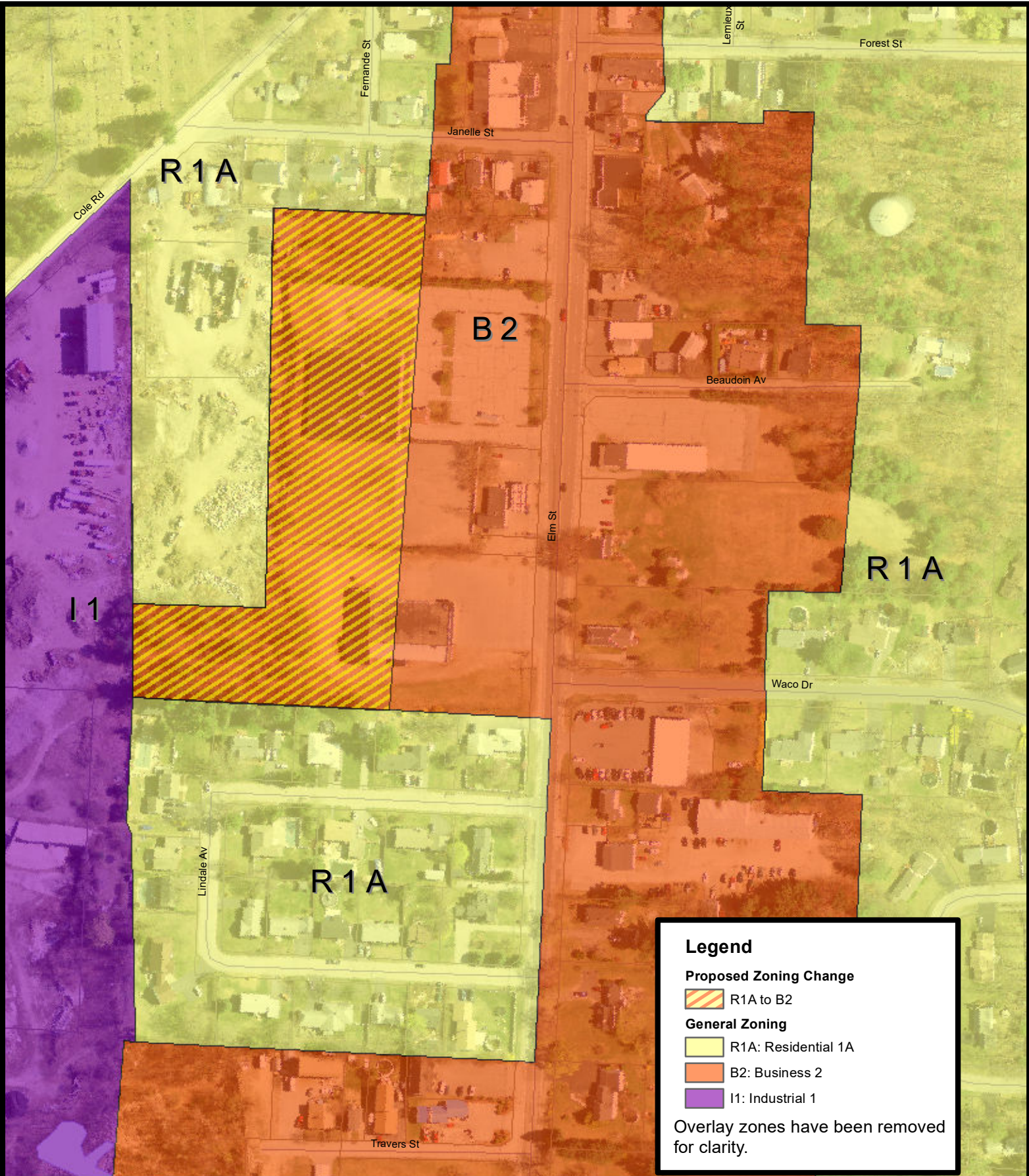
At the request of the City Council, the Planning Board held a Public Hearing about the proposed above-mentioned amendment. I am providing this recommendation back to the City Council based on the outcome of the Public Hearing.

Prior to, and during the course of, the Public Hearing an agent representing 472 Elm Street approached myself, and then the Board, and requested on behalf of their client, that 472 Elm Street also be included in this proposal. The Council Order before you reflects the Planning Board's support for including 472 Elm Street in the rezoning proposal.

On June 5, 2019 the Planning Board held a duly noticed Public Hearing on the proposal. Following the Public Hearing the Planning Board voted 4-0 to recommend the proposed amendment be approved by the City Council.

STAFF NOTE: While we recognize that from time-to-time Zoning Ordinance amendments may be warranted, we are in the process of finishing the Comprehensive Plan and beginning the zoning ordinance re-write. More and more, we will want to consider incremental future Zoning Ordinance amendments (such as that originally discussed here) in the context of an overall Zoning Ordinance rewrite that is consistent with the new Comprehensive Plan.

Cc: M. Eddy, Planning and Development Director

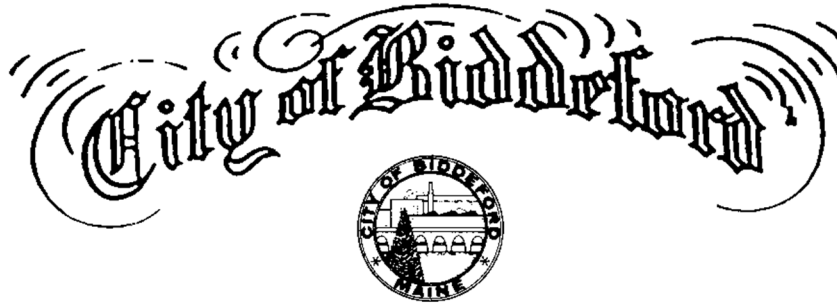


Proposed Zoning Change - R1A to B2

The City of Biddeford, Maine
Technologies Department - GIS Mapping

205 Main Street · P.O. Box 586 · Biddeford, Maine 04005-0586
 Tel. 207-571-0660 · Email gis@biddefordmaine.org





2019.64

IN BOARD OF CITY COUNCIL..JUNE 18, 2019

BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, MOTOR VEHICLES & TRAFFIC, **Section 42-66 Beach permit parking regulations enumerated, Sub-section (2) & (3).** is amended by adding or ~~deleting~~ to read as follows:

(2) For the purpose of this section, the word “resident” shall meet one of the following criteria:

- a. Person who pays real estate property taxes to the City;
- b. Person who is a registered voter in the City;
- c. Person who can provide a vehicle registered both in the City and the State of Maine. All residents of the City may obtain parking permits for compliance with this Section for a fee of ~~\$25~~ \$28 for the first vehicle, \$15 per additional vehicle registered at the same address, \$15 for residents 65 and older, payable to the City Clerk. Proof of eligibility will be the burden of the applicant.

(3) Persons ineligible under Subsection (2) may obtain a parking permit to be in compliance with this section for a fee of ~~\$125~~ \$153 for a season permit; ~~\$65~~ \$79 for a seven-day permit; ~~\$40~~ \$46 for a three-day permit; and ~~\$20~~ \$22 for a one-day permit. The seven-day and three-day permits are valid in consecutive days only, and are not transferable from vehicle to another.

NOTE: This item was submitted by Councilor Michael Swanton; and was reviewed by the Policy Committee at their June 10, 2019 meeting with a unanimous vote to forward to Council for approval.

June 18, 2019

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

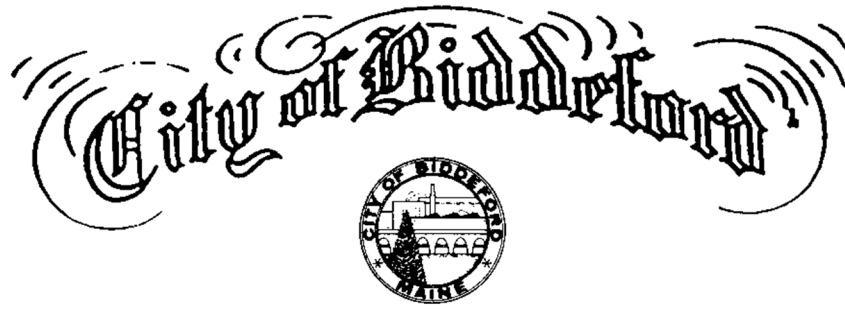
Motion by Councilor Swanton, seconded by Councilor Lessard to amend by adding that the new beach permit fees will become effective September 3, 2019.

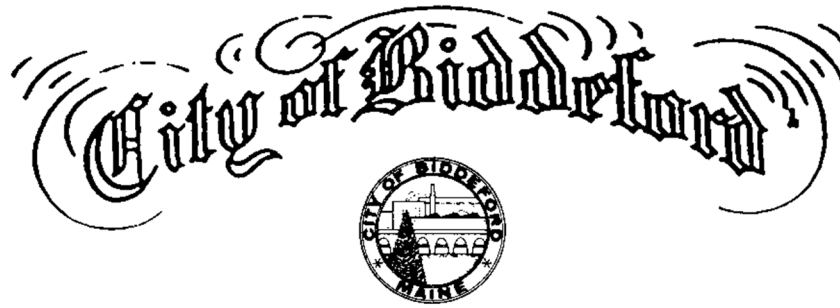
Vote: 8/1; Councilor McCurry opposed.

Councilors Swanton, St. Cyr, Quattrone, Clearwater, Belanger, Ready, Seaver and Lessard in favor. Motion carries.

Vote on ordinance, as amended: 7/2; Councilors McCurry and Ready opposed.

Councilors Swanton, St. Cyr, Quattrone, Clearwater, Belanger, Seaver and Lessard in favor. Motion carries.





2019.67

IN BOARD OF CITY COUNCIL...JULY 2,2019

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 22, 2019 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.



To: Carmen Morris, City of Biddeford

Subject: Request for Waiver of Park Alcohol Consumption Rule

Date: June 17, 2019

This is an official request to have the City Council consider approving our request to allow the consumption of alcoholic beverages during our annual Chamber Member Appreciation Barbecue. Here are details concerning this event proposal:

NAME OF EVENT: Chamber Member Appreciation Barbecue

SPONSOR – Biddeford & Saco Chamber of Commerce

DATE/TIME – August 22, 2019, 5:00pm – 8:00pm

LOCATION – Mechanics Park, Biddeford

EST. ATTENDANCE – 100 Chamber of Commerce Members

CONSUMPTION – 2 Tickets for each member for beer or wine (free/not sold)

ALCHOL SERVERS – TnT Entertainment Services, Kennebunk (certified servers)

Thank you,

Jim LaBelle, Executive Director

(207) 282-1567

APPLICATION NUMBER: _____

**CITY OF BIDDEFORD
SPECIAL EVENT APPLICATION**

City of Biddeford
P.O. Box 586
Biddeford, ME 04005

Name of Event Member BBQ Location of Event Mechanics Park
Date of Event: 8/22/19 Start Time 5:00 Finish Time 8:00

Detailed and specific description of Event (attached separate sheet if necessary)

Chamber member appreciation Barbecue

Estimated # of Participants 100 Estimated Attendance 100

Type of Event:

- ☐ Festival/Fair With Alcohol: Yes: X ** No: _____
- ☐ Race/Walk/Bike Ride
- ☐ Concert
- ☐ Parade/March
- ☐ Other – Please Specify: Membership BBQ

**** NOTE:** If alcohol is being sold, a Separate License must be obtained through application at City Clerk's Office, and must be approved by the City Council.

What impact will this have upon the surrounding neighborhood? (Noise, Traffic, etc.) Please explain:

A slight increase likely in temporary noise and traffic during the 3-hour event.

APPLICATION NUMBER: _____

**INDEMNIFICATION AND RELEASE PROVISIONS
CITY OF BIDDEFORD SPECIAL EVENT PERMIT**

**EFFECTIVE 7-6-2017 THE FOLLOWING
FEES WILL APPLY:**

Administrative fee	\$25.00
Parade Permit fee	\$50.00
Block Party Permit fee	\$75.00
Mass Gathering fee	\$100.00

A. In consideration for being permitted to use the facilities and/or rights-of-way of the City of Biddeford, (hereinafter "City"), Biddeford Saco Chamber of Commerce
(insert name of person/entity seeking permission to use facilities and/or right-of-way, hereinafter "Applicant") agrees to indemnify and hold harmless the City, its officers, employees, and insurers, from and against all liability, claims, and demands, which are incurred, made, or brought by any person or entity on account of damage, loss, or injury, including without limitation claims arising from property loss, or damage, bodily injury, personal injury, sickness, disease, death, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with the use of the facilities and/or rights-of-way, whether any such liability, claims, and demands result from the act, omission, negligence, or other fault on the part of the City, its officers, or its employees, or from any other cause whatsoever.

B. By signing below, Applicant agrees that in the event of damage, loss or injury to the facilities or to any property or equipment therein or to the City rights-of-way, the City may deduct from any damage deposit the full amount of such damage, loss, or injury. Applicant further agrees that if such damage, loss, or injury exceeds the amount of the damage deposit, Applicant will promptly reimburse the City for all costs associated therewith upon billing by the City.

C. In addition, in consideration for being permitted or allowed to use the facilities and/or right-of-way, Applicant on behalf of itself and its officers, employees, members, and participants, hereby expressly exempts and releases the City, its officers, employees, insurers, from and against all liability, claims, and demands, on account of injury, loss, or damage, including without limitation claims arising from property loss or damage, bodily injury, personal injury, sickness, disease, or death, that Applicant may incur as a result of such use, whether any such liability claims and demands result from the act, omission, negligence, or other fault on the part of the City, its officer, or its employees, or from any other cause whatsoever.

D. In addition, Biddeford + Saco Chamber of Commerce has furnished and attached two copies of certificates of insurance with the City of Biddeford named as an additional insured in the amount of \$400,000 unless a greater amount is warranted.

James R. LaBelle
Signature of Applicant

June 14, 2019
Date

James R. LaBelle
Printed Name of Applicant

APPLICATION NUMBER: _____

Describe the means by which the neighborhood (residents and businesses) will be notified of this event and its public hearing:

Posting of event advertisement on Chamber windows
(across the street) and at Mechanics Park that day before (8/21).

Organization (Applicant) Information

Name of Organization or Name of Applicant if NOT an Organization

Biddeford & Saco Chamber of Commerce

Physical Address: 28 Water St. Biddeford, ME 04005

Mailing Address: (same)

Business Telephone: (207) 282-1567 Fax _____ E-mail jim@biddefordsaco.org

Income Tax Exempt: Yes: ☒ No: _____ Tax Exempt Number: _____

Contact Person/Event Coordinator

Name & Address

Jim Labella

Telephone 282-1567 Cellular _____ E-Mail jim@biddefordsaco.org

Relationship Organization: Exec. Director

General Service Questions

Department of Public Works

Is the use of barricades necessary/requested for this event? NO

If yes, number needed _____

Will it be necessary to cover street and/or parking signs for this event? NO If yes, please note on diagram.

What is your plan for cleanup and debris disposal for this event?

Chamber Board Members to clean up

Is any other Public Works assistance anticipated?

NO

Parks and Recreation Department

APPLICATION NUMBER: _____

Will this event take place in a Public Right of Way, Public Way, City Park or athletic field? _____

If yes, where

PUBLIC PARK (Mechanics Park)

Will tenting/staging be utilized for this event? NO If yes, what is your plan to repair any damage caused by stakes, tie-downs, etc? _____

Any Parks and Recreation assistance required? NO

Fire Department

Will the Fire Department have access to all sites in the event of an emergency?

Yes

Will any fire hydrants be obstructed? NO Will you have access to E 9-1-1?

Will you have First Aid or medical staff present?

NO

***** If First aid or Medical Staff is needed, The Biddeford Fire Department can provide for a fee. Please Contact the Biddeford Fire Department at 207-282-6632 for details.*****

Police Department

Is traffic control necessary for this event? NO If yes, who will provide it?

Is crowd control necessary for this event? NO If yes, who will provide it?

Other

All vendors *must* obtain proper licenses/permits from the City Clerk's office (284-9307).

APPLICATION NUMBER:_____

Indemnification agreement/insurance certificate must be attached to this application at the time of submission. Site Plan Sketch may be accompanied by a separate map, if necessary.

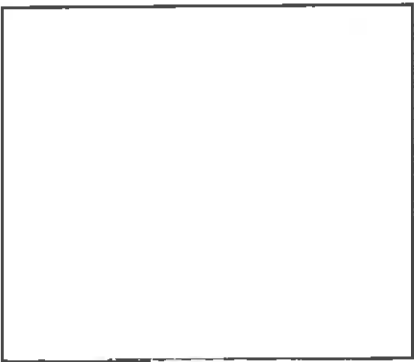
SITE PLAN SKETCH OF SPECIAL EVENT (Completed by Event Coordinator)

In the space below, please provide the following information. Attach a separate map if necessary.

General Map of Location
Event Coordinator’s Booth
Tents/Stages/Grandstands
Rest Facilities

Vender Locations
Garbage Cans
Water Sources

Street Closures/Parking Information
Water/Electricity Sources
Loudspeakers

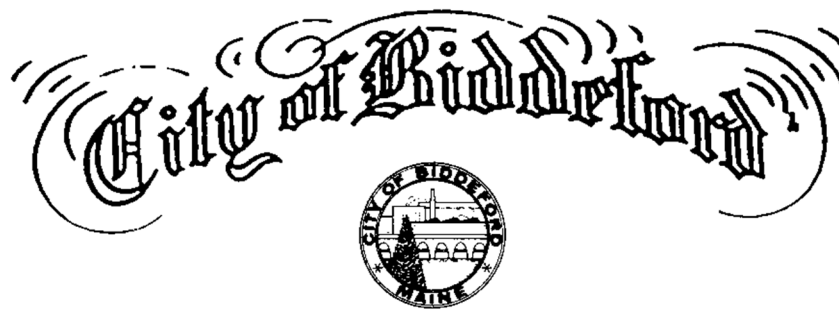


APPLICATION NUMBER: _____

Applicant's Statement of Agreement

Everything I have stated on this agreement is correct to the best of my knowledge. This permit, if granted, is not transferable and is revocable at any time at the discretion of the City of Biddeford. I understand that the issuance of this permit is contingent upon compliance with any and all conditions imposed by the City of Biddeford or its officers.

Applicant Signature: James J. Belles Date 6/12/19



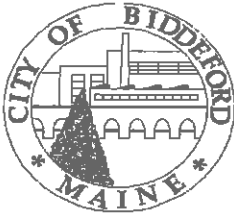
2019.68

IN BOARD OF CITY COUNCIL.....JULY 2, 2019

BE IT ORDERED, that the City Manager be authorized to purchase a truck lift, including the installation, at Public Works as per Sourcewell Contract (NJPA) (the “Equipment”) from Automotive Garage Tools (the “Vendor”) and may pay the Vendor an amount not to exceed \$199,030.48 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 \$199,030.48;
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 \$199,030.48, (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 July 2, 2019 and vote to recommend it to the City Council for approval. The purchase of the truck lift is included in the FY20 CIP budget as a lease.



City of Biddeford, Maine

Public Works Department

371 Hill Street Biddeford, Maine 04005
Phone: (207) 282-1579 Fax: (207) 286-9395

To: Finance Committee
From: Public Works Dept.
RE: 70,000 lbs. capacity in ground truck lift

The Public Works Department is seeking approval to replace the 70,000 lbs. truck lift in the maintenance area. The current lift is 33 years old and has exceeded its life expectancy and is becoming safety concern, and because of its age repairing it is no longer an option. We are recommending using the Sourcewell contract (NJPA) which is a National Government bid, and having the Automotive Garage Tools do the installation for the amount of \$199,030.48. This price includes all of the work and materials, if we help with the project and provide materials we will be able to save about \$18,000.00, so we will be planning on working with the vendor as much as we can. This lift was approved in the FY20 CIP budget as a lease.

Rotary Lift Sourcewell Contract Quotation

Contract Number: 061015-RRL



Quote # : 2019404

Date: 6/21/2019

Requested By: _____

Quote Expires: 7/21/2019

Payment Terms: 1/2%-15th,NET 30

Warranty: 1yr. Parts & Labor

Prepared By: Christine Bilz

***If the completion of the installation is delayed more than one month due to governmental entity delays (i.e. electrical etc.), then Rotary can request partial payment for the portion of work completed (both equipment and installation).**

Note: Quote for equipment and installation.

Project Name: City of Biddeford Member #1368

Model No.	Description	Unit Price Ea.	Qty.	Extended Price
MOD35M-21	Movable Plunger Modular Unit With 21' Track	\$ 61,889.04	1	\$ 61,889.04
MOD35S	Modular Stationary Jack Unit	\$ 37,298.42	1	\$ 37,298.42
MC235PO	For 2 Post Post Lift Config Separate Panel	\$ 14,264.18	1	\$ 14,264.18
	With VEC Equalized Control Panel Remote			
	Mounted Pendant Only Controls			
AK-HTA70-2PK	Adapter Kit for Most Heavy Duty Truck Apps	\$ 5,928.84	1	\$ 5,928.84
XXX01CTT	Installation includes labor and travel and misc	\$ 79,650.00	1	\$ 79,650.00
	construction supplies, concrete work, stone,			
	pit preparation, removal of existing inground			
	lifting system, structure to be scrapped on-			
	site			
	*does not include any contaminated soil re-			
	moval if encountered			
	*does not include any applicable sales tax			
Freight	Pre Paid By Rotary Lift			
Total Price:				\$ 199,030.48

ADDITIONAL TERMS AND CONDITIONS: By submitting a purchase order to Vehicle Service Group, LLC. (VSG), customer accepts and agrees to these terms and conditions as additional terms to the existing agreement between the parties referenced on the face of this quotation (Existing Agreement), notwithstanding anything to the contrary contained therein. All additional or different terms and conditions contained in Customer's purchase order are hereby rejected. No additional or different terms or conditions, or any modifications, changes, or amendments to these terms of the existing agreement shall be

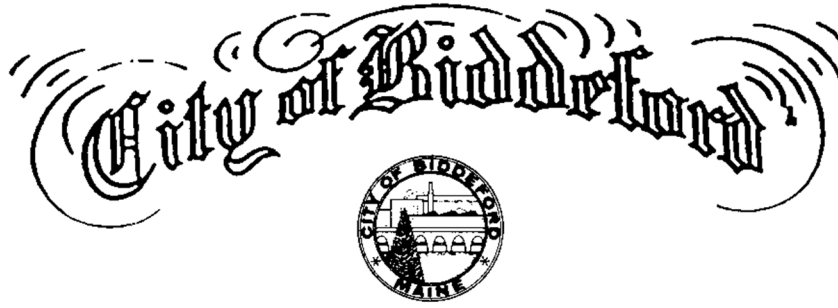
binding on VSG, unless expressly accepted by VSG in writing.

DISCLAIMER: Notwithstanding anything to the contrary in the Existing Agreement, VSG shall not be liable for any loss, damage or additional costs arising from unforeseen conditions affecting installation, including but not limited to contaminated soil, bed rock, in-floor heating system, high water conditions, or any othertype of in-ground conditions. Customer acknowledges and agrees that Customer shall be responsible for any additional costs due to such conditions, in addition to the installation price set forth herein.

DELAY: Notwithstanding anything to the contrary in the Existing Agreement, if delivery of the equipment or completion of the work is delayed by more than thirty (30) days due to the acts or omission of Customer or any third party other than VSG or its sub-contractors, VSG may require Customer to render payment for equipment manufactured or delivered, and portions of the work completed, within thirty (30) days from the date of VSG's invoice, in the amounts set forth in such invoice.

*Cancelled orders or returned goods are subject to 20% restocking fee

Sourcewell #:	061015-RRL	Rotary Lift	800.445.5438 x5655
CAGE #:	7K311	2700 Lanier Dr.	800.578.5438 Fax
Tax ID #:	90-0501347	Madison, IN 47250	
DUNS #:	00-638-2634	Christine Bilz, Government Sales Leader	



IN BOARD OF CITY COUNCIL...JULY 2, 2019
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby re-designate:

Spiros Droggitis
2 Main Street, #35-201
Ward 5

on the *Planning Board* from an Associate Member, to a Full Voting Member, for a term to expire in December 2020 (replacing Larry Patoine).

CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date: JUNE 25, 2019

Name: MICHAEL P. CANTARA

Street Address: 5 CHERRY LANE
BIDDEFORD, MAINE 04005

Mailing Address:
(if different) _____

Phone Number(s): 207 283-1525

Email Address: MICHAELCANTARA2739GMAIL.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)

BIDDEFORD PLANNING BOARD, 1984-1987
SANFORD JUVENILE TASK FORCE, 1994
BIDDEFORD JUVENILE TASK FORCE, 1994

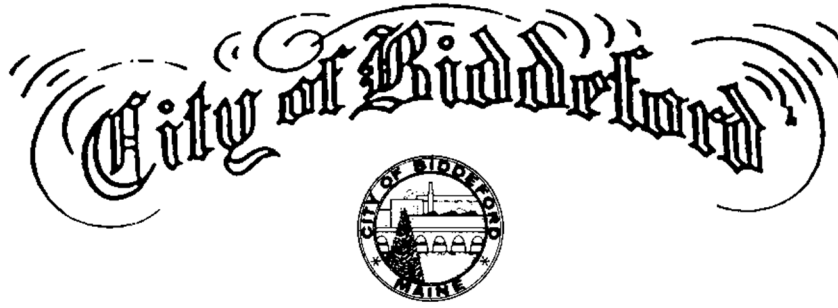
Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on.

GRADUATE OF UNIVERSITY OF MAINE SCHOOL OF LAW, J.D., 1981
MAYOR, CITY OF BIDDEFORD 1987-1988
JUDGE, MAINE DISTRICT COURT, 2007-2019

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

IT IS IMPORTANT TO GIVE BACK TO THE CITY OF
BIDDEFORD. BIDDEFORD IS HOME, IT IS WHERE I GREW UP,
IT HOLDS A SPECIAL PLACE IN MY HEART.

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

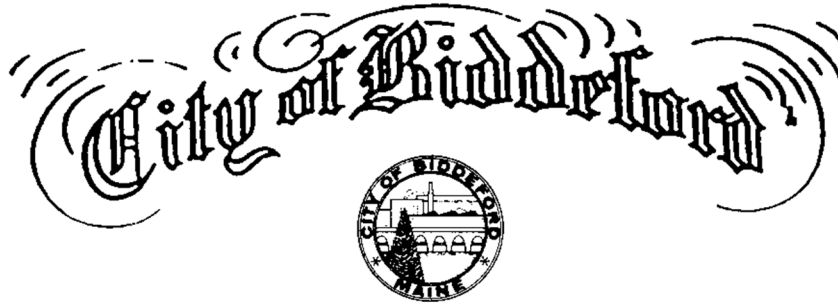


IN BOARD OF CITY COUNCIL...JULY 2, 2019

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

**Michael P. Cantara
5 Cherry Lane
Ward 7**

to the *Planning Board*, as an Associate Member, for a term to expire in December 2022.



IN BOARD OF CITY COUNCIL...JULY 2, 2019
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby
appoint:

James Emerson
127 Old Pool Road
Ward 1

to the *Cable T.V. Committee*, for a term to expire in December 2022.

CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date: June 26, 2019

Name: Jim Emerson

Street Address: 127 Old Pool Road, Biddeford

Mailing Address:
(if different) _____

Phone Number(s): 207-209-7254

Email Address: japemerson@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)

Biddeford City Council, Biddeford School Committee, Cable TV Committee, Capital Projects Committee
Police Commission, Biddeford Old Orchard Beach Transit Committee, Solid Waste Committee,
School Finance Committee, School Policy Committee, Several Ad Hoc Committees, York County Budget
Committee, Volunteered with City Departments and at JFK in classrooms. (2007 - 2018)

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

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

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