

**COUNCIL MEETING
JULY 2, 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., Michael Ready, Laura Seaver, Marc Lessard

Amy Clearwater and Norman Belanger were excused.

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

There were no adjustments to the agenda.

Consideration of Minutes: **June 18, 2019**

Motion by Councilor Ready, seconded by Councilor McCurry 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 June 18, 2019}

**2019.58) Amendment/Land Development Regulations/Art. III-Official Zoning Map/
Extend B-2 Zone to Include 472, 480 and 486 Elm Street**

Motion by Councilor McCurry, seconded by Councilor Seaver to grant the second reading of the ordinance amendment.

Vote: Unanimous.

**2019.64) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-66-Beach permit parking
regulations enumerated/Increase Beach Permit Fees**

Motion by Councilor McCurry, seconded by Councilor Seaver to grant the second reading of the ordinance amendment.

Vote: 4/3; Councilors Ready, Lessard and McCurry opposed.

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

Motion carries.

Orders of the Day:

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.

Motion by Councilor McCurry, seconded by Councilor St. Cyr to grant the order.

Vote: 4/3; Councilors Seaver, Ready and Lessard opposed.

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

Motion carries.

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:

The City of Biddeford expects to incur debt to reimburse expenditures to pay the cost of the Equipment;

The City of Biddeford reasonably expects that the maximum principal amount of the debt, including for reimbursement purposes, is \$199,030.48;

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;

The City Manager is authorized to advance money from the General Fund of the City for payment of the costs of the Equipment; and

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.

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

Appointments:

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).

Motion by Councilor Ready, seconded by Councilor Lessard to confirm the appointment.
Vote: Unanimous.

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.

Motion by Councilor Ready, seconded by Councilor Lessard to confirm the appointment.
Vote: Unanimous.

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.

Motion by Councilor Ready, seconded by Councilor Lessard to confirm the appointment.
Vote: Unanimous.

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 no report.

Other Business:

Councilor Ready: asked the City Manager and Staff to take the necessary steps to extend the median on Route 111 (Alfred Street) in front of the Starbucks entrance. The median should extend in such a way that no left turn can be made into Starbucks coming from the south; and no left turn can be made exiting Starbucks. With the way the median is now, that is a dangerous location.

Councilor McCurry: echoed Councilor Ready's concern about the traffic issue at Starbucks and agrees that something needs to be done.

During Public Addressing the Council, the citizen who spoke made a comment that it seems as though the Council makes big decisions during the summer months when folks are not around and don't attend Council Meetings. Councilor McCurry pointed out that there are rarely citizens who attend the Council Meetings – at any time of the year, and he really does not know why that is.

Councilor McCurry would like to ask the Downtown Development Commission to work with the downtown businesses to determine where the free parking is for downtown customers; and the best way to direct folks to those free parking spots. The idea is that businesses should not be losing business or informing customers that they will need to pay for parking, since there is plenty of free parking on the streets and in the Yellow Parking Lot (first 2 hours are free).

Councilor Lessard: has been to the Recycling Facility quite a few times over the past few weeks and he is glad to see that Public Works Staff are checking for proof of residency and that folks are disposing of their stuff properly. He feels that operations there are running smoothly and the employees are doing a very good job.

Council President Addressing the Council: Councilor McCurry thanked all the citizens who came out for the General Meeting of Citizens last week. His recollection is that a few years back, the parking referendum discussion was about building a private/public parking garage at the old Westpoint Mill campus. It was at this time that there was talk about installing parking meters on Main Street, with the intent to force people into the proposed parking garage. It was this discussion that had riled enough citizens to come up with the 2014 Citizen Initiative Referendum question. He also recalls that part of the discussion back then was building the parking garage on the site of the Federal/Franklin Street parking lot.

Over the years, there has also been discussion that with the redevelopment of the Mills, the Mills should be providing their own parking, and Councilor McCurry agrees with this. He went on to say that he does not think that his tax dollars should be used to provide free parking to business owners in the downtown area. For this reason, he has supported paid parking in the lots, while maintaining free parking on the downtown streets for diners and shoppers.

In his research, he has determined that there are approximately 181 residents who live on Main Street. He does not feel that the City should be providing free parking for residents who live in the downtown. Residents in other parts of the City do not receive free snow removal from their driveways/properties, and therefore, all residents should be treated the same.

He believes that the current parking program is instrumental in growing the downtown; and therefore, increasing valuations and effectively keeping the tax rate from increasing so much. That said, he noted that the City did a poor job with communicating about the parking program, which is why he'd like to see the Downtown Development Commission work with the downtown businesses to get the word out about where the free parking is for their customers.

Mayor Addressing the Council: Mayor Casavant thanked all the LaKermesse volunteers and expressed how much time is put into ensuring the success of the festival each year.

Mayor Casavant shared that he recently spoke with a downtown business owner and they agreed that change is sometimes difficult. With the new parking program, the biggest change is that the downtown business owners and employees have been forced off the streets and into the paid parking lots. In doing this, it has opened up the free parking on the streets to customers, diners and shoppers.

He noted that the parking plan was the next step in making Biddeford a viable, vibrant and growing community. All the pieces need to fit together, and the parking issue cannot be dealt with in isolation from everything else going on in the City. While there have been flaws in the implementation of the parking program, he believes the program has been drafted responsibly and not with the intention to make things difficult for folks. The decisions that have been made have been for the best of the whole City. He thanked the Council for making these tough decisions and for all the work they've put into the parking program.

Executive Session: 1 MRSA 405(6)(A)...Employee Evaluation (possible action)

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

Vote: Unanimous.

Time: 6:35 p.m.

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

Vote: Unanimous.

Time: 6:58 p.m.

Motion by Councilor McCurry, seconded by Councilor Lessard to amend the City Manager's Employment Contract to extend the contract by one year; to increase his salary by 2.5%; to remove the provision that 2 weeks of vacation may be bought back; and to add that 2 weeks of vacation may be carried over, but must be used within the first 60 days of the new contract year.

Vote: Unanimous.

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

Vote: Unanimous.

Time: 7:04 p.m.

Attest by: _____

Carmen J. Morris, City Clerk