

City of Biddeford
City Council
June 06, 2017 6:00 PM Council Chambers

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Adjustment(s) to Agenda**
- 4. Recognition:**
 - 4.a. Newly Hired Police Officers
- 5. Presentation:**
 - 5.a. Biddeford Historical Society
- 6. Consideration of Minutes:**
 - 6.a. May 16, 2017 Council Meeting Minutes
[5-16-2017 Council Meeting Minutes.docx](#)
 - 6.b. May 18, 2017 Special Council Meeting - 1st Reading of City Government Budget
[5-18-2017 Special Council Meeting-1st Reading-City Budget.docx](#)
 - 6.c. May 24, 2017 Special Council Meeting Minutes - 2nd Reading of City Government Budget
[5-24-2017 Special Council Meeting-2nd Reading-City Budget.docx](#)
- 7. Second Readings:**
 - 7.a. 2017.39) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-90-No Parking/Add on Summit Street
[5-02-2017 Summit Street No Parking.docx](#)
 - 7.b. 2017.50) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-64-Fees for parking violations/Fee Increases
[5-16-2017 Parking Fees Increase Amendments.docx](#)
 - 7.c. 2017.51) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-92.1 - Waiver of parking fees under specific circumstances/Delete Entire Section
[5-16-2017 Repeal waiver of parking fees.docx](#)
 - 7.d. 2017.52) Amendment/Ch. 18, Buildings and Building Regulations/Sec. 18-61-Permit fee schedule/Increase Construction Permit Fee; and Sec. 18-158-Electrical Permit Fees/Add Administrative Fees
[5-16-2017 Building & Electrical Permit Fee Increases.docx](#)
 - 7.e. 2017.53) Amendment/Ch.42, Motor Vehicles & Traffic/Sec. 42-66-Beach permit parking regulations enumerated/Increase in all beach permit fees
[5-16-2017 Beach Permits-Increase in fees.docx](#)
 - 7.f. 2017.54) Amendment/Ch. 6, Amusements, Art. IV-Special Events, Sec. 6-143-Permit required/Add Special Event Permit Fees
[5-16-2017 Ch 6-Special Event Permit Fees.doc](#)
- 8. Orders of the Day:**
 - 8.a. 2017.57) Amendment/Land Development Regulations/Accessory Dwelling Units

Amendments

[6-06-2017 Accessory Dwelling Units Amendment-ORDER.docx](#)

[6-06-2017 ADU Amendment-MEMO.pdf](#)

- 8.b. 2017.58) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-90-No Parking/Add on Dartmouth Street

[6-06-2017 Dartmouth Street No Parking Amendment.docx](#)

- 8.c. 2017.59) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-90-No Parking/Add on Round Hill Street

[6-06-2017 Round Hill Street - No Parking.docx](#)

- 8.d. 2017.60) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-92-Limited Parking/Add on Yates Street

[6-06-2017 Yates Street - Limited Parking.docx](#)

- 8.e. 2017.61) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-99-No Through Trucks/Grayson Street to Hill Street

[6-06-2017 No Through Trucks-Grayson to Hill.doc](#)

- 8.f. 2017.62) Confirmation/City Manager's Appointment of Finance Director

[6-06-2017 Appt-Finance Director-Fournier.docx](#)

- 8.g. 2017.63) Authorization/Transfer of Funds/Payoff Community TV Loan

[6-06-2017 Public Access Fund Transfer-ORDER.docx](#)

[6-06-2017 Cable TV Construction Loan Payoff-MEMO.docx](#)

- 8.h. 2017.44) Remove from table: Council to Schedule Date, Time & Place of General Meeting of Citizens

[5-02-2017 Scheduling of General Meeting of Citizens.doc](#)

- 8.i. 2017.56) Remove from table: Amendment/Ch. 2, Administration, Art. I - In General/Add New Sec. 2-3 - Code of Ethics

[6-06-2017 Code of Ethics - REVISED.docx](#)

- 8.j. 2017.64) Acceptance/Resignation of Bob Mills as Councilor for Ward 5

[6-06-2017 Resignation-Bob Mills-Councilor.docx](#)

[6-06-2017 Resignation Letter-Bob Mills.pdf](#)

- 8.k. 2017.65) Confirmation/Appointment of Victoria Foley as Councilor for Ward 5

[6-06-2017 Appt-Councilor for Ward 5.docx](#)

9. Appointments:

- 9.a. Bob Mills...Board of Assessment Review

[6-06-2017 Appt-Mills-Board of Assessment Rev.docx](#)

[6-06-2017 Committee App - Bob Mills.pdf](#)

- 9.b. Bob Mills...Wastewater Management Commission

[6-06-2017 Appt-Mills-WWMC.docx](#)

[6-06-2017 Committee App - Bob Mills.pdf](#)

- 9.c. Bob Mills...Zoning Board of Appeals

[6-06-2017 Appt-Mills-ZBA.docx](#)

[6-06-2017 Committee App - Bob Mills.pdf](#)

10. City Manager Report

11. Public Addressing the Council..(3 minute limit per speaker; 30 minute total time limit)

12. Other Business

- 13. Council President Addressing the Council**
- 14. Mayor Addressing the Council**
- 15. Adjourn**

**COUNCIL MEETING
MAY 16, 2017**

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., Bob Mills, 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 Executive Session: 1 M.R.S.A. 405(6)(E)..Pending Litigation

Proclamations:

- **Police Week: May 14th to May 20th**

Mayor Casavant read the proclamation and thanked the personnel at the Biddeford Police Department for their dedicated service to the community.

- **Kids to Park Day: May 20th**

Mayor Casavant read the proclamation and announced that events have been planned at Clifford Park for May 20th in honor of Kids to Park Day.

Recognition: Swearing In of Fire Department Officers

City Clerk, Carmen Morris swore in Peter Anton as Captain and Matthew Leach as Lieutenant for the Biddeford Fire Department.

Game of Chance Applications: Sports Projects, Inc. (@ LaKermesse)

Motion by Councilor McCurry, seconded by Councilor Mills to recommend issuance of the Game of Chance permits to Sports Projects, Inc., to be run at LaKermesse.

Vote: 8/1; Councilor Swanton opposed.

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

Public Hearing: Three Sisters Family Restaurant

The Chair opened the Public Hearing at 6:09 p.m.

There were no public comments.

The Public Hearing was closed at 6:09 p.m.

Liquor License Consideration: Three Sisters Family Restaurant

Motion by Councilor Mills, seconded by Councilor Seaver to recommend the issuance of a liquor license to Three Sisters Family Restaurant.

Vote: Unanimous.

Consideration of Minutes: **May 2, 2017; May 10, 2017**

Motion by Councilor Ready, seconded by Councilor Seaver 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 May 2, 2017}

SCHOOL DEPARTMENT BUDGET:

Essential Programs & Services Funding Act

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

Vote: Unanimous.

School Construction Projects – Local Share

Motion by Councilor McCurry, seconded by Councilor Quattrone to grant the second reading of the order.

Vote: Unanimous.

Additional Local Funds – for School Purposes

Motion by Councilor Mills, seconded by Councilor McCurry to grant the second reading of the order.

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

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

Motion carries.

Disposition of Additional State Subsidy

Motion by Councilor Mills, seconded by Councilor Ready to grant the second reading of the order.

Motion by Councilor McCurry, seconded by Councilor Lessard to change the language which will be included on the NOTICE OF AMOUNTS to the following:

Disposition of Additional State Subsidy: The City Council has authorized the School Committee with consent of City Council to use all or part of additional state subsidy received, if any, to increase expenditures for school purposes in cost center categories approved by the School Board, increase the allocation of finances in a reserve fund approved by the School Board, and/or decrease the local cost share expectation, as defined in Title 20-A, section 15671-A(1)(B), for local property taxpayers for funding public education as approved by the School Board.

Vote on amendment: Unanimous.

Vote on order, as amended: Unanimous.

School Appropriations:

Regular Instruction

Special Education

Career & Technical Education

Other Instruction

Student & Staff Support

System Administration

School Administration

Transportation & Buses

Facilities Maintenance

Debt Service & Other Commitments

All Other Expenditures

Motion by Councilor McCurry, seconded by Councilor Mills to grant the second reading of the order.

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

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

Motion carries.

Adult Education

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

Vote: Unanimous.

Food Service

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

Vote: Unanimous.

2017.35) Amendment/Ch. 46, Parks, Sec. 46-11 – Alcoholic beverages; fires; use of closed areas/Prohibition

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

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

Councilors Swanton, McCurry, St. Cyr, Quattrone, Mills, Belanger and Lessard in favor.

Motion carries.

2017.36) Amendment/Ch. 6, Amusements, Add New Article V – Sales, Possession and Consumption of Liquor at and during Special Events on City Public Property

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

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

Councilors Swanton, McCurry, St. Cyr, Quattrone, Mills, Belanger and Lessard in favor.

Motion carries.

2017.37) Amendment/Ch. 10, Animals, Sec. 10-35-Running at large on public ways prohibited; restraint required/Unleashed Dogs

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

Vote: 8/1; Councilor St. Cyr opposed.

Councilors Swanton, McCurry, Quattrone, Mills, Belanger, Ready, Seaver and Lessard in favor.

Motion carries.

2017.38) Amendment/Ch. 46, Parks, Sec. 46-13-Parking operating policy/Dogs on City Beaches & Rotary Park

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

Vote: 8/1; Councilor St. Cyr opposed.

Councilors Swanton, McCurry, Quattrone, Mills, Belanger, Ready, Seaver and Lessard in favor.

Motion carries.

2017.46) Approval/Refinancing of the City's 2010 and 2011 Bonds

Motion by Councilor Mills, seconded by Councilor Lessard to grant the second reading of the order.

Vote: Unanimous.

Orders of the Day:

2017.47

IN BOARD OF CITY COUNCIL..MAY 16, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve and authorize the City Manager to sign, execute and submit the City's Final Draft of the CDBG Year 5 Action Plan and all associated documents in connection with the Community Development Block Grant (CDBG) Program to the U.S. Department of Housing and Urban Development.

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

Motion by Councilor McCurry, seconded by Councilor Lessard to allow Councilor Ready to abstain from this vote and the next vote due to conflict of interest.

Vote: Unanimous.

Vote: Unanimous, with Councilor Ready in abstention.

2017.48

IN BOARD OF CITY COUNCIL..MAY 16, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve and authorize to submit the City's revised Final Draft of the Citizens Participation Plan and all associated documents to the U.S. Department of Housing and Urban Development.

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

Vote: Unanimous, with Councilor Ready in abstention.

2017.49

IN BOARD OF CITY COUNCILMAY 16, 2017

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 LaKermesse Franco-Americaine to serve liquor at their festival on June 23rd, 24th and 25th, 2017 at St. Louis Field, providing that the said LaKermesse Franco-Americaine 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 a Block Party to be held at Mechanics Park on June 22nd, 2017 by LaKermesse Franco-Americaine.

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

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

Councilors Swanton, McCurry, St. Cyr, Quattrone, Mills, Belanger and Lessard in favor.

Motion carries.

2017.42

IN BOARD OF CITY COUNCIL... MAY 2, 2017

BE IT ORDERED, that City Manager, James Bennett's appointment of Cheryl Fournier to be the Finance Director for the City of Biddeford, be confirmed.

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

Vote: Unanimous.

Motion by Councilor McCurry, seconded by Councilor Mills to remove this item from the agenda without prejudice.

Vote: 7/2; Councilors Ready and Lessard opposed.

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

Motion carries.

2017.39

IN BOARD OF CITY COUNCIL..MAY 2, 2017

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**, is amended by adding or ~~deleting~~ to read as follows:

Summit Street, even-numbered side, from the intersection with Alfred Street thence northerly to the intersection with Round Hill Street.

BE IT FURTHER 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**, is amended by adding or ~~deleting~~ to read as follows:

Summit Street, odd-numbered side, from the intersection with Alfred Street thence northerly to the intersection with Round Hill Street.

NOTE: The Policy Committee considered this item at their April 24, 2017 meeting and voted unanimously to forward to the City Council with a recommendation for adoption.

Chief Beaupre's Recommendation

During the evening of May 3rd, and morning of May 4th, officers went door to door on Summit Street to elicit feedback from the residents living on that street. Of those residents contacted: four (4) were ambivalent, two (2) suggested the odd-numbered side, and two (2) didn't want any change to the existing configuration. All residents, however, expressed different levels concern about traffic movement through the area, with all citing speed as their primary concern.

Width measurements of Summit Street were taken at three (3) separate locations, and measured 21 feet 4 inches at the area closer to Elm Street, and 21 feet 6 inches at mid-point and at the area closest to Round Hill Street. The adopted road width Standard established under the Code of Ordinances Section 62-81 Table A, sets the lane width at eleven (11) feet. Using this Standard, twenty-two feet is required to allow for the unrestricted movement of traffic on a two (2) lane roadway. Traffic Standards were adopted by the City Council on May 21, 2013 under Chapter 42, section 42-86.

While I recommend that both sides of Summit Street be adopted as No Parking, the odd-numbered side seems to be the preferred choice by the residents.

Motion by Councilor Mills, seconded by Councilor McCurry to remove the ordinance amendment from the table.
Vote: Unanimous.

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

Motion by Councilor Lessard, seconded by Councilor Mills to strike the odd-numbered side, allowing for parking only on the odd-numbered side of the street.
Vote: 7/2; Councilors Ready and Seaver opposed.
Councilors Swanton, McCurry, St. Cyr, Quattrone, Mills, Belanger and Lessard in favor.
Motion carries.

Vote on ordinance amendment, as amended: 7/2; Councilors Ready and Seaver opposed.
Councilors Swanton, McCurry, St. Cyr, Quattrone, Mills, Belanger and Lessard in favor.
Motion carries.

2017.50 **IN BOARD OF CITY COUNCIL..MAY 16, 2017**
BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article III PARKING, STOPPING AND STANDING, **Section 42-64 Fees for parking violations**, is amended by adding or ~~deleting~~ to read as follows:

(a) Fees for parking violations shall be set as follows:

- (1)** Parking in snow removal or plowing area: \$15 ~~\$25~~ **\$40**
- (2)** Parking in fire lane: ~~\$30~~ **\$40**.
- (3)** Overtime parking: ~~\$15~~ **\$25**.
- (4)** Parking in a truck zone and/or loading/unloading zone: ~~\$20~~ **\$30**.
- (5)** Double parking: ~~\$30~~ **\$40**.
- (6)** Parking in no parking, etc., area: ~~\$25~~ **\$40**.
- (7)** Parking in front of fire hydrant: ~~\$30~~ **\$40**.
- (8)** Blocking driveway (upon complaint): ~~\$30~~ **\$40**.
- (9)** Parking on sidewalks: ~~\$25~~ **\$35**.
- (10)** Parking facing traffic: ~~\$15~~ **\$25**.
- (11)** Parking in a permit only zone: ~~\$25~~ **\$35**.
- (12)** Parking in a disability designated area: ~~\$200~~ **Traffic Infraction**.

All parking fines left unpaid after 30 days shall be doubled.

(b) A vehicle with three or more outstanding parking violations issued by the Police Department, and found to be in violation of any of the City parking ordinances, will be subject to towing or immobilized by the use of an auto boot. The vehicle will not be released to the owner or agent of the owner until the violations and tow charges are paid.

(c) It will be prima facie evidence that the registered owner of the vehicle committed the parking violation.

(d) The maximum fee that may be charged by a towing company for a vehicle requested to be towed by the Police Department will be at the direction of the Chief of Police.

Motion by Councilor Mills, seconded by Councilor Seaver to grant the first reading of the ordinance amendment.

Motion by Councilor Mills, seconded by Councilor Lessard to amend the ordinance to increase the *parking in snow removal or plowing area* to \$50
Vote: 3/6; Councilors Lessard, Mills and Quattrone in favor.
Councilors Swanton, McCurry, St. Cyr, Belanger, Ready and Seaver opposed.
Amendment fails.

Motion by Councilor McCurry, seconded by Councilor Mills to amend the ordinance to increase the *parking in snow removal or plowing area* to \$40.
Vote: 6/3; Councilors Seaver, Ready and Swanton opposed.
Councilors McCurry, St. Cyr, Quattrone, Mills, Belanger and Lessard in favor.
Amendment carries.

Vote on ordinance, as amended: 8/1; Councilor Ready opposed.
Councilors Swanton, McCurry, St. Cyr, Quattrone, Mills, Belanger, Seaver and Lessard in favor.
Motion carries.

2017.51 **IN BOARD OF CITY COUNCIL..MAY 16, 2017**
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 42-92.1 Waiver of parking fees under specific circumstances**, is amended by adding or ~~deleting~~ to read as follows:

~~[Ord. No. 2008.73, 9-16-2008]~~

~~A vehicle found in violation of the two-hour parking limitation, and subject to a fee under Section 42-64, shall have the first parking ticket received every six months January through June, and July through December automatically waived from payment of a fee.~~

Motion by Councilor Ready, seconded by Councilor McCurry to grant the first reading of the ordinance amendment.
Vote: 8/1; Councilor Swanton opposed.
Councilors McCurry, St. Cyr, Quattrone, Mills, Belanger, Ready, Seaver and Lessard in favor.
Motion carries.

2017.52 **IN BOARD OF CITY COUNCIL...MAY 16, 2017**
BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 18, BUILDINGS AND BUILDING REGULATIONS, Article II-Buildings, Division 3-Permits: Fee Schedule, Sec. 18-61 Permit fee schedule, is amended by adding or ~~deleting~~ to read as follows:

Effective July 1, ~~2010~~ **2017**, Building Permit Fee Schedule.

(3) Construction permits, per thousand dollars of value (after square footage is calculated): ~~\$14~~
\$14.35

BE IT FURTHER ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 18, BUILDINGS AND BUILDING REGULATIONS, Article III-Electrical Code, Division 3-Permits, Sec. 18-158 Fees, is amended by adding or ~~deleting~~ to read as follows:

(a) Effective July 1, ~~2010~~ **2017**, Electrical Permit Fee Schedule:

(1) New Residential Electrical Permit Fee Schedule. **All permits for Residential installations shall be charged a \$25.00 Administrative Fee.**

(2) New Commercial-Industrial Electrical Permit Fee Schedule. **All permits for Commercial-Industrial installations shall be charged a \$50.00 Administrative Fee.**

Motion by Councilor Lessard, seconded by Councilor McCurry to grant the first reading of the ordinance amendment.
Vote: 8/1; Councilor Ready opposed.
Councilors Swanton, McCurry, St. Cyr, Quattrone, Mills, Belanger, Seaver and Lessard in favor.
Motion carries.

2017.53

IN BOARD OF CITY COUNCIL..MAY 16, 2017

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 ~~\$20~~ \$25 for the first vehicle, ~~\$40~~ \$15 per additional vehicle registered at the same address, ~~\$40~~ \$15 for residents 65 and older, payable to the City Clerk. Proof of eligibility will be the burden of the applicant.

(3) Persons eligible under Subsection (2) may obtain a parking permit to be in compliance with this section for a fee of ~~\$120~~ \$125 for a season permit; ~~\$60~~ \$65 for a seven-day permit; ~~\$35~~ \$40 for a three-day permit; and ~~\$15~~ \$20 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.

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 the ordinance to only increase the fees stated in (3).

Vote: 3/6; Councilors Lessard, Ready and Swanton in favor.

Councilors McCurry, St. Cyr, Quattrone, Mills, Belanger and Seaver opposed.

Amendment fails.

Vote on ordinance: 7/2; Councilors Ready and Swanton opposed.

Councilors McCurry, St. Cyr, Quattrone, Mills, Belanger, Seaver and Lessard in favor.

Motion carries.

2017.54

IN BOARD OF CITY COUNCIL..MAY 16, 2017

BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 6, AMUSEMENTS, Article IV. SPECIAL EVENTS, Sec. 6-143-Permit required be amended or ~~deleted~~ by adding the following:

Sec. 6-143 Permit required.

Any person who desires to conduct or sponsor an event at a public park, public ground, or street of the City in which it could reasonably be assumed that 25 or more persons might or gather or participate shall first apply for and obtain a permit from the Codes Enforcement Office, and after collecting the fee described below, will process the application in coordination with the permitting authority as defined in under Section 6-144. Special Event Permit fees shall not be waived without City Council approval.

A. Fees required – Per Application or Per Event Day

<u>Administrative Fee -</u>	<u>\$25.00</u>
<u>Parade Permit -</u>	<u>\$50.00</u>
<u>Block Party Permit -</u>	<u>\$75.00</u>
<u>Mass Gathering (over 1,000 people) -</u>	<u>\$100.00</u>

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

Motion by Councilor Ready, seconded by Councilor Lessard to amend the ordinance to include an additional \$250 fee for events serving alcohol.

Vote: 4/5; Councilors Swanton, Belanger, Ready and Lessard in favor.

Councilors McCurry, St. Cyr, Quattrone, Mills and Seaver opposed.

Amendment fails.

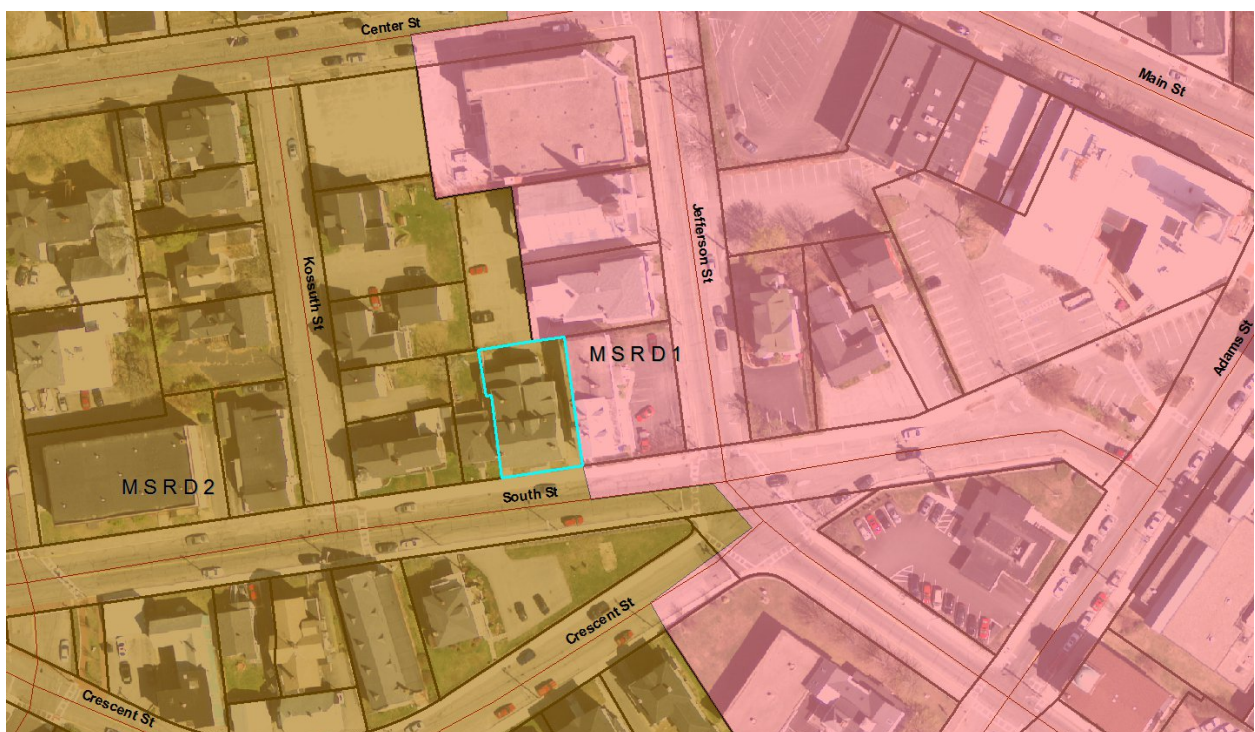
Motion by Councilor Ready, seconded by Councilor Swanton that no Special Event Permit fees shall be waived without City Council approval.
Vote: Unanimous.

Motion by Councilor Lessard, seconded by Councilor Ready to change the fee structure to “per day” rather than per event.
Vote: 8/1; Councilor Quattrone opposed
Councilors Swanton, McCurry, St. Cyr, Mills, Belanger, Ready, Seaver and Lessard in favor.
Amendment carries.

Vote on ordinance, as amended: Unanimous.

2017.55 **IN BOARD OF CITY COUNCIL..MAY 16, 2017**
BE IT ORDERED that the City Council does hereby request the Planning Board to conduct a Public Hearing and make recommendations to the City Council regarding proposed amendments to the Zoning Ordinance as outlined below.

Part III (Land Development Regulations), Article III (Official Zoning Map), is amended to rezone 38 South Street (Tax Map 38, Lot 190) from MSRD-2 to MSRD-1.



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

2017.56 **IN BOARD OF CITY COUNCIL..MAY 16, 2017**
BE IT ORDAINED, that the City Council of the City of Biddeford does hereby adopt the following Code of Ethics for all Elected and Appointed City Officials; to be included in the Code of Ordinances, **Chapter 2, Administration, Article I, Sec. 2-3 – CODE OF ETHICS**, as follows:

Ch. 2 – Administration, Article I – In General
Sec. 2-3 – Code of Ethics

There shall be a Code of Ethics for all Elected and Appointed Officials in and for the City of Biddeford:

1. Officials shall view service to the City as an opportunity to serve the public, state and nation as the best means to promote the City of Biddeford and its citizens. We are working to make Biddeford the best place to live.
2. Officials shall not make disparaging remarks about other City Officials or their opinions.

3. Officials shall remember at all times that as an individual, they have no legal authority outside the scope of their position, and will conduct their relationships with the City of Biddeford staff, the local citizenry, and all media communications on the basis of this fact.
4. Officials shall recognize that their responsibility is not to operate the City, but to see that the City is well operated.
5. Officials shall listen to all citizens but will refer all complaints to the proper authorities and will discuss such complaints only at a regular meeting after failure of an administrative solution.
6. Officials shall graciously support a decision once it has been made by a majority of the Council/Committee.
7. Officials shall not criticize City employees publicly, but shall make such comments to the City Manager for investigation and action, if necessary.
8. Officials shall make decisions only after all facts bearing on a question have been presented and discussed.
9. Officials shall refuse to make promises as to how they will vote on a matter which should properly come before the Council/Committee as a whole.
10. Officials shall not discuss the confidential business of the Council/Committee in their home, on the street or in their workplace; the place for such discussion is at the Council/Committee meetings.
11. Officials shall confine their Council/Committee action to policy making, planning or appraisal; leaving the administration of the City to the City Manager.
12. Officials shall endeavor at all times to see that the City has adequate financial support within the capabilities of the community and state, in order that every citizen may receive the best possible service.
13. Officials shall resist every temptation and outside pressure to use their position as a City Official to benefit themselves or any other individual or agency apart from the total interest of the City.
14. Officials shall attempt to attend all meetings of the Council/Committee and, if it should become necessary to miss more than three (3) consecutive regular meetings of the Council/Committee or twenty-five percent (25%) of all meetings within any six (6) month period, will meet with the Chair of the Council/Committee and explain the nature of the reason for the absence.
15. Officials shall abstain from individual action on those matters rightfully the authority of the Council/Committee.

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

Motion by Councilor McCurry to remove #2, #5 and #14.
Motion was withdrawn.

Motion by Councilor Swanton to table this ordinance amendment.
Motion was withdrawn.

Motion by Councilor Lessard, seconded by Councilor McCurry to table this ordinance and send to the Policy Committee for re-working; and bring back to the City Council at the June 6th, 2017 Council Meeting.

Vote: 5/4; Councilors Seaver, Ready, Mills and Swanton opposed.

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

Motion to table carries.

Appointment:

IN BOARD OF CITY COUNCIL...MAY 16, 2017

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

**Donna Tippet
77 West Street
Ward 4**

to the *Solid Waste Management Commission*, with a term to expire December 2020.

Motion by Councilor Mills, seconded by Councilor Ready to confirm the appointment.

Vote: Unanimous.

City Manager Report

City Manager, James Bennett had a couple of items:

- 1) The Downtown plantings projects is on target to be completed by Memorial Day.
- 2) In regards to the City's EMS calls, on May 9, 2017, the new survival rates were reported and the City is currently at a 42% survival rate, which is well above the national average of 10.6%.

Public Addressing the Council..(3 minute per speaker; 30 minute total time limit)

There were no comments from the public.

Other Business:

Councilor Mills: announced that he will be resigning as City Councilor for Ward 5 as of June 13th due to the fact that he is moving to a different Ward. He noted that he has served as a City Councilor for the past nine and a half years and has loved working with all his fellow Councilors. He encouraged other citizens to get into public service.

Councilor Quattrone: reminded folks that the Summer Camp for Autistic Children is still taking applications, and will be until the deadline, May 26th.

Councilor Swanton: stated that with the closing down of the bleachers at Waterhouse Field, local business man, Jim Godbout organized and headed up a volunteer effort of about 200 people to take down the bleachers and clear away the wood and steel. According to Superintendent of Schools, Jeremy Ray, the next step is to get the Waterhouse Field Commission, the School Committee and the City Council together to figure out the next steps, as well as to determine how to handle future maintenance of the field.

Councilor McCurry: reminded the Council that the petitioned for General Meeting of Citizens will be included on the June 6th council agenda and the Council will need to come up with a meeting date, time and place.

Council President Addressing the Council: Councilor McCurry thanked Jim Godbout and all the volunteers who helped with the taking down of the bleachers at Waterhouse Field.

He also announced that the Public Hearing for the City Government budget and first reading of that budget are scheduled for Thursday, May 18th at 6:00 p.m. in the Council Chambers, and he encouraged folks to attend and voice their concerns on the budget.

Mayor Addressing the Council: Mayor Casavant also thanked all the contractors and volunteers, and especially Jim Godbout, for all their efforts on the tear down of the bleachers at Waterhouse Field.

Executive Session: 1 M.R.S.A. 405(6)(E)...Pending Litigation

Motion by Councilor Ready, seconded by Councilor Lessard to move into Executive Session.
Vote: Unanimous. Time: 7:18 p.m.

Motion by Councilor McCurry, seconded by Councilor Swanton to move out of Executive Session.
Vote: Unanimous. Time: 7:34 p.m.
Motion by Councilor McCurry, seconded by Councilor Quattrone to adjourn.
Vote: Unanimous. Time: 7:34 p.m.

Attest by: _____
Carmen J. Morris, City Clerk

**SPECIAL COUNCIL MEETING
1ST READING OF CITY GOVERNMENT BUDGET
MAY 18, 2017**

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., Bob Mills, Norman Belanger, Michael Ready, Laura Seaver, Marc Lessard

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

There were no adjustments to the agenda.

City Manager, James Bennett gave a presentation on where the budget stands now, after the work of the Budget Committee. Budget Committee ended up making a little over a million dollar reduction on the proposed budget. He explained that the State has significantly cut the revenue sharing allocated to the City over the past few years. The budget is currently at a rate of \$.46 on the tax rate or 2.32% increase. 50% of homes in the community will see a drop in their tax bill (with median home of \$236,000).

Public Hearing: FY18 City Government Budget

The Chair opened the Public Hearing at 6:25 p.m.

Folks from the Biddeford Historical Society, McArthur Library and the Conservation Commission spoke and urged the Council to fully fund their respective budget requests.

The Public Hearing was closed at 7:35 p.m.

The Chair took a 10-minute recess.

Orders of the Day:

2017

IN BOARD OF CITY COUNCIL...MAY 18, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does hereby appropriate the sum of **\$31,537,575** for the CITY GENERAL FUND budget excluding Schools, Adult Education, TIF Funding and County Tax for the fiscal year commencing on July 1, 2017 and ending June 30, 2018, broken down as follows:

GENERAL GOVERNMENT	\$ 10,773,954
PUBLIC SAFETY	\$ 9,806,612
PUBLIC WORKS	\$ 4,531,210
PUBLIC SERVICES	\$ 1,197,725
SOCIAL & MUNICIPAL SERVICES	\$ 711,167
DEBT SERVICE	\$ 3,000,979
CAPITAL OUTLAYS	\$ 1,515,547
TOTAL	\$ 31,537,575 <u>\$31,437,575 (in</u> <u>personnel costs)</u>

Motion by Councilor Mills, seconded by Councilor Ready to grant the first reading of the order.

Motion by Councilor Lessard, seconded by Councilor McCurry to amend by reducing one person per department and determining what that average amount per position would be; and further, to direct the City Manager to make the determination on where those cuts should come from.

Motion was withdrawn.

Motion by Councilor Lessard, seconded by Councilor Quattrone to amend by reducing by one position, or by \$100,000, whichever is less.

Vote: 5/4; Councilor Seaver, Ready, Belanger and Mills opposed.
Councilors Swanton, McCurry, St. Cyr, Quattrone, and Lessard in favor.
Motion carries.

Motion by Councilor Belanger, seconded by Councilor Ready to amend the Social Service budget by reverting back to the original City Manager request of \$742,640.
Vote: 3/6; Councilors Belanger, Mills and Quattrone in favor.
Councilors Swanton, McCurry, St. Cyr, Ready, Seaver and Lessard opposed.
Motion fails.

Motion by Councilor Ready, seconded by Councilor Lessard to amend by increasing the Public Safety line by \$50,000 (\$40,000 in Overtime and \$10,000 in turnout gear).
Vote: 3/6; Councilors Ready, Seaver and Belanger in favor.
Councilors Swanton, McCurry, St. Cyr, Quattrone, Mills and Lessard opposed.
Motion fails.

Vote on order, as amended in the amount of \$31,437,575 –
5/4; Councilors Seaver, Ready, Belanger and Mills opposed.
Councilors Swanton, McCurry, St. Cyr, Quattrone and Lessard in favor.
1st reading carries.

2017 **IN BOARD OF CITY COUNCIL...MAY 18, 2017**
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, 2017 and ending June 30, 2018:

ESTIMATED REVENUES:

	Non-School:	\$ 9,454,943
	Education:	\$ 359,677
	Adult Education:	\$ 306,014
	State Revenue Sharing	\$ 1,360,000
	State Allocation to Education:	\$ 11,589,138
APPROPRIATIONS FROM FUND BALANCE, EDUCATION:		\$ 1,336,377
APPROPRIATIONS FROM FUND BALANCE, CITY:		\$ 0
TOTAL ESTIMATED REVENUES AND APPROPRIATIONS FROM FUND BALANCE:		\$ 24,406,149

Motion by Councilor McCurry, seconded by Councilor Mills to grant the first reading of the order.
Vote: Unanimous.

2017 **IN BOARD OF CITY COUNCIL...MAY 18, 2017**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby appropriate the sum of \$774,256 for the Biddeford Airport comprised of \$304,256 for the AIRPORT OPERATIONS FUND and \$440,000 in reimbursable grant expenses for the AIRPORT REIMBURSABLE IMPROVEMENT FUND for the fiscal year commencing on July 1, 2017 and ending June 30, 2018, and

BE IT FURTHER ORDERED, that estimated revenues to the Biddeford Airport Fund in the sum of \$618,627 comprised of \$200,627 for the AIPORT OPERTIONS FUND and \$418,000 for the AIRPORT REIMBURSA**2017**

Motion by Councilor McCurry, seconded by Councilor Mills to grant the first reading of the order.
Vote: Unanimous.
BLE IMPROVEMENT FUND be hereby adopted in support of the Biddeford Airport appropriation.

Motion by Councilor McCurry, seconded by Councilor Mills to grant the first reading of the order.

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

Councilors Swanton, McCurry, Quattrone, Mills, Belanger and Seaver in favor.

Motion carries.

2017

IN BOARD OF CITY COUNCIL...MAY 18, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does hereby appropriate the sum of **\$430,901** for the CDBG FUND for the fiscal year commencing on July 1, 2017 and ending June 30, 2018, and

BE IT FURTHER ORDERED, that the sum of **\$505,787** in estimated revenues to the CDBG Fund be hereby adopted in support of the CDBG Fund appropriation and other approved CDBG projects.

Motion by Councilor Mills, seconded by Councilor Lessard to grant the first reading of the order.

Motion by Councilor McCurry, seconded by Councilor Seaver to allow Councilor Ready to abstain from this vote.

Vote; Unanimous.

Vote: Unanimous, with Councilor Ready in abstention.

2017

IN BOARD OF CITY COUNCIL...MAY 18, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does hereby appropriate the sum of **\$266,826** for the COMMUNITY TV CENTER FUND for the fiscal year commencing on July 1, 2017 and ending June 30, 2018, and

BE IT FURTHER ORDERED, that the sum of **\$268,200** in estimated revenues to and use of Fund Balance from the Community TV Center Fund be hereby adopted in support of the above Community TV Center Appropriations.

Motion by Councilor Mills, seconded by Councilor Swanton to grant the first reading of the order.

Vote: Unanimous.

2017

IN BOARD OF CITY COUNCIL...MAY 18, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does hereby appropriate the sum of **\$42,914** for the MOORING FEES FUND for the fiscal year commencing on July 1, 2017 and ending June 30, 2018 and

BE IT FURTHER ORDERED, that the sum of **\$40,600** in estimated revenues to the Mooring Fees Fund be hereby adopted in support of the Mooring Fees Fund appropriation.

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

Vote: 8/1; Councilor St. Cyr opposed.

Councilors Swanton, McCurry, Quattrone, Mills, Belanger, Ready, Seaver and Lessard in favor.

Motion carries.

2017

IN BOARD OF CITY COUNCIL...MAY 18, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does hereby appropriate the sum of **\$129,009** for the POOL BEACH PERMITS FUND for the fiscal year commencing on July 1, 2017 and ending June 30, 2018, and

BE IT FURTHER ORDERED, that the sum of **\$96,000** in estimated revenues to the Pool Beach Permits Fund be hereby adopted in support of the Pool Beach Permits Fund appropriation.

Motion by Councilor Mills, seconded by Councilor Lessard to grant the first reading of the order.

Vote: Unanimous.

2017

IN BOARD OF CITY COUNCIL...MAY 18, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does hereby appropriate the sum of **\$575,861** for the RECREATION PROGRAMS FUND for the fiscal year commencing on July 1, 2017 and ending June 30, 2018, and

BE IT FURTHER ORDERED, that the sum of **\$563,905** in estimated revenues to the Recreation Programs Fund be hereby adopted in support of the Recreation Programs Fund appropriation.

Motion by Councilor McCurry, seconded by Councilor Lessard to grant the first reading of the order.

Vote: Unanimous.

2017

IN BOARD OF CITY COUNCIL...MAY 18, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does hereby appropriate the sum of **\$4,755,958** for the SEWER OPERATIONS FUND for fiscal year commencing July 1, 2017 and ending June 30, 2018, and detailed as follows:

Sewer Operations:	\$3,902,737
Industrial Pretreatment	\$ 66,479
Maintenance:	\$ 786,742

BE IT FURTHER ORDERED, that the sum of **\$4,491,953** in estimated revenues to the Biddeford Sewer Operations Fund be hereby adopted in support of the Sewer Operation Fund appropriation.

Motion by Councilor Lessard, seconded by Councilor Seaver to grant the first reading of the order.

Vote: 7/2; Councilors St. Cyr and McCurry opposed.

Councilors Swanton, Quattrone, Mills, Belanger, Ready, Seaver and Lessard in favor.

Motion carries.

Motion by Councilor Seaver, seconded by Councilor Swanton to adjourn.

Vote: Unanimous.

Time: 8:58 p.m.

Attest by: _____
Carmen J. Morris, City Clerk

**SPECIAL COUNCIL MEETING
2ND READING OF CITY GOVERNMENT BUDGET
MAY 24, 2017**

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., Bob Mills, Norman Belanger, Michael Ready, Laura Seaver, Marc Lessard

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

There were no adjustments to the agenda.

Second Readings:

{For a copy of the orders and first readings, see the Special Council Meeting minutes of May 18, 2017}

CITY GENERAL FUND

General Government

Public Safety

Public Works

Public Services

Social & Municipal Services

Debt Service

Capital Outlays

Motion by Councilor McCurry, seconded by Councilor Lessard to grant the second reading of the order.

Motion by Councilor Ready, seconded by Councilor Lessard to amend by adding \$10,000 to the Public Safety budget line for the Fire Dept. turnout gear.

Motion by Councilor McCurry, seconded by Councilor Mills to amend the amendment by specifying that the \$10,000 for the Fire Dept. turnout gear be taken out of the Social Services budget.

Vote: 3/6; Councilors McCurry, Lessard and Mills in favor.

Councilors Swanton, St. Cyr, Quattrone, Belanger, Ready and Seaver opposed.

Motion to amend the amendment fails.

Vote on Ready/Lessard amendment: 7/2; Councilors Mills and McCurry opposed.

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

Motion to amend carries.

Motion by Councilor Belanger, seconded by Councilor Mills to amend the General Government budget line by removing the funds for all vacation buy back.

Vote: 2/7; Councilor Belanger and Mills in favor.

Councilors Swanton, McCurry, St. Cyr, Quattrone, Ready, Seaver and Lessard opposed.
Motion to amend fails.

Motion by Councilor Belanger, seconded by Councilor Swanton to amend the Social & Municipal Services budget line by increasing it to \$710,371, shown in Councilor Belanger's handout.

Vote: 5/4; Councilors McCurry, St. Cyr, Quattrone and Ready opposed.

Councilors Swanton, Mills, Belanger, Seaver and Lessard in favor.

Motion to amend carries.

Motion by Councilor McCurry, seconded by Councilor St. Cyr to amend the budget by specifying that all new hires and promotions or wage increases need to gain Council approval.

Vote: 6/3; Councilors Seaver, Ready and Belanger opposed.

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

Motion to amend carries.

Motion by Councilor Lessard, seconded by Councilor Belanger to amend the Social & Municipal Services budget line by funding the McArthur Library at the FY17 funding level of \$478,364.

Vote: 5/4; Councilors Swanton, McCurry, St. Cyr and Ready opposed.

Councilors Quattrone, Mills, Belanger, Seaver and Lessard in favor.

Motion to amend carries.

Motion by Councilor Belanger, seconded by Councilor Lessard to amend the Social & Municipal Services budget line by increasing to \$10,000.

Vote: 1/8; Councilor Belanger in favor.

Councilors Swanton, McCurry, St. Cyr, Quattrone, Mills, Ready, Seaver and Lessard opposed.

Motion to amend fails.

Motion by Councilor McCurry, seconded by Councilor Lessard to amend the Total City Budget by reducing \$175,000 from the bottom line, with the intent to make reductions over the course of the fiscal year.

Vote: 5/4; Councilors Seaver, Ready, Belanger and St. Cyr opposed.

Councilors Swanton, McCurry, Quattrone, Mills and Lessard in favor.

Motion to amend carries.

Motion by Councilor McCurry, seconded by Councilor Lessard to amend the Debt Service budget line by reducing it by \$35,534.

Vote: Unanimous.

Motion by Councilor McCurry, seconded by Councilor Lessard to grant the second reading of the final numbers for the City Government budget:

GENERAL GOVERNMENT	\$10,773,954
PUBLIC SAFETY	\$ 9,816,612
PUBLIC WORKS	\$ 4,531,210
PUBLIC SERVICES	\$ 1,197,725
SOCIAL & MUNICIPAL SERVICES	\$ 783,511

DEBT SERVICE	\$ 2,964,511
CAPITAL OUTLAYS	\$ 1,515,547
TOTAL	\$31,583,070 (less \$250,000 in unallocated reductions)

Vote: 7/2; Councilors Ready and Seaver opposed.
Councilors Swanton, McCurry, St. Cyr, Quattrone, Mills, Belanger and Lessard in favor.
Motion to grant second reading of the City Government Budget carries.

ESTIMATED REVENUES/FUND BALANCE APPROPRIATION

**Non-School
Education
Adult Education
State Revenue Sharing**

Motion by Councilor McCurry, seconded by Councilor Lessard to grant the second reading of the order.

Vote: Unanimous.

AIRPORT OPERATIONS FUND

Motion by Councilor McCurry, seconded by Councilor Mills to grant the second reading of the order.

Vote: 5/4; Councilors Lessard, Ready, Quattrone and St. Cyr opposed.

Councilors Swanton, McCurry, Mills, Belanger and Seaver in favor.

Motion carries.

CDBG FUND

Motion by Councilor McCurry, seconded by Councilor Lessard to grant the second reading of the order.

Motion by Councilor McCurry, seconded by Councilor Lessard to allow Councilor Ready to abstain from this vote.

Vote: Unanimous.

Vote: Unanimous, with Councilor Ready in abstention.

COMMUNITY TV CENTER FUND

Motion by Councilor Mills, seconded by Councilor Seaver to grant the second reading of the order.

Vote: 8/1; Councilor Lessard opposed.

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

Motion carries.

MOORING FEES FUND

Motion by Councilor Lessard, seconded by Councilor Ready to grant the second reading of the order.

Vote: 7/2; Councilors Quattrone and St. Cyr opposed.

Councilors Swanton, McCurry, Mills, Belanger, Ready, Seaver and Lessard in favor.
Motion carries.

POOL BEACH PERMITS FUND

Motion by Councilor McCurry, seconded by Councilor Lessard to grant the second reading of the order.

Vote: 7/2; Councilors St. Cyr and Quattrone opposed.

Councilors Swanton, McCurry, Mills, Belanger, Ready, Seaver and Lessard in favor.
Motion carries.

RECREATION PROGRAMS FUND

Motion by Councilor Ready, seconded by Councilor Lessard to grant the second reading of the order.

Vote: 7/2; Councilors St. Cyr and Quattrone opposed.

Councilors Swanton, McCurry, Mills, Belanger, Ready, Seaver and Lessard in favor.
Motion carries.

SEWER OPERATIONS FUND

Motion by Councilor Lessard, seconded by Councilor Ready to grant the second reading of the order.

Motion by Councilor Ready, seconded by Councilor Lessard to amend the order to reduce the Sewer Operations budget by \$166,266 to reflect removal of the CSO Bond expenses for a new total of \$3,736,471; bringing the new Sewer Operations Fund expense total to \$4,589,692 and increasing estimated revenues by \$97,739 for a new Sewer Operations Fund revenue total of \$4,589,692.

Vote: 8/1; Councilor McCurry opposed.

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

Vote on second reading, as amended: 8/1; Councilor McCurry opposed.

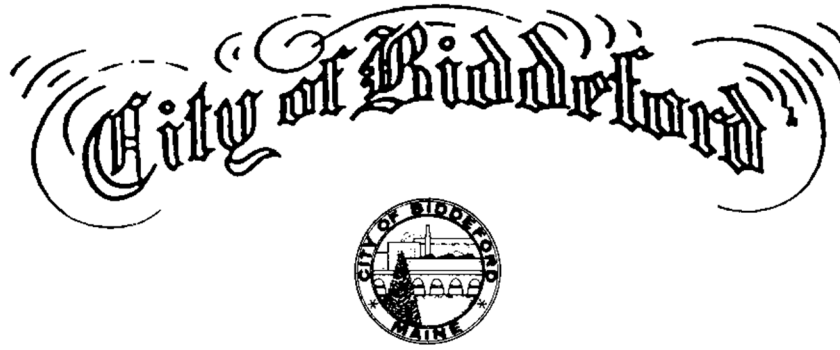
Councilors Swanton, St. Cyr, Quattrone, Mills, Belanger, Ready, Seaver and Lessard in favor.
Second reading carries.

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

Vote: Unanimous.

Time: 7:41 p.m.

Attest by: _____
Carmen J. Morris, City Clerk



2017.39

IN BOARD OF CITY COUNCIL..MAY 2, 2017

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**, is amended by adding or ~~deleting~~ to read as follows:

Summit Street, even-numbered side, from the intersection with Alfred Street thence northerly to the intersection with Round Hill Street.

BE IT FURTHER 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**, is amended by adding or ~~deleting~~ to read as follows:

Summit Street, odd-numbered side, from the intersection with Alfred Street thence northerly to the intersection with Round Hill Street.

NOTE: The Policy Committee considered this item at their April 24, 2017 meeting and voted unanimously to forward to the City Council with a recommendation for adoption.

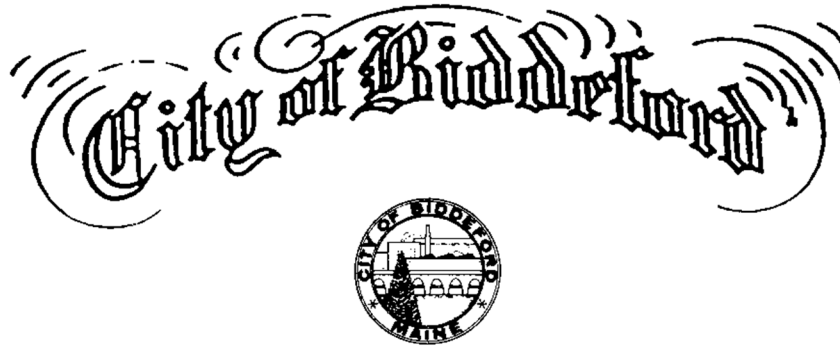
May 2, 2017

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

Motion by Councilor Lessard, seconded by Councilor Mills to amend the ordinance by eliminating the No Parking on the even-numbered side of the street; therefore, only approving the No Parking on the odd-numbered side.

Motion by Councilor Ready, seconded by Councilor McCurry to table this ordinance amendment back to the Policy Committee for further discussion and recommendation from the Police Chief.

Vote: Unanimous.



Chief Beaupre's Recommendation

During the evening of May 3rd, and morning of May 4th, officers went door to door on Summit Street to elicit feedback from the residents living on that street. Of those residents contacted: four (4) were ambivalent, two (2) suggested the odd-numbered side, and two (2) didn't want any change to the existing configuration. All residents, however, expressed different levels concern about traffic movement through the area, with all citing speed as their primary concern.

Width measurements of Summit Street were taken at three (3) separate locations, and measured 21 feet 4 inches at the area closer to Elm Street, and 21 feet 6 inches at mid-point and at the area closest to Round Hill Street. The adopted road width Standard established under the Code of Ordinances Section 62-81 Table A, sets the lane width at eleven (11) feet. Using this Standard, twenty-two feet is required to allow for the unrestricted movement of traffic on a two (2) lane roadway. Traffic Standards were adopted by the City Council on May 21, 2013 under Chapter 42, section 42-86.

While I recommend that both sides of Summit Street be adopted as No Parking, the odd-numbered side seems to be the preferred choice by the residents.

May 16, 2017

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

Vote: Unanimous.

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

Motion by Councilor Lessard, seconded by Councilor Mills to strike the odd-numbered side, allowing for parking only on the odd-numbered side of the street.

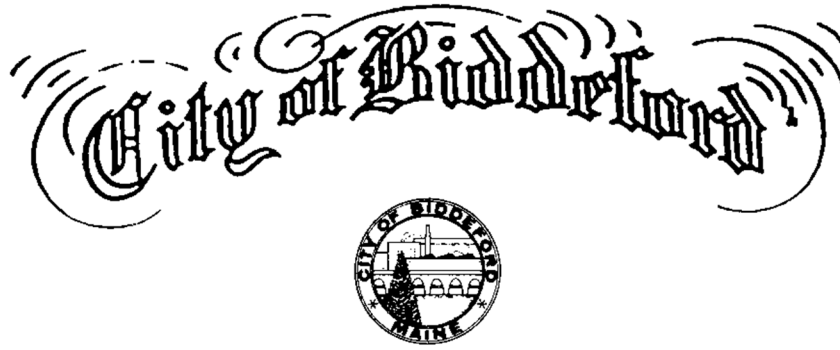
Vote: 7/2; Councilors Ready and Seaver opposed.

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

Vote on ordinance amendment, as amended: 7/2; Councilors Ready and Seaver opposed. Councilors Swanton, McCurry, St. Cyr, Quattrone, Mills, Belanger and Lessard in favor. Motion carries.

City of Biddeford





2017.50

IN BOARD OF CITY COUNCIL..MAY 16, 2017

BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article III PARKING, STOPPING AND STANDING, **Section 42-64 Fees for parking violations**, is amended by adding or deleting to read as follows:

(a) Fees for parking violations shall be set as follows:

- (1) Parking in snow removal or plowing area: \$15 ~~\$25~~ **\$40**
- (2) Parking in fire lane: ~~\$30~~ **\$40**.
- (3) Overtime parking: ~~\$15~~ **\$25**.
- (4) Parking in a truck zone and/or loading/unloading zone: ~~\$20~~ **\$30**.
- (5) Double parking: ~~\$30~~ **\$40**.
- (6) Parking in no parking, etc., area: ~~\$25~~ **\$40**.
- (7) Parking in front of fire hydrant: ~~\$30~~ **\$40**.
- (8) Blocking driveway (upon complaint): ~~\$30~~ **\$40**.
- (9) Parking on sidewalks: ~~\$25~~ **\$35**.
- (10) Parking facing traffic: ~~\$15~~ **\$25**.
- (11) Parking in a permit only zone: ~~\$25~~ **\$35**.
- (12) Parking in a disability designated area: ~~\$200~~ **Traffic Infraction**.

All parking fines left unpaid after 30 days shall be doubled.

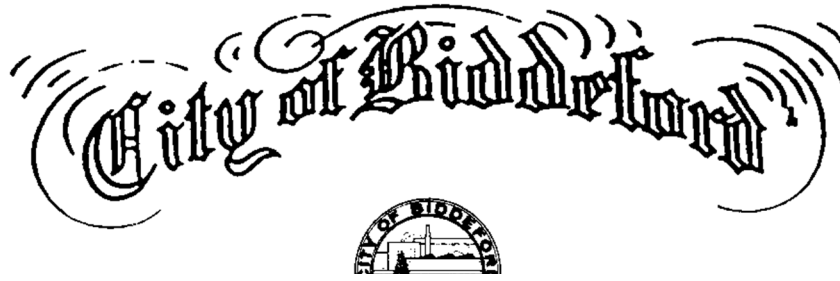
(b) A vehicle with three or more outstanding parking violations issued by the Police Department, and found to be in violation of any of the City parking ordinances, will be subject to towing or immobilized by the use of an auto boot. The vehicle will not be released to the owner or agent of the owner until the violations and tow charges are paid.

(c) It will be prima facie evidence that the registered owner of the vehicle committed the parking violation.

(d) The maximum fee that may be charged by a towing company for a vehicle requested to be towed by the Police Department will be at the direction of the Chief of Police.

May 16, 2017

Motion by Councilor Mills, seconded by Councilor Seaver to grant the first reading of the ordinance amendment.



Motion by Councilor Mills, seconded by Councilor Lessard to amend the ordinance to increase the *parking in snow removal or plowing area* to \$50

Vote: 3/6; Councilors Lessard, Mills and Quattrone in favor.

Councilors Swanton, McCurry, St. Cyr, Belanger, Ready and Seaver opposed.

Amendment fails.

Motion by Councilor McCurry, seconded by Councilor Mills to amend the ordinance to increase the *parking in snow removal or plowing area* to \$40.

Vote: 6/3; Councilors Seaver, Ready and Swanton opposed.

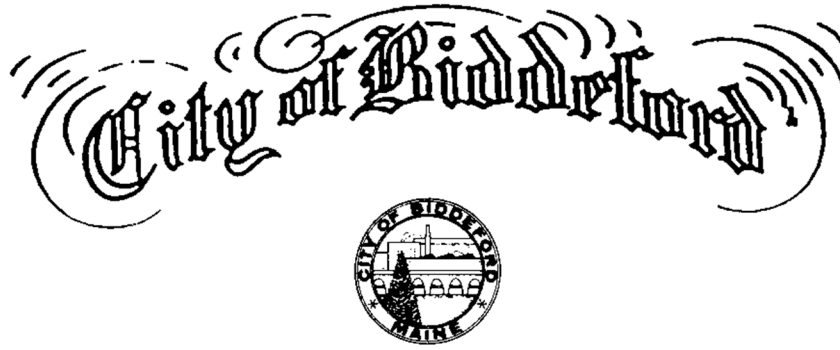
Councilors McCurry, St. Cyr, Quattrone, Mills, Belanger and Lessard in favor.

Amendment carries.

Vote on ordinance, as amended: 8/1; Councilor Ready opposed.

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

Motion carries.



2017.51

IN BOARD OF CITY COUNCIL..MAY 16, 2017

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 42-92.1 Waiver of parking fees under specific circumstances**, is amended by adding or ~~deleting~~ to read as follows:

~~Sec. 42-92.1 **Waiver of parking fees under specific circumstances.**~~

~~[Ord. No. 2008.73, 9-16-2008]~~

~~A vehicle found in violation of the two-hour parking limitation, and subject to a fee under Section **42-64**, shall have the first parking ticket received every six months January through June, and July through December automatically waived from payment of a fee.~~

May 16, 2017

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

Vote: 8/1; Councilor Swanton opposed.

Councilors McCurry, St. Cyr, Quattrone, Mills, Belanger, Ready, Seaver and Lessard in favor.

Motion carries.

City Council Agenda Item Report

Agenda Item No. 2016-1051

Submitted by: Roby Fecteau

Submitting Department: Codes Enforcement

Meeting Date: June 6, 2017

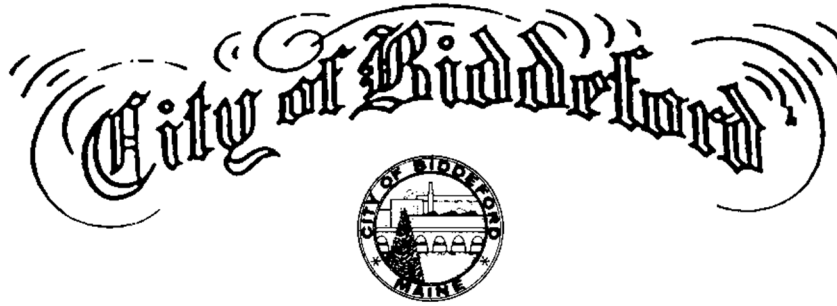
SUBJECT

2017.52) Amendment/Ch. 18, Buildings and Building Regulations/Sec. 18-61-Permit fee schedule/Increase Construction Permit Fee; and Sec. 18-158-Electrical Permit Fees/Add Administrative Fees

Recommendation:

ATTACHMENTS

- [5-16-2017 Building & Electrical Permit Fee Increases.docx](#)



2017.52

IN BOARD OF CITY COUNCIL...MAY 16, 2017

BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, **Chapter 18, BUILDINGS AND BUILDING REGULATIONS, Article II-Buildings, Division 3-Permits: Fee Schedule, Sec. 18-61 Permit fee schedule**, is amended by adding or ~~deleting~~ to read as follows:

Effective July 1, 2010 **2017**, Building Permit Fee Schedule.

(3) Construction permits, per thousand dollars of value (after square footage is calculated): \$14 **\$14.35**

BE IT FURTHER ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, **Chapter 18, BUILDINGS AND BUILDING REGULATIONS, Article III-Electrical Code, Division 3-Permits, Sec. 18-158 Fees**, is amended by adding or ~~deleting~~ to read as follows:

(a) Effective July 1, 2010 **2017**, Electrical Permit Fee Schedule:

(1) New Residential Electrical Permit Fee Schedule. **All permits for Residential installations shall be charged a \$25.00 Administrative Fee.**

(2) New Commercial-Industrial Electrical Permit Fee Schedule. **All permits for Commercial-Industrial installations shall be charged a \$50.00 Administrative Fee.**

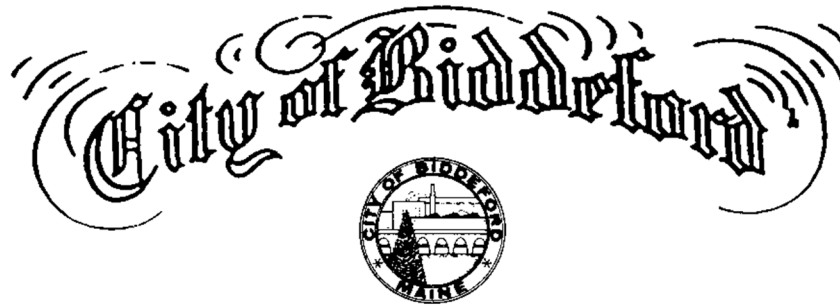
May 16, 2017

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

Vote: 8/1; Councilor Ready opposed.

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

Motion carries.



2017.53

IN BOARD OF CITY COUNCIL..MAY 16, 2017

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 \$20 \$25 for the first vehicle, \$10 \$15 per additional vehicle registered at the same address, \$10 \$15 for residents 65 and older, payable to the City Clerk. Proof of eligibility will be the burden of the applicant.

(3) Persons eligible under Subsection (2) may obtain a parking permit to be in compliance with this section for a fee of \$120 \$125 for a season permit; \$60 \$65 for a seven-day permit; \$35 \$40 for a three-day permit; and \$15 \$20 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.

May 16, 2017

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 the ordinance to only increase the fees stated in (3).

Vote: 3/6; Councilors Lessard, Ready and Swanton in favor.

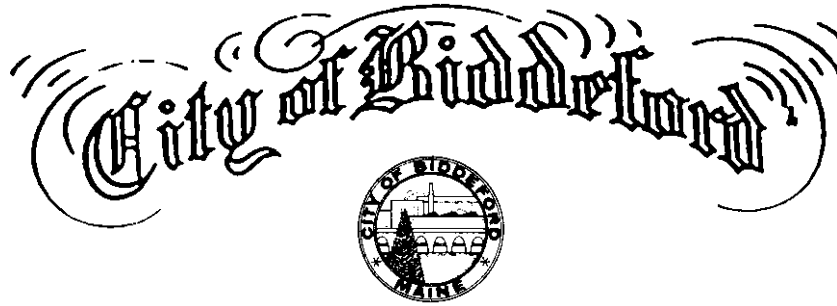
Councilors McCurry, St. Cyr, Quattrone, Mills, Belanger and Seaver opposed.

Amendment fails.

Vote on ordinance: 7/2; Councilors Ready and Swanton opposed.

Councilors McCurry, St. Cyr, Quattrone, Mills, Belanger, Seaver and Lessard in favor.

Motion carries.



2017.54 **IN BOARD OF CITY COUNCIL..MAY 16, 2017**
BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, **Chapter 6, AMUSEMENTS, Article IV. SPECIAL EVENTS, Sec. 6-143-Permit required** be amended or deleted by adding the following:

Sec. 6-143 Permit required.

Any person who desires to conduct or sponsor an event at a public park, public ground, or street of the City in which it could reasonably be assumed that 25 or more persons might or gather or participate shall first apply for and obtain a permit from the Codes Enforcement Office, and after collecting the fee described below, will process the application in coordination with the permitting authority as defined in under Section 6-144. Special Event Permit fees shall not be waived without City Council approval.

A. Fees required – Per Application or Per Event Day

<u>Administrative Fee -</u>	<u>\$25.00</u>
<u>Parade Permit -</u>	<u>\$50.00</u>
<u>Block Party Permit -</u>	<u>\$75.00</u>
<u>Mass Gathering (over 1,000 people) -</u>	<u>\$100.00</u>

May 16, 2017

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

Motion by Councilor Ready, seconded by Councilor Lessard to amend the ordinance to include an additional \$250 fee for events serving alcohol.

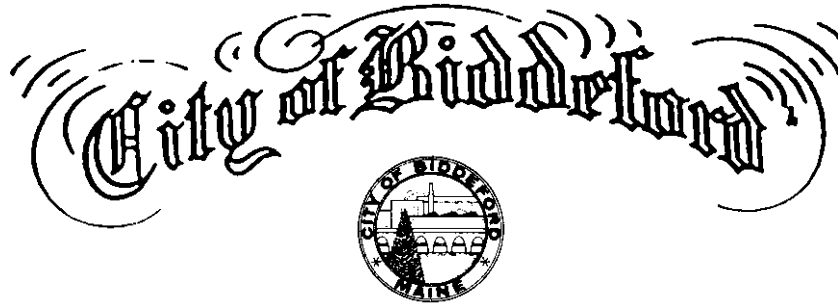
Vote: 4/5; Councilors Swanton, Belanger, Ready and Lessard in favor.

Councilors McCurry, St. Cyr, Quattrone, Mills and Seaver opposed.

Amendment fails.

Motion by Councilor Ready, seconded by Councilor Swanton that no Special Event Permit fees shall be waived without City Council approval.

Vote: Unanimous.



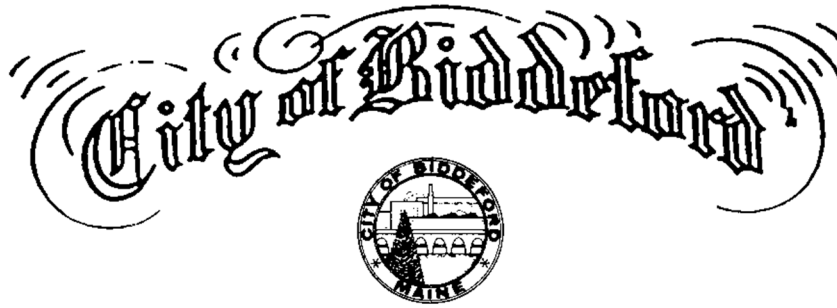
Motion by Councilor Lessard, seconded by Councilor Ready to change the fee structure to “per day” rather than per event.

Vote: 8/1; Councilor Quattrone opposed

Councilors Swanton, McCurry, St. Cyr, Mills, Belanger, Ready, Seaver and Lessard in favor.

Amendment carries.

Vote on ordinance, as amended: Unanimous.



2017.57

IN BOARD OF CITY COUNCIL...JUNE 6, 2017

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 IV (Nonconformance), be amended as follows:

Section 1. Purposes.

The intent of this Zoning Ordinance is to regulate nonconforming lots, uses and structures. This ordinance intends to be realistic so that: nonconforming vacant lots of record can be reasonably developed; nonconforming existing structures can be properly maintained or repaired; ~~and~~ nonconforming uses can continue to be changed to other less nonconforming or to conforming uses; and nonconforming (as to use) single-family residential dwelling units can create Accessory Dwelling Units subject to the performance standards in Article VI of this ordinance. When nonconforming uses fall into disuse, the intent of these regulations is not to allow them to be reestablished after a twelve-month period of dormancy. These regulations are designed for the betterment of the community and for the improvement of property values.

Section 3. Nonconforming use.

B. A structure nonconforming as to use.

1. A building or structure, nonconforming as to use, shall not be enlarged unless the nonconforming use is terminated, and otherwise meets the provisions of this ordinance. This does not apply to Accessory Dwelling Units which may be created in accordance with the performance standards in Article VI of this ordinance.
2. A nonconforming use of part of a building or structure shall not be extended throughout other parts of the building or structure unless those parts of the building or structure were manifestly arranged or designed for such use prior to the adoption of this ordinance, or of any amendment making such use nonconforming. This shall not apply Accessory Dwelling Units which may be created in accordance with the performance standards in Article VI of this Ordinance.
3. Accessory Dwelling Units on parcels containing a single non-conforming (as to use) dwelling unit, which was in existence as of January 1, 2017, that are created in accordance with the performance standards in Article VI of this ordinance shall not be considered the expansion or creation of a non-conforming use.

Part III (Land Development Regulations), Article II (Definitions), be amended as follows:

ACCESSORY DWELLING UNIT - An Accessory Dwelling Unit (ADU) is a self-contained housing unit incorporated within a single-family dwelling, attached to a single-family dwelling, or in a separate building on the same lot as a single-family dwelling home.

PRIMARY RESIDENCE - A building in which is conducted the principal use of the lot on which it is located. For residentially ~~zoned~~ lots, such a building would be a dwelling.

Part III (Land Development Regulations), Article VI (Performance Standards), Section 77 (Accessory Dwelling Units (ADUs)), be amended as follows:

A. Procedural Requirements.

1. Review procedure:

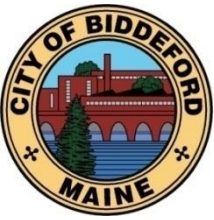
- a. One ADU is permitted per residentially zoned parcel (see Article V, Table A, Table of Land Uses), except-within the Coastal Residential (CR) zone, including the RP and LR overlay districts within the CR zone, where ADUs are not permitted. ADUs are also permitted on non-residentially zoned parcels containing a single non-conforming (as to use) dwelling unit which was in existence as of January 1, 2017. A permit for an ADU may be issued by the Code Enforcement Office so long as all of the standards in this section are met.

Part III (Land Development Regulations), Article V (Establishment of Zones), Table A (Table of Land Uses):

	Article VI Section ¹	SR-1	R-1-A	R-2	R-3	W-1	W-3	R-F	OR	MSRD-2
Residential Uses:										
<u>Accessory Dwelling Units* 27</u>	<u>77</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

NOTES:

27. Accessory Dwelling Units may also be Permitted in non-residential zones where there exists a non-conforming (as to use) single-family dwelling on a lot that was in existence as of January 1, 2017. See Article VI, Section 77.



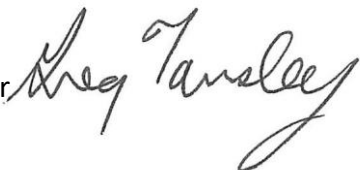
CITY OF BIDDEFORD PLANNING DEPARTMENT

Greg D. Tansley, AICP
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
J. Bennett, City Manager

From: Greg Tansley, AICP, City Planner 

Date: May 18, 2017

Re: **Proposed Amendments Related to "Accessory Dwelling Units" (ADUs)**

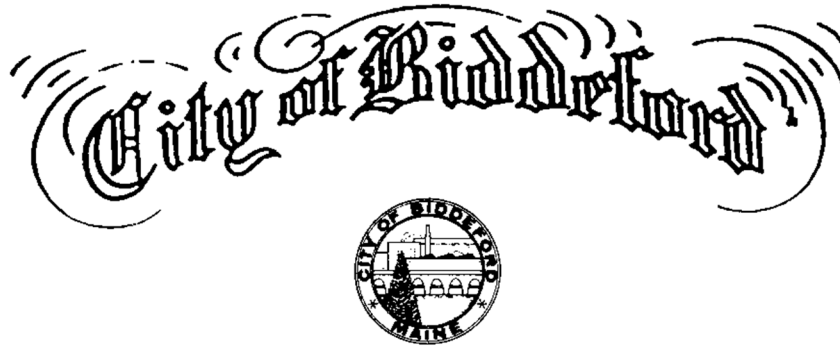
As directed, the Planning Board held a Public Hearing on proposed amendments to the ADUs Ordinance to address an oversight whereby some non-conforming residential lots of record would not be able to take advantage of the ADUs Ordinance. Examples include Marcel Avenue (in an I-2 Zone) and the north side of Fogg Avenue (in a B-2 Zone). These amendments will allow those properties (and others) to take advantage of the ADUs Ordinance.

There are also a couple of clean-up items that do not affect the intent of the original ADUs Ordinance, such as integrating the ADUs as Permitted uses in residential zones into the Table of Land Uses.

The Planning Board held the Public Hearing on May 17, 2017 and unanimously recommended the Ordinance Amendments to pass at the City Council.

Please let me know if you have any questions about this item before the June 6, 2017 Council meeting.

Cc: File



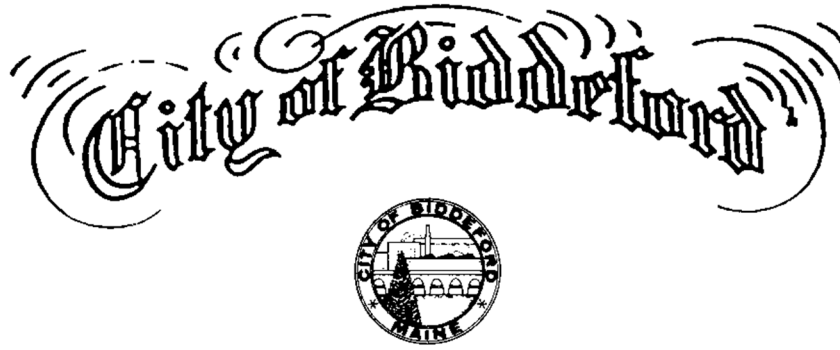
2017.58

IN BOARD OF CITY COUNCIL...JUNE 6, 2017

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**, is amended by adding or ~~deleting~~ to read as follows:

Dartmouth Street, even-numbered side, from the intersection with Elm Street thence westerly to the intersection with May Street.

NOTE: The Policy Committee considered this amendment at their May 22, 2017 meeting and voted unanimously to forward to the City Council with a recommendation for adoption.



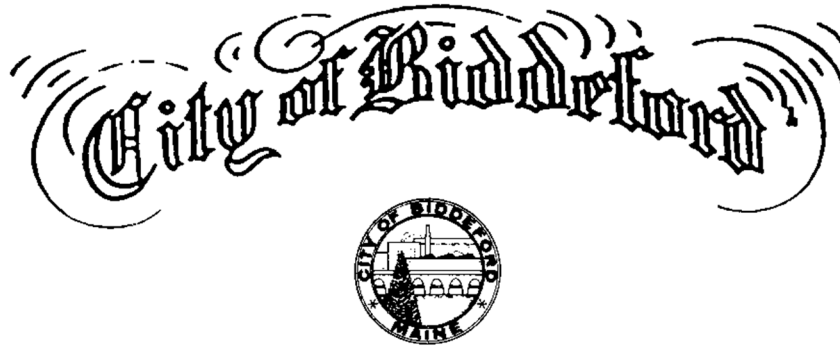
2017.59

IN BOARD OF CITY COUNCIL...JUNE 6, 2017

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**, is amended by adding or ~~deleting~~ to read as follows:

Round Hill Street, odd-numbered side, from the intersection with May Street thence northeasterly to the intersection with Dartmouth Street.

NOTE: The Policy Committee considered this amendment at their May 22, 2017 meeting and voted unanimously to forward to the City Council with a recommendation for adoption.



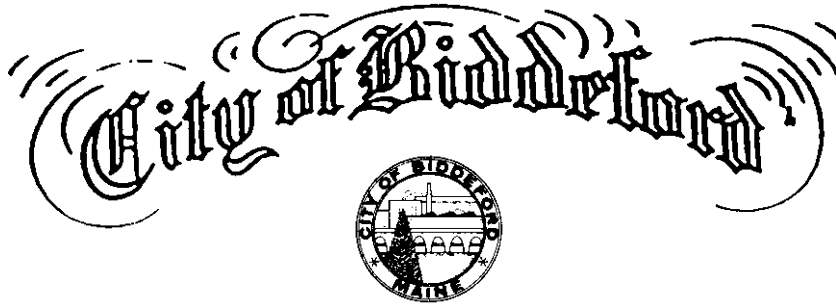
2017.60

IN BOARD OF CITY COUNCIL...JUNE 6, 2017

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**, is amended by adding or ~~deleting~~ to read as follows:

Yates Street, odd-numbered side, beginning at a point 552 feet northwest from the intersection with Mile Stretch Road thence northwesterly to CMP utility pole CMP 9 (entrance to Biddeford Pool Yacht Club), three (3) hours between the hours of 8:00 a.m. and 4:00 p.m. from June 15 to Labor Day of each year.

NOTE: The Policy Committee considered this amendment at their May 22, 2017 meeting and voted unanimously to forward to the City Council with a recommendation for adoption.



2017.61

IN BOARD OF CITY COUNCIL...JUNE 6, 2017

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 42-99 No through trucks**, is amended by adding or ~~deleting~~ to read as follows:

Sec. 42-99 No through trucks.

(a) One-half-ton and over.

There shall be no through trucks over one and one half (1 ½) ton in size on the following streets:

Diamond Street, no trucks greater than one and one-half ton (gvw); local deliveries only

Stone Street, no trucks greater than one and one-half ton (gvw); local deliveries only

Summer Street, signs to be placed at Summer Street and Harrison Street and Summer Street and Birch Street

(b) Five tons and over.

There shall be no through trucks over five tons gross vehicle weight on the following streets:

Edwards Avenue

Graham Street, any part between Crescent Street and Alfred Streets

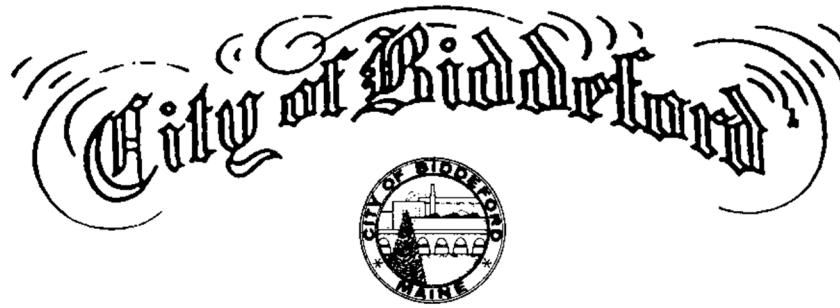
Grayson Street, any part between Elm Street and ~~Marcel Avenue~~ Hill Street

Janelle Street

Maple Avenue, any part

May Street, any part

NOTE: The Policy Committee considered this amendment at their May 22, 2017 meeting and voted unanimously to forward to the City Council with a recommendation for adoption.

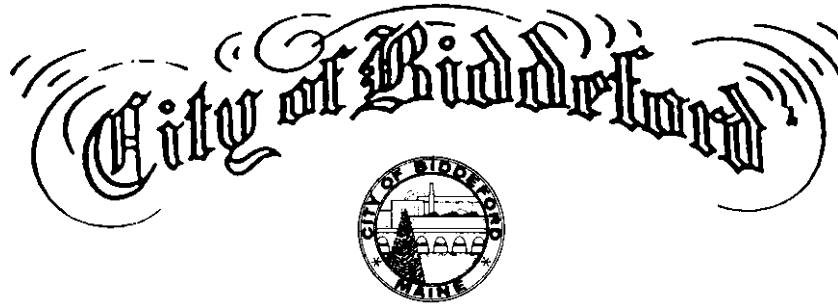


REVISED ORDER

2017.62

IN BOARD OF CITY COUNCIL... JUNE 6, 2017

BE IT ORDERED, that City Manager, James Bennett's appointment of *Cheryl Fournier* as Finance Director for the City of Biddeford, be confirmed.



2017.63

IN BOARD OF CITY COUNCIL..JUNE 6, 2017

WHEREAS, the City Council of the City of Biddeford requires all departments to maintain a balanced budget; and

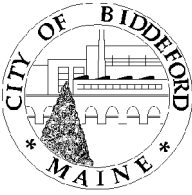
WHEREAS, the practices, policies, and procedures of the Community TV Program are under review as part of the Plan; and

WHEREAS, Article XI, Sec. 3, of the City Charter allows for the transfer of funds between accounts provided the resolution authorizing the transfer is adopted by a 2/3 vote of the members present and voting and the vote is recorded.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Biddeford hereby authorizes the City Manager to direct transfer of a sum equivalent to the payoff of the Community TV construction loan held by Saco & Biddeford Savings Bank minus the project end-of-year FY2017 budget surplus, from the *Community TV Fund* account (12183-30500) to the *Community TV Use of Fund Balance* account (31138-41199).

BE IT FURTHER RESOLVED that the City Council of the City of Biddeford authorizes the City Manager to use the transferred funds and estimates end-of-year savings to pay off the Community TV construction loan held by Saco & Biddeford Savings Bank in the amount of approximately \$45,847.50, with the exact amount to be determined at the time of pay off to account for daily interest accruals.

NOTE: This order needs a 2/3rds vote for approval, due to the fact that it's a transfer of funds from one account to another.



City of Biddeford, Maine

P.O. Box 586 • 205 Main Street • Biddeford, ME 04005

Phone: (207) 571-0032

Fax: (207) 571-0656

MEMORANDUM

TO: Honorable Mayor Casavant
Honorable City Council

FROM: Brian S. Phinney, COO

CC: City Manager James Bennett

DATE: May 31, 2017

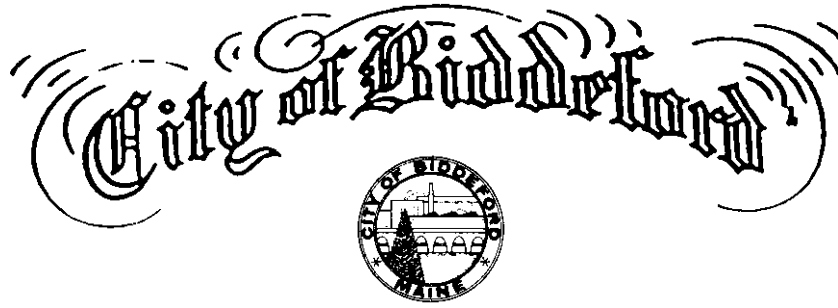
RE: Community TV Budget Bank Loan Payoff

The FY2018 Budget as approved for the Community TV program included a provision to pay off the construction bank loan for the Community TV facility. The current balance is estimated to be just over \$45,847 pending specific daily interest calculations at the time of payoff.

Cost-saving measures put in place for FY2017 are expected to result in a conservative budget surplus of \$17,000. Staff recommends using the FY2017 surplus in conjunction with a fund transfer from the Community TV Fund to pay off the bank loan. Subtracting the \$17,000 from \$45,847 results in a net transfer request of approximately \$28,847.

Paying off the loan will save approximately \$2,300 in interest and eliminate approximately \$16,800 per year in expenses for the next three years.

The current Community TV Fund balance is \$84,333.93. Subtracting the net transfer of \$28,847 will leave a remaining balance of approximately \$55,486.



2017.44

IN BOARD OF CITY COUNCIL...MAY 2, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does hereby set the date, time and place for a General Meeting of the citizens, as per the petition filed with and certified by the City Clerk on April 25, 2017.

We the undersigned, duly registered voters of the City of Biddeford, qualified to vote at a General Election, in accordance with the Charter of the City of Biddeford, do hereby call for a meeting of the citizens to address concerns of taxation without representation. Topics including, but not limited to, neglect of Waterhouse Field and overzealous spending downtown are to be discussed and addressed at this meeting.

This meeting will be held in accordance to the rules of the City Charter. A moderator will be chosen by majority vote of the citizens attending the meeting.

Per the City Charter, ART. XII – Miscellaneous Provisions

Sec. 4. General meetings of citizens.

General meetings of the citizens qualified to vote in the City affairs may from time to time be held to consult upon the public good, to instruct their representatives, and to take all lawful measures to obtain redress of any grievances according to the right secured to the people by the Constitution of this State; and such meetings may and shall be duly warned by the City Council, upon the requisition of 100 qualified voters of said City. A moderator shall be selected by majority vote of the citizens attending the meeting.

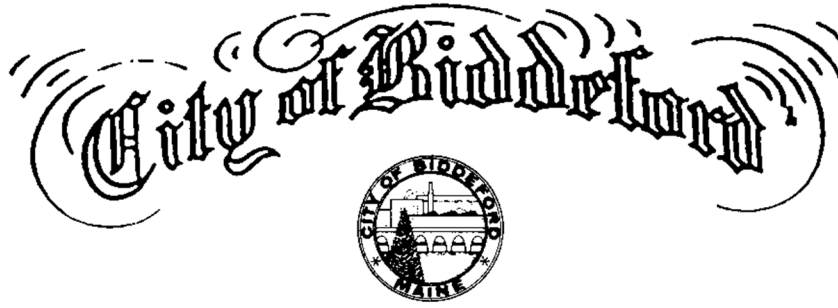
NOTE: The citizen requesting the General Meeting has requested a meeting date of Wednesday, May 3, 2017 at 7:30 p.m.

May 2, 2017

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

Motion by Councilor McCurry, seconded by Councilor Quattrone to table this order until after the budget has been approved due to the fact that the items of discussion specified on the petition are being discussed and dealt with during the budget process.

Vote: Unanimous.



**REVISED VERSION, WITH THE POLICY COMMITTEE
RECOMMENDATIONS**

2017.56

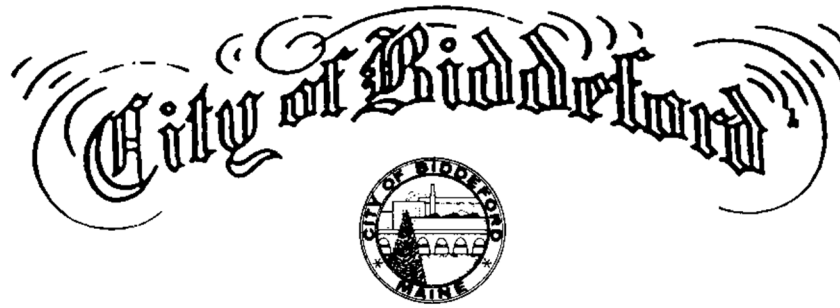
IN BOARD OF CITY COUNCIL..MAY 16, 2017

BE IT ORDAINED, that the City Council of the City of Biddeford does hereby adopt the following Code of Ethics for all Elected and Appointed City Officials; to be included in the Code of Ordinances, **Chapter 2, Administration, Article I, Sec. 2-3 – CODE OF ETHICS**, as follows:

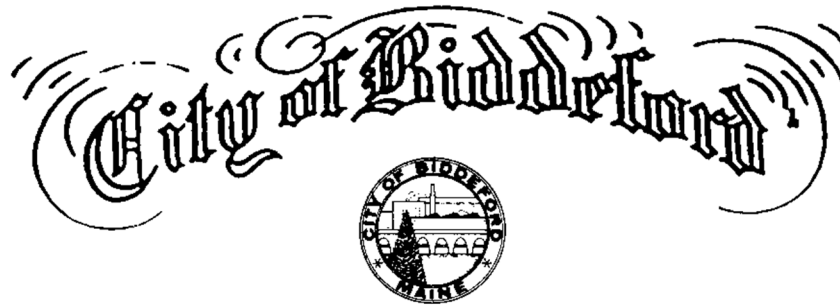
Ch. 2 – Administration, Article I – In General
Sec. 2-3 – Code of Ethics

There shall be a Code of Ethics for all Elected and Appointed Officials in and for the City of Biddeford:

- Officials shall view service to the City as an opportunity to serve the public, state and nation as the best means to promote the City of Biddeford and its citizens. We are working to make Biddeford the best place to live, work and do business.
- ~~Officials shall not make disparaging remarks about other City Officials or their opinions.~~
- Officials must maintain a courteous tone, especially in reference to any divergence of opinion and shall avoid injecting any personal note into discussions or debate. Officials must never attack or make any allusion to the motives of another Official.
- Officials shall remember at all times that ~~as an individual~~, they have no legal authority within the City outside the scope of their position, and ~~will~~ shall conduct their relationships with the City of Biddeford staff, the local citizenry, and all media communications in recognition of their authority. ~~on the basis of this fact.~~
- ~~Officials shall recognize that their responsibility is not to operate the City, but to see that the City is well operated.~~



- Officials shall not interfere with the daily administration of City business.
- ~~Officials shall listen to all citizens but will refer all complaints to the proper authorities and will discuss such complaints only at a regular meeting after failure of an administrative solution.~~
- Officials shall listen to all citizens and shall refer all complaints or concerns to the proper authorities.
- ~~Officials shall graciously support a decision once it has been made by a majority of the Council/Committee.~~
- Officials shall not criticize City employees publicly, but shall make such comments to the City Manager for investigation and action, if necessary.
- Officials shall make decisions only after all facts bearing on a question have been presented and discussed.
- ~~Officials shall refuse to make promises as to how they will vote on a matter which should properly come before the Council/Committee as a whole.~~
- ~~Officials shall not discuss the confidential business of the Council/Committee in their home, on the street or in their workplace; the place for such discussion is at the Council/Committee meetings.~~
- Officials shall not disclose the confidential business of the City to unauthorized persons.
- ~~Officials shall confine their Council/Committee action to policy making, planning or appraisal; leaving the administration of the City to the City Manager.~~
- ~~Officials shall endeavor at all times to see that the City has adequate financial support within the capabilities of the community and state, in order that every citizen may receive the best possible service.~~
- ~~Officials shall resist every temptation and outside pressure to use their position as a City Official to benefit themselves or any other individual or agency apart from the total interest of the City.~~



- No Official shall be permitted to vote on any question when his or her private rights or interests, distinct from public interest, is immediately involved.
- ~~Officials shall attempt to attend all meetings of the Council/Committee and, if it should become necessary to miss more than three (3) consecutive regular meetings of the Council/Committee or twenty five percent (25%) of all meetings within any six (6) month period, will meet with the Chair of the Council/Committee and explain the nature of the reason for the absence.~~
- Officials shall take notice of the date and time that meetings at which their attendance is expected are scheduled and shall punctually attend all meetings unless for good cause they are unavailable.
- ~~Officials shall abstain from individual action on those matters rightfully the authority of the Council/Committee.~~

May 16, 2017

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

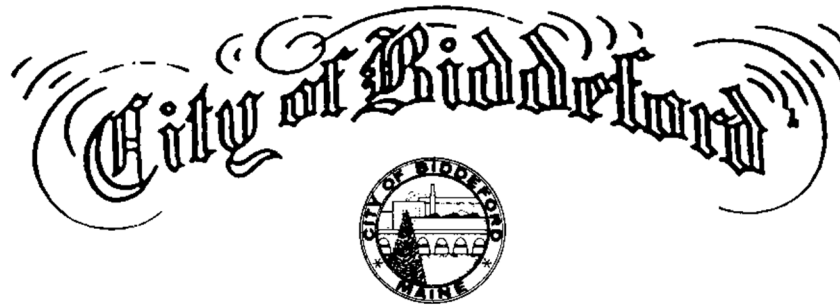
Motion by Councilor McCurry to remove #2, #5 and #14.
Motion was withdrawn.

Motion by Councilor Swanton to table this ordinance amendment.
Motion was withdrawn.

Motion by Councilor Lessard, seconded by Councilor McCurry to table this ordinance and send to the Policy Committee for re-working; and bring back to the City Council at the June 6th, 2017 Council Meeting.

Vote: 5/4; Councilors Seaver, Ready, Mills and Swanton opposed.

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



2017.64

IN BOARD OF CITY COUNCIL..JUNE 6, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does hereby accept the resignation of Bob Mills as the Councilor representing Ward 5.

Morris, Carmen

From: Mills, Bob
Sent: Tuesday, May 16, 2017 6:53 PM
To: Contact all Councilors; Casavant, Alan
Cc: jimbennett@roadrunner.com; Morris, Carmen
Subject: Resignation

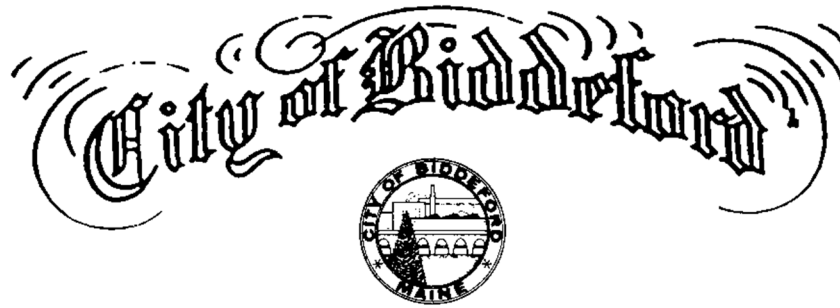
I will be resigning from the Ward 5 City Council seat effective June 13th @ 9 pm due to our home being sold and our relocation to 10 Windsor Lane in Ward 4.

I'm writing this letter per Charter requirements.

I look forward to further service in the community.

Bob Mills

Sent from my iPad



2017.65

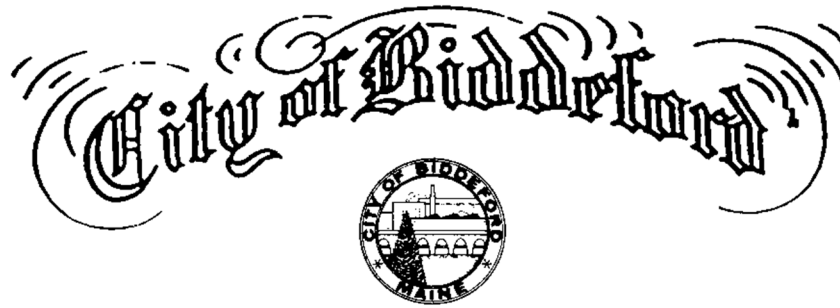
IN BOARD OF CITY COUNCIL..JUNE 6, 2017

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

Victoria Foley
26 Mason Street

as **City Councilor for Ward 5**, replacing Bob Mills, for the remainder of the current term, which will expire in December 2017.

BE IT FURTHER ORDERED, that Councilor Foley will replace former Councilor Bob Mills on the Capital Projects Committee.



IN BOARD OF CITY COUNCIL..JUNE 6, 2017

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

**Bob Mills
10 Windsor Lane**

to the *Board of Assessment Review*, with a term to expire December 2022.

CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date: 6/19/17

Name: BOB MILLS

Street Address: 10 WINDSOR LN
BIDDEFORD, ME 04005

Mailing Address:
(if different) _____

Phone Number(s): (207) 205-7977

Email Address: SPRINGRIDGE2004@YAHOO.COM

Please indicate whether you would like your contact information posted on the City's website:

☒ YES

☐ NO

Which City Committee, Board or Commission do you request to be appointed to:

- | | |
|--|---|
| ☐ Ad Hoc Comprehensive Plan Comm. | ☐ Harbor Commission |
| ☐ Biddeford Housing Authority | ☐ Historical Preservation Commission |
| ☒ Board of Assessment Review | ☐ Planning Board |
| ☐ Cable T. V. Committee | ☐ Police Advisory Committee |
| ☐ Capital Projects/Operations Committee | ☐ Policy Committee |
| ☐ Conservation Commission | ☐ Project Canopy |
| ☐ Downtown Development Commission | ☐ Recreation Commission |
| ☐ Economic Improvement Committee | ☐ Saco River Corridor Commission |
| ☐ Environmental Board | ☐ Shellfish Conservation Committee |
| ☐ Fire Advisory Committee | ☒ Solid Waste Management Commission |
| | ☒ Wastewater Management Commission |
| | ☒ Zoning Board of Appeals |
| | ☐ Other _____ |

CITY OF BIDDEFORD
Committee Application

Please list any prior experience serving on any Public Boards, Commissions or Committees (and approximate dates)

CITY COUNCILOR 2007 - 2017

CHARTER COMMISSIONER 2005

PAST MEMBERS - TRI CITY TRANSIT, FINANCE DOC,
CAPITAL PROJECTS, WASTE WATER COMMISSION
CABLE TV COMMITTEE, POLICY, ENVIRONMENTAL BOARD

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

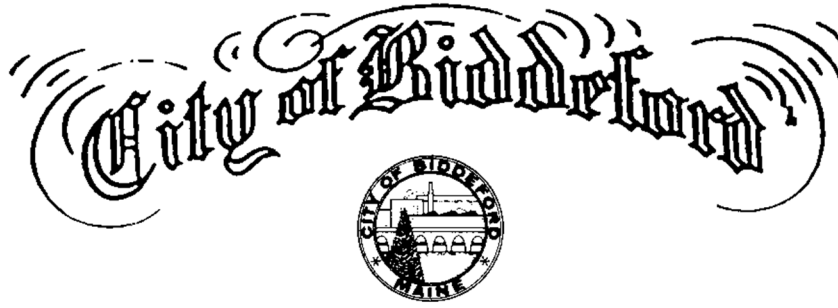
PREVIOUS MEMBER OF MANY BOARDS AND COMMISSIONS

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

DESPITE RESIGNING FROM THE COUNCIL DUE TO OUR
RECENT MOVE, I STILL WANT TO STAY INVOLVED.
BIDDEFORD HAS GIVEN A LOT TO ME AND I WANT
TO GIVE BACK.

(PMS)

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



IN BOARD OF CITY COUNCIL...JUNE 6, 2017

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

Bob Mills
10 Windsor Lane

to the *Wastewater Management Commission*, with a term to expire December 2020.

CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date: 6/19/17

Name: BOB MILLS

Street Address: 10 WINDSOR LN
BIDDEFORD, ME 04005

Mailing Address:
(if different) _____

Phone Number(s): (207) 205-7977

Email Address: SPRINGRIDGE2004@YAHOO.COM

Please indicate whether you would like your contact information posted on the City's website:

☒ YES

☐ NO

Which City Committee, Board or Commission do you request to be appointed to:

- ☐ Ad Hoc Comprehensive Plan Comm.
- ☐ Biddeford Housing Authority
- ☒ Board of Assessment Review
- ☐ Cable T. V. Committee
- ☐ Capital Projects/Operations Committee
- ☐ Conservation Commission
- ☐ Downtown Development Commission
- ☐ Economic Improvement Committee
- ☐ Environmental Board
- ☐ Fire Advisory Committee

- ☐ Harbor Commission
- ☐ Historical Preservation Commission
- ☐ Planning Board
- ☐ Police Advisory Committee
- ☐ Policy Committee
- ☐ Project Canopy
- ☐ Recreation Commission
- ☐ Saco River Corridor Commission
- ☐ Shellfish Conservation Committee
- ☐ Solid Waste Management Commission
- ☒ Wastewater Management Commission
- ☒ Zoning Board of Appeals
- ☐ Other _____

CITY OF BIDDEFORD
Committee Application

Please list any prior experience serving on any Public Boards, Commissions or Committees (and approximate dates)

CITY COUNCILOR 2007 - 2017

CHARTER COMMISSIONER 2005

PAST MEMBERS - TRI CITY TRANSIT, FINANCE DOC,
CAPITAL PROJECTS, WASTE WATER COMMISSION
CABLE TV COMMITTEE, POLICY, ENVIRONMENTAL BOARD

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

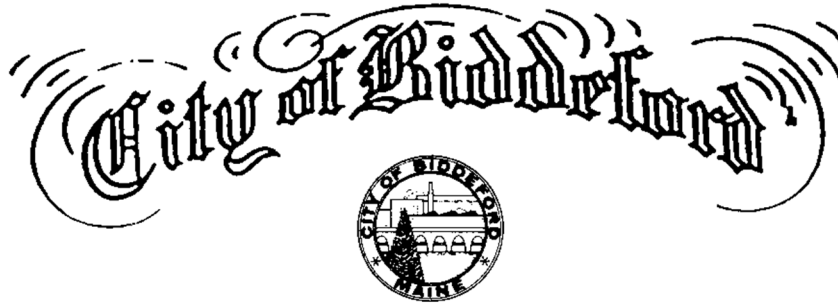
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(PMS)

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IN BOARD OF CITY COUNCIL...JUNE 6, 2017

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

**Bob Mills
10 Windsor Lane**

to the *Zoning Board of Appeals*, with a term to expire December 2020.

CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date: 6/19/17

Name: BOB MILLS

Street Address: 10 WINDSOR LN
BIDDEFORD, ME 04005

Mailing Address:
(if different) _____

Phone Number(s): (207) 205-7977

Email Address: SPRINGRIDGE2004@YAHOO.COM

Please indicate whether you would like your contact information posted on the City's website:

☒ YES

☐ NO

Which City Committee, Board or Commission do you request to be appointed to:

- | | |
|--|---|
| ☐ • Ad Hoc Comprehensive Plan Comm. | ☐ • Harbor Commission |
| ☐ • Biddeford Housing Authority | ☐ • Historical Preservation Commission |
| ☒ • Board of Assessment Review | ☐ • Planning Board |
| ☐ • Cable T. V. Committee | ☐ • Police Advisory Committee |
| ☐ • Capital Projects/Operations Committee | ☐ • Policy Committee |
| ☐ • Conservation Commission | ☐ • Project Canopy |
| ☐ • Downtown Development Commission | ☐ • Recreation Commission |
| ☐ • Economic Improvement Committee | ☐ • Saco River Corridor Commission |
| ☐ • Environmental Board | ☐ • Shellfish Conservation Committee |
| ☐ • Fire Advisory Committee | ☒ • Solid Waste Management Commission |
| | ☒ • Wastewater Management Commission |
| | ☐ • Zoning Board of Appeals |
| | ☐ • Other _____ |

CITY OF BIDDEFORD
Committee Application

Please list any prior experience serving on any Public Boards, Commissions or Committees (and approximate dates)

CITY COUNCILOR 2007 - 2017

CHARTER COMMISSIONER 2005

PAST MEMBERS - TRI CITY TRANSIT, FINANCE DOC,
CAPITAL PROJECTS, WASTE WATER COMMISSION
CABLE TV COMMITTEE, POLICY, ENVIRONMENTAL BOARD

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

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