

**City of Biddeford
City Council
August 20, 2024 at 6:00 PM
City Hall Council Chambers & Zoom**

1. Roll Call

Council President LaFountain -present.
Councilor Lessard - present.
Councilor Ortiz - present.
Councilor Emhiser - present.
Councilor Whiting -excused.
Councilor Beaupre -excused.
Councilor Gross - present.
Councilor Belanger -present.
Councilor Doughty -excused.

2. Pledge of Allegiance

3. Adjustment(s) to Agenda

Mayor Grohman added 4b. Recreation Department Skateboard Park Presentation.

Mayor Grohman removed agenda item 10.a.

4. Presentation(s)

4.a. Airport Commission

Airport Commission Chair Carmen Bernier provided a brief update to the Council.

4.b. Recreation Department Skateboard Park Presentation (additional agenda item)

Recreation Director Lisa Thompson presented a slideshow of program updates and reported on the status of the skateboard park. She recommended removing the current park and start the process to establish a new park. A public meeting has been scheduled for 6:00 P.M. on Thursday, August 29th at Rotary Park Teen Center and Mayor Grohman encouraged attendance.

5. Public Hearing(s)

5.a. Public Hearing for Liquor License the Dunn Bar, Irish Pub LLC

Public hearing opened at 6:20 P.M.

There were no public comments.

Public hearing closed at 6:20 P.M.

5.b. Public Hearing Liquor License Aperio

Public hearing opened at 6:21 P.M.

Aperio Owners Marie Grasser and Sophia Normantas introduced themselves with excitement to be returning to their home town as new business owners.

Public Hearing closed at 6:30 P.M.

5.c. Public Hearing for Liquor License Pop's Tavern

Public hearing opened at 6:30 P.M.

Pop's Tavern Owner Dana Bailey introduced himself and encouraged all to visit his establishment.

Public Hearing closed at 6:33 P.M.

6. Liquor License Consideration

6.a. Liquor License the Dunn Bar, Irish Pub LLC

Motion: Councilor Emhiser;
Second: Councilor Lessard.
Vote: Unanimous in favor.
Motion passed.

6.b. Liquor License Aperio

Motion: Councilor Emhiser;
Second: Councilor Lessard.
Vote: Unanimous in favor.
Motion passed.

6.c. Liquor License Pop's Tavern

Motion: Councilor Emhiser;
Second: Councilor Lessard.
Vote: Unanimous in favor.
Motion passed.

7. Public Addressing the Council

There were seventeen people that spoke about the value of the skate park to the community and all were in favor of keeping the skate park open to the public while exploring options for a new park. Mayor Grohman thanked the public and encouraged all to attend the meeting on August 29 at the Rotary Park Teen Center for additional discussion.

8. Consideration of Minutes

8.a Council Minutes 8-6-24

Motion: Councilor Emhiser;
Second: Councilor Lessard.
Vote: Unanimous in favor.
Motion passed.

9. Second Reading

9.a 2024.124 Approval Demolition Fees

Motion: Councilor Emhiser;
Second: Councilor Lessard.
Vote: Unanimous in favor.
Motion passed.

9.b 2024.127 Approval/Avesta Housing Indian Cliff Development Corp CZ 23

Motion: Councilor Emhiser;
Second: Councilor Lessard.
Vote: Unanimous in favor.
Motion passed.

9.c 2024.128 Approval/Westbrook Development Corporation CZ 24

Motion: Councilor Emhiser;
Second: Councilor Lessard.

Vote: Unanimous in favor.
Motion passed.

10. Orders of the Day

(Removed from agenda) 10.a 2024.123 Approve Funds for Eastern Fire/EMS Station Property/Site Conditions Review and Additional Architectural Work

10.b 2024.130 Approval/Purchase Motorola Body Camera System

Motion: Councilor Emhiser;
Second: Councilor Lessard.
Vote: Unanimous in favor.
Motion passed.

10.c 2024.132 Approval/Ch. 70 Ordinance Revision (Sewer Permit Fees)

Motion: Council Emhiser;
Second: Councilor Lessard.

Motion to amend order under Section 70-172D to add “any project that requires an extension beyond its original approval date will no longer qualify for the grandfathered impact fee rates and will be subject to the impact fee rate listed on table 200 at the time the extension is granted.”

Motion: Council President LaFountain;
Second: Councilor Belanger.
Vote: 2 yeas (LaFountain, Ortiz) and 4 nays (Lessard, Belanger, Gross, and Emhiser).
Motion to amend failed.

Vote on original motion: Unanimous in favor.
Motion passed.

10.d 2024.133 Approval/Establishment of a New Sustainability Commission

Motion: Council President LaFountain;
Second: Councilor Lessard.

Motion to amend #6. Work in an advisory informational capacity to City Council, Planning Board, and other city committees, commission, and boards.

Motion: Councilor Lessard;
Second: Councilor Ortiz.
Vote: 1 yea (Lessard); 5 nays (LaFountain, Ortiz, Emhiser, Belanger and Gross).
Motion to amend failed.

Vote on original motion: Unanimous in favor.
Motion passed.

10.e 2024.134 Approval/EV Charger Station

Motion: Council President LaFountain;
Second: Councilor Lessard.

Motion to Table this item to the next meeting.
Motion: Councilor Lessard;
Second: Councilor Belanger.

Vote: Unanimous in favor.
Motion to Table passed.

10.f 2024.135 Recommendation - Acceptance of Waterworks Drive as a Public Way

Motion: Council President LaFountain;
Second: Councilor Lessard.

Motion to amend the order to correct Water works to one word, "Waterworks" and drive should contain a capital D (Drive).

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

Vote on amended motion: Unanimous in favor.
Motion passed.

10.g 2024.136 Approval/Ordinance Change Part III: Land Development Regulations, "Table A- Table of Land Uses"

Motion: Councilor Ortiz;
Second: Councilor Lessard.

Motion to enter Executive Session at 8:13 P.M. to discuss a real estate matter (per MRS Title 1 Section 405.6.C).

Motion: Councilor Lessard;
Second: Council President LaFountain.
Vote: Unanimous in favor.
Motion passed.

Motion to come out of Executive Session at 8:45 P.M.

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

Motion to amend the Table A, # 28 to strike Section D and add "residential developments within the I3 zoning district shall be eligible for Maine State Housing Authority tax credits for Affordable Housing Programs as may be amended from time to time."

Motion: Council President LaFountain;
Section: Councilor Belanger.
Vote: Unanimous in favor.
Motion to amend passed.

Vote on amended motion: Unanimous in favor.
Motion passed.

10.h 2024.137 Approval/Dispense with Second Reading of item 2024.136 on Two Separate Days

Motion: Council President LaFountain;

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

10.i 2024.138 Approval/Waive 30 Day requirement for item 2024.136

Motion: Council President LaFountain;
Second: Councilor Lessard.
Vote: Unanimous in favor.
Motion passed.

10.j 2024.139 Approval to send CZ25 to the Planning Board

Motion: Council President LaFountain;
Second: Councilor Belanger.

Motion to Table until the developer is able to attend the meeting and respond to questions by Council.

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

11. Public Addressing the Council

There were no public comments.

12. City Manager Report

City Manager Jim Bennett reported that over five hundred 30-day demand tax lien notices were mailed out which is more than the annual average of three hundred. There were a few issues with wire transfers and mortgage holders (Wells Fargo and Town & Country) that have been resolved and the taxpayer will receive written notification of resolve. There are other issues involving bill pay from March that are being reviewed as well. He apologized to those impacted and thanked the taxpayers for their patience as we work through this process. Manager Bennett commended staff for their hard work and encouraged taxpayers to contact the Finance Department with any concerns and/or to review their tax account.

13. Other Business

Council President LaFountain requested an update on the unhoused plan process, financial impacts and expenditures at the earliest date possible.

14. Council President Addressing the Council

Council President LaFountain congratulated Counselor Ortiz for being selected as a fellow for early learning policy fellowship at the Hunt Institute, a deserved honor.

15. Mayor Addressing the Council

Mayor Grohman reported that the River Jam was a successful event. He also reported that construction at Biddeford Primary School will be moving forward before too long and there will be access to the playground.

Mayor Grohman reported that the Maine Climate Council will be at the Biddeford Middle School for a listening session on September 19 with more details to follow.

16. Adjourn

Motion: Councilor Belanger;

Second: Councilor Lessard.

Vote: Unanimous in favor.

Meeting adjourned at 8:59 P.M.