

**COUNCIL MEETING
MAY 15, 2018**

Council President McCurry called the meeting to order at 6:00 p.m.

Roll Call: Michael Swanton, John McCurry, Jr., Stephen St. Cyr, Robert Quattrone, Jr., Victoria Foley, 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.

Motion by Councilor Ready, seconded by Councilor Quattrone to nominate Councilor Swanton as President Pro Tem.

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

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

Motion carries.

*Proclamation: **Building Safety Month – May 2018***

Council President McCurry read the proclamation.

Consideration of Minutes: **May 1, 2018; May 8, 2018**

Motion by Councilor Ready, seconded by Councilor Seaver to accept the minutes as printed.

Vote: Unanimous.

*Second Readings: **SCHOOL DEPARTMENT BUDGET***

Essential Programs & Services Funding Act

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

Vote: Unanimous.

School Construction Projects – Local Share

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

Vote: Unanimous.

Additional Local Funds – for School Purposes

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

Vote: Unanimous.

School Appropriations:

- A. Regular Instruction**
- B. Special Education**
- C. Career & Technical Education**
- D. Other Instruction**
- E. Student & Staff Support**
- F. System Administration**
- G. School Administration**
- H. Transportation & Buses**
- I. Facilities Maintenance**
- J. Debt Service & Other Commitments**
- K. All Other Expenditures**
- L. TOTAL SCHOOL BUDGET**

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

Vote: Unanimous.

ADULT EDUCATION

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

Vote: Unanimous.

FOOD SERVICE

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

Vote: Unanimous.

Orders of the Day:

2018.42

IN BOARD OF CITY COUNCIL..MAY 15, 2018

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve and recommend the submittal of the City's CDBG Five Year Consolidated Plan and Year 1 Action Plan and accompanying documentation to the U.S. Department of Housing and Urban Development.

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

Councilor Ready asked to be allowed to abstain from voting on this order since his wife serves on the Board of one of the recipients of CDBG funds.

Motion by Councilor Belanger, seconded by Councilor Seaver to allow Councilor Ready to abstain from voting on this order.

Vote: Unanimous.

Motion by Councilor Seaver, seconded by Councilor Foley to amend the submitted budget to change CPCC to Coastal Healthy Communities Coalition.

Vote: Unanimous.

Vote on order, as amended: Unanimous, with Councilor Ready abstaining.

2018.43

IN BOARD OF CITY COUNCIL..MAY 15, 2018

BE IT RESOLVED, that the City Council of the City of Biddeford does hereby approve and recommend the submittal of the Analysis of Impediments to Fair Housing Choice to the U.S. Department of Housing and Urban Development.

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

Vote: Unanimous.

2018.44

IN BOARD OF CITY COUNCIL..MAY 15, 2018

BE IT ORDAINED by the City Council of Biddeford, Maine to amend the Code of Ordinances of the City of Biddeford as follows:

Biddeford Code of Ordinances Part III (Land Development Regulations), Article XIV (Shoreland Zoning):

Section 15. Land Use Standards.

B. Principal and Accessory Structures.

1. All new principal and accessory structures shall be set back at least 100 feet, horizontal distance from the normal high-water line of great ponds classified GPA and rivers that flow to great ponds classified GPA, and 100 feet, horizontal distance, from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland, except that in the General Development District the setback from the normal high-water line of the wetland shall be at least 25 feet, horizontal distance, ~~and~~ in the Commercial Fisheries/Maritime Activities District there shall be no minimum setback, and the setback for structures from the normal high-water line of the wetland shall be at least 75 feet, horizontal distance, in that portion of the Institutional (IN) Zone subject to the Limited Residential (LR) Shoreland District described as follows:-

A certain lot or parcel of land situated on the easterly side of Hills Beach Road, in the City of Biddeford, County of York, State of Maine, and being more specifically bounded and described as follows:

BEGINNING at a point marking the northerly end of the property line between Map 52 Lot 4 and Map 51 Lot 13 as shown on City of Biddeford Official Tax Map 52, revision April 1, 2017;

THENCE: southerly along said property line between Map 52 Lot 4 and Map 51 Lot 13 as shown on City of Biddeford Official Tax Map 52, revision April 1, 2017, a distance of 282 feet more or less to the intersection of said property line with the city of Biddeford Limited Residential (LR) zone boundary;

THENCE: easterly along said LR zone boundary a distance of 1035 feet more or less to a point;

THENCE: northeasterly 280 feet more or less to a point on the upland edge of the coastal wetland adjacent to the Saco River.

Meaning and intending to encompass a portion of Lot 4, as shown on City of Biddeford Official Tax Map 52.

Within that portion of the Institutional (IN) Zone subject to a Shoreland Zoning District, existing buildings, structures, and roads may be maintained, modified, or replaced but no new buildings shall be built or located and no existing buildings shall be enlarged (including the replacement of existing buildings) except as follows: The existing buildings and roads may be modified to the extent necessary to meet the requirements of applicable local, state, or federal codes or regulations, the existing sewage treatment plant may be expanded or replaced, and the existing Marine Science Center may be expanded through the construction of one additional building, provided that such changes meet all shoreland requirements and the performance standards of Article XIV.

Biddeford Code of Ordinances Part III (Land Development Regulations), Article V Establishment of Zones), Table A (Table of Land Uses), Note 20:

20. Within that portion of the ~~i~~Institutional (IN) ~~z~~Zone subject to ~~a~~the Shoreland Zoning District ~~shoreland zoning provisions of the Shoreland Protection Zone~~, existing buildings, structures, and roads may be maintained, modified, or replaced but no new buildings shall be built or located and no existing buildings shall be enlarged (including the replacement of existing buildings) except as follows: The existing buildings and roads may be modified to the extent necessary to meet the requirements of applicable local, state, or federal codes or regulations, the existing sewage treatment plant may be expanded or replaced, and the existing Marine Science Center may be expanded through the construction of one additional building, provided that such changes meet all shoreland requirements and the performance standards of Article XIV.

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

Motion by Councilor Belanger, seconded by Councilor Swanton to amend the ordinance to follow the lot lines as provided by Ken Bueches and the Conservation Commission.

Vote: 5/4; Councilors Lessard, Seaver, Quattrone and McCurry opposed.

Councilors Swanton, St. Cyr, Foley, Belanger and Ready in favor.

Motion to amend carries.

Vote on motion, as amended: 6/3; Councilors Lessard, Quattrone and McCurry opposed.

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

First reading carries.

2018.45

IN BOARD OF CITY COUNCIL..MAY 15, 2018

BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 2, Administration, Article V, Finance, **Division 5. Unrestricted Fund Balance Policy** be amended by adding and deleting the attached language:

NOTE: The Finance Committee reviewed this item at their April 17, 2018 meeting and voted 3/1 to send to full Council for consideration.

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

Motion by Councilor St. Cyr, seconded by Councilor Belanger to amend the ordinance, on page 3, section (e), by adding **(5) To offset the increase in property taxes.**

Vote: Unanimous.

Vote on motion, as amended: Unanimous.

2018.46

IN BOARD OF CITY COUNCIL..MAY 15, 2018

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the relocation of the artillery piece currently located in City Square Park at the intersection of Main and Lincoln Streets to the Biddeford Veterans Memorial Park near the intersection of Alfred and Pool Streets.

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

Vote: Unanimous.

Appointment: MMA's 2018/2020 Legislative Policy Committee Representative

Motion by Councilor Ready, seconded by Councilor Lessard to nominate the City Manager, James Bennett as Biddeford's Representative to MMA's Legislative Policy Committee.

Vote: Unanimous.

Public Addressing the Council..(5 minute limit per speaker; 30 minute total time limit):

A few citizens addressed their concerns to the Council.

City Manager Report:

City Manager, James Bennett noted that Staff is looking at ways to utilize CDBG funds for more projects related to community development.

Other Business:

Councilor Swanton: announced that the Cable TV Committee currently has an opening and encouraged anyone interested in serving on this committee to contact the City Clerk for a Committee Application.

He also noted that Public Access does loan out equipment.

Councilor Swanton also announced that a Special Council Meeting has been scheduled for next Tuesday, May 22nd at 6:30 p.m. for the 2nd Reading of the City Government Budget.

Council President Addressing the Council: Councilor McCurry thanked the Superintendent of Schools, the School Committee, School Administration and the City Council for all the work done to approve the School Department Budget. He is hopeful that the voters will vote to approve the School Budget at the June 12th Election.

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

Vote: Unanimous.

Time: 8:05 p.m.

Attest by: _____
Carmen J. Morris, City Clerk