

City of Biddeford
City Council - Special Meeting
May 11, 2023 6:00 PM Council Chambers & Zoom

Please click this URL to join:
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Webinar ID: 942 5943 1474
Passcode: 474153

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+13092053325,,94259431474# US
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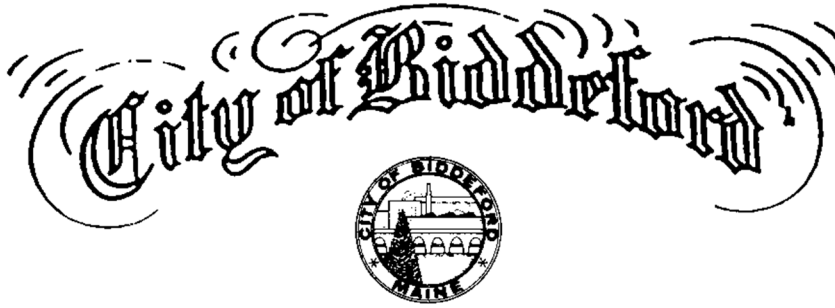
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US: +1 309 205 3325 or +1 312 626 6799 or +1 646 558 8656 or +1 646 931 3860

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Status: In-Person and via Zoom; Council Chambers; 6:00 p.m.

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Adjustment(s) to Agenda**
- 4. Orders of the Day**
 - 4.1. 2nd Reading of the FY24 Budget
 - 2023.38) City Government Appropriations FY24 - ORDER
 - 2023.39) Revenues-City FY24 - ORDER
 - 2023.40) Airport Operations Fund FY24 - ORDER
 - 2023.41) Ambulance Fund FY24 - ORDER
 - 2023.42) Mooring Fund FY24 - ORDER
 - 2023.43) Pool Beach Permit Fund FY24 - ORDER
 - 2023.44) Recreation Programs Fund FY24 - ORDER
 - 2023.45) Sewer Operations Fund FY24 - ORDER
 - 2023.46) Property Tax Dates and Interest FY24 - ORDER
 - 2023.47) School Essential Programs-Services FY24 - ORDER
 - 2023.48) School Construction Projects FY24 - ORDER
 - 2023.49) School Additional Funds Raised FY24 - ORDER
 - 2023.50) School Appropriations FY24 - ORDER
 - 2023.51) Adult Education FY24 - ORDER
 - 2023.52) Food Service FY24 - ORDER
 - 2023.53) Revenues-School FY24 - ORDER
 - 4.2. 2023.54) LD1 Property Tax Levy Limit
 - 2023.54) LD1 Property Tax Levy Limit - ORDER

- 5. Other Business**
- 6. Adjourn**



2023.38)

IN BOARD OF CITY COUNCIL...MAY 9, 2023

BE IT ORDERED, that the City Council of the City of Biddeford does hereby appropriate the sum of **\$41,392,270** for the CITY GENERAL FUND budget excluding Schools, Adult Education, TIF Funding and County Tax for the fiscal year commencing on July 1, 2023 and ending June 30, 2024, broken down as follows:

GENERAL GOVERNMENT:	\$12,499,250
PUBLIC SAFETY:	\$12,444,829
PUBLIC WORKS:	\$5,737,388
PUBLIC SERVICES:	\$3,295,509
DEBT SERVICE:	\$4,315,294
CAPITAL OUTLAY:	\$2,600,000
CONTINGENCY:	\$500,000
TOTAL	\$41,392,270

May 9, 2023

Motion by Councilor Belanger, seconded by Councilor Whiting to grant the first reading of the budget order.

Motion by Councilor Schlaver, seconded by Councilor Mills to amend the order by increase funding for MyPlace Teen Center (under Public Services) in the amount of \$25,000.

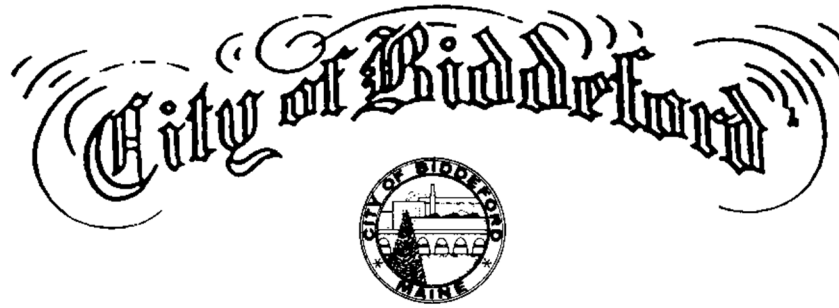
Vote: Unanimous in favor, motion carries

Motion by Councilor Mills, seconded by Councilor Grohman to further amend the order by increase funding for Southern Maine Veterans Cemetery (under Public Services) in the amount of \$1,000.

Vote: Unanimous in favor, motion carries

GENERAL GOVERNMENT:	\$12,499,250
PUBLIC SAFETY:	\$12,444,829
PUBLIC WORKS:	\$5,737,388
PUBLIC SERVICES:	\$3,321,509
DEBT SERVICE:	\$4,315,294
CAPITAL OUTLAY:	\$2,600,000
CONTINGENCY:	\$500,000
TOTAL	\$41,418,270

Vote on motion as amended: 8/1 - Councilors Belanger, Emhiser, Whiting, Grohman, Mills, Schlaver, LaFountain, and Ortiz in favor; Councilor Lessard opposed.
Motion carries



2023.39)

IN BOARD OF CITY COUNCIL...MAY 9, 2023

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, 2023 and ending June 30, 2024:

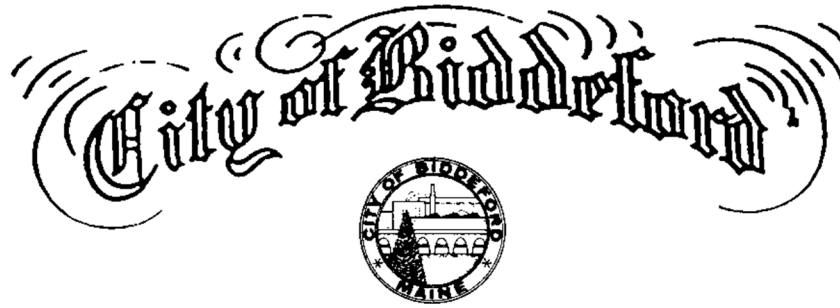
CITY ESTIMATED REVENUES:

OTHER NON-PROPERTY TAX REVENUE:	\$9,946,105
STATE REVENUE SHARING:	\$4,100,000
USE OF FY23 OPERATIONAL SURPLUS	\$500,000
HOMESTEAD:	\$960,101
BETE:	\$343,875
TOTAL ESTIMATED REVENUES AND APPROPRIATIONS:	\$15,850,081

May 9, 2023

Motion by Councilor Emhiser, seconded by Councilor Belanger to grant the first reading of the budget order.

Vote: Unanimous in favor of the motion; motion carries



2023.40)

IN BOARD OF CITY COUNCIL...MAY 9, 2023

BE IT ORDERED, that the City Council of the City of Biddeford does hereby appropriate the sum of, \$252,760 for the Biddeford Airport comprised of \$252,760 for the AIRPORT OPERATIONS FUND and \$0 in reimbursable grant expenses for the AIRPORT REIMBURSABLE IMPROVEMENT FUND for the fiscal year commencing on July 1, 2023 and ending June 30, 2024, and

BE IT FURTHER ORDERED, that estimated revenues to the Biddeford Airport Fund in the sum of \$169,320 comprised of \$169,320 for the AIRPORT OPERATIONS FUND and \$0 for the AIRPORT REIMBURSABLE IMPROVEMENT FUND be hereby adopted in support of the Biddeford Airport appropriation.

May 9, 2023

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

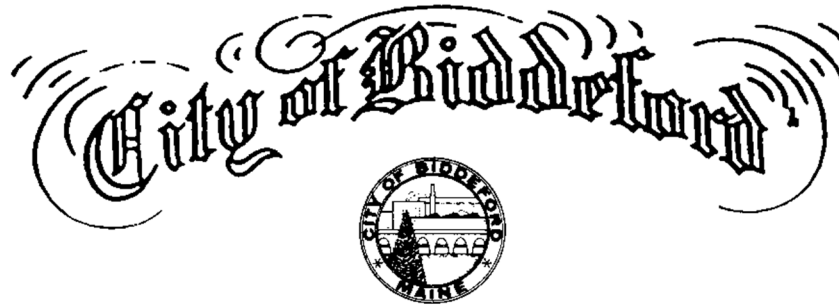
Motion by Councilor Lessard seconded by Councilor Mills to amend the order by increasing revenue to \$252,760 to match expenses. After discussion and upon acceptance of the second the revenue amount was further amended to \$200,000.

Vote on amendment: 7/2 - Councilors Emhiser, Grohman, Mills, Schlaver, LaFountain, Ortiz and Lessard in favor; Councilors Belanger and Whiting opposed.

Motion carries

Vote on motion as amended: 8/1 - Councilors Emhiser, Whiting, Grohman, Mills, Schlaver, LaFountain, Ortiz and Lessard in favor; Councilor Belanger opposed.

Motion carries



2023.41)

IN BOARD OF CITY COUNCIL...MAY 9, 2023

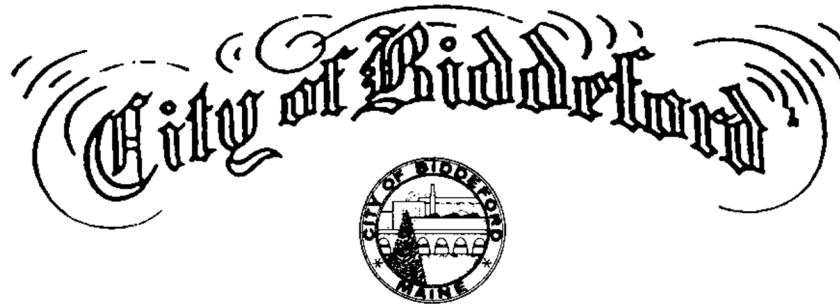
BE IT ORDERED, that the City Council of the City of Biddeford does hereby appropriate the sum of **\$1,657,400** for the AMBULANCE FUND for the fiscal year commencing on July 1, 2023 and ending June 30, 2024; and

BE IT FURTHER ORDERED, that the sum of **\$1,425,000** in estimated revenues to the Ambulance Fund be hereby adopted in support of the Ambulance Fund appropriation.

May 9, 2023

Motion by Councilor Belanger, seconded by Councilor Whiting to grant the first reading of the budget order.

Vote: Unanimous in favor; motion carries.



2023.42)

IN BOARD OF CITY COUNCIL...MAY 9, 2023

BE IT ORDERED, that the City Council of the City of Biddeford does hereby appropriate the sum of \$55,881 for the MOORING FEES FUND for the fiscal year commencing on July 1, 2023 and ending June 30, 2024; and

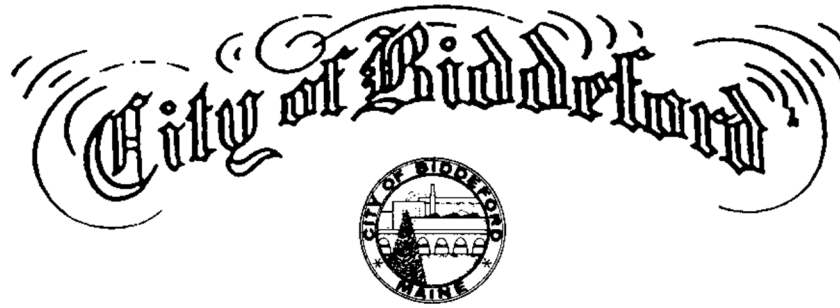
BE IT FURTHER ORDERED, that the sum of \$42,500 in estimated revenues to the Mooring Fees Fund be hereby adopted in support of the Mooring Fees Fund appropriation.

May 9, 2023

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

Vote: 8/1 - Councilors Belanger, Emhiser, Whiting, Grohman, Mills, Schlaver, LaFountain, and Ortiz in favor; Councilor Lessard opposed.

Motion carries



2023.43)

IN BOARD OF CITY COUNCIL...MAY 9, 2023

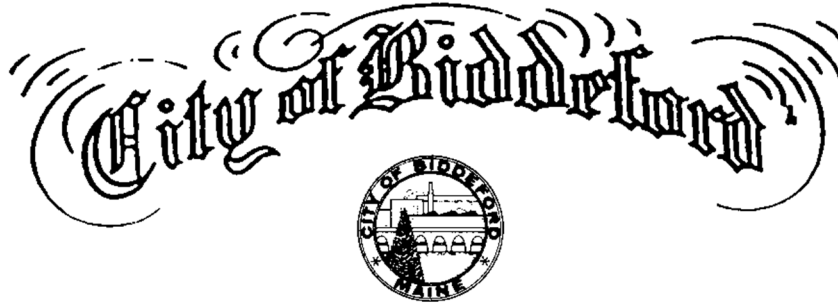
BE IT ORDERED, that the City Council of the City of Biddeford does hereby appropriate the sum of \$158,265 for the POOL BEACH PERMITS FUND for the fiscal year commencing on July 1, 2023 and ending June 30, 2024; and

BE IT FURTHER ORDERED, that the sum of \$151,000 in estimated revenues to the Pool Beach Permits Fund be hereby adopted in support of the Pool Beach Permits Fund appropriation.

May 9, 2023

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

Vote: Unanimous in favor; motion carries



2023.44)

IN BOARD OF CITY COUNCIL.. MAY 9, 2023

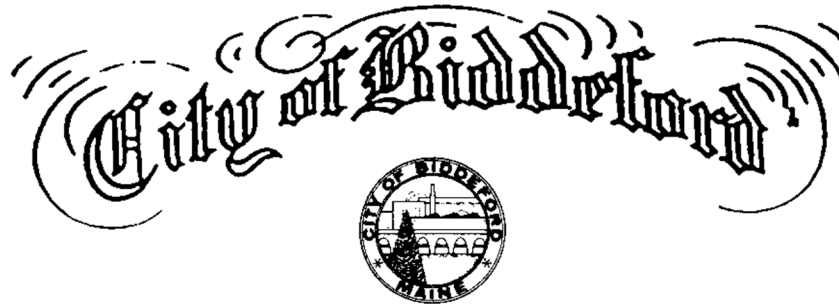
BE IT ORDERED, that the City Council of the City of Biddeford does hereby appropriate the sum of **\$1,043,423** for the RECREATION PROGRAMS FUND for the fiscal year commencing on July 1, 2023 and ending June 30, 2024; and

BE IT FURTHER ORDERED, that the sum of **\$979,159** in estimated revenues to the Recreation Programs Fund be hereby adopted in support of the Recreation Programs Fund appropriation.

May 9, 2023

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

Vote: Unanimous in favor; motion carries



2023.45)

IN BOARD OF CITY COUNCIL...MAY 9, 2023

BE IT ORDERED, that the City Council of the City of Biddeford does hereby accept the recommendation of the Budget Committee for expenses within the WASTEWATER FUND for the fiscal year commencing July 1, 2023 and ending June 30, 2024, and detailed as follows:

Sewer Operations:	\$4,354,670
Industrial Pretreatment:	\$43,868
Maintenance:	\$1,182,022
Depreciation:	<u>\$1,146,380</u>
Total	\$6,726,940

BE IT FURTHER ORDERED, that the City Council of the City of Biddeford does hereby accept the recommendation of the Budget Committee for revenues within the WASTEWATER FUND for the fiscal year commencing July 1, 2023 and ending June 30, 2024, and detailed as follows:

Sewer User Fees	\$3,949,000
Other Revenue	\$140,000
Transfer from General Fund	<u>\$350,000</u>
Total	\$4,439,000

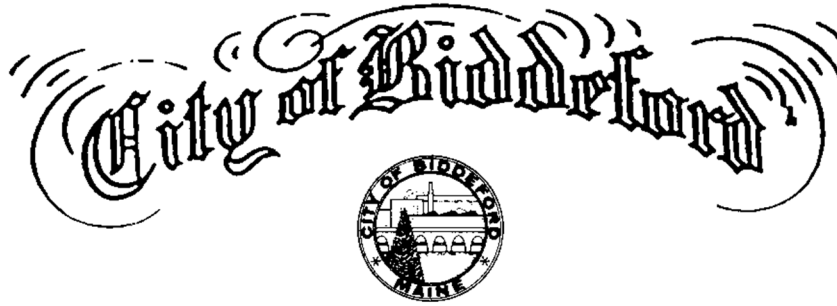
Note: The overall financial condition of the WASTEWATER FUND is defined on so- called Statement 08 and Statement 09 of the Budget Book.

May 9, 2023

Motion by Councilor Belanger, seconded by Councilor Whiting to grant the first reading of the budget order.

Vote: 8/1 - Councilors Belanger, Emhiser, Whiting, Grohman, Mills, Schlaver, LaFountain, and Ortiz in favor; Councilor Lessard opposed.

Motion carries



2023.46

IN BOARD OF CITY COUNCIL...MAY 9, 2023

BE IT ORDERED, that in accordance with 36 M.R.S. §505(1), the tax lists specified in 36 M.R.S. §709 shall be committed for collection on or before September 1, 2023; and

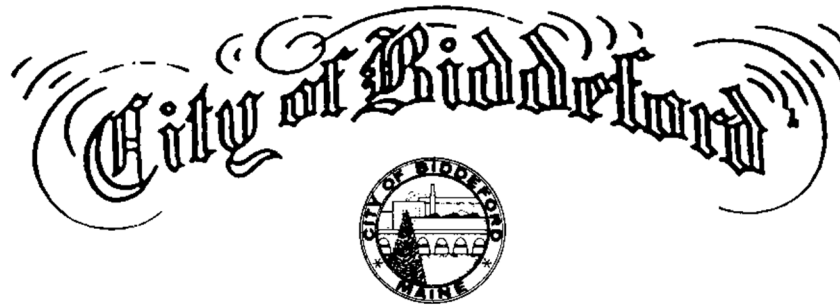
BE IT FUTHER ORDEDRED, that in accordance with 36 M.R.S. §505(2), the City Council of the City of Biddeford establishes that property taxes shall be payable in two equal installments on **November 1, 2023** and **April 1, 2024** with any odd amount to be due on the first installment; and,

BE IT FURTHER ORDERED, that in accordance with 36 M.R.S. §505(4) property taxes shall be delinquent if not paid by November 1, 2023 for the first installment and April 1, 2024 for the second installment and that interest shall be collected at the rate of 8.00% per annum on any taxes remaining unpaid (delinquent) after each respective date; and,

BE IT FURTHER ORDERED, in accordance with 36 M.R.S. Section §506, the Tax Collector/Treasurer is authorized to accept prepayment of taxes not yet committed and to pay interest on those payments at a rate of 0.00%, and any excess paid over the amount finally committed must be repaid, with the interest due on the whole transaction commencing on the date that the tax finally committed is due and payable; and,

BE IT FURTHER ORDERED, that in accordance with 36 M.R.S. §506-A any overpayment of taxes in an amount in excess of that finally assessed must be repaid in the amount of the overpayment plus interest from the date of overpayment at a rate of 4.00% per annum.

***Note:** 36 M.R.S. §506 specifies a municipality may pay interest at a rate not to exceed 8% per annum on prepaid taxes but is not obligated to pay such interest. 36 M.R.S. §506-A further specifies that overpayments must be repaid in full and the interest rate for overpayments may not exceed the interest rate established for delinquent taxes nor may it be less than that rate reduced by 4 percentage points.*



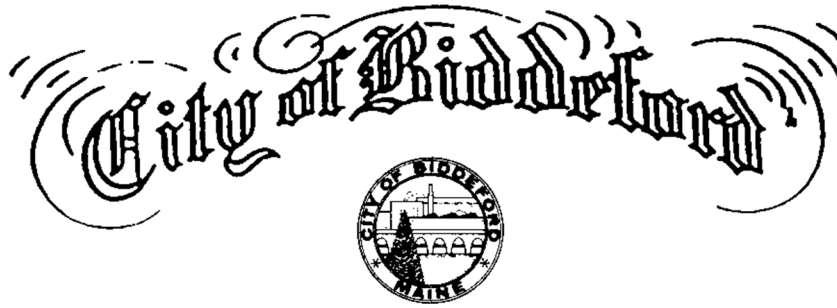
May 9, 2023

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

Motion by Councilor Belanger, seconded by Councilor Whiting to amend the order by changing the date reference of "November 1, 2023" to "October 11, 2023" and "April 1, 2023" to "April 10, 2023".

Vote on the amendment: Unanimous in favor, motion carries

Vote on motion as amended: *Unanimous in favor; motion carries*



2023.47)

IN BOARD OF CITY COUNCIL...MAY 9, 2023

WHEREAS, the Maine Dept. of Education has determined the total cost of funding public education from kindergarten to grade 12, for Biddeford, as described in the Essential Programs and Services Funding Act to be **\$33,448,051.00**.

THEREFORE, BE IT ORDERED, that the City Council of the City of Biddeford does appropriate and will raise the sum of **\$19,902,370** for the Biddeford School Department's contribution to the total cost of funding public education for kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 2-A, section 15688.

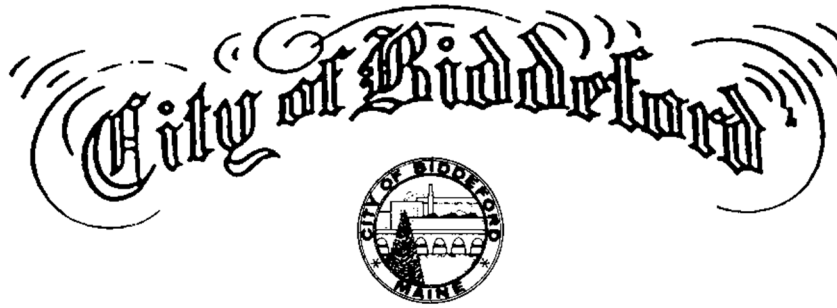
***Note:** The Biddeford School Department's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars.*

May 9, 2023

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

Vote: *Unanimous in favor; motion carries*

Attest by:_____



2023.48)

IN BOARD OF CITY COUNCIL...MAY 9, 2023

BE IT ORDERED, that the City Council does appropriate and will raise the sum of **\$2,360,743** for the annual payments on debt service previously approved by the City Council for non-state-funded school construction projects, non-state-funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the City of Biddeford's contribution to the total cost of funding public education from kindergarten to grade 12.

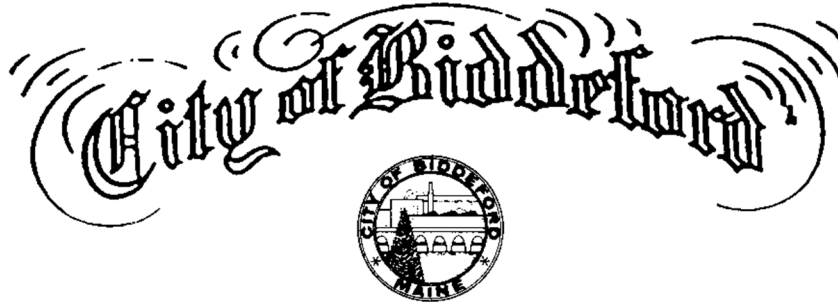
***Note:** Non-state-funded debt service is the amount of money needed for the annual payments on the municipality's long-term debt for major capital school construction projects and minor capital renovation projects that are not approved for state subsidy. The bonding of this long-term debt was approved by the voters.*

May 9, 2023

***Motion** by Councilor Belanger, seconded by Councilor Mills to grant the first reading of the budget order.*

***Vote:** Unanimous in favor; motion carries*

Attest by:_____



2023.49)

IN BOARD OF CITY COUNCIL...MAY 9, 2023

BE IT ORDERED, that the City Council will raise and appropriate \$2,769,361 in additional local funds, which exceeds the State's Essential Programs and Services allocation model by \$2,769,361 as required to fund the budget recommended by the Biddeford School Committee.

The Biddeford School Committee recommends \$2,769,361 for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by \$2,769,361.

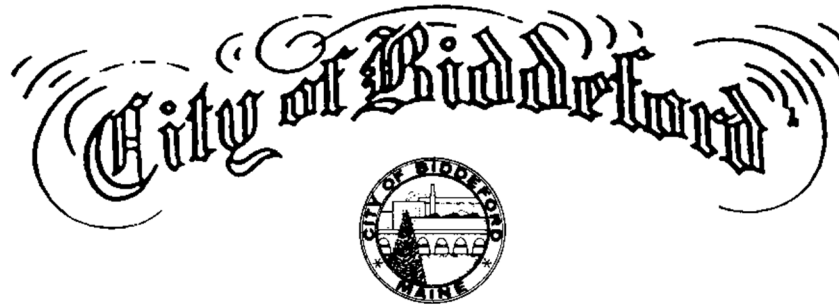
***Note:** The additional local funds are those locally raised funds over and above the school administrative unit's local contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state funded debt service that will help achieve the Biddeford budget for educational programs.*

May 9, 2023

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

Vote: Unanimous in favor; motion carries

Attest by: _____



2023.50)

IN BOARD OF CITY COUNCIL...MAY 9, 2023

BE IT ORDERED, that the City Council does hereby authorize the Biddeford School Committee to expend **\$44,080,836** for the fiscal year commencing July 1, 2023 and ending June 30, 2024 from the City of Biddeford's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools, and broken down as follows:

REGULAR INSTRUCTION	\$16,110,308
SPECIAL EDUCATION	\$ 8,391,879
CAREER & TECHNICAL EDUCATION	\$ 3,379,990
OTHER INSTRUCTION	\$ 727,335
STUDENT & STAFF SUPPORT	\$ 2,825,171
SYSTEM ADMINISTRATION	\$ 1,276,108
SCHOOL ADMINISTRATION	\$ 1,715,392
TRANSPORTATION & BUSES	\$ 1,965,275
FACILITIES MAINTENANCE	\$ 4,349,162
DEBT SERVICE & OTHER	
COMMITMENTS	\$ 3,296,857
ALL OTHER EXPENDITURES	\$ 43,359
TOTAL SCHOOL BUDGET	<u>\$44,080,836</u>

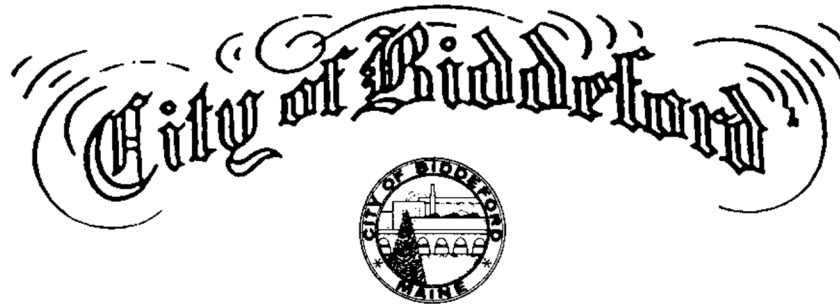
BE IT FURTHER ORDERED, that the School Department is authorized to accept grant funds during the fiscal year and to expend such funds for the purposes for which they are intended.

May 9, 2023

Motion by Councilor Whiting, seconded by Councilor Belanger to grant the first reading of the budget order.

Vote: Unanimous in favor; motion carries

Attest by: _____



2023.51)

IN BOARD OF CITY COUNCIL...MAY 9, 2023

BE IT ORDERED, that the City Council of the City of Biddeford does hereby appropriate the sum of \$797,595 for ADULT EDUCATION for the fiscal year commencing July 1, 2023 and ending June 30, 2024, and does hereby appropriate and will raise the local share for ADULT EDUCATION in the amount of \$428,251.

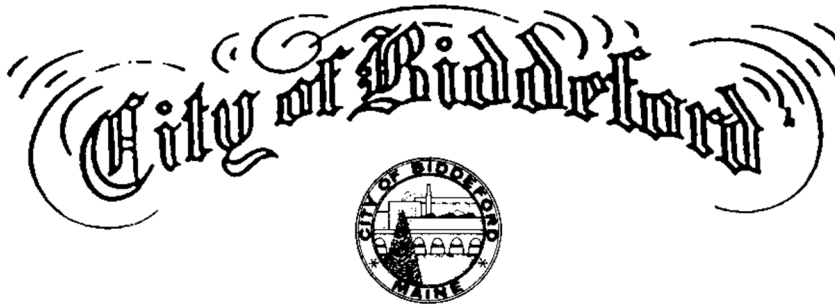
BE IT FURTHER ORDERED that Biddeford Adult Education is authorized to expend any additional, incidental or miscellaneous receipts in the interest and for the wellbeing of the Adult Education Program.

May 9, 2023

***Motion** by Councilor Grohman, seconded by Councilor Mills to grant the first reading of the budget order.*

***Vote:** Unanimous in favor; motion carries*

Attest by:_____



2023.52)

IN BOARD OF CITY COUNCIL...MAY 9, 2023

BE IT ORDERED, that the City Council of the City of Biddeford does hereby appropriate the sum **\$1,611,471** for School FOOD SERVICE ("Hot Lunch") for the fiscal year commencing on July 1, 2023, and ending on June 30, 2024, and

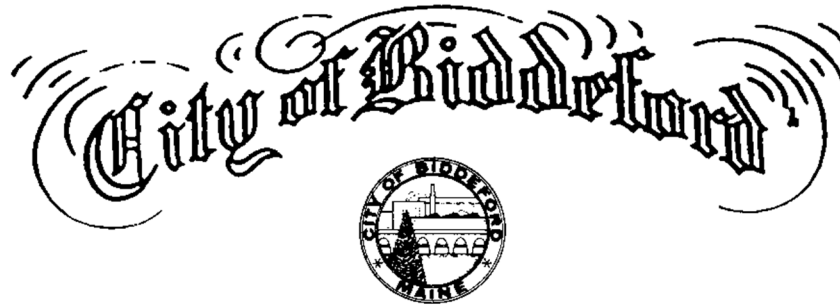
BE IT FURTHER ORDERED, that the sum of **\$1,611,471** in estimated revenues is adopted in support of FOOD SERVICE, with a local share for FOOD SERVICE in the amount of \$0.

May 9, 2023

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

Vote: *Unanimous in favor; motion carries*

Attest by: _____



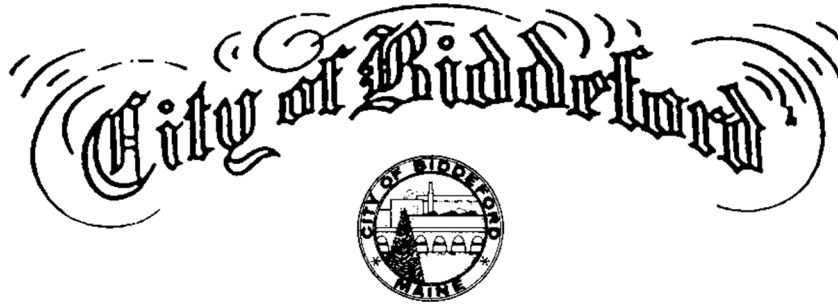
2023.53)

IN BOARD OF CITY COUNCIL...MAY 11, 2023

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 School Budget for the fiscal year commencing July 1, 2023 and ending June 30, 2024:

SCHOOL ESTIMATED REVENUES:

EDUCATION:	\$634,508
ADULT EDUCATION:	\$143,110
STATE ALLOCATION to EDUCATION:	\$16,804,763
APPROPRIATIONS FROM FUND BALANCE, K-12:	\$1,609,091
APPROPRIATIONS FROM FUND BALANCE, ADULT EDUCATION:	\$226,234
TOTAL ESTIMATED REVENUES AND APPROPRIATIONS:	\$19,417,706



2023.54)

IN BOARD OF CITY COUNCIL... MAY 11, 2023

BE IT ORDERED, that the City Council of the City of Biddeford hereby votes to exceed the “LD1” property tax levy limit established by Maine law (30-A M.R.S.A. § 5721-A), in the event that the municipal budget approved under the preceding articles will result in a tax commitment that is greater than that allowed by the property tax levy limit.

Note: The LDI calculation will be finalized at the time of Commitment. Roll call vote required.

Attest by: _____