

SPECIAL COUNCIL MEETING

MAY 3, 2022

NOTE: Due to COVID-19, this meeting was held in-person in the Council Chambers, as well as virtually (via ZOOM),

Mayor Casavant called the meeting to order at 5:40 p.m.

Roll Call: William Emhiser, Scott Whiting (joined virtually), Martin Grohman, Bobby Mills, Amy Clearwater, Norman Belanger, Liam LaFountain, Doris Ortiz, Marc Lessard

There were no adjustments to the agenda.

Presentation of FY21 Audit: Runyon Kersteen Ouellette

Casey Leonard from Runyon Kersteen Ouellette presented the FY21 Audit Report for both the City and School Department. A full copy of the Audit can be found on the City's website as part of this meeting's agenda packet.

Motion by Councilor Belanger, seconded by Councilor Clearwater to adjourn.

Vote: Unanimous.

Time: 6:01 p.m.

COUNCIL MEETING

MAY 3, 2022

NOTE: Due to COVID-19, this meeting was held in-person in the Council Chambers, as well as virtually (via ZOOM),

Mayor Casavant called the meeting to order at 6:02 p.m.

Roll Call: William Emhiser, Scott Whiting (joined virtually), Martin Grohman, Bobby Mills, Amy Clearwater, Norman Belanger, Liam LaFountain, Doris Ortiz, Marc Lessard

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

There were no adjustments to the agenda.

Public Hearing: FY23 City Government and School Department Budgets

The Chair opened the Public Hearing at 6:04 p.m.

One citizen addressed the Council.

The Public Hearing was closed at 6:10 p.m.

Public Hearing: Liquor License – Sacred Profane, LLC (50 Washington Street)

The Chair opened the Public Hearing at 6:11 p.m.

There were no public comments.

The Public Hearing was closed at 6:11 p.m.

Liquor License Consideration: Sacred Profane, LLC (50 Washington Street)

Motion by Councilor Mills, seconded by Councilor Clearwater to recommend the issuance of a State Liquor License to *Sacred Profane, LLC*.

Vote: Unanimous.

Proclamations:

- **Police Week – May 15-21, 2022**
- **Professional Municipal Clerk Week – May 1-7, 2022**
- **National Day of Prayer – May 5, 2022**

Mayor Casavant read all three Proclamations.

Public Addressing the Council..(3 minute limit per speaker for up to 15 minutes):

There were no public comments.

Consideration of Minutes: April 19, 2022

Motion by Councilor Mills, seconded by Councilor Clearwater to accept the minutes as printed.

Vote: Unanimous.

Second Reading:

{For a copy of the ordinance amendment and first reading, see the Council Meeting minutes of April 19, 2022}

**2022.26) Amendment/Land Development Regulations-Art. III-Official Zoning Map/
Zone Change (Tax Map 17, Lots 16-2 and 16-3 – Cole Road) from I-1 to R-1-A**

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

Vote: Unanimous.

Orders of the Day:

2022.32

IN BOARD OF CITY COUNCIL.....MAY 3, 2022

BE IT ORDERED, that the City Manager be authorized to sign an agreement with Artifex Architects & Engineers for architectural and engineering services associated with renovations at Biddeford City Hall.

BE IT FURTHER ORDERED, that the project shall be completed in two phases with Phase I encompassing completion of a Historical Structure Assessment in the amount of \$23,730 followed by Phase II, which shall encompass preparation of construction documents/bidding/construction administration, bidding and negotiating services, and construction administration charged at 11% of the actual awarded cost of construction.

BE IT FURTHER ORDERED, that funding for the project shall be first from reserve project code 11601 – City Hall Improvements in the approximate amount of \$63,883 until expended followed by reserve project code 11901 – City Hall Windows in the approximate amount of \$240,245 until expended, followed by the November 2021 voter-approved building renovation bond funds.

BE IT FURTHER ORDERED, that authorization for any additional work shall comply with the City of Biddeford purchasing policy and rules.

NOTE: The Finance Committee is scheduled to review this item on May 3, 2022 as part of the published agenda.

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

Vote: 6/3; Councilors Lessard, Ortiz and Mills opposed.

Councilors Emhiser, Whiting, Grohman, Clearwater, Belanger and LaFountain in favor.

Motion carries.

Presentation: Assessment Update by City Assessor

City Assessor Nicholas Desjardins explained the functions of the Assessor's Office; how assessments are determined; and concluded that on average, adjustments for all types of properties (residential, commercial, condos, multi-unit, etc.) will see an increase of 18% in valuation in the next fiscal year.

2022.33

IN BOARD OF CITY COUNCIL...May 3, 2022

A Resolution of the Biddeford City Council:

WHEREAS, The Mayor's Affordable Housing Task Force was created by order of the City Council on December 21, 2021; and

WHEREAS, upon creation of the Mayor's Affordable Housing Task Force the purpose, task force member make up, staffing support, and timeframe were defined; and

WHEREAS, the timeframe for the delivery of a preliminary report is listed as June 30, 2022 and delivery of a final report is listed as August 15, 2022; and

WHEREAS, the Mayor's Affordable Housing Task Force has met regularly to fulfill its duties; and

WHEREAS, the Mayor's Affordable Housing Task Force has determined that additional time is needed to evaluate and prepare the preliminary and final reports; and

WHEREAS, the Mayor’s Affordable Housing Task Force voted unanimously to request a time extension from the City Council for delivery of the preliminary and final reports to September 15, 2022 and November 15, 2022, respectively.

NOW THEREFORE, BE IT RESOLVED, that the Biddeford City Council does hereby support and approve the requested time extension for delivery of the preliminary report on or by September 15, 2022 and delivery of the final report on or by November 15, 2022.

Motion by Councilor Belanger, seconded by Councilor Emhiser to grant the Resolution.
Vote: 6/3; Councilors Lessard, Clearwater and Mills opposed.
Councilors Emhiser, Whiting, Grohman, Belanger, LaFountain and Ortiz in favor.
Motion carries.

2022.34 **IN BOARD OF CITY COUNCIL.....MAY 3, 2022**
BE IT ORDERED, that the City Manager be authorized to enter into an agreement with Bill Dodge Buick GMC for one 2022 GMC 2500 HD Sierra Double Cab pickup truck as specified on the vehicle configuration summary dated April 8, 2022 in the amount of \$41,070 and outfit the pickup truck with a bed cap from Truck Trends of Bow, NH in the amount of \$3,729, for a total purchase price of \$44,799.

Note: Funding for the purchase of the pickup truck from the FY22 CIP at \$45,000.

Motion by Councilor Belanger, seconded by Councilor Lessard to grant the order.
Vote: Unanimous.

Appointment:

IN BOARD OF CITY COUNCIL...MAY 3, 2022
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby appoint:

Denis Rioux
677 South Street
Ward 6

to the *Conservation Commission*, replacing Thomas Craven, for a term to expire in December 2024.

Motion by Councilor Belanger, seconded by Councilor Clearwater to confirm the appointment.
Vote: Unanimous.

Public Addressing the Council..(5 minute limit per speaker; 30 minute total time limit):
There were no public comments.

City Manager Report:

City Manager James Bennett had the following items:

- 1) Earlier today, Code Enforcement Officer Roby Fecteau met with folks from FEMA and MEMA to look at the River Wall damage from last October, as well as the wall on the other side of the bridge that will need reconstruction. Thus far, things are progressing optimistically well for the City and Roby is extremely grateful to have the support of the Consultant that the City hired for this project.
- 2) The bond issuance is moving along aggressively with Staff having met with one bond rating agency today and a meeting scheduled with another bond rating agency for tomorrow. Sometime next week, the City will hear the results of these meetings. Jim is remaining cautiously optimistic for a positive outcome. He expects the bond sale to happen around May 17th.
- 3) The requested earmark for the pedestrian bridge will be withdrawn with Senator Collins’s Office. The reason for the withdrawal is because the City would have likely received funds for the engineering of the project, but that would have left the City out of contention for funds for the construction of the project.
- 4) Due to the insanity of the marketplace and the challenges with staffing issues, Jim and the Saco City Administrator have decided not to renew the Joint Agreement for a Shared Assessor when it comes up in July. Nick Desjardins will stop working in Saco as of June

30th of this year; and we will no longer be sharing the Field Lister position. Jim noted that, overall, the Shared Assessor was successful for the past five years, and that it's other factors that are impacting this decision.

- 5) Jim reiterated a point made by Councilor Lessard during the meeting that folks do not typically care about the tax rate, but are mostly concerned about how much they are paying for their property taxes. He noted that when he first came to work here in Biddeford, this was the rhetoric he was hearing; and with the tax rate lower now than it was back then, he wonders if that same sentiment will still be heard.
- 6) Chief Operating Officer Brian Phinney provided an update on the budget: the good news is that the rate remains at \$18.81; the bad news is what has changed is the amount of cash that is available. The discrepancy comes from how the School Department provided their budget numbers, specifically their base amount, including Adult Education. The issues with coming up with the correct budget numbers has been resolved between Brian and the School Department so that moving forward, this will not be an issue. Bottom line is that there is a difference of \$10,000 to deal with; however, the tax rate stays at \$18.81.

Other Business:

Councilor Clearwater: encouraged folks to participate in “No Mow May,” which is being observed in a number of Maine communities to benefit the bees. It has been determined that bees improve by eating weeds during the month of May.

Councilor Grohman: asked that at the next Council Meeting, two of Biddeford's businesses be recognized for recent awards they have received. *'cause Digital Marketing* was recognized as Maine SBA Home-Based Business of the Year; and *Deep Water Buoyancy* was recognized as the Maine International Exporter of the Year.

Councilor Ortiz: announced that the Biddeford-Saco-OOB Transit will have their first two electric buses on the road on May 17th; and five more electric buses have been ordered. She invited the Council to a kickoff event for the electric buses, with details to come.

Mayor Addressing the Council: Mayor Casavant shared that he was pleased attend the School Department's Athletic Hall of Honor. And he reminded folks that May 10th is the deadline to nominate someone for the Wall of Honor with the Biddeford Cultural Heritage Center.

Mayor Casavant recently heard from a constituent who told him that her rent has increased by \$300 in the past year. Mayor Casavant understands that rents all over are consistently going up; and he gets that it is due, in large part, to the increase in utilities and property taxes. What has struck him is the over-dependency the State of Maine has on property taxes, both at a state level and local level. To him, it would seem that the pressures of affordable housing seem to lie, for the most part, on property taxes; and further, pressures on housing are driven by investment-oriented tax policies. He feels that we, as a City and a State, need to look at the realignment of tax policies, and look at the effects of those tax policies on affordable housing. He went on to say that there is a fundamental problem that will get worse as prices continue to go up because people's disposable cash is not going up.

Motion by Councilor Belanger, seconded by Councilor Clearwater to adjourn.

Vote: Unanimous.

Time: 7:44 p.m.

Attest by: _____
Carmen J. Bernier, City Clerk