

COUNCIL MEETING

APRIL 19, 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 6:00 p.m.

Roll Call: Scott Whiting, Martin Grohman (arrived at 6:07 p.m.), Bobby Mills, Amy Clearwater (joined via Zoom), Liam LaFountain, and Marc Lessard

Norman Belanger, Doris Ortiz and William Emhiser were excused

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

Adjustments to the Agenda:

- Add: Order 2022.32) Approval/Aeration Basin Concrete Epoxy Injection at Wastewater Treatment Plant

2022.32) Approval/Aeration Basin Concrete Epoxy Injection at Wastewater Treatment Plant

Motion by Councilor Whiting, seconded by Councilor Lessard to grant the request for the total cost of this project - \$54,970.00; with the work being awarded to Apex Construction.

Vote: Unanimous.

Presentation: UNE Integration with the City of Biddeford

University of New England President James Herbert gave the presentation. He noted that he is especially proud of the strong relationship between the City and UNE. He is proud that the University still carries on some the historic French traditions that were started back when St. Francis College was originally established. UNE considers themselves a private University with a public mission and he provided some of their highlights:

- UNE is currently rated #1 college in Maine for job placement;
- The University routinely has the highest board scores across the state;
- And UNE has the lowest average of students who default on their student loans due to well-paying jobs after school.

He explained that UNE pays the City a PILOT of \$100,000 a year, which is paid in two \$50,000 installments. In addition to this monetary contribution to the City, the students who live here in Biddeford contribute quite a bit to the community monetarily; as well as in volunteer services by helping with downtown and parks cleanup, and other organized events.

On the flip side, UNE has quite a few events that the community is welcome to attend, including sporting events, the Brain Fair and other Fairs and learning events that are held on campus.

President Herbert is excited that UNE is a part of the Biddeford community and he looks forward to continued integration with our City.

Public Hearing: Liquor Licenses for Coco Bar and Grill; Broad Reach Sailing

The Chair opened the Public Hearing at 6:23 p.m.

There were no public comments.

The Public Hearing was closed at 6:23 p.m.

Liquor Licenses Consideration:

Coco Bar and Grill: Motion by Councilor Mills, seconded by Councilor Whiting to recommend the issuance of a State Liquor License to *Coco Bar and Grill*, located at 11 Adams Street

Vote: Unanimous.

Broad Reach Sailing: Motion by Councilor Mills, seconded by Councilor Whiting to recommend the issuance of a State Liquor License to *Broad Reach Sailing*, on the Saco River.

Vote: Unanimous.

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

There were no public comments.

Consideration of Minutes: **April 5, 2022**

Motion by Councilor Mills, seconded by Councilor Whiting to accept the minutes as printed.
Vote: Unanimous.

Orders of the Day:

2022.26

IN BOARD OF CITY COUNCIL..APRIL 19, 2022

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 III (Official Zoning Map):

Change Map 17, Lots 16-2 and 16-3 from I-1 Zone to R-1-A Zone, which will bring Lot 16-2 into conformity and allow residential uses consistent with the zone on Lot 16-3.

Motion by Councilor Whiting, seconded by Councilor LaFountain to grant the first reading of the ordinance amendment.

Vote: Unanimous.

Motion by Councilor Mills, seconded by Councilor Whiting to suspend the rules to allow for an immediate second reading and to make the amendment effective immediately due to the fact that the zoning in this area has been unsure and has held up development by the property owner. The suspension motion was revised to waive the second reading, with the amendment going into effect in 30 days.

Vote: 1/5; Councilor Mills in favor.

Councilors Whiting, Grohman, Clearwater, LaFountain and Lessard opposed.

Motion to suspend the rules fails.

2022.27

IN BOARD OF CITY COUNCIL..APRIL 19, 2022

BE IT ORDERED, that the City Council does hereby request the Planning Board to hold a Public Hearing and make recommendations to the City Council regarding a proposed amendment to Land Development Regulations, Article VI, Section 56.1.b to allow Mobile Food Vendor Courts in the B-2 zone.

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

Motion by Councilor Grohman, seconded by Councilor Clearwater to table the order to give Staff more time to come up with a potentially different approach to accommodating a mobile food court at the applicant's requested location.

Vote: 4/2; Councilors Whiting, Grohman, Clearwater and LaFountain in favor.

Councilors Lessard and Mills opposed.

Motion to table carries.

2022.28

IN BOARD OF CITY COUNCIL..APRIL 19, 2022

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve the purchase of a 2022 Ford F-150 (EV) Lightning Pickup Truck with modular toolboxes from Arundel Ford in an amount not to exceed \$46,264.00. This purchase is budgeted for in account 21204-60900-42201- Vehicle Capital Replacement.

NOTE: The Finance Committee will consider this item at their April 19, 2022 meeting.

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

Vote: Unanimous.

2022.29

IN BOARD OF CITY COUNCIL..APRIL 19, 2022

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the position of Deputy Recreation Director as a funded position, effective immediately.

Motion by Councilor LaFountain, seconded by Councilor Whiting to grant the order.

Vote: Unanimous.

2022.30

IN BOARD OF CITY COUNCIL..APRIL 19, 2022

BE IT ORDERED, that the City Council of the City of Biddeford does here by accept the City Clerk's nominations for Election Clerks for the 2022 and 2023 Elections.

NOTE: The City Clerk may include other Election Clerks not on the attached list, as necessary.

Motion by Councilor Clearwater, seconded by Councilor Whiting to confirm the appointments.
Vote: Unanimous.

2022.31

IN BOARD OF CITY COUNCIL..APRIL 19, 2022

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to sign an agreement with Meridian Strategic Services, INC. Meridian is a consulting firm that will be assisting the City in the reimbursement process with FEMA and MEMA for the River Wall Repairs from damage done in October 2021; as well as other River Wall Projects as necessary.

BE IT FURTHER ORDERED, that all consulting costs will be reimbursed to the City as part of this disaster declaration.

NOTE: The Finance Committee is scheduled to reviewed this item on April 19, 2022.

Motion by Councilor Whiting, seconded by Councilor Lessard to grant the order.
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:

- ❖ Noted that he had sent the Council an email earlier in the day, providing them with an update on staffing issues and asking for patience as Staff works to deal with everything coming up with limited resources.
- ❖ He recognized the tremendous job from Staff who put together the package for the Federal Earmark Funds that has been submitted to Maine's Senators. In addition to the information already provided in the package, an interactive website will also go live sometime next week, which will show all the downtown connections. Jim specifically recognized Jeff Demers, Tom Milligan, Craig Chekan, Greg Copeland, Christine Ohman and Kendi Norton for all their work and contributions in putting the package together; as well as, of course, Brian Phinney who headed the whole project.

Other Business:

Councilor Lessard asked that the Recycling Center schedule to be open a couple of Sundays for Spring cleanup. Jim is pretty certain that those dates have already been scheduled and he will get that information from Public Works and pass it along.

Councilor Lessard is concerned that tabling the food court issue will overburden an under-staffed Planning Department. He hopes that it is not the intention of the Council to have this item back on the next Council Meeting agenda; but rather, allow Staff the time they need to address it.

Councilor Mills likes that the intersection of Main, Lincoln and Adams Streets is now a 4-way stop; however, he has witnessed many near misses due to drivers not stopping. He'd like to see more enforcement.

Councilor Grohman announced the Earth Day activities that are scheduled for this Saturday, April 23rd. The Recycling & Waste Commission will be at the Recycling Center selling compost bins; staff from Casella will be at the Recycling Center handing out information on recyclables; Apex Youth Connection is doing a bicycle ride at 10:00 a.m. and will be visiting the community gardens.

City Manager James Bennett reminded the Council of Monday, April 25th's Budget Committee meeting, where he will publicly present the proposed cuts that had been asked for by the Committee. He hopes to email the proposed cuts to the Budget Committee by the end of the day

this Friday. He believes that he has brought in a budget that will be acceptable to the Budget Committee.

Mayor Addressing the Council: Mayor Casavant is proud of the recent attention Biddeford restaurants have received from Food and Wine magazine, Channel 6 News, Channel 8 News, the Boston Globe and the Portland Press. While the recognition is great, he is leery of the unintended consequences of such attention, like increased vehicular traffic and housing issues. This just goes to show that nothing is ever perfect!

Motion by Councilor Mills, seconded by Councilor Lessard to adjourn.
Vote: Unanimous.

Time: 7:09 p.m.

Attest by: _____
Carmen J. Bernier, City Clerk