

COUNCIL MEETING

APRIL 5, 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: William Emhiser, Scott Whiting, Martin Grohman, Amy Clearwater, Norman Belanger, Liam LaFountain, Doris Ortiz and Marc Lessard

Bobby Mills joined via Zoom.

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

Adjustments to the Agenda:

- Add: Discussion/Approval) Review River Wall Repair Alternatives Analysis – Recommend Extension of Contract with Weston & Sampson

Appointment & Confirmation: City Solicitor

2022. IN BOARD OF CITY COUNCIL..APRIL 5, 2022

BE IT ORDERED, that Mayor Casavant's appointment of Harry B. Center, Esq. and the firm of Woodman Edmands Smith Danylik, Austin & Jacques, P.A., as City Solicitor, in accordance with the Charter of the City of Biddeford be confirmed.

Motion by Councilor Emhiser, seconded by Councilor Lessard to confirm the appointment.

Vote: Unanimous.

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

There were no public comments.

Public Hearing: Liquor Licenses

- **Valleigh, Inc. DBA: Valerie's Scratch Kitchen – 45 Boulder Way**
- **Vickie's Veggie Table, LLC – 229 Main Street, Suite 101**

The Chair opened the Public Hearing at 6:02 p.m.

There were no public comments.

The Public Hearing was closed at 6:03 p.m.

Liquor Licenses Consideration:

- **Valleigh, Inc. DBA: Valerie's Scratch Kitchen**

Motion by Councilor Whiting, seconded by Councilor Clearwater to recommend the issuance of a State Liquor License to Valleigh, Inc. DBA Valerie's Scratch Kitchen.

Vote: Unanimous.

Motion by Councilor Whiting, seconded by Councilor Clearwater to recommend the issuance of a State Liquor License to Vickie's Veggie Table, LLC.

Vote: Unanimous.

Presentation: Grant Submission & Allocation

City Manager James Bennett gave an update on the Earmark Grant request that is being submitted to Senator Collins's office this week, and Senator King's Office next week. He explained that the City has been working toward creating bicycle and pedestrian connections in the downtown, in conjunction with the Pepperell Mill, Lincoln Mill, Parking Garage and other development that the City has seen. The Earmark includes work for these improvements, as well as improvements to the RiverWalk. The total amount for the Earmark request is anticipated to be around \$14 – \$18 million. With funds already in place for these projects; as well as expected matching funds, this amount is attainable.

Motion by Councilor Belanger, seconded by Councilor Clearwater to support the submission of the Earmark Grant Request.

Vote: Unanimous.

Consideration of Minutes: **March 15, 2022**

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

Vote: Unanimous.

Second Reading:

{For a copy of the Order and first reading, see the Council Meeting minutes of March 15, 2022}

2022.17) Authorization/Biddeford School Revolving Renovation Fund Financing/Bonds for Health, Safety and Compliance Repairs at School Facilities for June 14, 2022 Municipal Referendum Election.

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

Vote: Unanimous.

Orders of the Day:

2022.23

IN BOARD OF CITY COUNCIL..APRIL 5, 2022

BE IT ORDERED, that in accordance with the provisions set forth under *Ch. 6, Amusements, Article V – Sales, Possession and Consumption of liquor at and during Special Events on City Public Property*, the City Council of the City of Biddeford does hereby grant approval for Biddeford Saco Chamber of Commerce to serve liquor at their Membership Cookout on July 21, 2022 at Mechanics Park, providing that the said Biddeford Saco Chamber of Commerce is and remains in compliance with the provisions set forth under Ch. 6, Section 6-178 et seq.

BE IT FURTHER ORDERED, that the City Council also approves the issuance of a Special Event Permit for the Biddeford & Saco Chamber of Commerce Trade Show/Business Expo Event on July 21, 2022 at Mechanics Park.

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

Vote: Unanimous.

2022.24

IN BOARD OF CITY COUNCIL..APRIL 5, 2022

BE IT ORDERED, that in accordance with the provisions set forth under *Ch. 6, Amusements, Article V – Sales, Possession and Consumption of liquor at and during Special Events on City Public Property*, the City Council of the City of Biddeford does hereby grant approval for LaKermesse Franco-Americaine to have beer/wine served at their festival on June 23rd, 24th, 25th and 26th, 2022 at St. Louis Field, providing that the said LaKermesse Franco-Americaine is and remains in compliance with the provisions set forth under Ch. 6, Section 6-178 et seq.

BE IT FURTHER ORDERED, that the City Council also approves the issuance of a Special Event Permit for the LaKermesse Franco-Americaine Festival on June 23rd, 24th, 25th and 26th, 2022.

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

Vote: Unanimous.

2022.25

IN BOARD OF CITY COUNCIL.....APRIL 5, 2022

BE IT ORDERED, that the City Manager be authorized to sign an agreement with Center for Public Safety Management, LLC for conducting an assessment of the Biddeford Fire Department in the total not-to-exceed amount of \$53,500.

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 reviewed this item on April 5, 2022 as part of the published agenda.

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

Vote: 7/2; Councilors Lessard and Mills opposed.

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

Motion carries.

**2022.26) Discussion/Approval – Review River Wall Repair Alternatives Analysis/
Recommended Extension of Contract with Weston & Sampson**

From Chief Operating Officer Brian Phinney's Council Briefing:

FEMA has approved the disaster declaration for the river wall collapse at the RiverWalk overlook. Staff is providing a project update to review the wall repair alternatives report, FEMA funding expectations, and next steps. Weston & Sampson recommends a soldier pile and lagging wall design. It happens that this design is also the lowest cost alternative. To ensure selection of the most appropriate alternative given the wall failure and other factors. A 3rd party review was requested as a "check". James W. Sewall Co., confirmed Weston & Samson's findings. Next steps include moving forward with permitting, final design once FEMA sign-off is received and construction bidding.

With funding available in the FY22 budget, staff also recommends adding a municipally funded task to Weston & Samson's Agreement for permitting repair of the known failure and erosion damage at the Mechanics Park wall. The road constructed to access the RiverWalk collapse at Pepperell runs directly by the Mechanics Park section. Moving forward with permitting will allow repair and reduced overall cost. The City's EMA director is also actively pursuing federal funding in support of the Mechanics Park section.

Motion by Councilor Clearwater, seconded by Councilor Whiting to approve the extension of the contract with Weston & Sampson, which is to include the River Wall repair permitting at the Pepperell, and to add a separate Municipal funded task for permitting for the River Wall at Mechanics Park.

Vote: Unanimous.

Appointments:

Maine Service Center Coalition

Motion by Councilor Belanger, seconded by Councilor Clearwater to nominate City Manager James Bennett as Biddeford's Voting Delegate on the Maine Service Center Coalition.

Vote: Unanimous.

IN BOARD OF CITY COUNCIL...APRIL 5, 2022

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby appoint:

**Bryan Hadler
100 Summer Street, #302
Ward 4**

to the *Conservation Commission*, replacing Kenneth Buechs, for a term to expire in December 2022.

Motion by Councilor Belanger, seconded by Councilor Whiting to confirm the appointment.

Vote: Unanimous.

IN BOARD OF CITY COUNCIL...APRIL 5, 2022

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby appoint:

**Larry Patoine
12 Shepherds Way
Ward 6**

to the *Planning Board*, as an Associate Member, for a term to expire in December 2025.

Motion by Councilor Belanger, seconded by Councilor Whiting to confirm the appointment.

Vote: Unanimous.

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

One citizen addressed his comments to the Council.

City Manager Report:

City Manager James Bennett informed the Council that the Auditors are currently planning to present the Audit to both the Council and School Committee at the May 3rd Council Meeting. The Audit will be sent to the Councilors prior to the presentation.

He also shared that the Bond Rating presentation will be done for the Bond Agencies at the end of this month. He is confident that the City is in much better financial standing and it is likely the City's bond rating will be upgraded.

Other Business:

Councilor Lessard asked if there are any dates and extended hours set for Spring cleanup at the Recycling Center. City Manager Jim Bennett will follow up with the DPW Director, Jeff Demers.

Councilor Grohman shared that there are improvements going on at Clifford Park; including the building of new picnic tables by the students at the Center of Technology.

Councilor Mills recently heard from a constituent who is concerned with the rising cost of rental units in Biddeford. Councilor Mills is hearing of many landlords who are making improvements to their rental units and then hiking up the monthly rents. This is causing the displacement of families who can no longer afford the monthly rents. This is very concerning and he hopes to talk with the recently formed Housing Committee to talk about this issue.

Council President Addressing the Council: Councilor Belanger reminded the Council that there is a Budget Committee meeting this coming Thursday and he encouraged the Councilors to take a look at the Municipal Service budget requests ahead of time to be prepared. He also encouraged the public to send their concerns/comments about the budget to the Council.

Mayor Addressing the Council: Mayor Casavant thanked the UNE Students who came out and helped with the cleanup of the City parks. He is pleased with the partnership that the City has formed with UNE.

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

Vote: Unanimous.

Time: 7:08 p.m.

Attest by: _____
Carmen J. Bernier, City Clerk