

**COUNCIL MEETING
APRIL 3, 2018**

Mayor Casavant 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.

Adjustment to the Agenda:

- Add Executive Session: 1 MRSA 405(6)(C)...Airport Easements

Proclamation: Public Safety Telecommunications Week

Mayor Casavant read the proclamation.

Presentation: Update on 2018 City Goals

City Clerk, Carmen Morris went through a PowerPoint presentation, which highlighted all the work and projects currently being worked on by City Staff.

Consideration of Minutes: **March 20, 2018**

Motion by Councilor Swanton, seconded by Councilor Foley to accept the minutes as printed.

Vote: Unanimous.

Orders of the Day:

2018.30

IN BOARD OF CITY COUNCIL....APRIL 3, 2018

BE IT ORDERED, that the City Manager be authorized to sign a unit cost contract with Dearborn Brothers Construction, Inc. of Buxton, Maine for the construction of the Graham Street Sewer Separation Project as per the bid submitted and opened on March 26, 2018, in the amount of \$972,278. Funding for this work is from the Sewer Separation Bond approved by voters and as provided for in Fund 402 account Code number 31153.

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NOTE: The Finance Committee will review this item at their April 3, 2018 meeting.

Motion by Councilor Ready, seconded by Councilor McCurry to grant the order.

Vote: Unanimous.

2018.31

IN BOARD OF CITY COUNCIL..APRIL 3, 2018

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve the following:

Eighth Amendment to the Rte 111-Mill Redevelopment Municipal Development and Tax Increment Financing District

WHEREAS, the City of Biddeford (the "City") is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to amend the Rte 111-Mill Redevelopment Municipal Development and Tax Increment Financing District (the "District") Development Program (as amended, the "Development Program"); and

WHEREAS, there is a need for economic development in the City of Biddeford, in the surrounding region, and in the State of Maine; and

WHEREAS, there is a need to improve and broaden the tax base of the City of Biddeford; and to improve the general economy of the City of Biddeford and the surrounding region; and

WHEREAS, implementation of the Development Program will help to improve and broaden the tax base in the City of Biddeford and improve the economy of the City of Biddeford and the region by attracting business development to the District; and

WHEREAS, there is a need to implement continued economic development initiatives in the District through the amendment of the Development Program in accordance with the provision of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended; and

WHEREAS, the City desires to amend the Development Program; and

WHEREAS, the City held a public hearing and voted to approve an eighth amendment to the Rte 111-Mill Redevelopment Municipal Development and Tax Increment Financing District Development Program on April 3, 2018; and

WHEREAS, it is expected that approval will be obtained from the State of Maine Department of Economic and Community Development (the “Department”), approving this ***Eighth Amendment to the Rte 111-Mill Redevelopment Municipal Development and Tax Increment Financing District Development Program***;

ORDERED AS FOLLOWS:

Section 1. The City of Biddeford hereby approves the Eighth Amendment to the Rte 111-Mill Redevelopment TIF District Development Program; such amendment to be pursuant to the following findings, terms, and provisions:

Section 2. The City Council hereby finds and determines that:

a. This amendment to the Development Program will not result in the District falling out of compliance with any of the conditions of 30-A M.R.S.A. Section 5223(3); and

b. The District and the Development Program will make a contribution to the economic growth and well being of the City of Biddeford and the surrounding region, and will contribute to the betterment of the health, welfare and safety of the inhabitants of the City of Biddeford, including a broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose. The City has considered all evidence, if any, presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined that such adverse economic effect on or detriment to any existing business, if any, is outweighed by the contribution expected to be made through the Eighth Amendment to the Development Program.

Section 3. Pursuant to the provisions of 30-A M.R.S.A. § 5227, the percentage of increased assessed value to be retained as captured assessed value in accordance with the Development Program is hereby established as set forth in the Development Program.

Section 4. The City Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the proposed Eighth Amendment to the Development Program for the District to the Department for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5226; and further is authorized to execute the credit enhancement agreement with the developer of the North Dam Mill consistent with the Development Program as presented and approved herein, and to create accounts and take all the actions described in such agreement.

Section 5. The foregoing adoption of the Eighth Amendment to the Development Program for the District shall automatically become final and shall take full force and effect upon receipt by the City of approval of the by the Department, without requirement of further action by the City, the City Council, or any other party.

Section 6. The City Manager, or his duly appointed representative, is hereby authorized and empowered, at his discretion, from time to time, to make such revisions to the Eighth Amendment to the Development Program for the District as the City Manager, deems reasonably necessary or convenient in order to facilitate the process for review and approval of the District by the Department, or for any other reason, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Development Program.

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

Mayor Casavant opened the public hearing.

Biddeford resident, Matt Lauzon addressed his concern that there be clearer communication between the City and the public regarding the various development projects that are encompassed in the TIFs.

The public hearing was closed.

Vote on Order: 5/4; Councilors McCurry, Quattrone, Lessard and Seaver opposed.
Councilors Swanton, St. Cyr, Foley, Belanger and Ready in favor.
Motion carries.

2018.32 **IN BOARD OF CITY COUNCIL..APRIL 3, 2018**
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 2018 and 2019 Elections.

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

Motion by Councilor Foley, seconded by Councilor McCurry to confirm the appointments.
Vote: Unanimous.

Public Addressing the Council...(5 minute limit per speaker; 30 minute total time limit):
A couple of citizens addressed their comments to the Council.

City Manager Report:
City Manager, James Bennett was not present.

Other Business:
Councilor Lessard: asked if Code Enforcement Officer, Roby Fecteau could give a quick update on the apartment fire that occurred yesterday (April 2nd).

Councilor Lessard informed the Council that on April 18th, the York County Budget Committee will be nominating their members; and he urged his fellow Councilors to attend the meeting so that a Biddeford Councilor may be nominated to the committee and maintain voting rights.

Code Enforcement Officer, Roby Fecteau gave an update on the apartment fire that occurred yesterday (April 2nd) at 45 Hill Street, with damage also at 39 Hill Street. The City has ordered a complete demolition of 45 Hill Street, and the debris is scheduled to be removed April 4th and 5th. The General Assistance Office has worked with the Red Cross to assist with the temporary relocation of the affected tenants of both buildings.

Councilor Swanton: shared that on April 28th, from 10:00 a.m. to 2:00 p.m. at the Public Works Department on Hill Street, personnel from the Police Department will be present to do drug take back; and Earth Machines will be available for purchase.

Council President Addressing the Council: Councilor McCurry offered his condolences to the family and friends of the gentleman who passed away in this week's apartment fire. He also gave kudos to all the first responders who were on the scene fighting the fire.

Councilor McCurry shared how proud he is of the Police Department for going through the CALEA (accreditation) process; and how impressed he is on how quickly they have been able to get through the process.

Mayor Addressing the Council: Mayor Casavant expressed how impressed he is with all who worked this week's fire, from our own personnel to all the surrounding communities who came in to assist. He announced that if folks would like to help those who have been affected by the building fire, they may go to the City's website and donate to the Go Fund Me fundraiser that has been created by Representative Martin Grohman.

Executive Session: 1 MRSA 405(6)(C)...Airport Easements
Motion by Councilor McCurry, seconded by Councilor Lessard to move into Executive Session.
Vote: 8/1; Councilor McCurry opposed.
Councilors Swanton, St. Cyr, Quattrone, Foley, Belanger, Ready, Seaver and Lessard in favor.
Motion carries. Time: 6:45 p.m.

Motion by Councilor Foley, seconded by Councilor McCurry to move out of Executive Session.
Vote: Unanimous. Time: 7:25 p.m.

Motion by Councilor Foley, seconded by Councilor McCurry to adjourn.
Vote: Unanimous. Time: 7:25 p.m.

Attest by: _____
Carmen J. Morris, City Clerk