

**COUNCIL MEETING
MARCH 19, 2019**

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., Amy Clearwater, Norman Belanger, Michael Ready, Laura Seaver, Marc Lessard

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

Adjustments to the Agenda:

- Add Executive Session:
 - 1 MRSA 405(6)(D)...Labor Contract Negotiations
 - 1 MRSA 405(6)(C)...Real Estate Matter

Presentation: Police Department Annual Report

Police Chief, Roger Beaupre gave an overview of the activities of the Police Department in 2018, which included earning national accreditation from the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA). He touched on statistics concerning police arrests, use of force, domestic violence, traffic violations, animal control calls, calls handled by dispatch and the department's involvement in Opioid cases. The full report can be found on the City's website on the Police Department's page.

Presentation: FY20 School Department Budget

Superintendent of Schools, Jeremy Ray presented the highlights of the upcoming proposed FY20 School Department Budget. He noted that one of the major factors that drives the school budget each year is the City's valuation, which plays into the State formula when determining the State Subsidy for Schools. Mr. Ray touched on other factors that are considered when putting together the School Department budget, such as school enrollment numbers, CIP items, child and family homelessness, working with children whose primary language is not English, transportation costs and more.

The School Committee is currently working through the budget process and will have a final proposed School Department budget for Council consideration in a few weeks.

Consideration of Minutes: **March 5, 2019; March 14, 2019**

Motion by Councilor McCurry, seconded by Councilor Clearwater to accept the March 5, 2019 minutes.

Councilor Swanton pointed out a correction, which will be made.

Vote on minutes as amended: Unanimous.

Motion by Councilor McCurry, seconded by Councilor Clearwater to accept the March 14, 2019 minutes.

Vote: Unanimous.

Second Reading:

(For a copy of the ordinance amendment and first reading, see the Council Meeting minutes of March 5, 2019)

**2019.12) Amendment/Ch. 58, Solid Waste/Sec. 58-64-Large item and recycling programs/
Add Disposal Fees**

Motion by Councilor Ready, seconded by Councilor Clearwater to remove the ordinance amendment from the table.

Vote: Unanimous.

Motion by Councilor Seaver, seconded by Councilor Clearwater to amend the ordinance, Sec. 58-64 (a) by adding back "**grass clippings, brush and braches.**"

Vote: Unanimous.

Vote on ordinance, as amended: 7/2 Councilors Ready and McCurry opposed.
Councilors Swanton, St. Cyr, Quattrone, Clearwater, Belanger, Seaver and Lessard in favor.
2nd Reading carries.

Orders of the Day:

2019.21

IN BOARD OF CITY COUNCIL..MARCH 19, 2019

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),
be amended to expand the MSRD-2 District as depicted on the attached map.**

AND BE IT FURTHER ORDAINED, that the following be amended:

Part III (Land Development Regulations), Article XV (Historic Preservation Ordinance), Section 5 (Historic districts and historic landmarks designated) be amended as follows:

The following described lands, buildings, structures, or areas of the City of Biddeford are designated as historic districts or historic landmarks:

A. Districts:

1. Downtown Historic District, as defined by the MSRD-1 Zone.
2. Mill Area Historic District, as defined by the MSRD-3 Zone, except for those lands located northwest of Elm Street.
3. Mixed Residential Historic District, as defined by the MSRD-2 Zone as depicted on the Official Zoning Map in effect on June 9, 2011.

NOTE 1: The Planning Board held a duly noticed Public Hearing on this item (at the request of the City Council) and voted 4-0 to recommend this amendment be approved by the City Council along with the recommended HPO Amendment.

NOTE 2: The Planning Board's recommendation is based on the recommended HPO amendment also being adopted. It is unlikely the Board would have recommended this amendment pass at this time if not for the HPO amendment.

Motion by Councilor McCurry, seconded by Councilor Ready to grant the first reading of the ordinance amendment.

Vote: Unanimous.

2019.22

IN BOARD OF CITY COUNCIL..MARCH 19, 2019

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),
be amended to change the existing R-2 District to a B-1 District as depicted on the attached map.**

NOTE 1: The Planning Board held a duly noticed Public Hearing on this item (at the request of the City Council) and voted 3-2 to recommend this amendment be approved by the City Council.

Motion by Councilor Clearwater, seconded by Councilor McCurry to grant the first reading of the ordinance amendment.

Motion by Councilor Swanton, seconded by Councilor Lessard to amend the ordinance by specifying that only the property located at 48 Elm Street (Map 40, Lot 35) be changed from the R-2 District to the B-1 District.

Motion was withdrawn.

Motion by Councilor Swanton, seconded by Councilor Clearwater to amend the ordinance by changing the existing B-1 District to extend across Maple Street and encompass the property known as 48 Elm Street (Map 40, Lot 35) located between Maple Street and Pine Street, and extending along the common boundary of said property and Pine Street and continuing across Elm Street.

Vote on amendment: 8/1; Councilor Lessard opposed.

Councilors Swanton, McCurry, St. Cyr, Quattrone, Clearwater, Belanger, Ready and Seaver in favor. Motion carries.

Vote on first reading, as amended: Unanimous.

2019.23 IN BOARD OF CITY COUNCIL..MARCH 19, 2019

BE IT ORDERED that the City Council does hereby request the Planning Board to conduct a Public Hearing and make recommendations to the City Council regarding proposed amendments to the Zoning Ordinance as outlined below.

Part III (Land Development Regulations), Article III (Official Zoning Map), is amended to rezone the area depicted on the attached map from R-1-A to B-2.

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

Vote: Unanimous.

2019.24 IN BOARD OF CITY COUNCIL...MARCH 19, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve the proposal to establish a ***Biddeford Youth Advisory Council***.

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

Vote: 7/2; Councilors Quattrone and Swanton opposed.

Councilors McCurry, St. Cyr, Clearwater, Belanger, Ready, Seaver and Lessard in favor. Motion carries.

2019.25 IN BOARD OF CITY COUNCIL...MARCH 19, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Assessor to abate \$4,420.34 for the fiscal year 2018 for property located at 6 Old Dogs Way.

Motion by Councilor McCurry, seconded by Councilor Belanger to grant the abatement.

Vote: 7/2; Councilors Quattrone and St. Cyr opposed.

Councilors Swanton, McCurry, Clearwater, Belanger, Ready, Seaver and Lessard in favor. Motion carries.

2019.26 IN BOARD OF CITY COUNCIL..MARCH 19, 2019

BE IT ORDERED, that the City of Biddeford has acquired the following properties by virtue of tax lien foreclosures:

1. 587 South Street, Map 1, Lot 19
2. 15 Andrew's Road, Map 2, Lot 5-4
3. West Street (Off Of), Map 3, Lot 40-5
4. 223 River Road, Map 6, Lot 14-2
5. 448 Alfred Street, Map 20, Lot 52
6. Main Street (Off Of), Map 40, Lot 74
7. ~~8 Pierson's Lane, Map 41, Lot 126~~

The City Council hereby directs that the City hold title to the above listed properties and directs the tax assessor to revise the property tax cards to list the City of Biddeford as record owner of the properties. The Council further directs that unpaid taxes, interest and any associated lien fees on the properties be written off. The property will now be listed as tax acquired property as an asset.

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

Motion by Councilor McCurry, seconded by Councilor Ready to amend the order by removing #7 - 8 Pierson's Lane, Map 41, Lot 126.
Vote: Unanimous.

Motion by Councilor McCurry, seconded by Councilor Ready to allow Councilor Belanger to abstain from voting on this Order since one of the listed properties abuts his property and there is a right of way involved.
Vote: Unanimous.

Vote on order, as amended: Unanimous, with one abstention.

Appointment:

IN BOARD OF CITY COUNCIL...MARCH 19, 2019

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

**Ron Gobeil
11 Havey Avenue
Ward 4**

to the *Project Canopy Committee*, for a term to expire in December 2023.

Motion by Councilor Ready, seconded by Councilor Belanger 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 he will be in Augusta tomorrow (March 20th) to testify on the revenue sharing bill at the Appropriations Committee.

Other Business:

Councilor Seaver: publicly apologized to Mr. Vincent Keely that the Council was not in attendance at the raising of the Irish Flag outside of City Hall on Sunday, St. Patrick's Day. She thanked Mr. Keely for taking it upon himself to raise the Flag.

Councilor Swanton: expressed his concern that POLCO, the company that the City has contracted with to conduct surveys on different items of local interest, asks for email addresses from participants. He fears that this may deter folks from actually using POLCO. Mr. Bennett explained that the City never gets the email information; nor is that information able to be FOAA requested.

Councilor Clearwater: attended the *Community Souper* this past Sunday and had a really good time. The event served as a fundraiser for Seeds of Hope, and she encouraged all to attend next year's event.

Council President Addressing the Council: Councilor McCurry thanked and commended both Police Chief, Roger Beaupre and School Superintendent, Jeremy Ray for their presentations during tonight's meeting. He further recognized all the City and School personnel who work so hard and thanked them for their efforts. Finally, he also thanked his fellow Councilors for their dedication to public service, which often times is thankless.

Councilor McCurry would like to look at ways to better advertise the budget process in an effort to get more of the public involved.

Mayor Addressing the Council: Mayor Casavant recently met and spoke with a 92 year old woman who shared how impressed she is with all that is going on in Biddeford; and is pleased with all the positive changes.

Mayor Casavant had lunch at Dizzy Birds and was pleased to get feedback from the owner about how great City Staff has been to work with.

Executive Session:

- **1 MRSA 405(6)(D)...Labor Contract Negotiations**
- **1 MRSA 405(6)(C)...Real Estate Matter**

Motion by Councilor McCurry, seconded by Councilor Clearwater to move into Executive Session.

Vote: Unanimous.

Time: 8:23 p.m.

Motion by Councilor Ready, seconded by Councilor McCurry to move out of Executive Session.

Vote: Unanimous.

Time: 9:33 p.m.

Motion by Councilor Ready, seconded by Councilor McCurry to adjourn.

Vote: Unanimous.

Time: 9:33 p.m.

Attest by: _____
Carmen J. Morris, City Clerk