COUNCIL MEETING
MARCH 5, 2019

Mayor Casavant called the meeting to order at 6:00 p.m.

Roll Call: Michael Swanton, John McCurry, Jr., Stephen St. Cyr, Amy Clearwater, Norman Belanger, Michael Ready, Laura Seaver, Marc Lessard

Robert Quattrone, Jr. was excused.

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

Adjustment to the Agenda:
- Add Recognition: Honorable Michael Cantara

Recognition: **Honorable Michael Cantara**
Mayor Casavant noted that Michael has had an extensive career in public service. He was once a Biddeford City Councilor; the Mayor of Biddeford; York County's District Attorney; and upon his retirement, served as a Maine Judge. In his leadership roles, Michael was always quick to diffuse contentious situations, made folks feel welcome and was fair. He has always been a firm believer in the Franco-American tradition and a proud and staunch supporter of his hometown of Biddeford.

Councilor Belanger read a plaque (which was written in French) that had been presented to Michael by Mayor Casavant and on behalf of the City of Biddeford during his retirement event last week.

Presentation: **FY20 City Government Budget**
City Manager, James Bennett gave the highlights of the proposed FY20 City Government Budget, laying the groundwork for what the Council will be asked to consider and eventually approve as the FY20 operating budget.

Consideration of Minutes: **February 19, 2019; February 25, 2019**
Motion by Councilor Ready, seconded by Councilor Clearwater to accept the February 19, 2019 meeting minutes as printed.
Vote: Unanimous.

Motion by Councilor McCurry, seconded by Councilor Clearwater to accept the February 25, 2019 meeting minutes as printed.
Vote: Unanimous.

Second Readings:
{For a copy of the ordinance amendments and first readings, see the council meeting minutes of February 19, 2019}

2019.9) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-90-No Parking/ Add on Granite Street, Odd-Numbered Side
Motion by Councilor McCurry, seconded by Councilor Ready to grant the second reading of the ordinance amendment.
Vote: Unanimous.

2019.10) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-66-Beach permit parking regulations enumerated/Change Violation Fine
Motion by Councilor Ready, seconded by Councilor Clearwater to grant the second reading of the ordinance amendment.
Vote: 4/4; Councilors St. Cyr, Belanger, Swanton and Clearwater opposed.
Councilors McCurry, Ready, Seaver and Lessard in favor.
Mayor Casavant voted in favor to break the tie.
Motion carries.

2019.11) Amendment/Ch. 58, Solid Waste/Grandfathered Facilities Recycling Program Standards
Motion by Councilor McCurry, seconded by Councilor Clearwater to grant the second reading of the ordinance amendment.
Vote: Unanimous.

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 grant the second reading of the ordinance amendment.

Motion by Councilor Swanton, seconded by Councilor Belanger to amend the ordinance, Sec. 58-64 (a) by striking "All personal items (stereos, chairs, sofas, lamp fixtures, etc.)" and replacing with:
Residents may dispose of up to one yard of household items in any one day for free. (furniture, stereos, lamps, fixtures, etc.) Any additional loads of household items may be disposed of for a fee of $20 per yard.

Motion by Councilor Seaver, seconded by Councilor McCurry to table the ordinance amendment in order for the amendment language to be cleaned up.
Vote: 4/4; Councilors Ready, Belanger, Clearwater and Swanton opposed.
Councilors McCurry, St. Cyr, Seaver and Lessard in favor.
Mayor Casavant voted in favor of tabling the ordinance amendment.

2019.13) Amendment/Land Development Regulations/MSRD-2 Density for Residential Conversion & Condominium Projects
Motion by Councilor Ready, seconded by Councilor Clearwater to grant the second reading of the ordinance amendment.

Motion by Councilor Clearwater, seconded by Councilor Lessard to amend section B.2.c by adding, "…units shall not be sold for a price that exceeds 125% of the York county median home price affordable to median income households calculated on a square foot basis."
Vote: 1/7; Councilor Lessard in favor.
Councilors Swanton, McCurry, St. Cyr, Clearwater, Belanger, Ready and Seaver opposed.
Motion fails.

Vote on ordinance, as written: 7/1; Councilor Lessard opposed.
Councilors Swanton, McCurry, St. Cyr, Clearwater, Belanger, Ready and Seaver in favor.
Motion carries.

2019.14) Amendment/Land Development Regulations/Elimination of Newspaper Notifications for Planning Board and Historic Preservation Commission
Motion by Councilor McCurry, seconded by Councilor Clearwater to grant the second reading of the ordinance amendment.
Vote: 5/3; Councilors Lessard, Ready and Swanton opposed.
Councilors McCurry, St. Cyr, Clearwater, Seaver and Belanger in favor.
Motion carries.

2019.15) Amendment/Land Development Regulations/Expanded Prohibition of Street-level Residential Uses
Motion by Councilor Ready, seconded by Councilor Clearwater to grant the second reading of the ordinance amendment.
Vote: 7/1; Councilor St. Cyr opposed.
Councilors Swanton, McCurry, Clearwater, Belanger, Ready, Seaver and Lessard in favor.
Motion carries.

2019.16) Amendment/Land Development Regulations/Permitted Uses in B-1 Zone/ Add "Art Studios" and "Art Galleries"
Motion by Councilor Ready, seconded by Councilor Clearwater to grant the second reading of the ordinance amendment.
Vote: Unanimous.

Orders of the Day:

2019.19 IN BOARD OF CITY COUNCIL…MARCH 5, 2019

BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article IV Specific Street Regulations**, Section 42-90 No Parking,** is amended by adding or ~~deleting~~ to read as follows:

~~*Cardinal Lane*, odd-numbered side, from the intersection with Marial Avenue to dead end.~~

Cardinal Lane, even-numbered side, from the intersection with Marial Avenue to dead end.

NOTE: This is a correction to an ordinance amendment that was approved at the January 3, 2019 Council Meeting. In order to resolve the on-going issue in this area, the Council is asked to consider and approve this as an emergency ordinance amendment.

Motion by Councilor McCurry, seconded by Councilor Lessard to grant the first reading of the ordinance amendment.
Vote: Unanimous.

Motion by Councilor McCurry, seconded by Councilor Clearwater to suspend the rules and allow for an immediate second reading and pass as an emergency amendment.
Vote: Unanimous.

Motion by Councilor McCurry, seconded by Councilor Ready to grant the second reading of the ordinance amendment and that it become effective immediately.
Vote: Unanimous.

2019.20 IN BOARD OF CITY COUNCIL..MARCH 5, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve the allocation of additional funds to cover the final stages of work for the South Street Project. The estimated additional amount needed to cover the rest of the project is $300,000.00, with funds being used from Bond proceeds 411.

Motion by Ready, seconded by Councilor Clearwater to grant the order.
Vote: Unanimous.

Public Addressing the Council…(5 minute limit per speaker; 30 minute total time limit):
One citizen addressed his concern to the Council.

Other Business:

Councilor Swanton – asked about the tabling of Order 2019.12. It was explained that Staff will work on re-wording the ordinance amendment and this item will be included on the March 19th council agenda.

He requested that, as has been done in past years, the Irish Flag be flown on the City Hall flagpole on St. Patrick's Day. Assurances were given that this would indeed be done.

He agrees with Mr. Rhames, (who spoke during the Public Addressing the Council portion of the meeting) that print media is still an important resource and would like to see Order 2019.14 reconsidered.

Councilor Clearwater – has noticed that the meeting bulletin board on the first floor of City Hall is not being consistently updated; and she would like to see the bulletin board kept up-to-date or not used at all.

Councilor Ready – asked where the City is with the public access situation; and would like to see the City have some say in rate changes. Councilor Swanton did note that the cable contract is up in July 2020, and the Cable Committee is discussing what to do in regards to renewing the contract.

He has noticed that the City has been dealing with on-street parking issues on a complaint basis; and he wonders if there is a better and more collective way of dealing with parking on all the streets in the City. He'd like to see some kind of plan to deal with this.

Councilor Seaver – was at Westbrook Skating Rink over the past weekend to help sort out the skates. She stated that the group trying to revitalize the Rink is looking for organizations to help out monetarily.

Council President Addressing the Council: Councilor McCurry agrees with Councilor Ready that there needs to be a more complete analysis of the City's on-street parking.

He is looking forward to getting to work on the FY20 Budget.

City Manager, James Bennett had a couple of notes:

(1) All the budget documents should be available electronically within the next couple of days.
(2) The next set of survey questions have been posted via POLCO, and are in reference to the green space at the end of 3 Lincoln Street.

Executive Session: **1 MRSA 405(6)(C)…Real Estate Matter**
Motion by Councilor McCurry, seconded by Councilor Lessard to move into Executive Session.
Vote: Unanimous. Time: 7:20 p.m.

Motion by Councilor McCurry, seconded by Councilor Lessard to move out of Executive Session.
Vote: Unanimous. Time: 8:58 p.m.

Motion by Councilor McCurry, seconded by Councilor Lessard to adjourn.
Vote: Unanimous. Time: 8:58 p.m.

Attest by:_____
Carmen J. Morris, City Clerk