

City of Biddeford

City Council

February 02, 2021 6:00 PM Via ZOOM

Please click the link below to join the webinar:

<https://biddeford.zoom.us/j/94940394881?pwd=QzdGajFvVnM4SjhYdFFPTjBESUdLdz09>

Passcode: 644106

Or iPhone one-tap :

US: +13126266799,,94940394881# or +16465588656,,94940394881#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782

Webinar ID: 949 4039 4881

International numbers available: <https://biddeford.zoom.us/j/94940394881>

1. Roll Call

2. Adjustment(s) to Agenda

3. Presentation:

- 3.a. Biddeford-Saco-Old Orchard Beach Transit Update
[2-02-2021 Transit Update PowerPoint Presentation.pptx](#)

Update:

Combined Sewer Overflow (CSO) Projects
[2-02-2021 CSO Projects Update-Briefing.docx](#)
[2-02-2021 CSO Projects Update - Demers.doc](#)
COVID-19 Vaccination Accessibility

4. Consideration of Minutes:

- 4.a. January 19, 2021 Council Meeting Minutes
[1-19-2021 Council Meeting Minutes.docx](#)

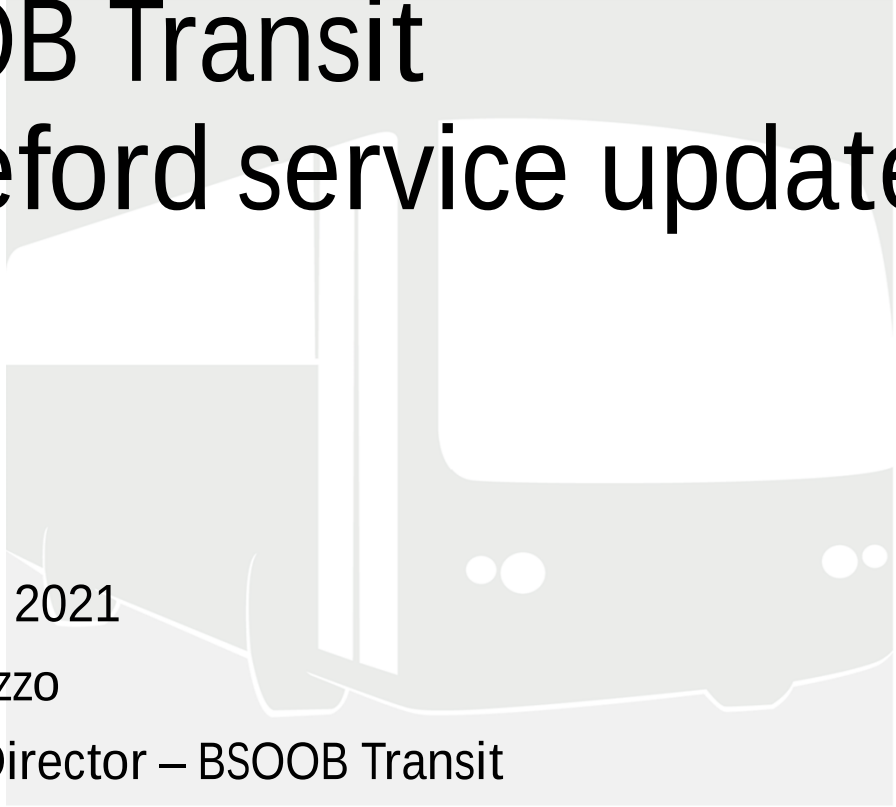
5. Orders of the Day:

- 5.a. 2021.12) Approval/Property Tax Abatement/Land Off Granite Street

[2-02-2021 Abatement-Granite Street Property-ORDER.docx](#)
[2-02-2021 Abatement-Granite Street Property-Backup Docs.pdf](#)
- 5.b. 2021.13) Acceptance of Whitewater Drive as a Public Way
[2-02-2021 Acceptance-Whitewater Drive-ORDER.docx](#)
[2-02-2021 Acceptance-Whitewater Drive-Briefing.docx](#)
- 5.c. 2021.14) Authorization/Wastewater Treatment Plant Clarifier Project/Apex Corporation, Inc. of Somersworth, NH
[2-02-2021 WWTP Clarifier Project - ORDER.docx](#)
[2-02-2021 WWTP Clarifier Project - MEMO.docx](#)
[2-02-2021 WWTP Clarifier Project-backup docs.pdf](#)

- 5.d. 2021.15) Approval/MetroQuest Subscription Services for Planning & Development Office/Comprehensive Plan Review
[2-02-2021 MetroQuest Subscription-ORDER.doc](#)
[2-02-2021 Brief - MetroQuest Subscription](#)
[2-02-2021 MetroQuest Subscription-QUOTE.pdf](#)
[20210127 Sole Source Review - Evaluation - BPhinney](#)
- 5.e. 2021.16) Amendment/Ch. 22, Businesses. Sec. 55-60/Add Marijuana Facilities Licensing Requirements
[2-02-2021 Brief - Licensing of Marijuana Facilities](#)
[2-02-2021 Marijuana Licensing REVISED - ORDER](#)
- 5.f. 2021.17) Authorization/Extension of Temporary Outdoor Restaurant and Retail Operation
[2-02-2021 Temp Outdoor Retail-Restaurant Extension-ORDER.doc](#)
- 6. Appointments:**
 - 6.a. Maine Service Center Coalition
[2-02-2021 Appt-Maine Service Center Coalition.pdf](#)
 - 6.b. Maya Atlas...Conservation Commission
[2-02-2021 Appt-Atlas-Conservation Commission.docx](#)
[2-02-2021 Comm App-Atlas-Conservation Commission.pdf](#)
 - 6.c. Renee Messier...Downtown Development Commission
[2-02-2021 Appt-Messier-DDC.docx](#)
[2-02-2021 Comm App-Messier-DDC.pdf](#)
 - 6.d. David Marchand...Recreation Commission
[2-02-2021 Appt-Marchand-Recreation Comm.docx](#)
[2-02-2021 Comm App-Marchand.pdf](#)
- 7. Public Addressing the Council..(5 minute limit per speaker; 30 minute total time limit)**
- 8. City Manager Report**
- 9. Other Business**
- 10. Council President Addressing the Council**
- 11. Mayor Addressing the Council**
- 12. Executive Session**
 - 12.a. 1 MRSA 405(6)(E)...Cable T.V. Contract Negotiations
- 13. Adjourn**

BSOOB Transit Biddeford service update

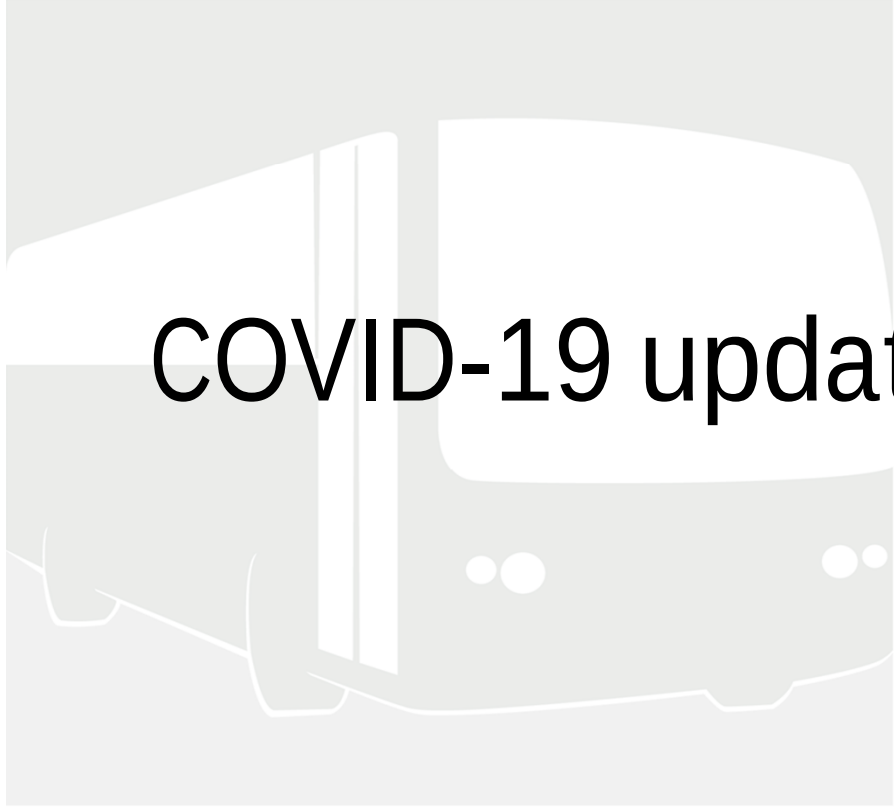


February 2, 2021

Tony Scavuzzo

Executive Director – BSOOB Transit





COVID-19 update

COVID-19 update

- Vehicles sanitized for each day of service. Masks required to ride.
- Ridership down 50%. Means fare recovery down at least 50%.
- CARES Act keeping us whole for the short term. Planned for augmented funding through end of 2021.
- BSOOB Transit provided fiscal relief in the form of keeping municipal contributions flat for the current fiscal year.
- Fiscal cliff will be present with ridership predicted to stay at low levels for foreseeable future.
- Local match must increase to begin to prepare for post CARES Act environment.



COVID-19 update

Ridership

FY 2019	366,527
FY 2020	267,882 (-27%)
FY 2021	Projected less

Fare Recovery

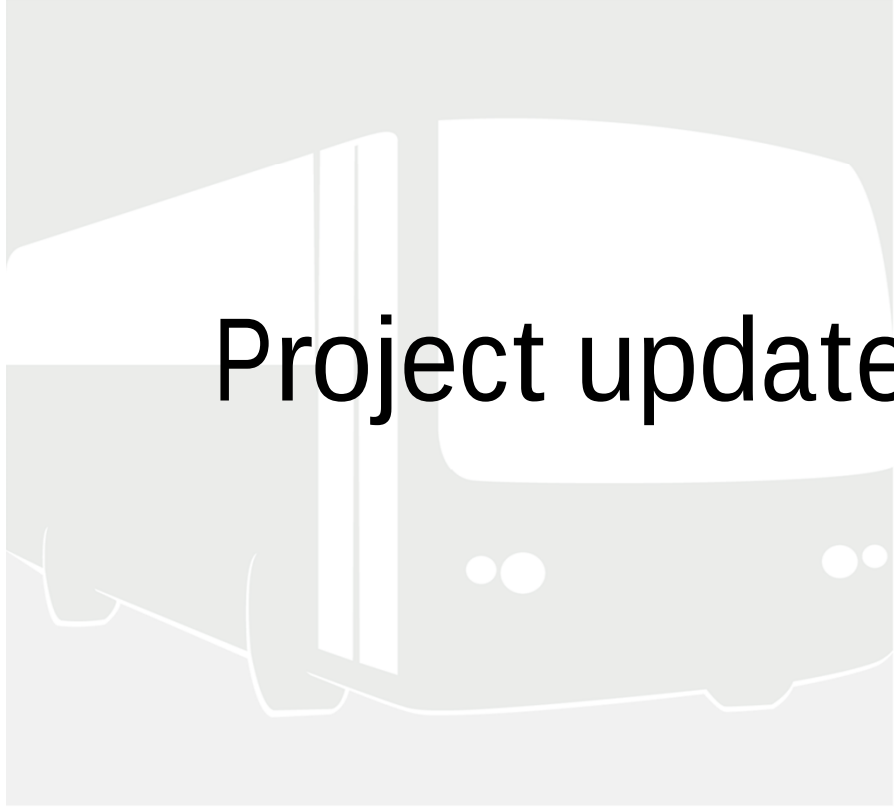
FY 2019	\$527,000
FY 2020	\$367,029 (-31%)
FY 2021	Projected less

Municipal Contribution (currently \$165,000)

FY 2022 - \$200,000
FY 2023 - \$220,000
FY 2024 - \$240,000

South Portland - \$775,000
Westbrook - \$800,000

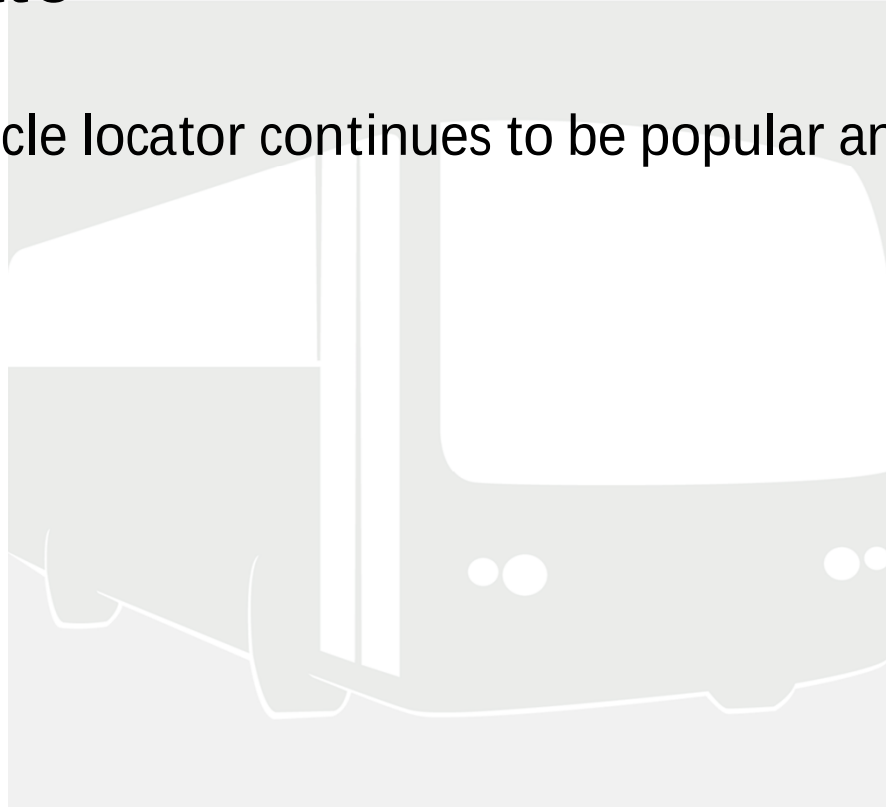




Project update

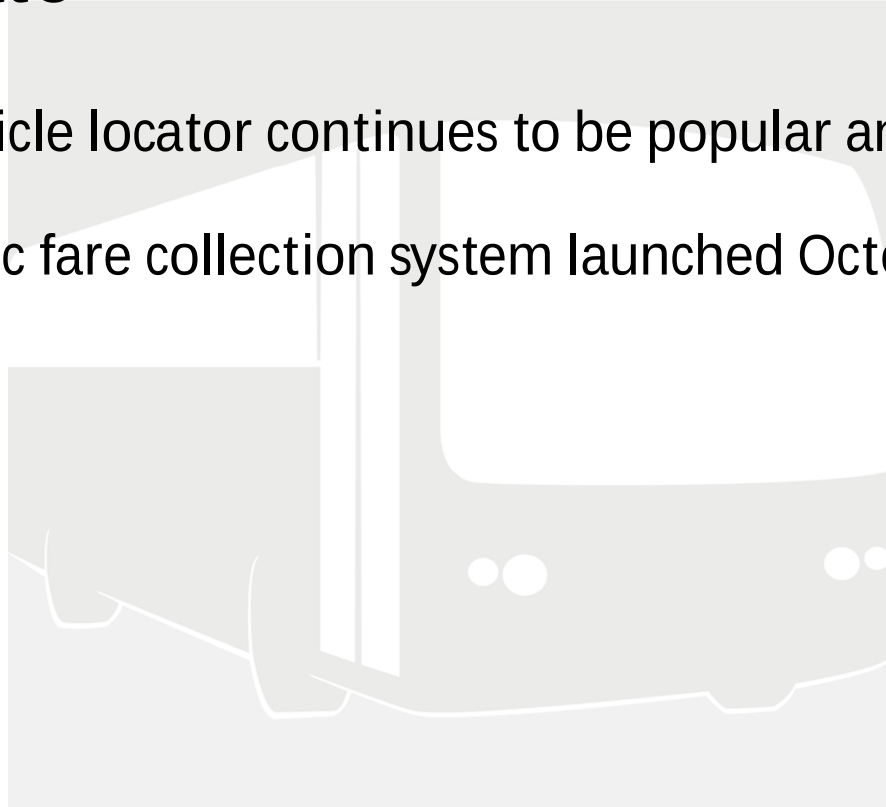
Project update

- Automated vehicle locator continues to be popular and streamline operations.



Project update

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- DiriGo electronic fare collection system launched October 1.



Project update – DiriGo electronic payment system



The new DiriGo TouchPass is accepted on these transit systems.

GREATER PORTLAND
metro

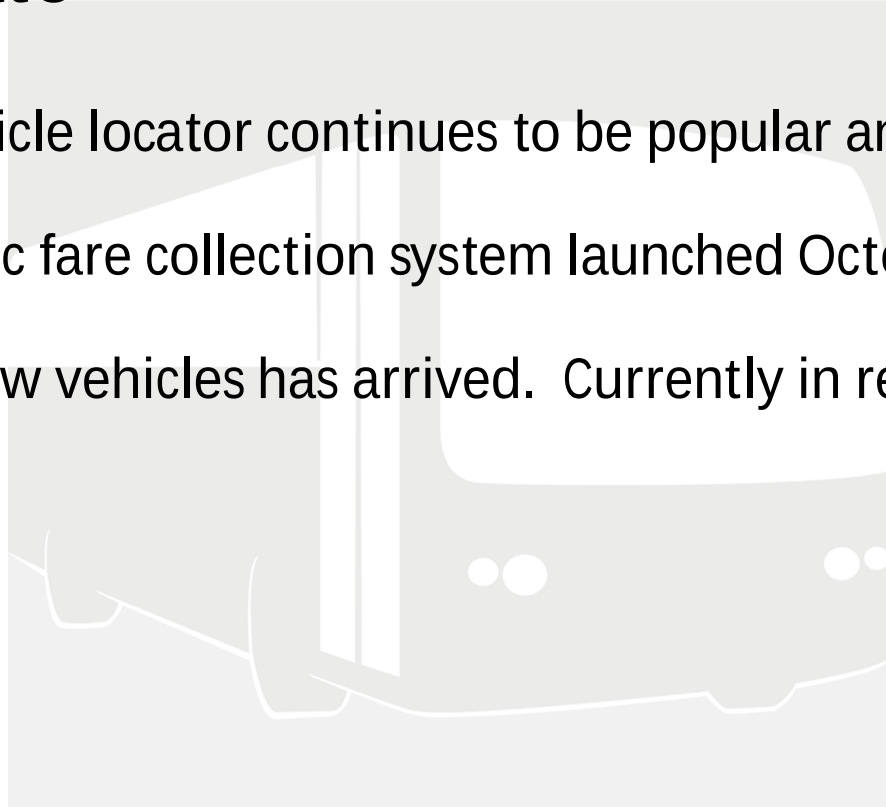
Transit
Biddeford | Saco | Old Orchard Beach

City of
South Portland
BUS SERVICE

Transit
Biddeford | Saco | Old Orchard Beach

Project update

- Automated vehicle locator continues to be popular and streamline operations.
- DiriGo electronic fare collection system launched October 1.
- First wave of new vehicles has arrived. Currently in revenue service.

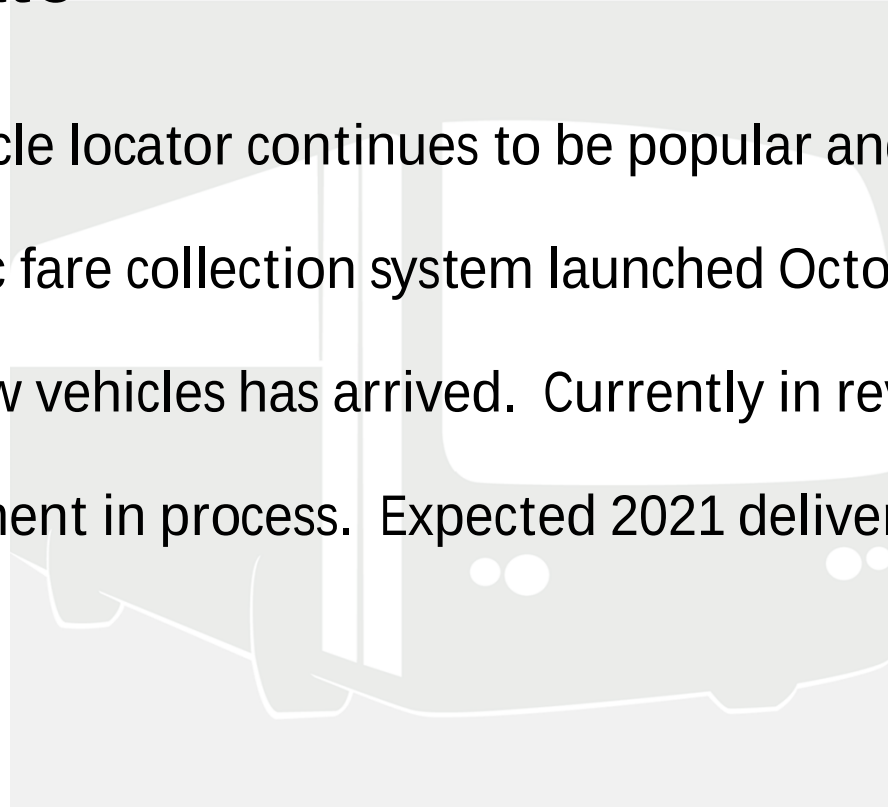


Project update – New coach vehicles



Project update

- Automated vehicle locator continues to be popular and streamline operations.
- DiriGo electronic fare collection system launched October 1.
- First wave of new vehicles has arrived. Currently in revenue service.
- Trolley procurement in process. Expected 2021 delivery.



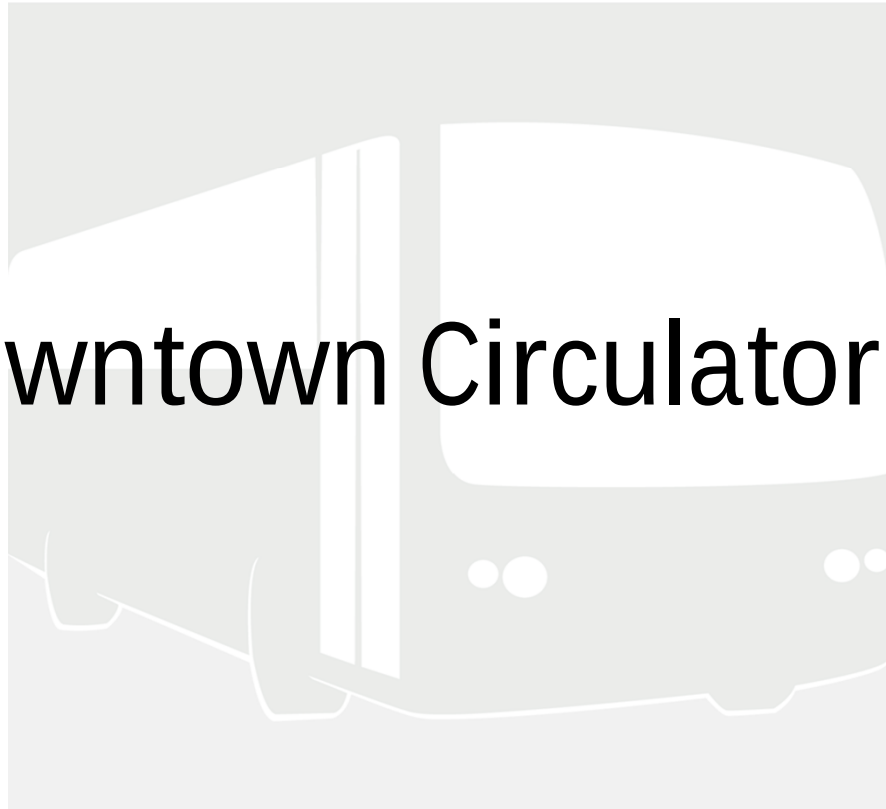
Project update

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- DiriGo electronic fare collection system launched October 1.
- First wave of new vehicles has arrived. Currently in revenue service.
- Trolley procurement in process. Expected 2021 delivery.
- Electric bus project continues to proceed. Delivery November 2021.



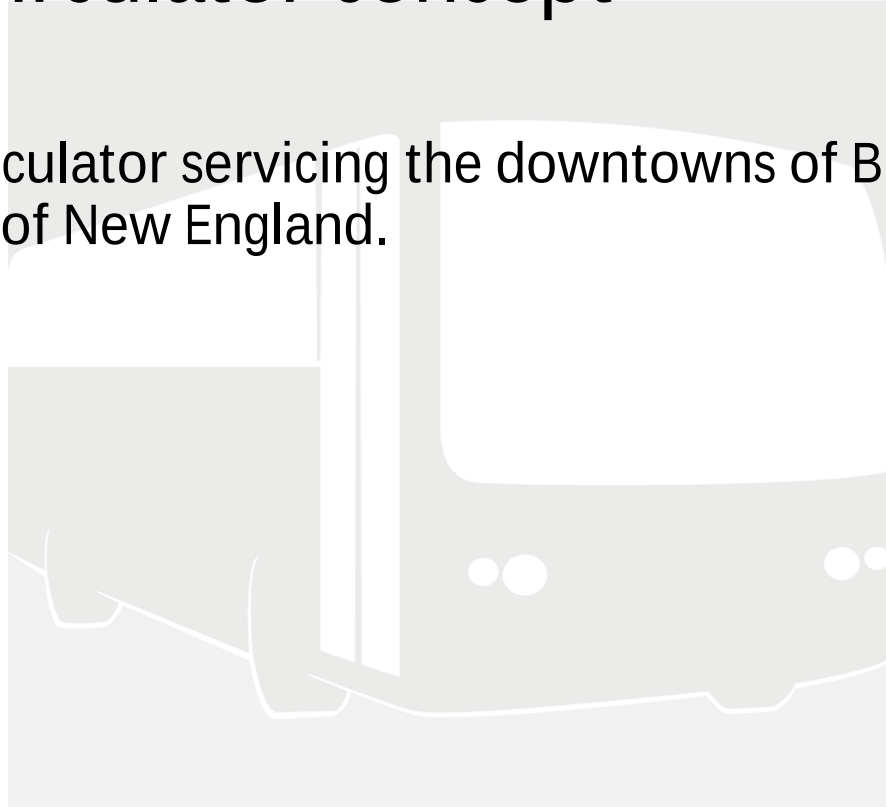
Charging infrastructure example.

Downtown Circulator Update



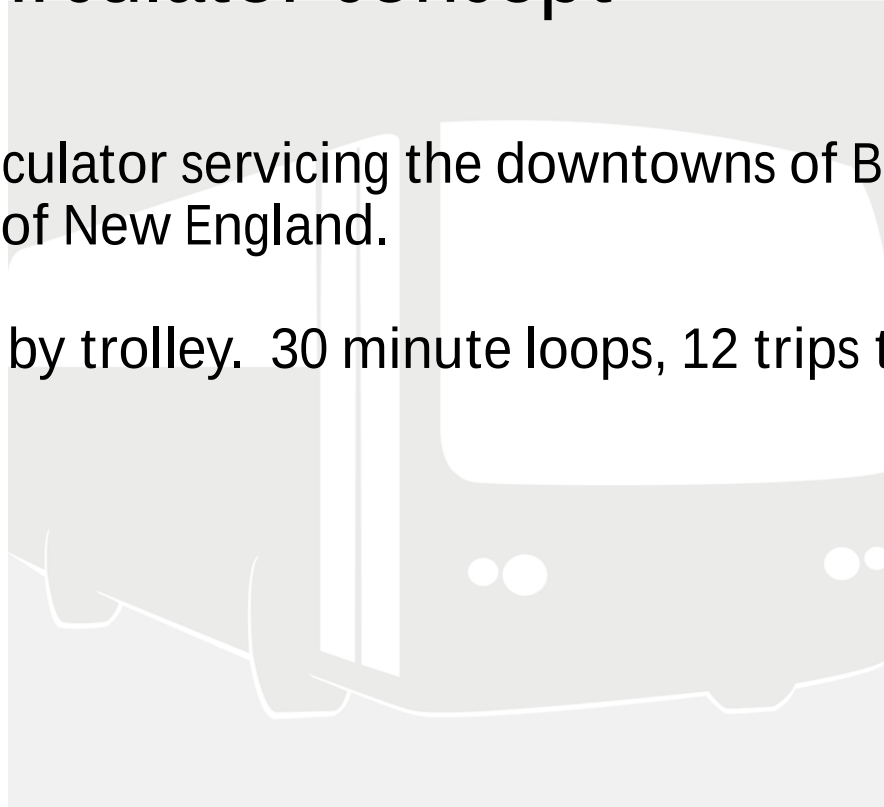
Downtown Circulator concept

- Public transit circulator servicing the downtowns of Biddeford and Saco and the University of New England.



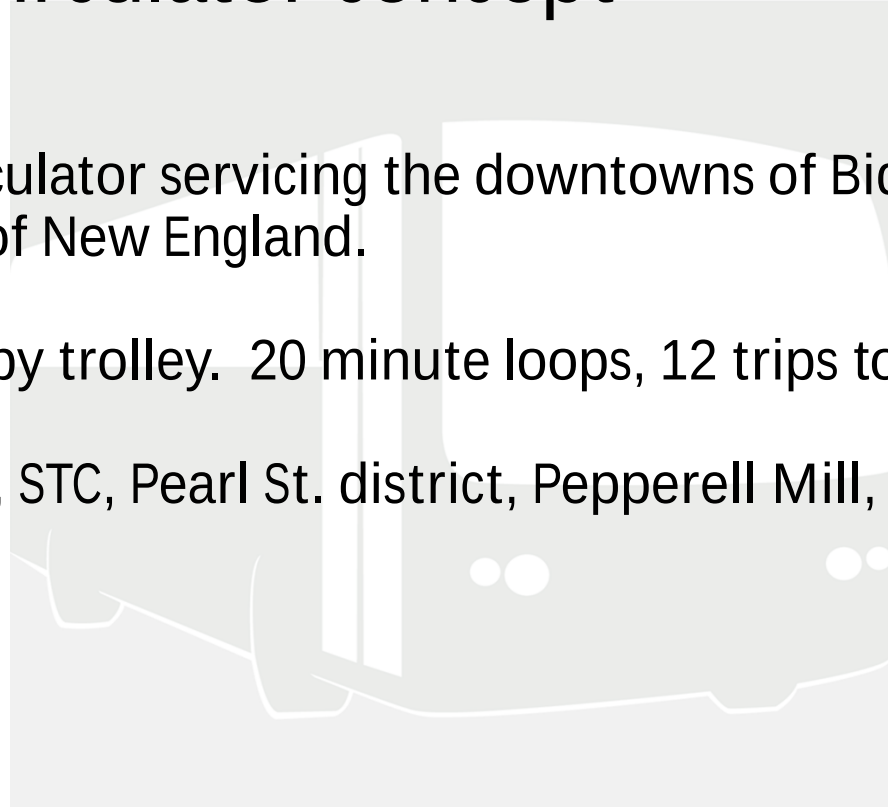
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- Stops - City Halls, STC, Pearl St. district, Pepperell Mill, 4 Scamman (Shaw's Plaza).



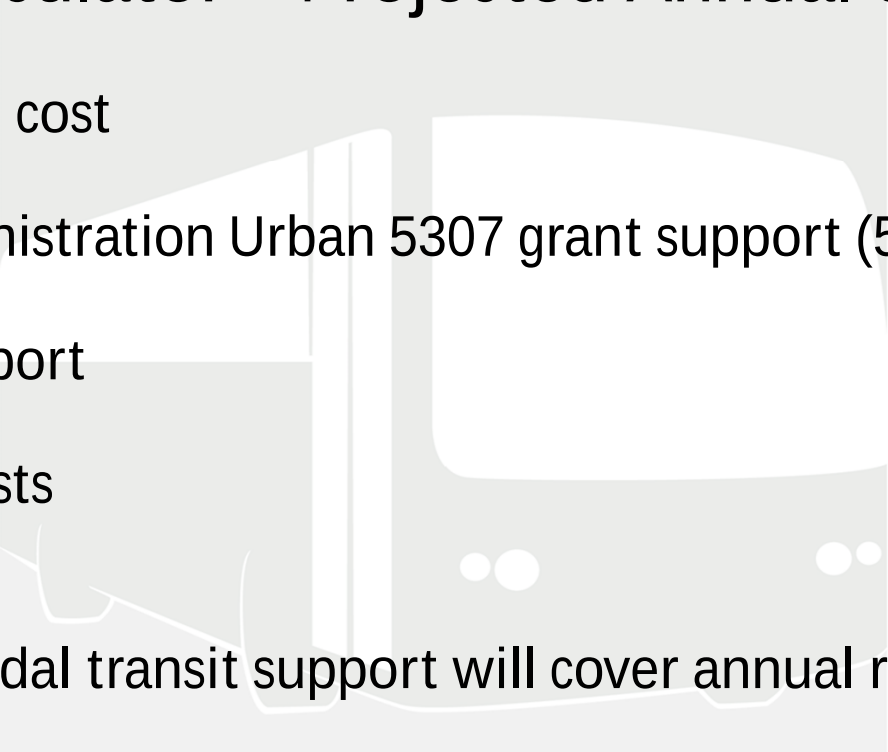
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- Target launch of August 2021 with a pilot period before.
- Service will be year round 6am-10pm, 361 days per year.

Downtown Circulator – Projected Annual Cost of Operation

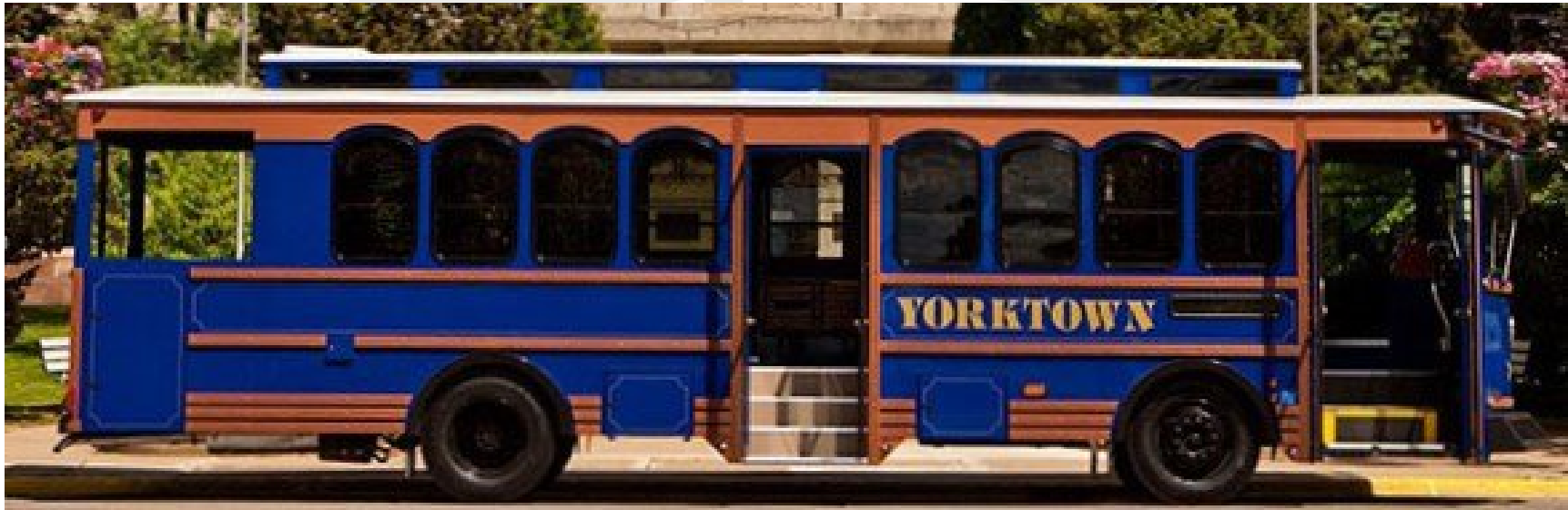


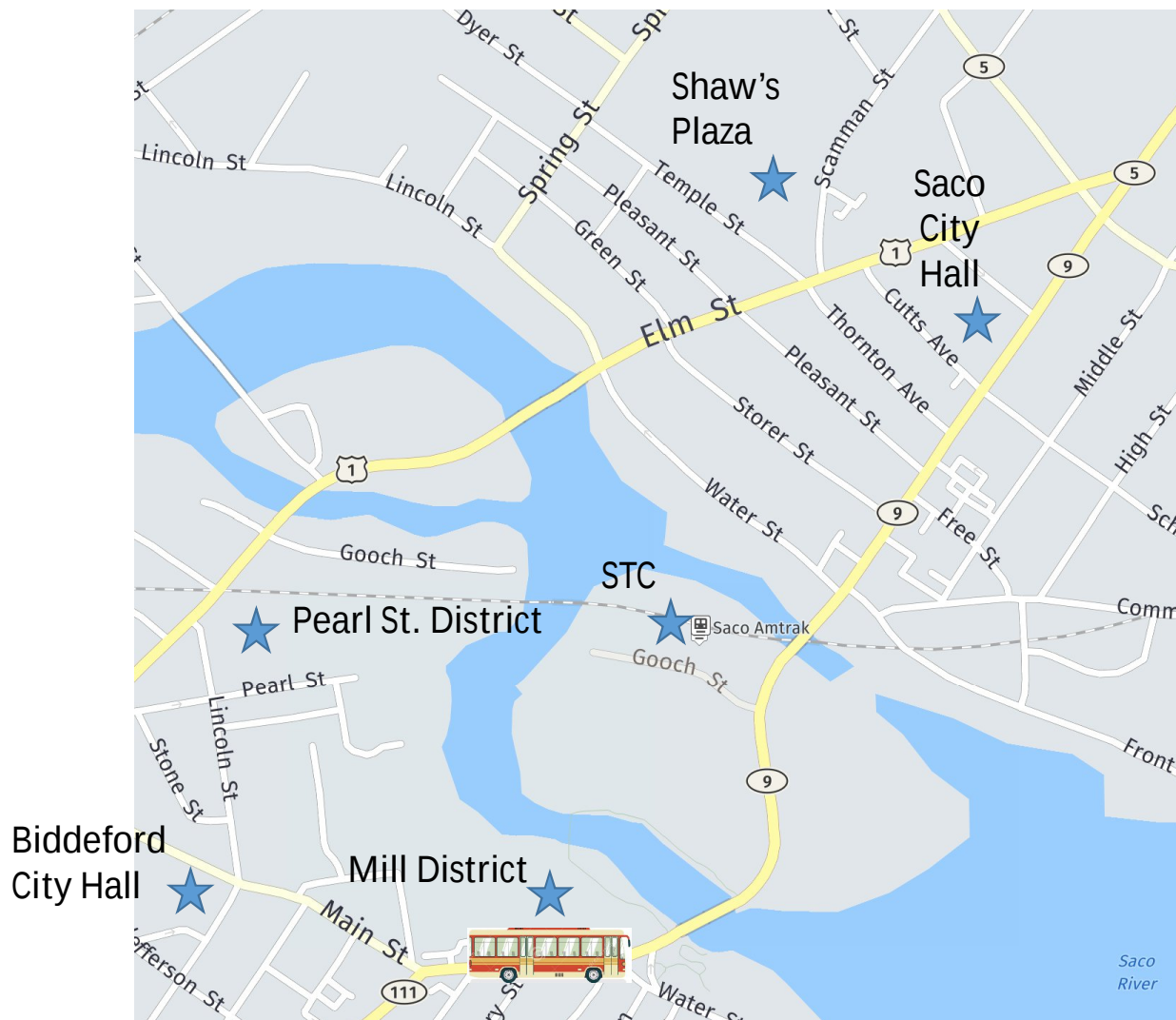
Full annual operating cost	\$358,824
Federal Transit Administration Urban 5307 grant support (50%)	-\$179,412
UNE local match support	<u>-\$90,000</u>
Annual remaining costs	\$89,412

Maine DOT multi-modal transit support will cover annual remaining cost for 1st 3 years.

Starting with 4th year, cities will be responsible for remaining cost.

Downtown Circulator Vehicle

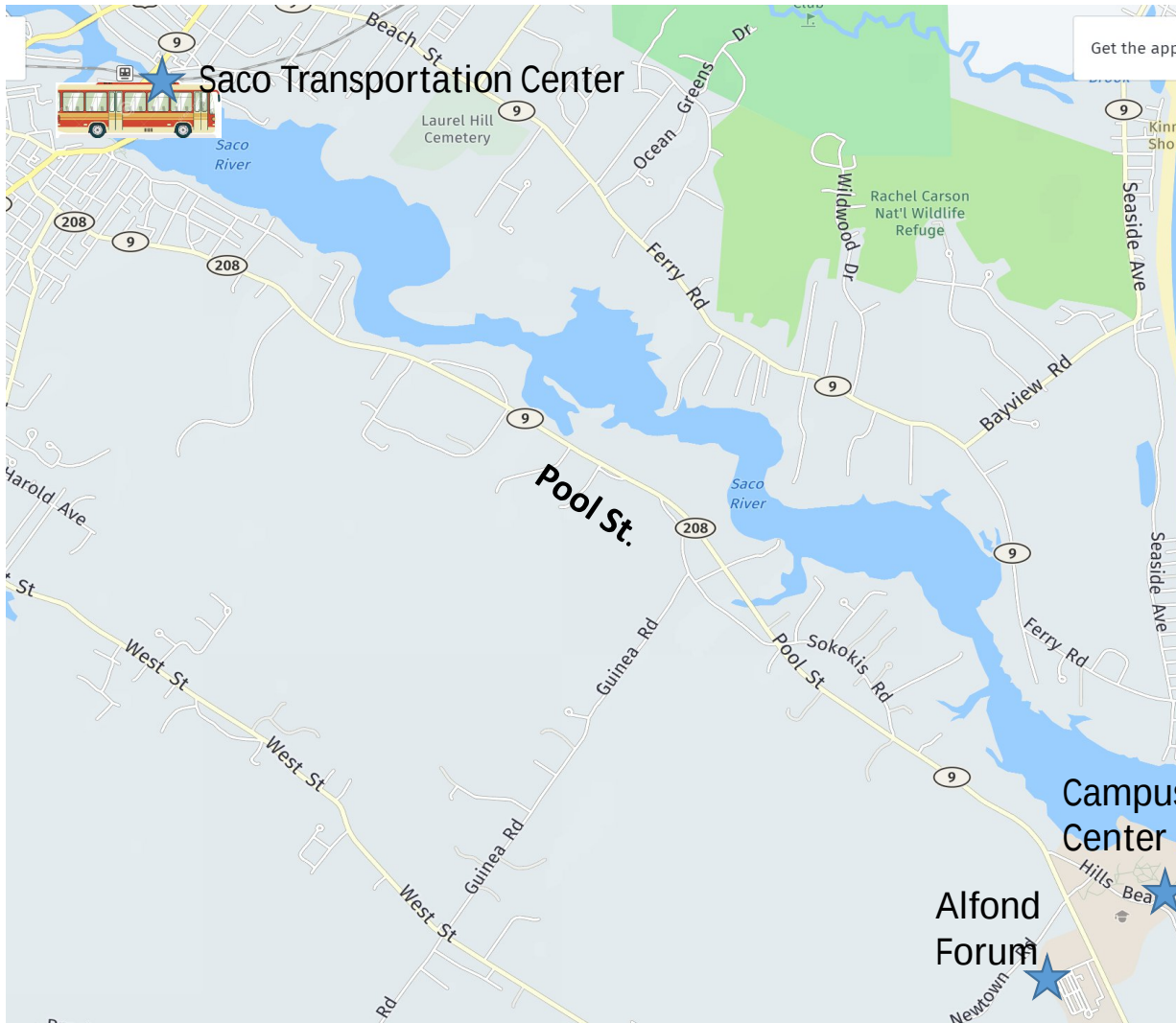




Proposed Circulator Route

- Will service major downtown destinations including both City Halls, Saco Transportation Center, Shaw's Plaza, Mill district and all major downtown points of interest.
- Service times 6am – 10pm, 7 days per week. 30 minute loops.
- Supporting workforce transportation & congestion mitigation.





Downtown Circulator - UNE

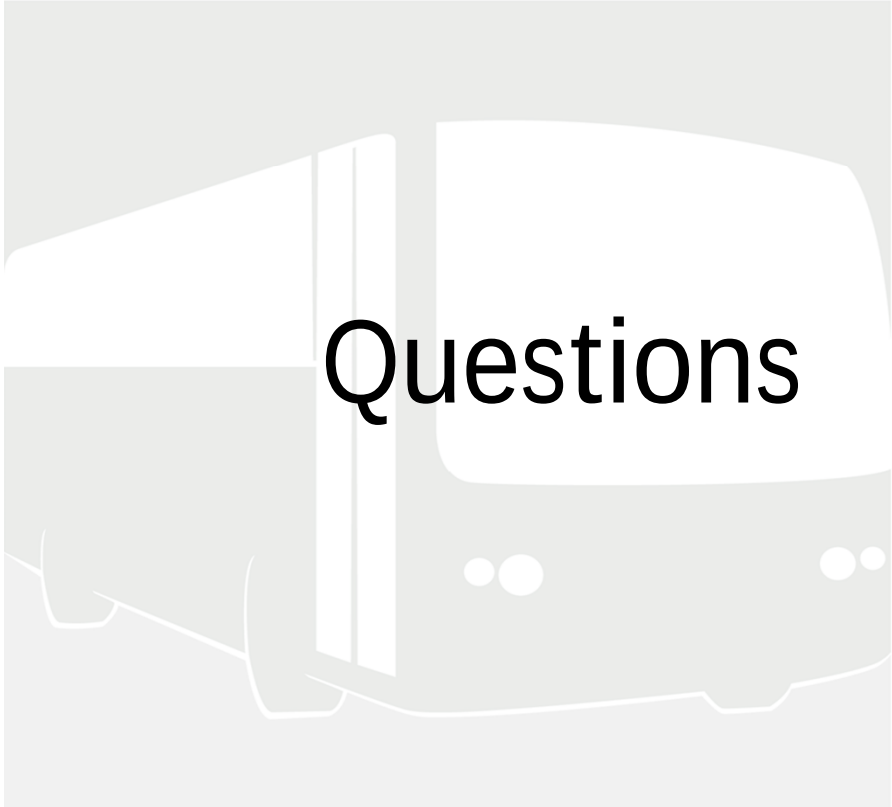
- Students will now get access to the entire downtown areas of both cities.
- Trolley will service UNE 12 times per day, every 90-120 minutes.
- UNE ID swipe is all that is needed to board.
- Alfond Forum and Campus Center continue to be stops.
- Will continue to connect to rest of system & Amtrak for trips outside immediate area.



Downtown Circulator – Biddeford benefits

- Congestion mitigation
- Support Pearl St. parking garage/vehicle reservoir
- Free to board, will promote movement in downtown area
- More Transit service within owner municipalities
- “Transit Tomorrow” suggested future direction for Biddeford/Saco downtowns
- Funding gap met with ME DOT multi modal funding for first three years
- Trolley service (8 new at no cost to owner municipalities)



A stylized white bus icon with a large front window and two sets of headlights, set against a light gray background.

Questions



City Council

Meeting Date: February 2, 2021

Meeting Time: 6:00 PM

Agenda Item No: Update

Item Description: Collection System Evaluation

Submitted by: Jeff Demers, Director Waste Water/Public Works

Alex Buechner, Waste Water Superintendent, Tom Milligan, PE; City Engineer

Supporting Information/Documentation:

Council memo supplied by Jeff Demers

Executive Summary:

Update on CSO Abatement Projects for 2021.

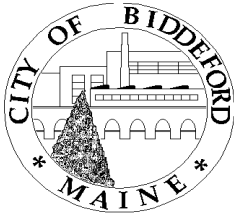
Detailed Review:

The City manager asked staff to put together a brief memo describing projects

Considered at as part of the city's CSO abatement program.

Funding Source:

Projects mentioned in attached memo are part of the 10 Million dollar bond approved by the voters.



City of Biddeford, Maine

Public Works Department

371 Hill Street Biddeford, Maine 04005
Phone: (207) 282-1579 Fax: (207) 286-9395

To: Mayor Alan Casavant
Members of the City Council, James Bennett; City Manager

From: Jeff Demers, Director of Public Works / Waste Water

Subject: Combined Sewer Overflow Update

Date: January 26, 2021

The following is an update as requested by Jim Bennett on the upcoming CSO Abatement Projects that city staff recommends. The projects are not listed in any particular order.

Project 1 – Horrigan Court Pump Station Evaluation Report

This project will be an evaluation of the Horrigan Court Pump Station along with a complete report summarizing the findings. This will include a review of the pump station's flow capacity (previously proposed as a separate project) and will discuss the merits of upsizing the pumps to a feasible and affordable size, further reducing discharges at CSO-005 and CSO-006. The evaluation will also summarize the replacement of the Horrigan Court Pump Station, flow capacity, operation of the Elm Street bypass valve and the effect the valve will have on flows to Horrigan Court Pump Station.

Project 1A -- Horrigan Court Pump Station Capacity Upgrade

This project will include an upgrade to the Horrigan Court Pump Station to increase the pumping capacity of the pump station, which will reduce the volume of overflows at CSO-006. The upgrades to be implemented will be based on the findings of the Horrigan Court Pump Station Evaluation as noted above.

Project 2 - South Street (Elm to Wentworth)

This project includes sewer separation of South Street from Elm Street to Wentworth Street. The approximate length of the project is 300 feet and will remove an estimated 10 catch basins from the sewer system. This project is slated to be done with the new CDBG sidewalk, curbing and paving of South Street from Elm Street to Jefferson Street.

Project 3 – Center Street Separation and Diversion

This project includes the sewer separation of Center Street from Elm Street to Jefferson Street. The approximate length of the project is 800 feet and will remove an estimated 13 catch basins and four field inlets from the sewer system. This project will also include a

diversion structure which will divert flows from Elm Street to Center Street, reducing the flows headed to Horrigan Court and/or CSO-007.

Project 4 – Alfred Street (1) Separation (Main to Pool)

This project will include sewer separation on Alfred Street from Main Street to Pool Street. The approximate length of the project is 600 feet and will remove an estimated 11 catch basins from the sewer system, reducing the volume of overflows at CSO-009.

Project 5 – Alfred Street (2) Separation (Pool to Summer) (Summer to Foss)

This project will include sewer separation on Alfred Street from Pool Street to Summer Street, then from Summer Street to Foss Street. The approximate length of both projects is 1,310 feet and will remove an estimated 35 to 45 catch basins from the sewer system, reducing the volume of overflows at CSO-009.

If you have questions regarding the City's CSO Abatement Program or this CSO Master Plan Update, please feel free to contact myself or Tom Milligan at any time.

Respectfully,

Jeff Demers
Director of Public Works /Waste Water

**COUNCIL MEETING
JANUARY 19, 2021**

*NOTE: Due to COVID-19, this meeting was held virtually (via ZOOM),
and was live streamed on the City's website*

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

Roll Call: William Emhiser, John McCurry, Jr., Stephen St. Cyr, Robert Quattrone, Jr., Amy Clearwater, Norman Belanger, Michael Ready, Doris Ortiz, Marc Lessard

Adjustment to the Agenda:

- Move the Update on COVID-19 Vaccine Accessibility to later in the meeting

Consideration of Minutes: **January 7, 2021**

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

Councilor Belanger noted a correction on an amendment made to Order 2021.1; specifically, the 500-foot distancing between marijuana facilities and grandfathering existing facilities. The amendment included “unless the facility changes ownership.”
The minutes have been corrected.

Vote to accept the minutes, as corrected: Unanimous.

Second Readings:

{For a copy of the ordinance amendments and first readings, see the Council Meeting minutes of January 7, 2021}

2021.1) Amendment/Land Development Regulations/Various Articles/Marijuana Establishments Amendments

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

City Manager, James Bennett updated the Council on a couple of items relevant to this ordinance. After consulting with Staff, he recommends that the Council consider establishing a municipal license for marijuana facilities, which could serve to provide more protocols and enforcement authority. Staff will work on licensing language and present to the Council at a future Council Meeting.

In regards to the amendment made during the first reading of this ordinance amendment, Staff agrees with the 500-foot distance between marijuana facilities and feels it makes a lot of sense and would make it easier to identify odor violations.

Motion by Councilor McCurry, seconded by Councilor Lessard to amend the ordinance by removing cultivation, testing and manufacturing marijuana facilities from the I-3 Zone.

Councilor Belanger called a point of order, asking for clarification on what marijuana facilities Councilor McCurry is referring to in his amendment. Councilor McCurry clarified that his intent is not to change existing permitted uses (caregiver retail stores) – only to remove any new uses that are being added in this ordinance amendment, namely, cultivation, testing and manufacturing.

Vote on amendment: 6/3; Councilors St. Cyr, Clearwater and Ortiz opposed.
Councilors Emhiser, McCurry, Quattrone, Belanger, Ready and Lessard in favor.
Amendment carries.

Motion by Councilor Clearwater, seconded by Councilor Belanger to amend the ordinance by removing the provision passed during the first reading regarding the 500-foot distance between marijuana facilities, specifically removing the language that the grandfathering would expire once new ownership had taken over a facility.

Vote on amendment: Unanimous.

Vote on second reading of ordinance, as amended: 8/1; Councilor McCurry opposed.
Councilors Emhiser, St. Cyr, Quattrone, Clearwater, Belanger, Ready, Ortiz and Lessard in favor.
Motion carries.

**2021.2) Amendment/Land Development Regulations/Deletion of Contract Zone #8/
John Conroy at 72 Hill Street and 37 Pool Street**

Motion by Councilor Ready, seconded by Councilor Belanger to grant the second reading of the ordinance amendment.

Vote: 8/1; Councilor Lessard opposed.

Councilors Emhiser, McCurry, St. Cyr, Quattrone, Clearwater, Belanger, Ready and Ortiz in favor.

Second reading carries.

Update: COVID-19 Vaccination Accessibility:

Code Enforcement Officer, Roby Fecteau provided an update on the accessibility of COVID-19 vaccines. He urged folks to go the following website for the most up-to-date information:

www.maine.gov/covid19/vaccines

To date, Phase 1a has provided vaccines to first responders and healthcare facility workers.

Timing for Phase 1a is December through January. Phase 1b will provide vaccines for folks over 70 years old and folks with pre-existing medical conditions. Phase 1b is expected to run from February through March. The current timing estimate puts us in mid-summer before everyone has an opportunity to be vaccinated.

Orders of the Day:

2020.119

IN BOARD OF CITY COUNCIL...DECEMBER 15, 2020

Saco-Lowell Municipal Development and Tax Increment Financing District

WHEREAS, the City is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate the **Saco-Lowell Municipal Development and Tax Increment Financing District** (the “Saco-Lowell District,” and together with the Rte 111-Mill District, the “Districts”) and the Development Program (the “Saco-Lowell Development Program,” and together with the Rte 111-Mill Development Program, the “Development Programs”) for the Saco-Lowell District; 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 Programs 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 Districts; and

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

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

ORDERED AS FOLLOWS:

Section 1. The City of Biddeford hereby designates the Saco-Lowell District and adopts the associated Saco-Lowell Development Program for the Saco-Lowell District; such designation and adoption to be pursuant to the following findings, terms, and provisions:

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

- a. At least twenty-five percent (25%), by area, of the real property within the Saco-Lowell District, as hereinafter designated, is suitable for commercial uses; and

- b. The total area of the Saco-Lowell District does not exceed two percent (2%) of the total acreage of the City, and the total area of all existing and proposed development districts within the City (including the Saco-Lowell District) does not exceed five percent (5%) of the total acreage of the City; and
- c. The original assessed value of all existing and proposed tax increment financing districts (including the Saco-Lowell District) does not exceed five percent (5%) of the total value of equalized taxable property within the City as of April 1, 2020; and
- d. The Saco-Lowell District and pursuit of the Saco-Lowell 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 Saco-Lowell District and Saco-Lowell 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 Saco-Lowell Development Program is hereby established as set forth in the Saco-Lowell Development Program.

Section 4. The City Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the proposed Saco-Lowell Development Program for the Saco-Lowell District to the State of Maine Department of Economic and Community Development for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5226.

Section 5. The foregoing designation of the Saco-Lowell District and adoption of the Saco-Lowell Development Program for the Saco-Lowell District shall automatically become final and shall take full force and effect upon receipt by the City of approval by the State of Maine Department of Economic and Community Development, 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 Saco-Lowell District and Saco-Lowell Development Program as the City Manager may deem reasonably necessary or convenient in order to facilitate the process for review and approval of the District by the State of Maine Department of Economic and Community Development, or for any other reason, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Saco-Lowell Development Program.

Section 7. The City Manager, in the name and on behalf of the City, is hereby authorized and directed to enter into a credit enhancement agreement between the City and the developer of the project to be located in the Saco-Lowell District, on terms as described in the Saco-Lowell Development Program and any other negotiated agreements between the City and the Developer.

Motion by Councilor Lessard, seconded by Councilor McCurry to reconsider the Order.
Vote: Unanimous.

Vote on order: 5/4; Councilors McCurry, Ortiz, Ready and Quattrone opposed.
Councilors Emhiser, St. Cyr, Clearwater, Belanger and Lessard in favor.
Motion carries.

2021.8 IN BOARD OF CITY COUNCIL..JANUARY 19, 2021
BE IT ORDERED, that the City Council of the City of Biddeford does hereby ~~advise request~~ that the Planning Board of its endorsement of advise the City Council with regard to the proposed Contract Zone #20 located at 420 Alfred Street (Route 111) and known as the Five Points Shopping Center for a mixed use project that adds 190-unit multi-family units within the commercial center, as outlined in the applicant's letter to the City Planner dated January 13, 2021 and its attached "REQUEST FOR CONSIDERATION AND APPLICATION FOR CONTRACT ZONE PURSUANT TO ARTICLE V, SECTION 9 OF THE ZONING ORDINANCE OF THE CITY OF BIDDEFORD".

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

Motion by Councilor Belanger, seconded by Councilor Clearwater to amend the order by removing "advise the" and replacing with "request that;" and remove "of its endorsement of" and replace with "advise the City Council with regard to..."
Vote on amendment: Unanimous.

Vote on order, as amended: 7/2; Councilors McCurry and Quattrone opposed.
Councilors Emhiser, St. Cyr, Clearwater, Belanger, Ready, Ortiz and Lessard in favor.
Motion carries.

2020.115) Remove from table: Amendment/Land Development Regulations/Art. V – Establishment of Zones/Allowance of Multi-Family Residential Uses in I-3 and B-2 Zones

No motion was made to remove from table.

The ordinance amendment dies.

Committee-of-the-Whole: Discussion of Year 1 Implementation Plan for City's 5-Year Housing Goals & Strategies

Motion by Councilor McCurry, seconded by Councilor Lessard to move into Committee-of-the-Whole.

Vote: Unanimous.

Time: 6:58 p.m.

Councilor Emhiser thanked Staff for working so hard on this Plan and feels this is an excellent approach. He noted that a couple of the goals are too straight-forward; for example, relax zoning is not necessarily an activity and should maybe be adjusted. Also, with the establishment a Housing Development Trust Fund, he feels it needs to be clarified that this is actually more of an evaluation of a process. He feels that using city-owned property for affordable homeownership should be a priority of the Plan (move to Q1 rather than Q3).

Councilor Lessard has been doing a lot of research in an effort to come up with more affordable housing in the City. He mentioned an ordinance that the City of Saco has regarding back lots – where a house can be built behind another house on deep lots that can accommodate it. This may be something that Biddeford should look into establishing.

Councilor Clearwater agrees with a possible house on a back lot ordinance Councilor Lessard spoke about. She also agrees with Councilor Emhiser that the action items need to be looked at and reprioritized, including interconnecting them with the review of the Comp Plan. She suggested shifting the zoning activity to Q2 and shift other items up to a higher priority.

Councilor Belanger feels that there is so much specificity to the projection numbers that they become difficult to grasp. He struggles with setting these numbers as goals and does not feel qualified to set such projections in stone. He finds it difficult to establish targets that seem uninformed.

Councilor Ready supports the goals and strategies as a whole. He does not feel that the City has the staffing to accomplish any of these goals, and that we are setting ourselves up for failure. He does not feel that we have the staff in place right now to support the items already on their plate, never mind giving other major projects to these same staff members.

Councilor St. Cyr struggles with the fact that some of the goals would need funding; and he would need to know what the specifics of the funding would be. Where would the funding come from? Ultimately, he's pretty sure the goals would be funded by the taxpayers. It would be useful to know what the costs are for these goals and strategies.

City Manager, Jim Bennett noted that the real problem is that the affordability of housing in the community is going the wrong way; and if the City does not take some action now, it will only get more difficult in the future.

Councilor McCurry is concerned about putting more items on the Planning Board plate, especially with the review of the Comp Plan already a big item for them. He agrees with Councilor Clearwater that some of the proposed goals and strategies should be considered as part of the Comp Plan.

Councilor Clearwater strongly believes that piecing together zoning changes is not the most efficient way to proceed, and many of the zoning changes really need to be incorporated with the Comp Plan review, even if that means delaying particular zoning changes.

Motion by Councilor McCurry, seconded by Councilor Lessard to move out of Committee-of-the-Whole.

Vote: Unanimous.

Time: 7:24 p.m.

2021.9

IN BOARD OF CITY COUNCIL...JANUARY 19, 2021

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 bonus density clause to create or preserve affordable rents in the MSRD-2 and other zones.

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

Motion by Councilor Belanger, seconded by Councilor Clearwater to amend the order by removing “and other zones” from the order language.

Vote: 2/7; Councilors Belanger and Clearwater in favor.

Councilors Emhiser, McCurry, St. Cyr, Quattrone, Ready, Ortiz and Lessard opposed.

Amendment fails.

Vote on order: 6/3; Councilors Belanger, Clearwater and McCurry opposed.

Councilors Emhiser, St. Cyr, Quattrone, Ready, Ortiz and Lessard in favor.

Motion carries.

2021.10

IN BOARD OF CITY COUNCIL...JANUARY 19, 2021

BE IT ORDERED, that the City Council does hereby request the Planning Board to conduct a Public Hearing and make recommendations regarding additional units per acre when the land required within certain zones is within 90% of the minimum density per unit, provided the rent of the unit is fixed at 80% of median income.

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

Vote: 6/3; Councilors Belanger, Clearwater and McCurry opposed.

Councilors Emhiser, St. Cyr, Quattrone, Ready, Ortiz and Lessard in favor.

Motion carries.

2021.11

IN BOARD OF CITY COUNCIL...JANUARY 19, 2021

BE IT ORDERED, that the City Council of the City of Biddeford does hereby grant approval for the Biddeford Public Works Department to join and participate in the Southern Maine Public Works Mutual Aid Compact, which includes water and wastewater operations.

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

Vote: Unanimous.

Committee-of-the-Whole: Discussion to Extend Outside Dining for Local Businesses until January 2022

Motion by Councilor Clearwater, seconded by Councilor Belanger to move into Committee-of-the-Whole.

Vote: Unanimous.

Time: 7:49 p.m.

City Manager, Jim Bennett explained that back in June 2020, the Council approved a temporary outdoor restaurant and retail operation. This temporary provision expire in October 2020. Staff is recommending that this provision be extended to January 2022.

Councilor McCurry appreciates that any approved temporary outside seating would be set up in a way so as to not interfere with winter operations.

Councilor Ready asked if there has been any interest from local businesses to set up outside dining. It was indicated that there have not been any applications as of yet.

Councilor Clearwater feels that outside seating and dining is the way a lot of local establishments are going to move their setups toward. Due to the pandemic, outside dining is a great way for businesses to continue operations.

The City Manager recapped that the Council is generally in favor of the extension, and so Staff will put something together for formal approval at a future meeting.

Motion by Councilor Belanger, seconded by Councilor Clearwater to move out of Committee-of-the-Whole.

Vote: Unanimous.

Time: 7:53 p.m.

Appointments:

IN BOARD OF CITY COUNCIL...JANUARY 19, 2021

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

City Manager James Bennett

and

Public Works Director Jeff Demers as an alternate

to the PACTS Policy Board.

Motion by Councilor Belanger, seconded by Councilor Clearwater to confirm the appointments.

Vote: Unanimous.

IN BOARD OF CITY COUNCIL...JANUARY 19, 2021

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

**Maya Atlas
92 Granite Street, #2
Ward 3**

to the Biddeford, Saco & Old Orchard Beach Transit Committee, for a term to expire in December 2023.

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

Vote: Unanimous.

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

A few citizens addressed their comments to the Council.

City Manager Report:

City Manager, James Bennett had the following items:

- 1) Unfortunately, over the past few weeks, City Departments have experienced the impacts of a few positive COVID cases among employees, including within the Finance Office and Public Works Dept. As a result, Jim has implemented a change in City operations where each Department will now be working in teams – ultimately, using half staff in the office and half staff working from home. For the public that continues to go to the City Clerk and Code Enforcement Offices, this means the likeliness of long wait times. He encouraged folks to use the online services available and avoid coming into City Hall when possible. He expects the reduced on-site staffing to continue for the foreseeable future.
- 2) He explained that when ZOOM meetings are set up in a webinar format, there is no way to share the attendees list with other attendees. Meetings need to be held in a webinar format to avoid ZOOM bombing. Staff is looking into a possible work-around that will give us the ability to share attendee lists with other attendees; as well as upgrading the existing video equipment in an effort to improve the output quality of public ZOOM meetings.

Councilor McCurry asked that since citizens are being asked to use the online services, if there is a way to waive the additional fees for using credit cards. Jim explained that the credit cards fees are not a revenue to the City, but are imposed by the credit card vendor.

Other Business:

Councilor Clearwater:

- Thanked all those who participated in last week's Municipal Family Meeting. She was pleased with the turnout, and to see that on the whole, we all seem to want to be moving in the same direction.
- She is hopeful that the public engagement plan for the Comp Plan goes just as well as the Municipal Family Meeting did and strongly encourages public participation. Along those lines, she suggested figuring out a way to harness the network of those who did participate in the Municipal Family Meeting in an effort to get even more citizens involved.
- She expressed concern that the Planning Board's recommendations on various items are not being translated into the ordinance amendments being sent to the City Council for final action.

Council President Addressing the Council:

- Councilor McCurry clarified a comment that had been made during Public Addressing the Council – that being that he does not have issue with TIFs; however, he does have issue with credit enhancements.
- He asked for an update on the Youth Advisory Council
- He thanked City Manager, Jim Bennett and Communications Coordinator, Danica Lamontagne for putting together a video explanation of tonight's agenda items for the public.

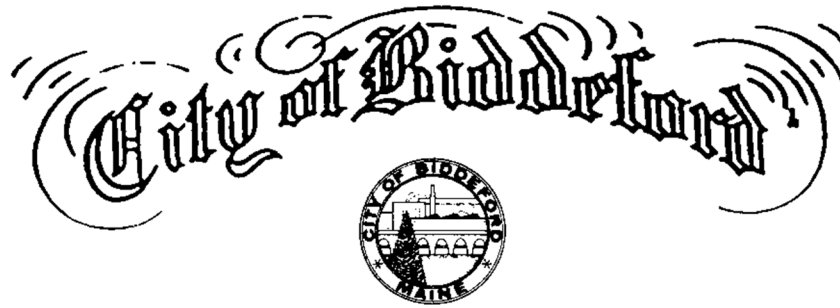
Mayor Addressing the Council: Mayor Casavant gave an update on this year's WinterFest. Due to the pandemic, WinterFest is going to look very different this year in that it will be a week-long event during the week of February school vacation. The main idea for the event are city-wide scavenger hunts, geared to different age groups and demographics.

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

Vote: Unanimous.

Time: 8:18 p.m.

Attest by: _____
Carmen J. Morris, City Clerk

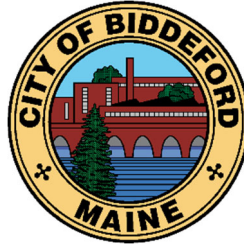


2021.12

IN BOARD OF CITY COUNCIL...FEBRUARY 2, 2021

BE IT ORDERED, by the City Council of the City of Biddeford does hereby approve the write-off in the amount of (\$1,248.51) one thousand two hundred forty-eight dollars and fifty-one cents for real estate taxes assessed upon the parcel identified as Map 3 Lot 52 (Granite Street) for the fiscal year 2020 and 2021.

Assessor
Nicholas D. Desjardins
nicholas.desjardins@biddefordmaine.org



Deputy Assessor
Quang Minh Le
quang.le@biddefordmaine.org

P.O. Box 586
Biddeford, ME 04005
(207) 284-9003
FAX (207) 571-0657

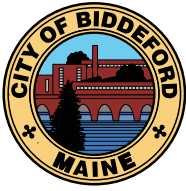
Office Hours:
Monday – Friday
8:00 a.m. – 5:00 p.m.

COUNCIL AGENDA DATE: 02/02/2021
COUNCIL AGENDA # TBD

TO: HONORABLE MAYOR AND CITY COUNCIL	FROM: Nicholas Desjardins, CMA Assessor, City of Biddeford
SUBJECT: REAL ESTATE TAX WRITE-OFF - PARCEL: GRANITE ST, (MAP 3, LOT 52)	DATE: 01/22/2021

RECOMMENDATION	Council to approve the write-off of real estate taxes of five hundred seventy-five dollars and twenty-two cents (\$575.22) for the fiscal year 2021 and six hundred seventy-three dollars and twenty-nine cents (\$673.29) for the fiscal year 2020. Both tax amounts pertain to real estate parcel Map 3, Lot 52 (Granite Street) .
BACKGROUND	In the fiscal year 2020, Mary Brown, formerly Mary DesRoberts with a mailing address of 6 Kavanaugh Rd, Old Orchard Beach, Maine, initiated gifting a parcel to the City. The property located within the City of Biddeford, identified in the tax roll as Map 3 Lot 52 (Granite Street). The details of the proposed gift outlined in a Briefing Memo prepared by Brian Phinney, City's Chief Operating Officer, dated April 29, 2019. Council officially authorized the City Manager to accept ownership on May 7, 2019, with council order number 2019.45. Following the Council's approval, the real estate transfer was not executed, resulting in the ownership of the gifted property not being changed to the City of Biddeford but remained as Mary T. DesRoberts. Subsequently, a Tax Collector's Lien Certificate was issued against the property owner on July 24, 2020, and recorded with the York County Registry of Deeds, Book 18319 Page 412. On January 11, 2021, Keith R. Jacques, the City Solicitor, informed Tudor N. Goldsmith, the attorney representing the property owner, that the lien certificate issued on July 24, 2020, was issued erroneously, and a discharge of said lien has been recorded with the York County Registry of Deeds. He further forwarded letters addressed to Equifax, Trans Union, and Experian with information concerning the property owner's erroneous lien and requested that each agency expunge any and all records that the agency might have generated regarding Mary T. DesRoberts regarding this matter. Upon receipt of the lien discharge, the property representative will record Mary T. DesRoberts' Quit Claim Deed conveying the Granite Street property to the City of Biddeford. Based upon the City Solicitor's correspondences, Mary T. DesRoberts is not responsible for the gifted parcel's real estate property taxes for the fiscal year of 2020 and 2021. Upon receiving the property's transfer deed, the ownership will be changed to the City of Biddeford. The property will be converted from being a taxable parcel to a tax-exempt lot.

ANALYSIS	After the property's conversion and becoming a tax-exempt parcel, there is a balance of one thousand two hundred forty-eight dollars and fifty-one cents (\$1,248.51) for real estate property taxes committed for the fiscal year 2020 and 2021. On April 1, 2019, for the fiscal year 2020 and April 1, 2020, for the fiscal year 2021, a transfer deed was not recorded for the gifted parcel to the City. For those tax years, the property value assessed was correct with the correct owner of record for each April 1st date. Since the property valuation and ownership were correctly evaluated and committed, there are no grounds for the assessor or the municipal officers to issue an abatement removing the balance due on the property. Pursuant to M.R.S. Title 36 §841, The assessor, within one year of commitment, can make reasonable abatement as they consider proper to correct any illegality, error, or irregularity in the assessment. After one year but within three years from commitment, the municipal officers may make reasonable abatement as they consider it proper to correct any illegality, error, or irregularity in assessment but may not grant an abatement to correct an error in the valuation of the property.
ATTACHMENTS	1. "Briefing Memo," April 29, 2019, Brian Phinney to Mayor Alan Casavant and City Council. 2. "Discharge of Tax Collector's Lien Certificate," Keith R Jacques, Esq. 3. Letter "Mary T. DesRoberts n/k/a Mary T. Brown," January 11, 2021, Keith R. Jacques to Trans Union. 4. Letter "Mary T. DesRoberts Land Gift to the City of Biddeford, Maine," January 11, 2021, Keith R. Jacques to Tudor N. Goldsmith, Esq. 5. Council Order: 2019.45, May 7, 2019, Carmen J. Morris, City Clerk 6. Real Estate Tax Statement, January 15, 2021, Kristy Cyr, Tax Collector



City of Biddeford

Chief Operating Officer/Technology Dept/IPP
P.O. Box 586 • 205 Main Street
Biddeford, ME 04005
Phone: (207) 571-0032 • Fax: (207) 571-0656

Briefing Memo

TO: Honorable Mayor Alan Casavant
Honorable City Council

CC: James Bennett, City Manager
Cheryl Fournier, Finance Director
Phil Radding, Facilities Manager
Kris Reynolds, Airport Manager

FROM: Brian S. Phinney, COO/Technology/IPP

DATE: April 29, 2019

RE: Land Gift – Granite Street (MBLU 3-52) by Mary Brown

Mary Brown, formerly Mary Desroberts, owns an undeveloped parcel of land located off of Granite Street referenced as Map 3 Lot 52 consisting of approximately 7± acres. Through the law firm of Jensen Baird Gardner & Henry, she wishes to offer a land gift of the subject property with zero restrictions or conditions. Figure 1 depicts the location of the property in relation to land owned by the City (Biddeford Municipal Airport), New England Electric Railway, a private landowner, and the Town of Arundel.

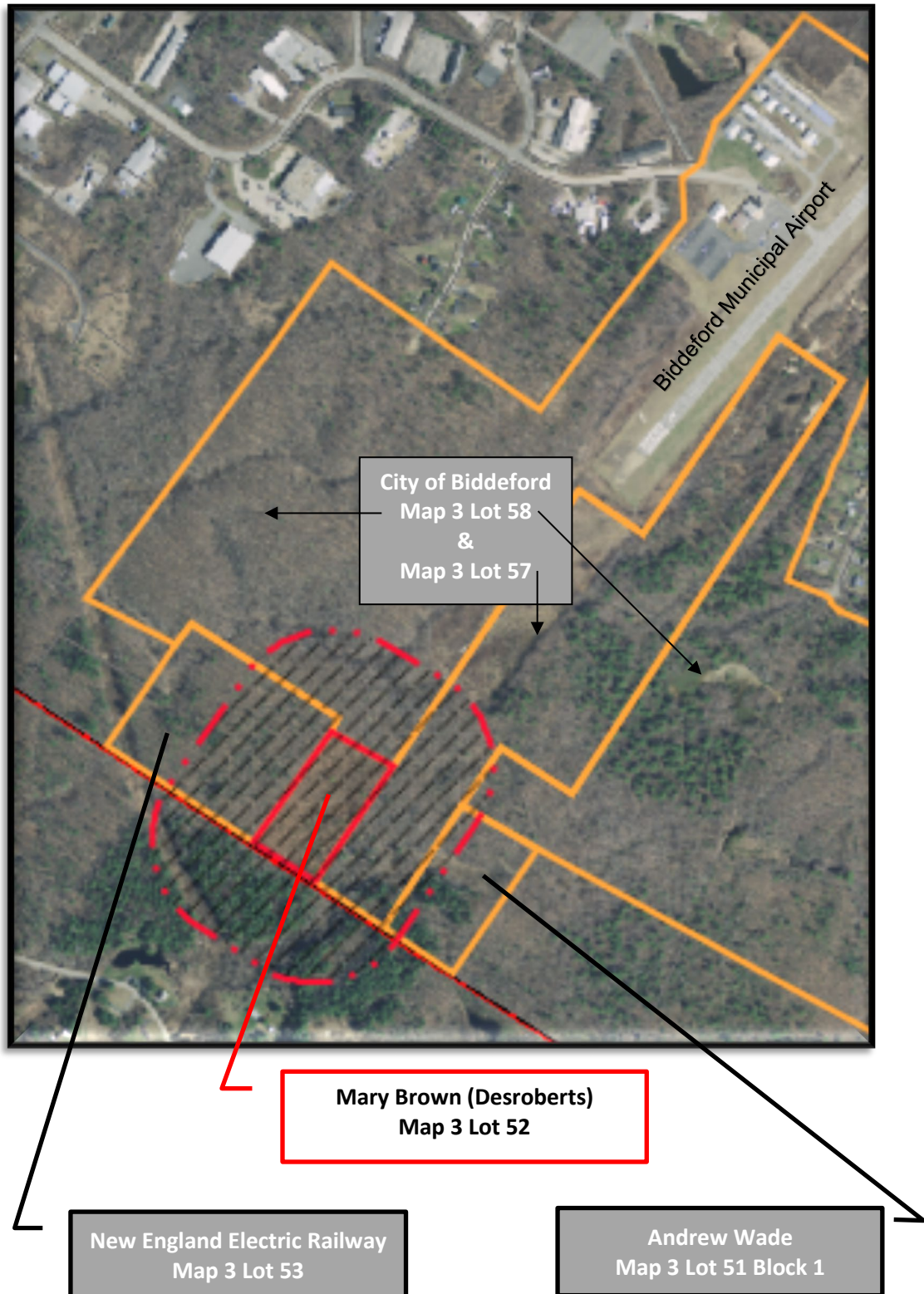
A review by the Assessor's Office, Codes Office, and Tax Collector's Office found no outstanding issues; no pending code violations, and no outstanding taxes. The property is currently assessed at \$28,400, see Attachment 1.

The value of the property to the city is that it would serve as a buffer on the southern edge of the airport property. The subject property is approximately 352-feet wide and adjacent to the southern legs of city-owned parcels 3-57 and 3-58. Combined with 3-57, the width of city-owned property increases to ±757-feet.

The property is currently zoned Industrial (I1). A copy of *Table A-Table of Land Uses* (Chapter V) is provided as reference, See Attachment 2.

The Finance Committee is scheduled to review this item at their May 7th meeting as well.

Figure 1 – Map of Proposed land Gift (MBLU 3-52)



Attachment 1

GRANITE ST (OFF OF)**Location** GRANITE ST (OFF OF)**Mblu** 3/ 52/ / /**Acct#****Owner** DESROBERTS, MARY T**Assessment** \$28,400**Appraisal** \$28,400**PID** 483**Building Count** 1**Current Value**

Appraisal			
Valuation Year	Improvements	Land	Total
2017	\$0	\$28,400	\$28,400
Assessment			
Valuation Year	Improvements	Land	Total
2017	\$0	\$28,400	\$28,400

Owner of Record

Owner DESROBERTS, MARY T
Co-Owner
Address PO BOX 1243
 BIDDEFORD, ME 04005-1243

Sale Price \$0
Certificate
Book & Page 02323/0109
Sale Date 03/15/1978

Ownership History

Ownership History				
Owner	Sale Price	Certificate	Book & Page	Sale Date
DESROBERTS, MARY T	\$0		02323/0109	03/15/1978

Building Information**Building 1 : Section 1**

Year Built:
Living Area: 0
Replacement Cost: \$0
Building Percent
Good:
Replacement Cost
Less Depreciation: \$0

Building Photo

Building Attributes	
Field	Description
Style	Vacant Land
Model	

Grade:	
Stories:	
Occupancy	
Exterior Wall 1	
Exterior Wall 2	
Roof Structure:	
Roof Cover	
Interior Wall 1	
Interior Wall 2	
Interior Flr 1	
Interior Flr 2	
Heat Fuel	
Heat Type:	
AC Type:	
Total Bedrooms:	
Total Bthrms:	
Total Half Baths:	
Total Xtra Fixtrs:	
Total Rooms:	
Bath Style:	
Kitchen Style:	



(<http://images.vgsi.com/photos/BiddefordMEPhotos//default.jpg>)

Building Layout

(<http://images.vgsi.com/photos/BiddefordMEPhotos//Sketches/48>)

Building Sub-Areas (sq ft)	Legend
No Data for Building Sub-Areas	

Extra Features

Extra Features	Legend
No Data for Extra Features	

Land

Land Use

Use Code 4420
Description IND LD UD MDL-00
Zone I1
Neighborhood 0003
Alt Land Appr Category No

Land Line Valuation

Size (Acres) 7.1
Frontage 0
Depth 0
Assessed Value \$28,400
Appraised Value \$28,400

Outbuildings

Outbuildings	Legend
No Data for Outbuildings	

Valuation History

Appraisal

Valuation Year	Improvements	Land	Total
2017	\$0	\$28,400	\$28,400
2016	\$0	\$17,800	\$17,800
2015	\$0	\$17,800	\$17,800

Assessment			
Valuation Year	Improvements	Land	Total
2017	\$0	\$28,400	\$28,400
2016	\$0	\$17,800	\$17,800
2015	\$0	\$17,800	\$17,800

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Attachment 2

ESTABLISHMENT OF ZONES

V Attachment 1

City of Biddeford

Table A
Table of Land Uses

[Amended 2-2-2010 by Ord. No. 2009.98; 8-3-2010 by Ord. No. 2010.70; 9-21-2010 by Ord. No. 2010.93; 6-21-2011 by Ord. No. 2011.36;
6-21-2011 by Ord. No. 2011.37; 4-3-2012 by Ord. No. 2012.24; 4-16-2013 by Ord. No. 2013.24; 3-18-2014 by Ord. No. 2014.16; 9-6-2016 by Ord. No. 2016.74; 1-17-2017 by Ord. No. 2016.87; 6-20-2017 by Ord. No. 2017.57; 1-16-2018 by Ord. No. 2018.3; 1-16-2018 by Ord. No. 2018.5; 6-5-2018 by Ord. No. 2018.44; 10-2-2018 by Ord. No. 2018.110]

KEY:

- * Subject to Article VI, Performance Standards, of this ordinance.
- P Permitted use.
- Not permitted.
- C Conditional use. See Article VII for specific standards.
- A Accessory use.

	Article VI Section*	SR-1	CR	R-1-A	R-1-B	R-2	R-3	B-1	B-2	I-1	I-2	I-3	W-1	W-2	W-3	R-F	LR-F	M	IN ²⁰	OR	MSRD-1 ^{7,8}	MSRD-2	MSRD-3
Residential uses:																							
Accessory dwelling units* 27	78	P		P	P	P	P						P		P	P				P		P	
Accessory structure*	2	P3	P3	P3	P3	P3	P3	P	P	P	P	P	P	P	P	P			P	P	P	P	P
Boarding, rooming house*	10					C	C															C	C
Bed-and-breakfast*	9		C			C							C			C				C	P	C	P
Cluster development*	18	C	C	C	C	C	C									C17						C	
Congregate housing*	19					C	C									C				C	P	C	P
Duplex/2-family	24	C				P	P								P	C				P		P	
Home occupation*	38	C	C	C	C	C	C	C						C	C	C				C	C	C	C
Manufactured housing*		See Article VI, Section 45.																					
Mobile home park*		See Article VI, Section 45.																					
Multifamily dwelling*	47					P	P	P						P1	P					C	P	P	P
Planned unit development*	73					C	C													C	C	C	C
Single-family dwelling 11	2	P	P	P	P	P	P						P		P	P				P		P	
Commercial uses:																							
Adult business	3								C17														
Amusement center*	5							C	C											C			C
Art gallery			C												C	C				C	P	C	P
Art studio			C												C	C				C	P	P	P
Auto body shops										C		C											
Automobile graveyard, automobile recycling business, junkyard*	7									C							C						
Automobile repair, sales									P	P		C											C
Boat building, repair, marine services, sales, boat livery, marina, yacht club								P	P			C	P	P	P						C		

BIDDEFORD CODE

	Article VI Section*	SR-1	CR	R-1-A	R-1-B	R-2	R-3	B-1	B-2	I-1	I-2	I-3	W-1	W-2	W-3	R-F	LR-F	M	IN ²⁰	OR	MSRD-1 ¹⁸	MSRD-2	MSRD-3
Building materials retail sales								P	P	P		P				C					C		P
Carwash*	14							C	C	C		A											C
Commercial gardening, commercial greenhouse*	17	C	C	C	C				P							P							
Commercial recreation*	18							C	C	C		C				C					P		P
Commercial school*	53							P	P			P									P		P
Drugstore/medical supply								P	P			P						P			P		P
Financial institution								P	P	C		P							C19		P		P
Firewood processing*	33															P	P						
Fisheries processing, storage*	34												P										
Funeral parlor								P	P	P		P											P
Gasoline service station*	36							P	P	P		C				C							
Hotel/motel*	40							P	P	P		P		P							P		P
Indoor theater								P	P	P		P									P		P
Kennel, veterinary hospital*	42								P	P		P				P							
Medical marijuana dispensaries												C23											
Medical marijuana growing facilities										C23	C23												
Neighborhood convenience store/service		C4	C4	C4	C4	P	P	P	P			P				P					P	C	
Off-street loading and parking lot and facilities, commercial parking garage	49					C	P	P	P9	P		A	P	P	P	C					P	C	P
Offices, business and professional*	52							P	P	P	P	P		P	P			P10		C	P	C	P
Planned unit developments*	73							C	C												C		C
Publishing, printing								P	P	P	P	P								C	P		P
Restaurant*	56							P	P	P		P	P	P	P	C		C			P		P
Retail store								P	P	P		P	P	P	P	C		C			P		P
Sawmill*	33															C	C						
Services								P	P	P		P	P	P	P	C		C		C	P		P
Shopping center								C	C	C		C									C		P
Telecommunications facilities	71											C				C	C						
Wholesale business									P	P	P	P											P
Industrial uses:																							
Air transportation related use											C												

ESTABLISHMENT OF ZONES

	Article VI Section*	SR-1	CR	R-1-A	R-1-B	R-2	R-3	B-1	B-2	I-1	I-2	I-3	W-1	W-2	W-3	R-F	LR-F	M	IN ²⁰	OR	MSRD-1 ¹⁸	MSRD-2	MSRD-3
Air transportation dependent use*										C	C												
Airport	4									C	C												
Bulk oil terminal*	41									C													
Contractor's storage yard										C	C					C	C						
Demolition disposal*	23																C						
Experimental research and testing laboratory	29								C	C	C	C						C	C19				C
Light manufacturing*	41								C	P	P	P											P
Light trucking dependent industry*	41								C	P	P	C											P
Manufacturing*	41									C	C	C											P
Planned unit developments*	73									C	C	C											C
Resource recovery facility																							
Recycling facilities	76									C	C												
Redemption centers									C	P							P						C
Storage of bulk gaseous fuels*	41									P	P	P											
Transportation facilities										P		C14	P		P								P
Trucking, distribution terminal*									C	P	P	C											
Warehousing and storage*	60								P	P	P	A											C
Self-storage facilities*	60							C16	C25, 26	P		C									C	C	C
Educational, institutional public uses:																							
Addiction treatment facility 22																		C					
Church, synagogue*		C	C	C	C	C	C		C							C		C			C	C	C
Civic, convention centers								C	C			C									C		C
Community centers, clubs							C	C	C			C									C	C	C
Day-care center, adult	22	C	C	C	C	C	C	C	P	P	P					C		C			C	C	C
Day-care home, adult	22	C	C	C	C	C	C		C					C	C	C	C	C			C	C	C
Day-care home, children's	22	C	C	C	C	C	C		C							C	C	C				C	C
Day-care center, children's	22	C	C	C	C	C	C	C	C	C	C	C				C		C			C	C	C
Essential services	27	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		C	C	C	C
Fire, police station						C	C	P	P			P				C				C19		P	C
Group homes, hospice	19	C	C	C	C	P	P	P	P							C					C	C	P
Hospital*	39																	P					P
Municipal use	47.1	C	C	C	C	C	C	P	P	P	P	P	P	P	P	C	C	P		C	P	C	P
Museum, library			C					P	P			C				C		P	C19		P	C	P
Nursing home*	39	C				P	P									C		C			C	C	C
Public and private schools*	53			C	C	P	P		C							P		C			C	C	C
Public facility		C	C	C	C	C	C	P	P	C	C	P	C	C		C	C	C	C	C	P	C	P

BIDDEFORD CODE

	Article VI Section*	SR-1	CR	R-1-A	R-1-B	R-2	R-3	B-1	B-2	I-1	I-2	I-3	W-1	W-2	W-3	R-F	LR-F	M	IN ²⁰	OR	MSRD-1 ^{1,3}	MSRD-2	MSRD-3
Rehabilitation facility																		P					C
University/college*		C	C									C				C		C	P		C		P
University uses*		C										C				C		C	P		C		P
Water supply system	27	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Outdoor, resource-based uses:																							
Agriculture*	3, 31															P							
Agricultural products processing and storage*	3, 31									P						P							
Animal breeding or care	42															P							
Campground*	13															C							
Cemetery	14.1	C	C	C	C	C	C									P	C		C19				
Extractive industry*	30								P2	P2						P2	P2						
Farm stands* 13	31															P							
Timber harvesting	64		C													P	P		C19				
Golf course excluding miniature golf		P	P	P	P											P							
Parks and recreation*		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P19		P	P	P

NOTES:

^a This column has been provided to serve as an aid in finding specific performance standards, but does not address all standards that may apply. Please consult Article VI for subsequent standards that may apply to a particular project.

All uses cited above are subject to specific lot and setback, height, and performance requirements, as well as specific notes below:

- Multifamily use shall not exceed 10 units per structure.
- Requires Planning Board approval.
- Accessory structures shall be limited to:
 - Private detached garages for the storage of no more than three automobiles.
 - Private greenhouses less than 200 square feet in floor area.
 - Private swimming pools.
 - Storage sheds, provided that they are uninhabitable and less than 200 square feet in area.
 - Decks, porches, patios, gazebos, summerhouses, and other structures intended for outdoor use, provided they are uninhabitable.
- No closer than 1,000 feet to another similar facility.
- (Reserved)
- (Reserved)
- Drive-through establishments (except as provided in Note 8) and street level residential uses are prohibited in the MSRD-1 Commercial Core District in the following areas:
 - Along both sides of Main Street between the intersection of Elm Street (Route 1) and Main Street through to the Saco City Line north of Water Street;
 - On both sides of Adams Street from Main Street to Jefferson Street;
 - On the north side of Jefferson Street from Main Street to Alfred Street;
 - On both sides of Washington Street from Main Street to Jefferson Street;
 - On both sides of Federal Street between Washington Street and Franklin Street;
 - On both sides of Franklin Street;
- Financial institutions are permitted drive-throughs limited to two lanes, are a conditional review by the Planning Board, and must adhere to the following standards:
 - Located on the side or rear of the building and never between the building and the Main Street.
 - Access drive located to minimize impact on pedestrians:
 - Not between building and the street;

ESTABLISHMENT OF ZONES

- Entrance from a side street where possible;
 - Sidewalk material carried across any driveways.
- (c) Adequate queuing land preferably separate from the parking lot.
- (d) Architectural treatment compatible with main building.
- (e) Controlled lighting that does not glare onto neighboring property.
9. Review by the Board of Appeals required for all truck loading facilities for new buildings and for changes in tenancy.
10. Limited to offices for medical professionals and associated fields.
11. Unless otherwise stated or allowed within the provisions of this ordinance, no more than one dwelling unit shall be allowed per lot.
12. (Reserved)
13. Shall be considered as a home occupation; only products grown on the premises may be sold, unless the stand is recognized as a commercial operation.
14. Transportation facilities here shall be limited to facilities associated with firms or businesses serving passenger transport, such as bus terminals, taxi stations, passenger rail stations, etc.
15. (Reserved)
16. Shall be limited to internal storage in existing buildings that require no external structural changes. No loading bays shall be constructed. Off-street parking shall be available with no fewer than one space per 20 storage units. A copy of the contract that will be offered to prospective tenants shall be submitted for review.
17. Adult businesses are restricted to that portion of the B-2 District between Dartmouth Street and Landry Street. No adult business shall be located on any lot or parcel of land with road frontage on Elm Street.
18. All subdivisions in the Rural Farm Zoning District shall be clustered, and developed in accordance with Article VI, Section 16, Cluster Developments, of this ordinance.
19. This use does not include facilities, activities, or programs conducted by or hosted by a college or university that meet the definition of "university uses." Such uses shall be considered as university uses and shall be permitted in the institutional zone subject to the requirements of the zone and the additional performance standards for colleges/universities.
20. Within that portion of the Institutional (IN) Zone subject to a Shoreland Zoning District, existing buildings, structures, and roads may be maintained, modified, or replaced but no new buildings shall be built or located and no existing buildings shall be enlarged (including the replacement of existing buildings) except as follows: The existing buildings and roads may be modified to the extent necessary to meet the requirements of applicable local, state, or federal codes or regulations, the existing sewage treatment plant may be expanded or replaced, and the existing Marine Science Center may be expanded through the construction of one additional building, provided that such changes meet all shoreland requirements and the performance standards of Article XIV.
21. See Article V, Section 7, Main Street Revitalization Districts for land uses.
22. All addition treatment facilities shall meet all applicable federal, state, and local laws and regulations. No occupancy permits shall be issued until evidence of state certification has been presented to the Code Enforcement Office.
23. All medical marijuana dispensaries and growing facilities shall be governed by and subject to the Maine Department of Health and Human Services, Division of Licensing and Regulatory Services, 10-144 CMR Chapter 122 (as amended).
24. (Reserved)
25. Internal storage fully enclosed within buildings only. Loading bays shall be located on the side or rear of buildings and shall be screened from view from public streets and any abutting residential uses.
26. Self-storage facilities in the B-2 Zone shall not be permitted northeast of the Route 1/Dartmouth Street intersection.
27. Accessory dwelling units may also be permitted in nonresidential zones where there exists a nonconforming (as to use) single-family dwelling on a lot that was in existence as of January 1, 2017. See Article VI, Section 78.

DISCHARGE OF TAX COLLECTOR'S LIEN CERTIFICATE

KNOW ALL PERSONS BY THESE PRESENTS, that I, Keith R. Jacques, Esq. am the City Solicitor for the City of Biddeford, Maine. My office is located at 234 Main Street, Biddeford, County of York and State of Maine. A Tax Collector's Lien Certificate on Real Estate located off Granite Street, Tax Map 003, Lot 52, was filed by the City of Biddeford against the property of Mary T. DesRoberts, dated July 24, 2020 and duly recorded in the York County Registry of Deeds in Book 18319, Page 412 on July 28, 2020. The Lien Certificate was recorded in error, the City Council having previously authorized the acceptance of the property as a gift to the City. I do hereby fully discharge and release the said Tax Collector's Lien Certificate made by the City of Biddeford on said real estate of Mary T. DesRoberts.

DATED at Biddeford, Maine this 11th day of January, 2021.



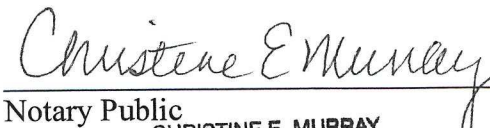
Keith R. Jacques, Esq.

STATE OF MAINE
YORK, ss.

January 11, 2021

Personally appeared the above named Keith R. Jacques, Esq., duly authorized, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of said the City of Biddeford.

Before me,



Notary Public
CHRISTINE E. MURRAY
NOTARY PUBLIC
STATE OF MAINE
MY COMMISSION EXPIRES
APRIL 14, 2022

WOODMAN EDMANDS DANYLIK AUSTIN
SMITH & JACQUES, P.A.

ATTORNEYS-AT-LAW

ROBERT B. WOODMAN
THOMAS DANYLIK
RALPH W. AUSTIN
JAMES B. SMITH
KEITH R. JACQUES
HARRY B. CENTER II
AMY MCNALLY
JOY S. NAIFEH

234 MAIN STREET
P.O. BOX 468
BIDDEFORD, ME 04005-0468
TELEPHONE: 207-284-4581
FAX: 207-284-2078
E-MAIL: krj@woodedlaw.com

Retired
PETER L. EDMANDS
MICHAEL J. O'TOOLE

January 11, 2021

Trans Union
P.O. Box 1000
Chester, PA 19022

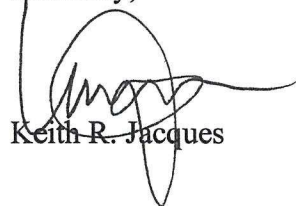
RE: Mary T. DesRoberts n/k/a Mary T. Brown
DOB:
SSN:

Dear Sir/Madam:

I am the City Solicitor for the City of Biddeford, Maine. I am writing to notify your company that a Tax Collector's Lien Certificate on Real Estate erroneously was filed by the City of Biddeford against the property of Mary T. DesRoberts. The Lien Certificate is dated July 24, 2020 and was recorded in the York County Registry of Deeds in Book 18319, Page 412 on July 28, 2020. The Lien Certificate was recorded in error, the City Council having previously authorized the acceptance of the underlying property as a gift to the City. I have attached a copy of the Discharge of Tax Collector's Lien Certificate which has been recorded in the York County Registry of Deeds.

Please expunge all reference to the Tax Collector's Lien Certificate on any and all reports generated by your agency regarding Mary T. DesRoberts. Please do not hesitate to contact me if you have any questions.

Sincerely,



Keith R. Jacques

KRJ/cem
Enc.

WOODMAN EDMANDS DANYLIK AUSTIN
SMITH & JACQUES, P.A.

ATTORNEYS-AT-LAW

ROBERT B. WOODMAN
THOMAS DANYLIK
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Retired
PETER L. EDMANDS
MICHAEL J. O'TOOLE

January 11, 2021

Tudor N. Goldsmith, Esq.
Jensen Baird Gardner & Henry
Ten Free Street
P.O. Box 4510
Portland, ME 04112-4510

RE: Mary T. DesRoberts Land Gift to the City of Biddeford, Maine

Dear Tudor:

Enclosed is the Discharge of Tax Collector's Lien Certificate which I have executed on behalf of the City of Biddeford. I also have enclosed my original letters to Equifax, Experian and Trans Union. I understand that upon receipt of the enclosed, you will record Mary DesRoberts' Quitclaim Deed conveying the Granite Street property to the City of Biddeford. You also will record the attached Discharge of Tax Collector's Lien Certificate. Finally, you will forward my three letters to the appropriate credit reporting agencies.

Please send me copies of the recorded Quitclaim Deed from Ms. DesRoberts to the City and the enclosed Discharge of Lien.

On behalf of the City of Biddeford, please extend our thanks to Ms. DesRoberts for the land gift. I apologize for the delay in finalizing the transfer and any resulting complications.

Sincerely,

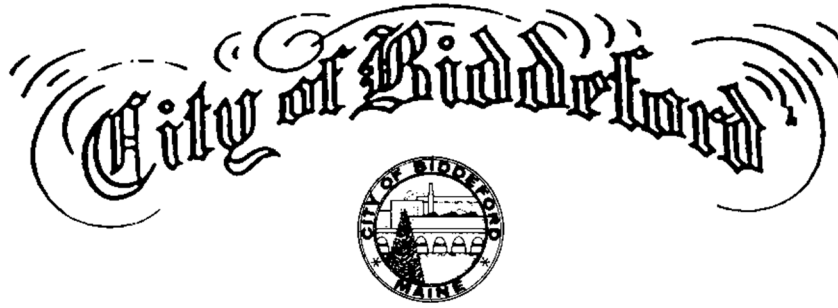


Keith R. Jacques

KRJ/cem

Enc.

cc: Brian Phinney, Chief Operating Officer
Kristy Cyr, Tax Collector



2019.45

IN BOARD OF CITY COUNCIL...MAY 7, 2019

BE IT ORDERED, by the City Council of the City of Biddeford does hereby authorize the City Manager to accept ownership, on behalf of the inhabitants of the City of Biddeford, of a land gift from Mary Brown identified as MBLU 3-52 comprised of approximately ± 7.0 acres.

BE IT FURTHER ORDERED, that each party involved in the transaction shall pay their respective legal fees as may be applicable.

***Note:** It is understood that the City Manager will prepare or direct to be prepared all necessary paperwork for the transfer in consultation with the City Solicitor.*

May 7, 2019

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

Attest by: _____
Carmen J. Morris, City Clerk

01/15/2021 11:16 | City of Biddeford
kcyr | Real Estate Tax Statement

| P 1
| txtaxstm

PARCEL: 0030520000

LOCATION: GRANITE ST (OFF OF)

OWNER:
DESROBERTS, MARY T
5 KRISTEL LN
BIDDEFORD ME 04005

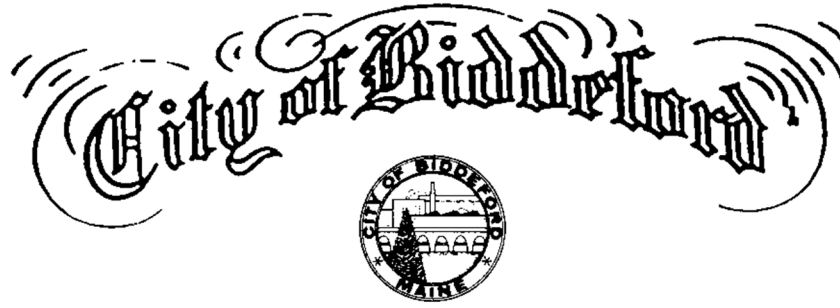
STATUS:
TOTAL ACRES 7.100
DEFERRED ACRES .000
LAND VALUATION 28,400
BUILDING VALUATION 0
EXEMPTIONS 0
TAXABLE VALUATION 28,400
INTEREST PER DIEM .20

LEGAL DESCRIPTION:

DEED DATE: 03/15/1978 BOOK/PAGE: 02323/0109

INTEREST DATE: 01/15/2021

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
2021	RE-R	2102156				
1	RE TAX PRI		284.71	284.71	5.80	290.51
2	RE TAX PRI		284.71	284.71	.00	284.71
			569.42	569.42	5.80	575.22
2020	LIEN	910065				
1	RE TAX LIE		567.43	567.43	24.49	591.92
	30 DAY LIE		3.00	3.00	.13	3.13
	CERT LIEN		6.80	6.80	.00	6.80
	LIENFEEIN		48.00	48.00	.00	48.00
	INT@LIEN		23.44	23.44	.00	23.44
			648.67	648.67	24.62	673.29
			648.67	648.67	24.62	673.29
GRAND TOTALS			1,218.09	1,218.09	30.42	1,248.51



2021.13

IN BOARD OF CITY COUNCIL..FEBRUARY 2, 2021

BE IT ORDERED, that the City Manager be authorized to receive, execute, and record a deed from Berube Builders. to accept **Whitewater Drive** as a public way subject to the conditions outlined in the Public Works Director's memo dated January 26, 2021.



City Council

Meeting Date: February 2, 2021

Meeting Time: 6:00 PM

Agenda Item No: 2021.13

Item Description: Acceptance of Whitewater Drive

Submitted by: Jeff Demers, Director Waste Water/Public Works

Supporting Information/Documentation:

None

Executive Summary:

BNO LLC. Normand Berube has requested the acceptance of Whitewater Drive by the City of Biddeford.

Detailed Review:

Based on the applicants' request for acceptance of Whitewater Drive as a public road, the Public Works/Engineering Department has conducted a final inspection of Whitewater Drive in order to determine if it has been constructed in substantial compliance with the City Street Standards and the approved plans.

During the course of construction of Whitewater Drive, the Public Works and Engineering Department conducted several inspections to verify it was being constructed in substantial compliance with approved roadway plans.

As the road has been determined to be substantially complete, Staff is recommending that the City formally accept Whitewater Drive as a public road with remaining improvements still needed noted below:

1. Street lights ordered to city specifications.

The City has received check #5820 for the amount of \$1,522.00 for purchase and installation of needed lights which the city will install.

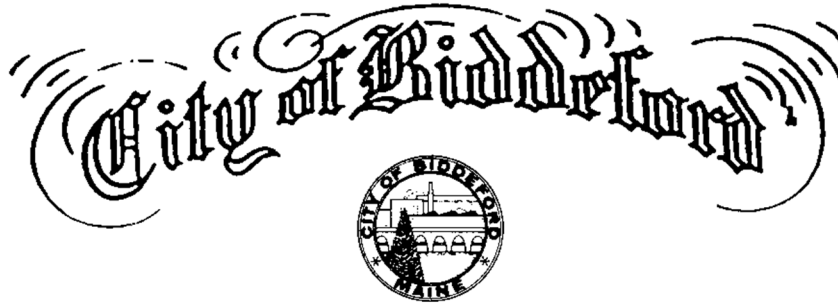
2. Street markings.

The city will have all needed street markings painted and paid by Berube LLC., during the month of May when temperatures warrant.

3. Deed with Covenants.

Signed Deed. (In Process)

Staff recommends that the City Council accept Whitewater Drive conditioned upon Item 1 and 3.



2021.14

IN BOARD OF CITY COUNCIL..FEBRUARY 2, 2021

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the purchase of the rehabilitation of Clarifier #2 at the Wastewater Treatment Plant, from Apex Corporation, Inc. of Somersworth, NH in the amount of **\$367,900.00**. Funds for this project will come out of the \$1.5 million Wastewater Revenue Bond issued by Biddeford Savings.

NOTE: The Finance Committee will review this item at their February 2, 2021 meeting and make a recommendation to the City Council.



Finance Committee / City Council

Meeting Date: February 2, 2021

Meeting Time: 5:00 PM

Agenda Item No: 2021.14

Item Description: Clarifier Rehab

Submitted by: Jeff Demers, Director of Public Works / Waste Water

Supporting Information/Documentation:

December 28, 2020 Letter/Bid Tab from Weston & Sampson

Executive Summary:

The Biddeford Public Works Wastewater Department is looking for approval for the rehab of Clarifier #2, located at the Water Street Waste Water Treatment Facility. This clarifier was last upgraded in 1986 and is no longer reliable.

Detailed Review:

This equipment is crucial in maintaining permit compliance, protecting the environment and public health. All mechanical parts are past their life expectancy and in need of replacement. This upgrade will include replacement of all parts, excluding the concrete tank, but will address any repairs needed to the tank.

Funding Source:

Clarifier #2 rehab is funded out of the 1.5 million dollar bond from the Biddeford Savings Bank.

Staff Recommendation:

Waste Water staff did an RFP for contractors on November 10, 2020. Three contractors supplied bid packets with pricing. Staff recommends awarding the contract to the low bidder being Apex Corporation, Inc. for the sum of \$367,900.00.

Biddeford, ME
Weston & Sampson Job No. ENG20-0217

December 28, 2020

Alex Buechner
Wastewater Superintendent
63 Water Street
Biddeford, ME 04005

Re: Wastewater Treatment Plant
Secondary Clarifier #2 Upgrade

Dear Mr. Buechner,

Three bids were received and opened on December 16, 2020 for the Wastewater Treatment Plant Secondary Clarifier #2 Upgrade. The three bidders and their bids are as follows:

Contractor	Total of Bid
Apex Corporation, Inc.	\$367,900.00
T Buck Construction, Inc.	\$374,516.00
NorthEast Earth Mechanics, Inc.	\$424,850.00

Enclosed is a complete itemized tabulation of bids. We have checked the bonding references for Apex Corporation, Inc. and have found them to be in order. Based on the project references provided we have found that their history of performance and workmanship is acceptable. Accordingly, we recommend that the City of Biddeford issue a letter of intent to award the contract in the amount of \$367,900.00 to Apex Corporation, Inc.

Assuming that our recommendation is accepted, the City of Biddeford should send a "Notice of Intent to Award" to the Contractor plus copy this office. Enclosed please find a draft letter to that effect. Upon receipt of a copy of such notice we will send four copies of the contract documents to the Contractor for their signing. The Contractor will be directed at that time to obtain the required completed bonds and insurance and return all documents to our office to be checked for compliance. We will then forward the contract documents to your office for signatures.

Very truly yours,
WESTON & SAMPSON



Andrea David
Construction Services Coordinator

Enclosures

\\WSE03.LOCAL\WSE\PROJECTS\ME\BIDDEFORD ME\ENG20-0217 WWTF CLARIFIER UPGRADE\130 - BIDDING\RECOMMENDATION.DOCX

DRAFT

December 28, 2020

Jeffrey Todd
Apex Construction, Inc.
361 Route 108, Unit 1
Somersworth, NH 03878

Re: Wastewater Treatment Plant
Secondary Clarifier #2 Upgrade
Notice of Intent to Award

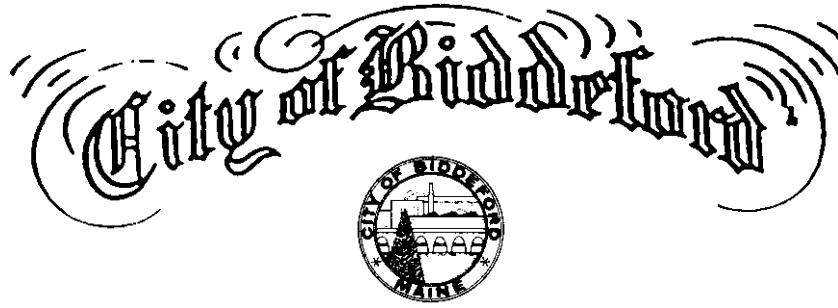
Dear Mr. Todd,

This is to inform you that the City of Biddeford intends to award the Wastewater Treatment Plant Secondary Clarifier #2 Upgrade Project to your firm in accordance with your bid submitted in the amount of \$367,900.00, subject to the approval of the Agreement, Payment Bond, Performance Bond, and Insurance Certificates.

You will be receiving shortly from our Consulting Engineers, Weston & Sampson, the necessary contract documents, which need to be completed by you in order to establish the contract between us. Please execute these documents on your behalf and return them within ten days to Weston & Sampson. Please do not date any of the forms since the official date of execution will be the date on which the City will sign all documents.

Very truly yours,

cc: Andrea David - Weston & Sampson



2021.15

IN BOARD OF CITY COUNCIL..FEBRUARY 2, 2021

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve the sole-source purchase of MetroQuest Subscription Services to bolster civic engagement needs for the Comprehensive Plan process, as well as other projects throughout the City over the course of the year. The cost for the 1-year subscription will not exceed \$15,000, and will be paid for out of existing Planning & Development Office funds.

NOTE: The Finance Committee considered this item at their January 19, 2021 meeting and voted unanimously to recommend approval by the City Council.



Biddeford City Council

Meeting Date: February 2, 2021
Meeting Time: 6:00 PM

Agenda Item No: 2021.15
Item Description: MetroQuest Subscription Services

Submitted by: Mathew Eddy, Planning and Development Director
Abigail Smallwood, Community Planner
Greg Tansley, City Planner

Supporting Information/Documentation:

- Council Order # 2021.15
- MetroQuest Quote.

Key Terms:

N/A

Executive Summary:

- Staff requests sole source approval for the purchase of a one-year subscription to MetroQuest, for these reasons:
 - o There is no comparable platform to MetroQuest for our needs.
 - o We do not currently pay for any survey software (our Polco subscription expired).
 - o The funds requested (\$15,000) are available in the existing Department Budget.
 - o MetroQuest is uniquely suited to planning projects and can be used for both the Comprehensive Plan and other projects that require or encourage public input.
 - o MetroQuest allows for unlimited surveys and users, so all departments would have access to the software.
 - o MetroQuest geographic data readily exports for our own GIS program.
 - o MetroQuest professional support staff ensure questions are not leading and will gather the desired information in the best way possible.

Detailed Review:

In accordance with Section 2-340, Sole Source Procurement, staff requests sole source approval for the purchase of a one-year subscription to MetroQuest.

The following are the reasons for a sole source request:

- A search of similar products by staff suggested that the options for true community engagement are limited. MetroQuest, in particular, combines significant options in community engagement, an extremely strong survey platform, and an ability to adjust it to the engagement work we are doing here in Biddeford. The following are examples of other products, these specifically identified for virtual town hall and survey platforms:
 - Bang the Table: [Community Engagement & Public Participation Software | Online Public Involvement & Consultation Platform | Bang the Table](#) (pricing appears negotiated)
 - Citizen Lab: [The Citizen Lab - University of Toronto](#) (pricing appears negotiated)
 - Idea Scale [IdeaScale: Idea Management and Innovation Management Software](#) (price range \$13,000-64,000, comparable level \$21,999)
- MetroQuest is made by planners for planners – they are aware of the common pitfalls of regular surveys and other public input methods and have designed the software to address those. Surveys are visually engaging and fun, they involve and educate the survey taker in decision making, and quantify results so action can be taken.
 - MetroQuest templates include budget allocation, where participants choose how to spend an allotted amount of money; map marker, where participants can mark important points on a map (results can be exported to our GIS); tradeoffs, which show participants how choosing one option affects another; value preference, where participants choose from various options for future plans; and more. All templates can be seen by clicking [here](#).
- Staff has recently had experience with the product, participating in PACTS (Portland Area Comprehensive Transportation System) related surveys. That experience tells us that the product will fit our immediate comprehensive planning needs.
- Because of its use in the region, we are confident that we can call on other planners for package insight, as well develop our multiple module and community wide surveys.
- The package, over the next year, will have multiple applications. While the Comprehensive Planning process is the most pressing, we intend to use MetroQuest to obtain further citizen input related to Pearl Point Park and other projects that would benefit from MetroQuest's planning-focused survey software.
- From a staffing perspective, MetroQuest offers us:
 - Backup technical support for operating the platform;
 - Professional support in the review of survey instruments, ensuring we will get the results we are looking for and will avoid leading questions; and,
 - A statistical reporting package that is the best we have seen, including integration with GIS, greatly reducing staff time needed for survey analysis and permitting reporting that is easily integrated with City platforms.

Additionally, we were asked to investigate Polco, a survey platform the City has used previously, as a possible alternative to MetroQuest. Danica, Abigail, and Mat met with two of their staff members,

who explained the upgrades since we last used the service. Simply put, Polco would not meet our needs. Polco uses “stock” questions (prepared and vetted by their staff, not ours), with a primary focus on “benchmarking” work: encouraging their clients to use their standard set of questions so you can see where your city stands in comparison to other communities. This primary focus of Polco (benchmarking for comparison with other communities) is simply not something we would use.

Instead, MetroQuest is designed specifically by planners for planners, and is particularly powerful for land use issues. The surveys are visually engaging and quick to take. As noted above, MetroQuest provides professional support to ensure we will get the results we are looking for and will avoid leading questions. More than ever, COVID-19 has demonstrated the need to communicate effectively with the public, particularly online. Staff believe MetroQuest is the best tool available to engage the community in a meaningful way, especially over a condensed period of time when public engagement can be a challenge.

Funding Source:

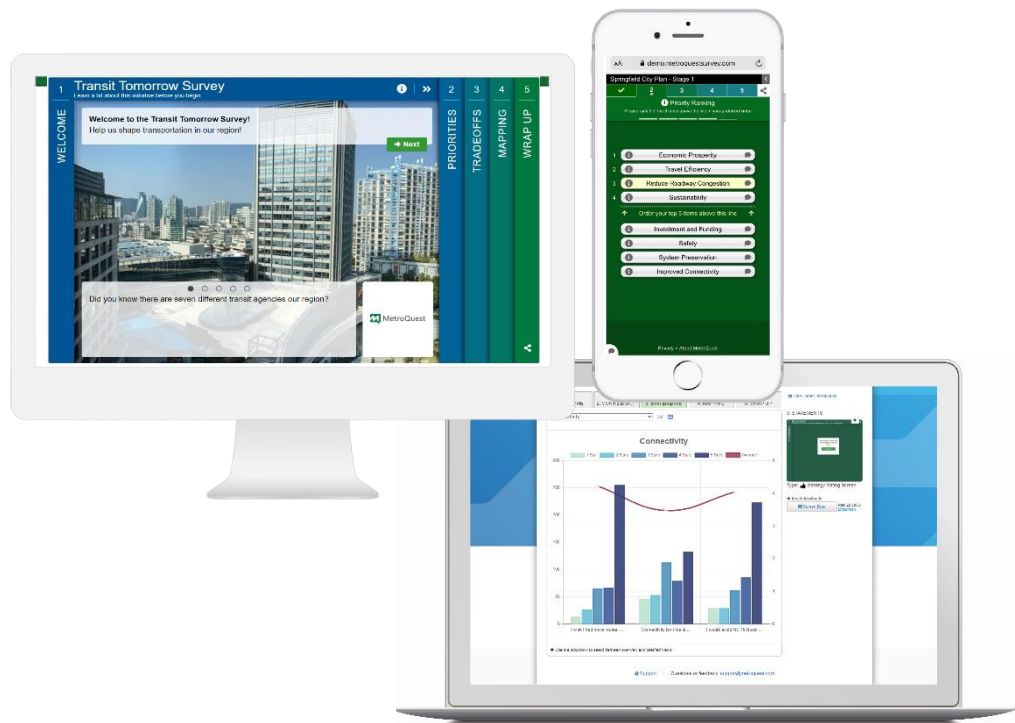
Available Department Funds.

Staff Recommendation:

Staff recommend approval.



MetroQuest Subscription Quotation for City of Biddeford



Prepared by:

Tara Macaulay
510 – 1111 Melville St.
Vancouver, BC
Canada V6E 3V6

Tel: +1 (604) 225-2007
Tara.macaulay@MetroQuest.com

Quotation

Quotation #: 39754901

Date: 04-January-2021

For: City of Biddeford



Introduction

MetroQuest is online survey software. It provides organizations with a powerful, flexible, cost effective enhancement to their existing public participation capabilities. It does this by complementing traditional techniques with online survey software delivered across multiple channels including web-connected home computers, smartphones and tablets to reach a broader, more diverse audience. MetroQuest enables the public to provide quantifiable informed input to planning projects.

MetroQuest is provided via the internet and runs in a browser based on a software-as-a-service (SAAS) subscription model. Setting up MetroQuest to collect stakeholder input for a particular project, accessible via a unique web address (URL) such as <https://metroquestsurvey.com/xxxxxx>, is referred to as a MetroQuest Survey.

MetroQuest is developed, owned and sold by **Envision Sustainability Tools Inc. ("Envision")**.

Envision is pleased to provide this quotation for to purchase an annual subscription for the use of MetroQuest to enhance community engagement for multiple projects throughout the period of the agreed to subscription period.

Engagement Objectives

A key component of the work is to engage citizens in a meaningful way in the process.

In particular, the engagement objectives include:

- Engage a large number of participants that reflect the demographics of the project area;
- Provide multiple mechanisms and opportunities for citizens to participate in the process;
- Allow citizens to learn about the project as well as provide their feedback; and
- To gain insight into public opinion about the project.

The Recommended MetroQuest Solution

In order to meet the engagement objectives, Envision is pleased to offer MetroQuest, which includes the following:

- a. Access to and remote training on the MetroQuest survey platform, MetroQuest Studio, the system that enables clients to setup a MetroQuest Survey;
- b. Access to and remote training on the use of the MetroQuest Data Center, allowing access to integrated data from all Survey respondents;
- c. The ability to create Surveys that respondents can access online via computer, smart phone and tablet as needed; and
- d. Ability to adhere to the relevant jurisdiction's privacy legislation for the collection and storage of Survey respondent input, including private information.

Quotation

Quotation #: 39754901

Date: 04-January-2021

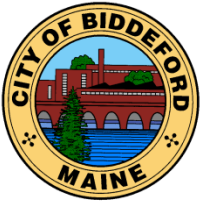
For: City of Biddeford



Quote Number: 39754901

Item	Description	Subscription Fee
1-Year MetroQuest Unlimited Subscription	Use of MetroQuest for 1-year to create an unlimited number of surveys in one language (includes support for an unlimited period of public access for each MetroQuest Survey via computer web browser, mobile and peer to peer tablet; hardware not included)	\$15,000/Year

All figures shown are in USA Dollars. Any applicable taxes are not included and will be borne by the Client.



CITY OF BIDDEFORD

Planning and Development

Mathew Eddy
Director, Planning and Development
205 Main Street
Biddeford, ME 04005
Mathew.Eddy@biddefordmaine.org
207-282-7119

To: Jim Bennett
Brian Phinney

From: Mathew Eddy

Date: January 27, 2021

Subject: Soul Source Justification

Sole Source Review
Completed 01/27/21
Brian S. Phinney

In accordance with Section 2-340. Sole Source Procurement, staff requests sole source approval for the purchase of a one-year subscription to "MetroQuest". Attached is the Council Memo and MetroQuest quote.

The following are the reasons for a sole source request:

- A search of similar products by staff suggested that the options for true community engagement are limited. MetroQuest, in particular, combines significant options in community engagement, an extremely strong survey platform and an ability to adjust it to the engagement work we are doing here in Biddeford. The following are examples of other products, these specifically identified for virtual town hall and survey platforms :
 - Bang the Table: [Community Engagement & Public Participation Software | Online Public Involvement & Consultation Platform | Bang the Table](#) (pricing appears negotiated)
 - Citizen Lab: [The Citizen Lab - University of Toronto](#) (pricing appears negotiated)
 - Idea Scale [IdeaScale: Idea Management and Innovation Management Software](#) (price range \$13,000-64,000, comparable level \$21,999)
- Staff has recently had experience with the product, participating in PACTS related surveys. That experience tells us that the product will fit our immediate comprehensive planning needs.
- Because of its use in the region, we are confident that we can call on other planners for package insight, as well develop our multiple module and community wide surveys.
- The package, over the next year, will have multiple applications. While the Comprehensive Planning process is the most pressing, we intend to use MetroQuest to obtain further citizen input related to Pearl Point Park.

The City of Biddeford is an Equal Opportunity/Affirmative Action Employer

- From a staffing perspective, Metro-Quest offers us:
 - Backup technical support for operating the platform;
 - Professional support in the review of survey instruments, assisting us in better ways to ask questions to obtain the information we are looking for; and,
 - A statistical reporting package that is the best we have seen, greatly reducing staff time needed for survey analysis and permitting reporting that is easily integrated with City platforms.

Please see the attached Council Briefing Memorandum for a more detailed review of this request. We hope you will support the sole-source purchase of 1-Year of subscription services with MetroQuest.

Cc Greg Tansley
Abigail Smallwood



City Council

Meeting Date: February 2, 2021
Meeting Time: 6:00 p

Agenda Item No: 5.e.
Item Description: 2021.16) Amendment/Ch 22, Businesses

Submitted by: Roby Fecteau, Director, Codes Enforcement
Mathew Eddy; Director, Planning and Development

Supporting Information/Documentation:

- February 11 Meeting with City Council
https://docs.google.com/gview?url=https%3A%2F%2Fgranicus_production_attachments.s3.amazonaws.com%2Fbiddeford%2F42ba50743da7b037969ef4ffdaae44310.pdf&embedded=true
- April 18, 2019 Email from Roby Fecteau
https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/375160/6-11-2019_Workshop-Marijuana-Fecteau_Email-April_2019.pdf
- June 11, 2019 – Council Workshop – 1.2 Adult Use Marijuana: State Rule Changes (timestamp 1:16:00) https://biddeford.granicus.com/MediaPlayer.php?view_id=1&clip_id=551
- Zoning Amendment Recommendations and Referral to Planning Board/Adult Use Marijuana White Paper - https://legistarweb-production.s3.amazonaws.com/uploads/attachment/pdf/594989/Marijuana_White_Paper_-_May_2020.pdf
- Council order: [Converted from C:\Windows\Temp\ufc\conversion-2688884\input.docx to C:\Windows\Temp\ufc\conversion-2688884\output.pdf by EasyPDFConvert.exe version 17.12.8.0 at 2021-01-08 18:55:03Z \(legistarweb-production.s3.amazonaws.com\)](#)
- Attachment 1: revisions to Section 77-Conditional Use Performance Standards (500 foot setback)

Key Terms:

- o Marijuana Legalization Act (or Adult Use Marijuana Law) 28-B M.R.S. Ch. 1
 - 18-691 C.M.R. Ch. 1 – Adult Use Marijuana Program Rule
<https://legislature.maine.gov/statutes/28-B/title28-Bch1sec0.html>
- o Maine Medical Use of Marijuana Act 22 M.R.S. Ch. 558-C
 - 18-691 C.M.R. Ch. 2 - Maine Medical Use of Marijuana Program Rule
<https://www.mainelegislature.org/legis/statutes/22/title22ch558-Csec0.html>
- o Industrial hemp 7 M.R.S. Section 2231
<https://legislature.maine.gov/statutes/7/title7sec2231.html>

- o Marijuana Manufacturing: 18-691 C.M.R. Ch. 4 - Marijuana Manufacturing Facilities
<https://www.maine.gov/dafs/omp/medical-use/rules-statutes/18-691-C.M.R.-ch.-4>
- o Adult use statute: <https://www.maine.gov/dafs/omp/adult-use/rules-statutes/18-691-C.M.R.-ch.-1>

Executive Summary:

Council has asked us to put together a licensing requirement for marijuana establishments. The amended City Ordinance for Section 22, which revises §§22-10, 22-11, 22-13 and adds 22-36 is intended to accomplish this goal.

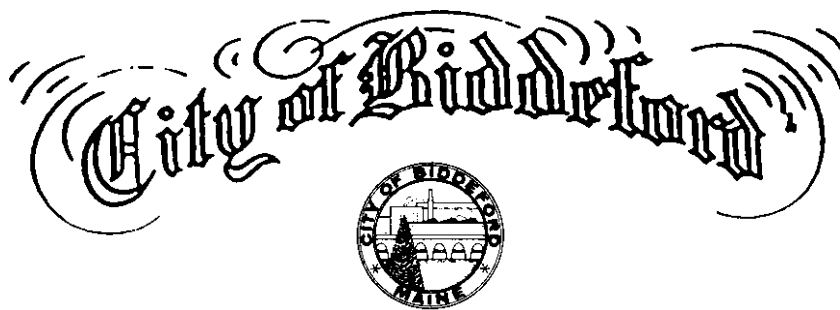
Discussion:

The Section 22 Business Ordinance revisions will establish licensing requirements for the operation of marijuana establishments in Biddeford. Changes are shown in underline for additions. The projected fees, incorporated in Sec. 22-11, were drawn from other communities who have already established such licensing. In Sec. 22-36, the terms and definitions link directly to the land use ordinance approved in January 2021. For example, in licensing, codes enforcement will insure that the odor specifications of the land use ordinance, specifically the conditional use requirements required for review and approval, are adhered to.

Funding Source:

N/A

Staff Recommendation: Recommend Approval



2021.16

IN BOARD OF CITY COUNCIL...FEBRUARY 2, 2021

BE IT ORDAINED by the City Council of the City of Biddeford, Maine that the Code of Ordinances, Chapter 22 -Businesses, be amended by adding or ~~deleting~~ to read as follows:

Sec. 22-10. Application and procedures.

[Ord. of 4-21-1998(4); amended 9-1-2009 by Ord. No. 2009.42]

- (a) All applications shall be made in writing on a form provided by the City Clerk. Each application submitted to the Clerk shall state the name and business address of each applicant, the license desired, location to be used, if any, the date of the application, and such additional information as may be deemed necessary or useful by the Clerk in determining whether such permit or license applied for should be issued.
- (b) Other papers:
 - (1) Any application for a license for which a criminal conviction is a disqualification under this Code shall be accompanied by a written waiver of the applicant's right to privacy or confidentiality under the State Criminal History Records Act (16 M.R.S.A. § 611 et seq.) and otherwise to the extent necessary for the City Clerk, acting through the Chief of Police, to determine whether or not such disqualification exists.
 - (i) Any application for a marijuana cultivation or manufacturing facility must include a copy of the ~~a~~ State of Maine ~~permit~~/conditional license.
 - (ii) Medical marijuana registered caregivers and other applicants submitting applications and supporting documentation ~~information containing that is~~ confidential information under 22 M.R.S.A. § 2425-A(12), as may be amended, and the Maine Freedom of Access Act, 1 M.R.S.A. § 403(3)(F), shall identify ~~mark~~ such information as confidential and if so identified the information shall not become a public record.
 - (2) If the applicant is other than a natural person, the names of all principal officers shall accompany the original application.

- (3) A statement to the fact that no employee or officer of the City is beneficially interested in the license or licenses, or in lieu thereof, a statement of the names of such employees or officers as are beneficially interested.
- (4) In the case of a renewal, the licensee shall submit to the Clerk on a form provided by the Clerk, a certified ownership report for the previous twelve-month period. Such report, among other things, shall list the names of all persons or groups of persons acting in concert who at any time during the period had an actual ownership interest.
- (5) Any organization claiming status as a bona fide nonprofit organization shall furnish sufficient evidence of such status.
- (c) The City Clerk, upon receipt of a completed application, all applicable fees/taxes, and appropriate state licenses, will forward the application to the following departments for inspections/approval:
 - (1) Life and Safety Inspector.
 - (2) Police.
 - (3) Health/welfare.
 - (4) Tax Collectors.
 - (5) City Clerk.
- (d) The Tax Collector will verify that the following taxes have been paid, and or payment arrangements made:
 - (1) Tenant only businesses: personal property and sewer fees in the name of the tenant.
 - (2) Property owner/operator businesses: personal property, sewer and real estate taxes.
- (e) Upon completion of the above inspections/approvals, the City Clerk will issue the license.
- (f) Liquor licenses. All liquor license renewals will follow the process as stipulated in state law.

Sec. 22-11. Fees.

[Ord. of 4-21-1998(4); Ord. No. 99.97, 11-16-1999; Ord. No. 2000.54, 7-5-2000; Ord. No. 2001.49, 5-16-2001; Ord. No. 2002.34, 4-2-2002; Ord. No. 2003.114, 11-18-2003; Ord. No. 2003.131, 12-16-2003; amended 9-1-2009 by Ord. No. 2009.42; 5-1-2012 by Ord. No. 2012.33]

- (a) Application fees. Except as expressly provided, all applications for original licenses or for the consent of the City Council other than a flea market or auction, shall be accompanied by an administrative fee of \$10 to defray the cost of processing the application. All applications for renewal of licenses shall be accompanied by the fees for issuance and an administrative fee of \$10 to defray the cost of processing the application. The latter shall be refundable if the application is denied. In any case where notice by publication or mail is required, the applicant shall pay the cost of publication and postage in advance.
- (b) Appeals fee. Appeals from determinations of the City Clerk shall be accompanied by a filing fee of \$25, and the appellant shall also pay the full cost of publication and postage in advance, if such notice is required. For the purposes of this subsection, notice by publication shall be deemed to apply to the hearing on appeal whenever the requirement of publication would exist in the first instance.
- (c) Fees for issuance.
- (1) Fees for issuance of licenses shall be as provided in Section 22-11.
- (2) The City Clerk will use the following fee structure to develop the appropriate license fees. [Amended 2-1-2011 by Ord. No. 2011.3; 4-19-2011 by Ord. No. 2011.14; 5-1-2012 by Ord. No. 2012.33; 4-2-2013 by Ord. No. 2013.19; 4-16-2013 by Ord. No. 2013.28; 11-19-2019 by Ord. No. 2019.118]

Type of License or Service	Fee
Places of amusement/entertainment	\$150 (single/multiple events)
Concerts	
Exhibitions (including live performances)/shows	
Playhouses/plays	
Circuses	
Carnivals	
Air shows	
Indoor skating rinks	\$150 (annual)
Theater/moving-picture houses	Plus \$25 per screen
Bottle clubs	
Billiard rooms	

Public firing ranges	
Bowling lanes	
Automobile service/repair; automobile graveyards, automobile recycling businesses, and junkyards	
Automobile graveyard	\$200
Automobile recycler business	\$250
Junkyard without hazardous materials	\$100
Junkyard with hazardous materials	\$250
Recycling facilities	\$200
Recycling facilities with hazardous materials	\$500
Automobile service/repair	\$75
Places/dealers in products	\$200
Antique dealers	
Dealers in gold jewelry, etc.	
Flea markets	
For 20 tables	
For each additional table	\$5
Junk dealers	
Secondhand dealers	Required to pay a one -time licensing fee of \$200 when the business is first established; not required to go through the annual license renewal process
Pawnbrokers	\$200
Operating license	
Taxicabs, motorbuses, public automobiles	\$50 (plus \$20 per sticker)
Victualers	\$75
If serving beer and/or wine	\$100
Serving liquor	\$150
Massage establishments	\$100
Massage therapists	\$100

Combined massage establishment/ massage therapist	\$150
Ice cream truck, per truck	\$75
Miscellaneous	\$10
Newspaper vending machines (per machine)	
Video game devices (per 5 machine to A maximum of \$50)	
Other	
Advertising/liquor license (See state law)	At cost plus 10%
Vendors on public places (See appropriate section)	\$50
Waste Haulers	
Per business	\$150
Per truck	\$150
Sludge disposal	\$50
City Clerk fees	
Notary attesting for residents	\$2
Notary attesting for nonresidents	\$5
Dedimus justice services	\$10
Marriage ceremony	\$100
Motor vehicle agent fee	As set within the limits of legislative action
Sale of Zoning Ordinances	\$50
Sale of Subdivision Ordinances	\$10
Vital records research	\$10 per hour
Sale of voter I.D. card	\$5

Marijuana Establishments

<u>Marijuana caregiver retail store</u>	<u>\$ 500.00 per year</u>
<u>Marijuana cultivation facility less than 20,000 square feet floor area</u>	<u>\$1,500.00 per year</u>
<u>Marijuana cultivation facility equal to or more than 20,000 square feet floor area</u>	<u>\$3,000.00 per year</u>
<u>Marijuana products manufacturing Facility</u>	<u>\$250 per year</u>

- (d)** ¹Prorated license fees. On any initial application for a business license received by the City Clerk during the last four months of the licensing year, the licensing fee is 1/2 of the annual licensing fee. All fees are due at the time of business license application submittal. Proration of licensing fees does not apply for business license renewals. [Added 5-1-2012 by Ord. No. 2012.33]
- (e)** Waiver of fee. No fee for a victualer's license shall be charged to any organization that operates a concession stand at a school- aged sporting event whose proceeds are used exclusively for the purchase of team uniforms, equipment, operating supplies, or for the improvement of the sports fields and facilities. For the purpose of this subsection, "school-aged sporting event" shall mean and include all sponsored sporting events that are organized and operated within the structure of a league, or under the auspices of the Biddeford School Department or a Biddeford private school, or under a program that is sanctioned by the City's Recreation Department and whose participants are enrolled in school and not older than 19 years of age. [Added 4-6-2010 by Ord. No. 2010.27]

1. Editor's Note: Former Subsection (d) was redesignated as Subsection (e) to accommodate the addition of this new Subsection (d).

Sec. 22-13. Expiration.

[Ord. of 4-21-1998(4); amended 9-1-2009 by Ord. No. 2009.42]

(a) All annual licenses and permits, except victualers licenses, issued under this article shall expire at 12:00 midnight on December 31 of the year of issuance, unless otherwise indicated. A victualers license issued under this chapter expires annually on May 31 of the year of issuance.

(b) Existing Marijuana Establishments licensed under this article shall be effective on the date of issuance and shall expire ~~on~~ at 12:00 midnight on December 31 of the year of issuance.

Sec. 22-36. Marijuana Establishments.

- (a) Purpose. The purpose of this aArticle is to provide for and regulate the issuance of Local Licenses for Marijuana Establishments as defined in this aArticle and by the State of Maine under the Marijuana Legalization Act, 28-B M.R.S. A Chapter 1, as may be amended, and to provide for and regulate the issuance of Local Licenses for Medical Marijuana Establishments as defined in this aArticle and by the State of Maine under the Maine Medical Use of Marijuana Act, 22 M.R.S. A Chapter 558-C, as may be amended
- (b) General Licenses Requirements
- (1) All provisions of the Biddeford Land Use Code Performance Standards Sec. 77 shall apply. Except as otherwise provided in this aArticle, the provisions of Chapter 22 shall apply to all Local Llicenses applied for and issued under this aArticle.
 - (2) Operating without a Local Llicense prohibited. No individual or entity may operate a marijuana establishment within the City without first obtaining a Local Llicense from the City.
 - (3) Burden of proof. The applicant for any license under this AArticle bears the burden of proving that all qualifications for licensure have been satisfied.
 - (4) Current information. Any applicant or licensee must keep all information disclosed in their application current and must notify the City of any change in information within ten business days of any such change.
 - (5) No vested rights. No person shall have any entitlement or vested right to a Local Llicense under this aArticle. ~~and o~~ Operating a marijuana establishment is a privilege and not a right in the City.
 - (6) Local Licenses issued under this aArticle are not transferable to a new owner. Any change in ownership whereby at least 25% of the ownership interest of Licensee is sold or otherwise transferred ~~or change in the officers of an owner~~ shall require a new license. Licenses are limited to the location for which they are issued and shall not be transferable to a different location. A Licensee who seeks to operate in a new location shall acquire a new Local License for that location
- (c) License Suspension. In addition to the provisions of ~~Pursuant to~~ Article Sec. 22-15, the following ~~and~~ criteria ~~below~~; also may serve as the basis ~~shall be used~~ for licensure suspension:
- (1) Any event or condition that would have disqualified an applicant from obtaining an original Local Llicense, until that disqualification is resolved to the satisfaction of the City; or
 - (2) The licensee has failed to timely supplement its license information, as

required; or

- (3) The licensee has failed to file any required reports or furnish any information, as required; ~~and~~ or
- (4) The licensee has knowingly permitted, encouraged, failed to prevent, or failed to remedy a violation of this Article; or
- (5) Ongoing odor issues, which means a licensee ~~who~~ has experienced more than 3 odor complaints, validated by the code enforcement office, in the calendar year of the Local License.

(d) License Revocation. In addition ~~Pursuant to~~ the provisions of Article Sec. 22-15, ~~and~~ the following criteria also may serve as the basis ~~below; shall be used~~ for licensure revocation:

- (1) Failing to remedy any condition in (b~~a~~) and (c) above or any provision~~condition~~ in Sec. 22-15; or
- (2) Repeated violations of Biddeford Code of Ordinances specifically Performance S~~t~~andards Sec. 77; or
- (3) Any event that would have disqualified the licensee from initially obtaining a license.

(e) Procedures for Suspension or Revocation

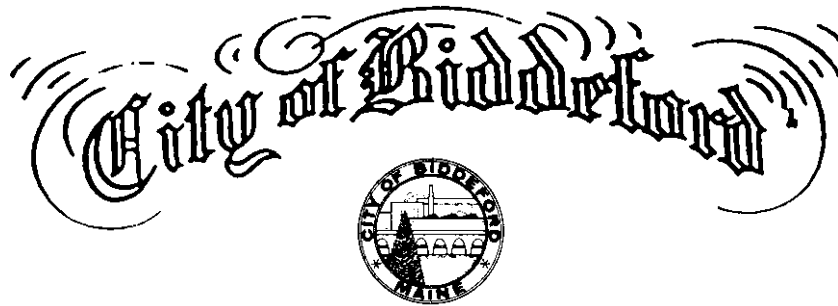
- (1) Suspension or revocation proceedings shall be conducted by the City Council.
- (2) Any appeal of a decision of the City Council shall be to the Superior Court, in accordance with the requirements of Rule 80B of the Maine Rules of Civil Procedure.

(f) Penalties. Penalties shall be enforced~~set forth~~ pursuant to Biddeford Code of Ordinance Chapter 1, General Provisions Sec. 1-12 (General penalty for violation of the C~~e~~ode; continuing violations).

Sec. 22-37 through Sec. 22-45 (Reserved)

Editing Note: Section 22-36 and the reserved sections of 22-37 through 22-45 require renumbering of the existing remaining sections of Chapter 22. The renumbering is an administrative change and will affect existing Sec. 22-36 through 22-54. The renumbering will be addressed if/when this amendment is adopted and becomes effective.

2021.17 IN BOARD OF CITY COUNCIL..FEBRUARY 2, 2021
Extension of Permission to Utilize Public Space for Outdoor Retail and Restaurant
Activity in the City of Biddeford.



Attachment 1

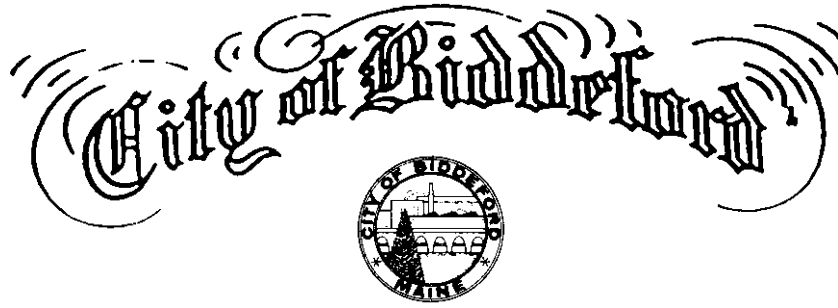
CURBSIDE BIDDEFORD TEMPORARY OUTDOOR RESTAURANT AND RETAIL OPERATION PERMIT APPLICATION

1: INTRODUCTION

In accordance with Governor Janet Mills' Rural Reopening Plan of , 2020, all restaurants and retail operations that provide temporary outdoor areas must adhere to strict mitigation standards intended to prevent the spread of COVID-19. The City of Biddeford is making a temporary special event permit available to both restaurants and to retail operations that are located within the City. All temporary special event permits issued shall begin at 6:00am on June 5 , and shall expire at 9:00pm on Monday, October 12th, 2020 or upon rescission or other relevant modification of Governor's Reopening Plan, whichever comes first.

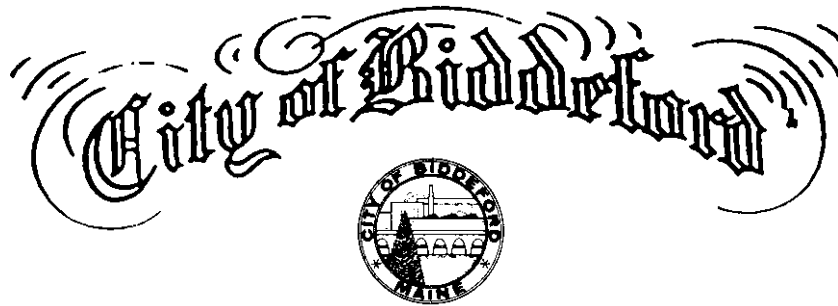
2: REQUIREMENTS

- ☐ The area occupied shall be that portion of abutting public property which least infringes on public use, passage, and traffic as determined by, and at the complete discretion of, the City of Biddeford.
- ☐ If an establishment already has its own adjacent side and/or rear areas, it is strongly encouraged to fully utilize them by placing its outside areas within those locations, and minimize any use of public ways or parking spaces.
- ☐ The City of Biddeford may place traffic barriers as determined by the City on a case by case basis along affected public streets for increased safety. Costs for such barriers will be at the expense of the requesting establishment.
- ☐ A retail operation may not use more than one parking space for its outdoor area.
- ☐ A restaurant may not use more than four parking spaces for its outdoor area, and may



only expand in public space beyond their footprint with the permission of the adjacent business(es). When adjacent businesses are both utilizing public space, coordination or sharing of entry/exits is encouraged.

- ☐ A restaurant or retail operation's outdoor area must use non-permanent structures which must be set up, broken down and stored each day.
- ☐ Consumer-grade extension cords cannot be used to deliver electricity to an outside area; establishments wishing to extend electricity to an outside area must consult with a qualified electrician. The use of plugs (for winter lighting) in public street lighting is prohibited (they are not designed for high loads).
- ☐ A permit, if granted, will only be valid during the hours of 6:00am to 9:00pm each day, Sunday through Saturday, beginning at 6:00am June 5, 2020, and shall expire at 9:00pm on Friday, December 31, 2021.
- ☐ All temporary outdoor areas shall be under the responsible direction and control of the restaurant or retail operation as identified in this application.
- ☐ All temporary outdoor areas must be as continuous as possible by locating the outdoor area in a single portion of an establishment's frontage; it may be located adjacent to the building or near the curb. Special arrangements, on a case by case basis, may be made for those using nearby, but not adjacent public space.
- ☐ Temporary outdoor areas that encroach into a public walkway must maintain at a safe path at all times of at least (4') feet in width, to allow for unimpeded, unobstructed pedestrian traffic.
- ☐ Building entrances, accessible parking spaces, firetruck access, dumpster access, and any furniture or fixtures related to outdoor areas must remain completely unobstructed. Access to street planters must be considered and provided for.
- ☐ The use of physical barriers (i.e., fences, barricades, etc., not to be confused with street barricades) to visually distinguish the boundary of the outdoor area is required.
- ☐ All improvements (i.e., furniture, fixtures) used in the outdoor area must be temporary in nature and there shall be no penetration of public walkway or street surfaces.
- ☐ The establishment must comply with all applicable city, state, and federal laws and



regulations, including the Americans with Disability Act and the **Maine Bureau of Alcoholic Beverages & Lottery Operations** (sale of alcohol).

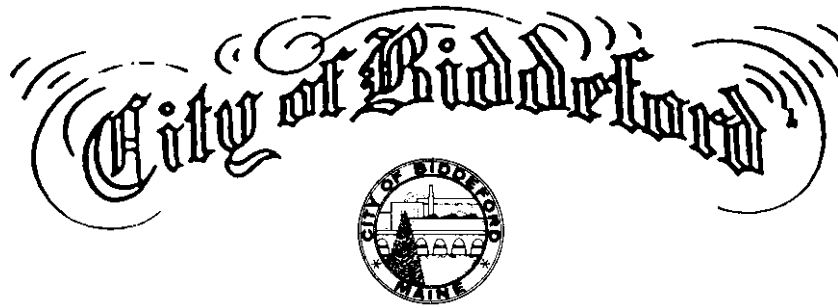
☐ The establishment is responsible for any damage to public property during the period of its use. The city may make repairs itself and bill the establishment accordingly.

3: INSURANCE AND LIABILITY (PLEASE CONSULT WITH YOUR INSURANCE CARRIER REGARDING THE FOLLOWING ITEMS)

☐ The establishment understands and expressly assumes all the risk of operating and conducting business under this permit.

☐ As a condition of being granted this permit, during the term of this permit, the permittee shall defend, indemnify, save and hold the City of Biddeford, and its inhabitants, officers, employees and agents completely harmless from and against any and all liabilities, losses, suits, claims, costs, expenses, judgments, fines or demands arising by reason of injury to or death of, or asserted by, any person or persons, including the permittee's agents, clients, invitees or employees, or damage to any property, including all reasonable costs for investigation and defense thereof (including but not limited to attorney's fees, court costs, and expert witness fees), of any nature whatsoever arising out of or incident to this permit and/or the use, occupancy, conduct, or management of the demised premises or the acts or omissions of the permittee's officers, clients, agents, employees, contractors, subcontractors, licensees, or invitees, except to the extent such injury, death, or damage is caused by the negligent acts or omissions of the City, its agents, employees, clients or invitees. The permittee shall give to the City reasonable notice of any such claim or actions. The permittee shall also use counsel reasonably acceptable to the City in carrying out its obligations under this article.

The permittee further expressly agrees that it will defend, indemnify, save and hold the City of Biddeford harmless from any and all claims made or asserted by the permittee's agents, servants or employees arising out of the permittee's activities under this permit. For this purpose, the permittee hereby expressly waives any and all immunity it may have under Maine's Workers Compensation Act in regard to such claims made or asserted against the City by the permittee's agents or employees. For this purpose, the permittee further expressly waives any charitable immunity it may have under applicable law as to any and all claims of any person made or asserted against the City arising out of the permittee's use and occupancy of the demised premises or other activity of the permittee under this Permit.



The indemnification provided under this section shall extend to and include any and all costs incurred by the City to answer, investigate, defend and settle all such claims, including but not limited to the City's costs for attorneys' fees, expert and other witness fees, the cost of investigators, and payment in full of any and all judgments rendered in favor of the permittee's agents, invitees, licensees, clients, servants or employees against the City in regard to claims made or asserted by such persons.

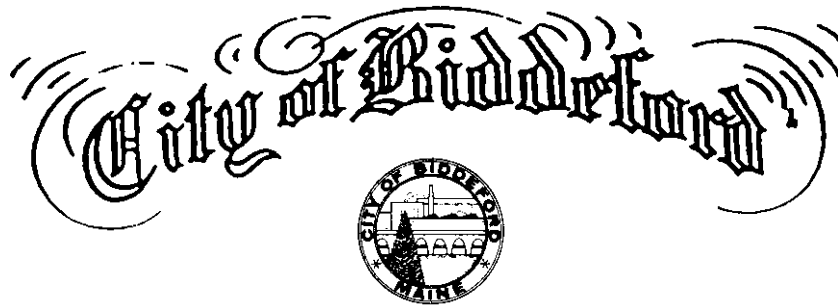
In exercising the rights granted under this permit, the permittee shall at all times be regarded as an independent entity conducting its own business and operations and shall not at any time act, hold itself or or purport to act as an agent, contractor, co-partner, joint venture or employee of the City.

☐ The permittee, during the entire term of this permit shall maintain, at its sole expense, insurance in the type and amount shown below (insert sample insurance agreement) with companies authorized to do business in the State of Maine for the protection of the City of Biddeford against any and all liability, including wrongful death, against all claims, losses, costs or expenses arising out of injuries to persons whether or not employed by the permittee or damage to property whether resulting from acts, omissions, negligence or otherwise of the permittee, its directors, officers, clients, employees and agents and arising from the permittee's use of the demised premises or any part or portion thereof: 1) commercial general liability insurance with a minimum limit of \$1,000,000 combined single limit per occurrence and \$2,000,000 in the aggregate; and 2) workers compensation and employers liability insurance with a minimum limit of \$500,000 per occurrence.

The permittee shall cause to be furnished to the City, at the time of execution of this permit, evidence in the form of certificates of insurance of the existence in force of the insurance required hereunder. Said certificates shall name the City as an additional insured and loss payee. The permittee shall cause to be furnished to the City replacement certificates of insurance whenever the insurance policies are renewed. The City shall be notified prior to any changes or discontinuances of coverage.

The City agrees to promptly notify the permittee in writing of the existence or filing of any claim, demand or action arising out of an occurrence covered hereunder of which the City has knowledge, and to cooperate with the permittee in the investigation and defense thereof.

The minimum insurance coverage required under this article shall be deemed to be automatically adjusted whenever the Maine State Legislature shall increase the City's maximum liability beyond such minimums for personal injury, wrongful death or



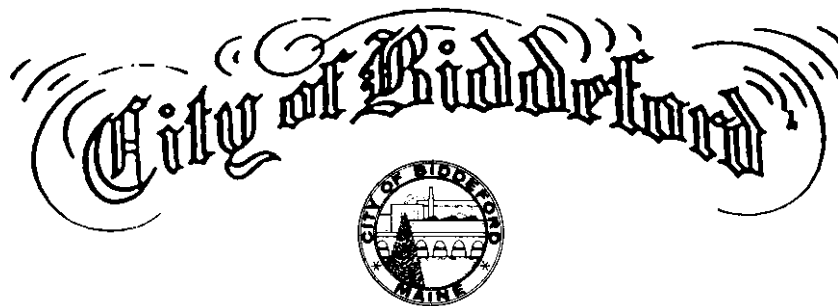
property damage claims brought under the Maine Tort Claims Act. In the event of such an increase, the minimum insurance coverage required shall be no less than the amounts required herein or no less than the City's maximum liability for such claims under the Maine Tort Claims Act, whichever is greater.

4: ENFORCEMENT

☐ The rights and duties granted herein shall be under the supervision and control of the City of Biddeford's Code Enforcement Officer and the City of Biddeford's Chief of Police. In the event of a breach of this permit by permittee, the City may, for the first breach, issue a verbal warning to Permittee; in the event of a second breach, terminate this Permit.

Notwithstanding these provisions regarding penalties for breaches or any other provision of this permit, in the event that the City, in its sole discretion, determines that further use of the premises under this permit is not in the best interests of the City, the rights granted herein may be suspended or terminated upon 24 hours written notice to the permittee.

☐ At the end of the term of this permit, or if this permit is suspended or terminated, all fencing, tables, seating, or equipment must be removed from any City of Biddeford public walkway or public area. The City may move or remove any of said items if they are not removed before the end of the term of this permit or before the 24-hour notice period expires. For such removal, the City may bill the establishment accordingly.



5: APPLICATION (ALL RESPONSES ARE REQUIRED):

Legal Name:

DBA Name: _____

Physical Address: _____
Biddeford, ME 04005

Mailing
Address: _____

Zip Street/PO Box City State

Phone: _____ Fax: _____ Email
address: _____

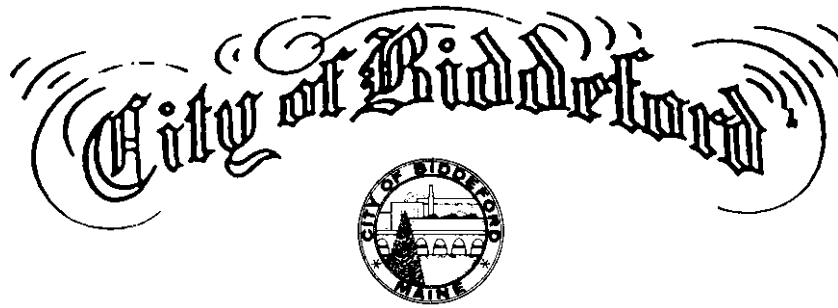
Name, address, telephone number of Property Owner (if property is rented or leased,
need a copy of rental agreement / lease):

Which hours do you plan to have these additional areas open (no earlier than 6:00am, and
no later than 9:00pm)? _____

For extension of License on Premise

Licennse # (if requesting extension of liquor license): _____ Expiration
Date: _____

Start Date: _____ End Date:



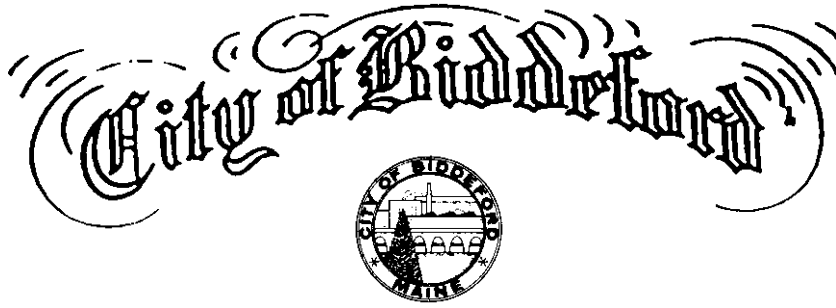
Reason for Request:

On the following page, sketch out your plan for your outdoor area. In your sketch you must include and clearly indicate the relative locations of the following components:

- ☐ Existing dimensions/boundaries of your business;
- ☐ Parking spaces, public walkways, and/or adjacent areas that you are looking to utilize;
Please indicate contiguous and non-contiguous space you plan to use.
- ☐ Path(s) through your area(s) that will allow for pedestrian traffic;
- ☐ Arrangement of tables and other structures which have proper spacing;
- ☐ Barriers to be used;
- ☐ Awnings, umbrellas, and/or other rain- and sun-shielding devices to be used (optional)
- ☐ Lights or lighting systems to be used; and
- ☐ Reflectors to be used.

For extension of license on premise:

- ☐ There must be stanchion or fence completely enclosing the area, with signs for exit/entry. Openings shall be no less than 4 feet. Signs must be posted, stating “no alcohol beyond this point”
- ☐ There must be sufficient employees at the extension of premise, which would be able to control and monitor the area
- ☐ Please indicate the contiguous and non-contiguous areas you plan to use (you may be permitted to use both).. See the section of Maine’s liquor laws that govern these areas at <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec1051.html>. See section 3 and 9.

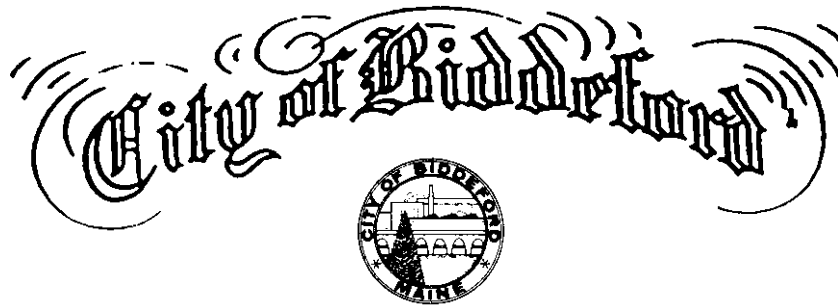


Signature of Owner/Corporate Officer
Officer

Printed Name of Owner/Corporate

EXTENSION AREA PREMISE DIAGRAMS

In an effort to clearly define your extension please draw a diagram below that will include the area you want for a temporary license premise. Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including methods of monitoring and containment of certain area which you are requesting approval from the Division of liquor consumptions.



6: SUBMISSION OF YOUR COMPLETED APPLICATION

When completed, please submit your application via regular mail or via e-mail to:

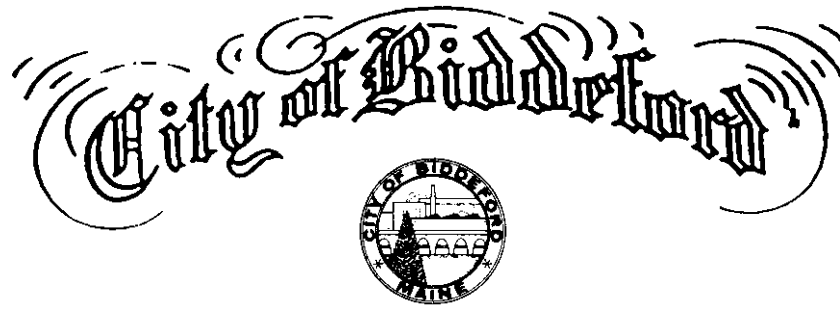
Roby Fecteau

Codes Enforcement Officer

205 Main Street

Biddeford, Maine

Fecteau, Roby: robby.fecteau@biddefordmaine.org



Attachment 2--Summary of Business Survey:

MAINE SERVICE CENTER COALITION

2021 Resolution for Membership and Appointment of Voting Delegate Representative and Alternate

BE IT RESOLVED that the Biddeford
(City/Town Council or Board of Selectmen)

hereby authorizes membership in the Maine Service Center Coalition and designates:

(name) (position in municipality)

to be the appointed REPRESENTATIVE for the Maine Service Centers Coalition and is therefore authorized to vote at the Maine Service Centers Coalition business meetings.

BE IT FURTHER RESOLVED that the designated ALTERNATE is:

(name) (position in municipality)

Dated

Attested To By:

Please return this Resolution as soon as possible to:

Maine Service Centers Coalition
c/o Theresa Chavarie, Manager, Member Relations
Maine Municipal Association
60 Community Drive
Augusta, Maine 04330
E-mail: tchavarie@memun.org

MAINE SERVICE CENTERS COALITION

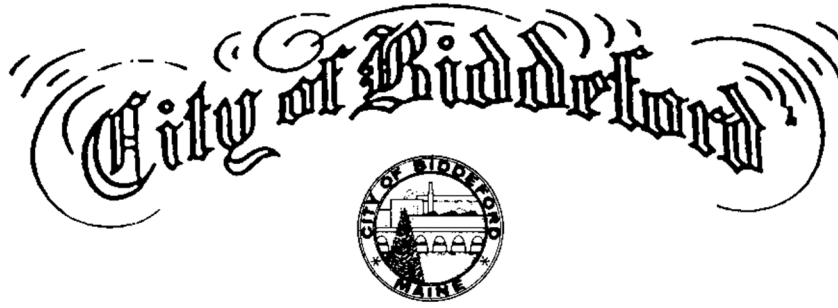
VOTING DELEGATES - 2021

Membership Information Sheet

MSCC REPRESENTATIVE	MSCC ALTERNATE
NAME:	NAME:
TITLE:	TITLE:
MUNICIPALITY:	MUNICIPALITY:
MAILING ADDRESS:	MAILING ADDRESS:
CITY/ST/ZIP:	CITY/ST/ZIP:
TOWN OFFICE PHONE:	TOWN OFFICE PHONE:
WORK PHONE:	WORK PHONE:
HOME PHONE:	HOME PHONE:
FAX PHONE:	FAX PHONE:
E-MAIL ADDRESS:	E-MAIL ADDRESS:

RETURN TO:

Maine Service Centers Coalition
c/o Theresa Chavarie, Manager of Member Relations
Maine Municipal Association
60 Community Drive
Augusta, Maine 04330
FAX: (207) 626-3358
E-MAIL: tchavarie@memun.org



IN BOARD OF CITY COUNCIL...FEBRUARY 2, 2021
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby
appoint:

Maya Atlas
92 Granite Street, #2
Ward 3

to the *Conservation Commission*, replacing Steven Reiter, for a term to expire in
December 2024.

CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date: _____

Name: _____

Street Address: _____

Mailing Address:
(if different) _____

Phone Number(s): _____

Email Address: _____

Which City Committee, Board or Commission do you request to be appointed to:

- | | |
|---|---|
| _____ • Airport Commission | _____ • Harbor Commission |
| _____ • Biddeford Fire Advisory Committee | _____ • Historic Preservation Commission |
| _____ • Biddeford Housing Authority | _____ • Planning Board |
| _____ • Biddeford Police Advisory Committee | _____ • Policy Committee |
| _____ • Board of Assessment Review | _____ • Project Canopy Committee |
| _____ • Cable T.V. Committee | _____ • Recreation Commission |
| _____ • Capital Projects Committee | _____ • Shellfish Conservation Committee |
| _____ • Conservation Commission | _____ • Solid Waste Management Commission |
| _____ • Downtown Development Commission | _____ • Wastewater Management Commission |
| _____ • Economic Improvement Commission | _____ • Zoning Board of Appeals |

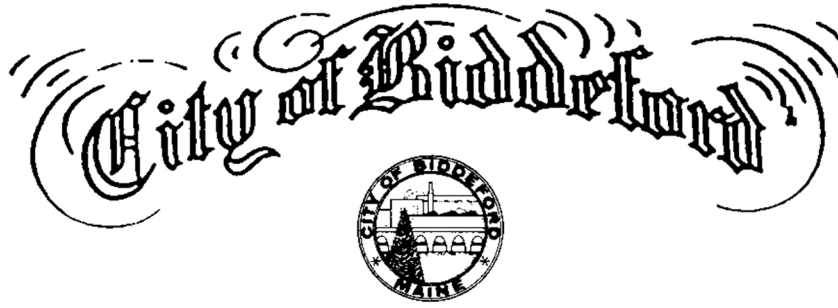
CITY OF BIDDEFORD
Committee Application

Please list any prior experience serving on any Public Boards, Commissions or Committees (and approximate dates)

Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on.

Please provide a brief statement describing your interest in serving the City of Biddeford.

Attach any additional information to this application and return it to the City Clerk's Office.



IN BOARD OF CITY COUNCIL..FEBRUARY 2, 2021
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby
appoint:

Renee Messier
73 Old Pool Road
Ward 1

to the *Downtown Development Commission*, replacing Brittany Saliwanchik, for a term to
expire in December 2021.

CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date: Dec 2, 2020

Name: Renee Messier

Street Address: 73 Old Pool Rd
Biddeford, me 04005

Mailing Address:
(if different) _____

Phone Number(s): 207-502-0050

Email Address: _____

Which City Committee, Board or Commission do you request to be appointed to:

- | | | | |
|-------------------------------------|---------------------------------------|--------------------------|-------------------------------------|
| ☐ | • Airport Commission | ☐ | • Harbor Commission |
| ☐ | • Biddeford Fire Advisory Committee | ☐ | • Historic Preservation Commission |
| ☐ | • Biddeford Housing Authority | ☐ | • Planning Board |
| ☐ | • Biddeford Police Advisory Committee | ☐ | • Policy Committee |
| ☐ | • Board of Assessment Review | ☐ | • Project Canopy Committee |
| ☐ | • Cable T.V. Committee | ☐ | • Recreation Commission |
| ☐ | • Capital Projects Committee | ☐ | • Shellfish Conservation Committee |
| ☐ | • Conservation Commission | ☐ | • Solid Waste Management Commission |
| ☒ | • Downtown Development Commission | ☐ | • Wastewater Management Commission |
| ☐ | • Economic Improvement Commission | ☐ | • Zoning Board of Appeals |

CITY OF BIDDEFORD
Committee Application

Please list any prior experience serving on any Public Boards, Commissions or Committees (and approximate dates)

For over a decade, I was charged with the coordination of artisans and craftsman at the Biddeford Pool Community Center for an annual community fundraising event.

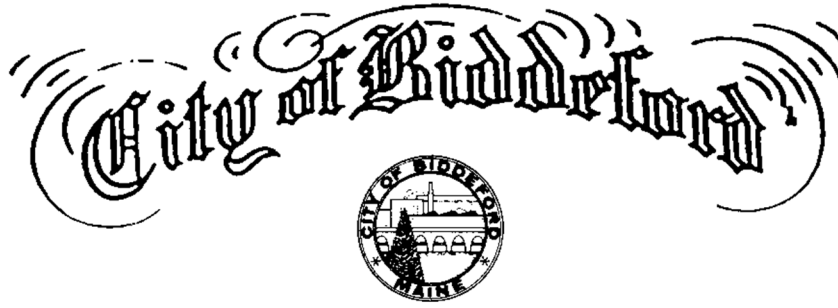
Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on.

Resident of Biddeford since 1993
Artist/owner of Trullium, 338 main st.

Please provide a brief statement describing your interest in serving the City of Biddeford.

when my husband & I moved to Biddeford, we heard people refer to our adopted home town as trash town. We always saw the beauty and potential this little city held. We bought our first, and hopefully our last, home here. Prior to taking the leap of faith and opening Trullium 5 1/2 years ago, I was a self employed glass artist. once MERC was dismantled, I felt it was a good time to begin a search for a retail space. When I learned Youlands was closing, I felt a retail space occupied by the same business for over 50 years has to be a great place to begin my dream in beautiful downtown Biddeford in May 2015. It's been an incredible journey. Having spent this time growing, learning about and loving this sweet little city by the sea, I would like to be more involved in the growth and potential Biddeford holds.

Attach any additional information to this application and return it to the City Clerk's Office.



IN BOARD OF CITY COUNCIL...FEBRUARY 2, 2021
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby
appoint:

David Marchand
18 Kennedy Drive
Ward 7

to the *Recreation Commission*, for a term to expire in December 2025.

CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date: 1/6/2021

Name: DAVID R. MARCHAND

Street Address: 18 KENNEDY DRIVE
BIDDEFORD, MAINE 04005

Mailing Address:
(if different) _____

Phone Number(s): (202) 494-9116

Email Address: DMARCHAND@MAINE.RR.COM

Which City Committee, Board or Commission do you request to be appointed to:

- | | |
|--|--|
| ☐ • Airport Commission | ☐ • Harbor Commission. |
| ☐ • Biddeford Fire Advisory Committee | ☐ • Historic Preservation Commission |
| ☐ • Biddeford Housing Authority | ☐ • Planning Board |
| ☐ • Biddeford Police Advisory Committee | ☐ • Policy Committee |
| ☐ • Board of Assessment Review | ☐ • Project Canopy Committee |
| ☐ • Cable T.V. Committee | ☒ • Recreation Commission |
| ☐ • Capital Projects Committee | ☐ • Shellfish Conservation Committee |
| ☐ • Conservation Commission | ☐ • Solid Waste Management Commission |
| ☐ • Downtown Development Commission | ☐ • Wastewater Management Commission |
| ☐ • Economic Improvement Commission | ☐ • Zoning Board of Appeals |

CITY OF BIDDEFORD
Committee Application

I Please list any prior experience serving on any Public Boards, Commissions or Committees (and approximate dates)

N/A

II Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on.

I WAS AN EMPLOYEE OF CITY OF BIDDEFORD
PARKS DEPARTMENT FROM 2/1/1977 TO 7/31/2020
AT WHICH TIME I RETIRED

III Please provide a brief statement describing your interest in serving the City of Biddeford.

AS A RETIREE WITH OVER 40 YEARS IN PARKS + REC
DEPT. I WOULD LIKE TO STAY INVOLVED IN THIS
DEPARTMENT

Attach any additional information to this application and return it to the City Clerk's Office.