

**COUNCIL MEETING
FEBRUARY 2, 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 Embiser, John McCurry, Jr., Amy Clearwater, Norman Belanger, Michael Ready, Doris Ortiz, Marc Lessard

Stephen St. Cyr and Robert Quattrone, Jr. were excused.

There were no adjustments to the agenda.

Presentation: Biddeford-Saco-Old Orchard Beach Transit Update

Tony Scavuzzo, Executive Director of the Biddeford-Saco-Old Orchard Beach Transit gave a PowerPoint presentation on a few updates concerning Transit operations:

COVID-19 Update:

- Vehicles are sanitized each day; masks are required
- Ridership is down 50%; which means fare recovery is also down at least 50%
- CARES Act is currently keeping Transit whole for the short term.
- Biddeford-Saco-Old Orchard Beach Transit was able to operate in the current fiscal year with flat funding from participating municipalities
- The local match in the next fiscal year is expected to increase to prepare for the post CARES Act environment.

Project Update:

- ✓ Automated vehicle locator continues to be widely used and has helped to streamline operations
- ✓ DiriGo electronic fare collection system was launched on October 1, 2020 and is working out very well, and provides for touchless payment of fares
- ✓ Two new Coach vehicles have arrived
- ✓ Trolley procurement is in process, with an expected delivery date in 2021
- ✓ The Electric Bus project continues to move forward, with an expected delivery date of November 2021.

Downtown Circulator Update:

- The concept for a Downtown Circulator is public transit servicing the downtowns of Biddeford and Saco and the University of New England.
- The service will be provided by a Trolley, with 20-minute loops and 12 trips to UNE daily.
- The Downtown Circulator will include stops at both Biddeford and Saco City Halls, the Saco Transit Center, the Pearl Street district, Pepperell Mill and 4 Scammon Street in Saco (Shaw's Plaza)
- The target launch for the Downtown Circulator is in August 2021
- Service for the Circulator will be year round and will run from 6am-10pm

Update: Upcoming Combined Sewer Operations (CSO) Projects

Jeff Demers, Public Works Director briefly explained the upcoming CSO project planned for the next year. The projects include:

Project 1 – Horrigan Court Pump Station Evaluation Report

Project 1A – Horrigan Court Pump Station Capacity Upgrade

Project 2 – South Street -from Elm Street to Wentworth Street

Project 3 – Center Street Separation and Division – from Elm Street to Jefferson Street

Project 4 – Alfred Street, Phase 1, Separation – from Main Street to Pool Street

Project 5 – Alfred Street, Phase 2, Separation – from Pool Street to Summer Street; and Summer Street to Foss Street

Update: COVID-19 Vaccination Accessibility

Roby Fecteau, the City's Emergency Management Director provided the update. He noted that there are currently 1,079 confirmed COVID cases in Biddeford; and there have been 5 facilities that have been identified with outbreaks (which is 3 or more COVID cases at one location). To date, there have been 158,071 total vaccinations given in Maine; with 117,613 being the first round of vaccinations and 40,458 being the second round. It has been confirmed that a York County mega-center for vaccination distribution will be set up in Sanford. For more information on vaccinations and how to pre-register for the vaccine, folks are encouraged to go to www.mainehealth.org.

Consideration of Minutes: **January 19, 2021**

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

Vote: Unanimous.

Orders of the Day:

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.

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

Vote: Unanimous.

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.

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

Vote: Unanimous.

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.

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

Vote: Unanimous.

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.

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

Vote: Unanimous.

2021.16) Amendment/Ch. 22, Businesses, Various Sections/Add Marijuana Facilities Licensing Requirements

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

Motion by Councilor Lessard, seconded by Councilor Ortiz to table the ordinance amendment and send to the Policy Committee for further review and recommendation.

Vote: Unanimous.

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.

Whereas, on Sunday, March 15, 2020, Governor Mills signed a Proclamation of State of Civil Emergency addressing the issues of the COVID-19 pandemic; and

Whereas, the Governor issued an additional proclamation that closed all restaurants and bars statewide, closed to dine-in customers effective March 18, 2020 at 6:00 p.m. and as of May 27, 2020, extended that indefinitely in York county; and

Whereas, with the gradual re-opening of the state of Maine, the Governor's office also promulgated rules governing the operation of restaurants and retail operations that when reopened, restricted the ability of Biddeford businesses to successfully deliver their product within existing confines; and,

Whereas, the City of Biddeford would like to assist area businesses in easing the use of public spaces adjacent to their operations, including sidewalks, parking spaces, streets or parks, to better serve the public during this pandemic;

Therefore, in accordance with Chapter 6, Article IV, of the City Code of Ordinances, the City of Biddeford declares the following emergency ordinance:

1. The city will use the special permit authority under Article IV, Special Events, to declare that public space, including sidewalks, parking spaces, streets or parks adjacent or nearby the operation of private retail and restaurant businesses may be made available for outside operations;
2. Permission may be granted in accordance with Section 6-143 and 6-144 through the existing special permit authority, except that for applications associated with this emergency ordinance a separate *Curbside Biddeford Temporary Outdoor Restaurant and Retail Operation Permit Application* shall be available; and,
3. This ordinance was originally put into place by the City Council on June 2, 2020 and is now being extended until January 1, 2022, or upon rescission or other relevant modification of Governor's Rural Reopening Plan, whichever comes first.

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

Vote: Unanimous.

Appointments:

Maine Service Center Coalition:

Motion by Councilor McCurry, seconded by Councilor Lessard to nominate James Bennett, City Manager as Biddeford's Representative to the Maine Service Center Coalition; and to nominate Brian Phinney, Chief Operating Officer as the Alternate; and to authorize Carmen Morris, City Clerk to complete, sign and submit the appointment form on behalf of the City Council.

Vote: Unanimous.

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.

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

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.

Motion by Councilor Belanger, seconded by Councilor Lessard to confirm the appointment.
Vote: Unanimous.

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.

Motion by Councilor Belanger, seconded by Councilor Lessard to confirm the appointment.
Vote: Unanimous.

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

City Manager Report:

Chief Operating Officer, Brian Phinney noted that the most recent storm event has passed without any significant issues, except for some minor flooding at the coast. He commended the Public Works Department for all their efforts in keeping up with the storm.

Other Business:

Councilor Lessard: because the trash and recycling pick up for today was postponed to Saturday due to the storm event, he would like to see a waiver of the requirement for the use of PAYT orange trash bags for overflow trash. The rest of the Council concurred; and the requirement for the orange bags will be waived for Saturday's trash pick up.

Councilor Lessard would like the Council to request a meeting with State House Speaker, Ryan Fecteau (who also represents Biddeford's District 11) in order to make an appeal for a Turnpike Exit off of South Street.

Councilor Clearwater: asked how the information of the postponed trash pick up was communicated. Mr. Phinney explained that it was posted on the City's website, on Public Access, on all the usual social media feeds and on all the message boards throughout the City.

Councilor Clearwater shared that she currently serves as Biddeford's representative on the MMA Legislative Policy Committee, which met last week. She was pleased to learn about all the legislation and issues that MMA supports and does not support on behalf of Maine's municipalities.

Council President Addressing the Council: Councilor McCurry thanked the Public Works Department for all their efforts during the most recent storm event. He is pleased that the City is using the message boards as a way to communicate to the citizens.

Councilor McCurry shared that Maine Water has announced an increase in water usage rates.

Mayor Addressing the Council: Mayor Casavant encouraged folks to check out the episode of ***Places & Spaces*** on Channel 6, which recently did a feature on Biddeford.

Mayor Casavant reminded folks that WinterFest is coming up during the week of Feb. 15th to 19th. Scavenger hunts are being planned with prizes that include cash and gift cards. This year's WinterFest is geared to get people outside and get active in the community. He thanked New Life Church, Biddeford's Recreation Department and Heart of Biddeford for all their efforts with this year's event.

Lastly, Mayor Casavant recently met with Steve Reiter who is the Chair of the newly-formed Climate Change Task Force. The Task Force is working aggressively and will be coming forward to the Council with climate change recommendations in the near future.

Executive Session: 1 MRSA 405(6)(E)...Cable T.V. Contract Negotiations

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

Vote: Unanimous. Time: 7:41 p.m.

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

Vote: Unanimous. Time: 8:03 p.m.

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

Vote: Unanimous. Time: 8:03 p.m.

Attest by: _____
Carmen J. Morris, City Clerk