

**COUNCIL MEETING
JANUARY 15, 2019**

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

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

Norman Belanger was excused.

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

Adjustments to the Agenda:

- Add Order 2019.4) Approval/Alternate Payment – Gift Cards – at Parking Lot Kiosks
- Add Appointment: Bruce Benway...Planning Board, from Associate to Voting Member
- Add Executive Session: 1 MRSA 405(6)(E)...Consultation with Legal Counsel

Special Event Application: WinterFest 2019

Motion by Councilor McCurry, seconded by Councilor Quattrone to grant the Special Event Permit for WinterFest 2019.

Vote: 6/2; Councilors Seaver and Lessard opposed.

Councilors Swanton, McCurry, St. Cyr, Quattrone, Clearwater and Ready in favor.

Motion carries.

Consideration of Minutes: **January 3, 2019**

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

Vote: Unanimous.

Orders of the Day:

2019.1

IN BOARD OF CITY COUNCIL...JANUARY 15, 2019

BE IT ORDERED, that in accordance with the provisions set forth under *Ch. 6, Amusements, Article V – Sales, Possession and Consumption of liquor at and during Special Events on City Public Property*, the City Council of the City of Biddeford does hereby grant approval for Biddeford-Saco Chamber of Commerce to sponsor the service of liquor (beer and wine) at WinterFest 2019 on February 2, 2019 at Shevenell Park, providing that the said Biddeford-Saco Chamber of Commerce is and remains in compliance with the provisions set forth under Ch. 6, Section 6-178 et seq.

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

Mayor Casavant noted that the funds generated from beer sales during this event will go towards the medical expenses of Tom Bull, who is the owner of Dirigo Brewing and has been a huge community supporter. Tom has been dealing with some major medical issues recently.

Vote on order: 5/3; Councilors Seaver, Lessard and Ready opposed.

Councilors Swanton, McCurry, St. Cyr, Quattrone and Clearwater in favor.

Motion carries.

2019.2

IN BOARD OF CITY COUNCIL...JANUARY 15, 2019

BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article III, Parking Stopping and Standing, **Section 42-64-Fees for Parking Violations**, is amended by adding or ~~deleting~~ to read as follows:

Fees for parking violations.

(a) Fees for parking violations shall be set as follows:

(1) Parking in snow removal or plowing area: \$40.

(2) Parking in fire lane: \$40.

(3) Overtime parking: \$25.

(4) Parking in a truck zone and/or loading/unloading zone: \$30.

- (5) Double parking: \$40.
- (6) Parking in no parking, etc., area: \$40.
- (7) Parking in front of fire hydrant: \$40.
- (8) Blocking driveway (upon complaint): \$40.
- (9) Parking on sidewalks: \$35.
- (10) Parking facing traffic: \$25.
- (11) Parking in a permit only zone: \$35. (except for municipal lots that require a permit)
- (12) Parking in a disability designated area: traffic infraction.
- (13) Failure to purchase a permit for permit required municipal lots: \$50- \$35.

All parking fines left unpaid after 30 days shall be doubled.

- (b) A vehicle with three or more outstanding parking violations issued by the Police Department, and found to be in violation of any of the City parking ordinances, will be subject to towing or immobilized by the use of an auto boot. The vehicle will not be released to the owner or agent of the owner until the violations and tow charges are paid.

It will be prima facie evidence that the registered owner of the vehicle committed the parking violation.

- (c) The maximum fee that may be charged by a towing company for a vehicle requested to be towed by the Police Department will be at the direction of the Chief of Police.

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

Motion by Councilor Seaver, seconded by Councilor Clearwater to amend the ordinance by removing #(13) completely; as well as the parenthetical language in #(11).

Vote: 7/1; Councilor Swanton opposed.

Councilors McCurry, St. Cyr, Quattrone, Clearwater, Ready, Seaver and Lessard in favor.
Amendment carries.

Vote on ordinance, as amended: 7/1; Councilor Seaver opposed.

Councilors Swanton, McCurry, St. Cyr, Quattrone, Clearwater, Ready and Lessard in favor.
First reading carries.

2019.3 IN BOARD OF CITY COUNCIL..JANUARY 15, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby grant permission for Balzer Family Clock Works of Freeport, Maine to repair the clock that is part of the City Hall Clock Tower, using the \$150,000 grant funds that were awarded to the Heart of Biddeford by the Partners in Preservation Grant Competition, with the funds coming from American Express and the National Trust for Historic Preservation.

(No City funds are being requested for this project)

NOTE: Two bids were received for the above-mentioned work:

- Balzer Family Clock Works of Freeport, ME \$86,725.00
- David Graf of Kittery, ME \$105,000.00

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

Vote: 7/1; Councilor Ready opposed.

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

2019.4

IN BOARD OF CITY COUNCIL...JANUARY 15, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to undertake a preliminary evaluation of a so-called pre-paid parking card program to provide a kiosk payment option for cash-only customers.

BE IT FURTHER ORDERED, the preliminary evaluation shall be limited to 500 pre-paid cards.

BE IT FURTHER ORDERED, that the City Manager retain statistics on the use of pre-paid cards by lot and further quantify the relevant costs associated with the preliminary evaluation in order to assess any administrative fee that may be applicable if the preliminary evaluation is deemed beneficial.

BE IT FURTHER ORDERED, that the City Manager, or designee, report the statics back to the Downtown Committee once 350 pre-paid cards have been released/requested.

NOTE: The Downtown Committee voted unanimously to recommend a preliminary evaluation of the use of a so-called card program as a kiosk payment option for cash-only citizens.

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

Vote: 7/1; Councilor Seaver opposed.

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

Appointments:

IN BOARD OF CITY COUNCIL...JANUARY 15, 2019

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

**Rick Laverriere
371 South Street
Ward 6**

as CHAIR of the *Airport Commission* for 2019.

Motion by Councilor Swanton, seconded by Councilor McCurry to confirm the appointment.
Vote: Unanimous.

IN BOARD OF CITY COUNCIL...JANUARY 15, 2019

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

**Martin Grohman
9 Lisa Lane
Ward 3**

to the *Solid Waste Management Commission*, for a term to expire in December 2021.

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

IN BOARD OF CITY COUNCIL...JANUARY 15, 2019

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

**Bruce Benway
18 Ocean View Drive
Ward 1**

on the *Planning Board* from an Associate Member, to a Full Voting Member, for a term to expire in December 2021.

Motion by Councilor Ready, seconded by Councilor Seaver to confirm the appointment.
Vote: Unanimous.

Public Addressing the Council...(5 minute limit per speaker; 30 minute total time limit):
There were no public comments.

City Manager Report: There was no report given.

Other Business:

Councilor Swanton: reminded folks that the Public Access channel is no longer Channel 3, but is now Channel 1301.

Councilor Seaver: clarified that she did attempt to make last week's Joint Council and School Committee Meeting on the Audit Report Presentation; however, she was not able to find a disability accessible parking space at the High School due to the fact that there was a game going on in the gym at the same time.

Council President Addressing the Council: Councilor McCurry announced that there is now a porta-potty located at Mechanics Park, which has a fence around the outside to keep it aesthetically pleasing. This was done in response to the homelessness presentation given by Rev. Shirley Bowen of Seeds of Hope about a month ago.

Councilor McCurry let folks know that if their recycling is not getting picked up, they should contact the Public Works Department and they will send someone out to get it. Casella has a couple of new drivers who are still learning the routes.

Mayor Addressing the Council: Mayor Casavant reminded folks that WinterFest 2019 is coming up on February 1st and 2nd. Many events, activities and food vendors have been scheduled for the enjoyment of everyone of all ages.

On Friday night, Joe Boucher will do a show at the City Theater, which will be a tribute to the Beatles. Then on Saturday night, Comedian Juston McKinney will be performing at the City Theater.

New Life Church, who is always one of the biggest contributors to WinterFest, will be raffling off two brand new bicycles at the event.

Executive Session:

- **1 MRSA 405(6)(C)...Real Estate Matter**
- **1 MRSA 405(6)(D)...Labor Contract Negotiations (Public Works)**
- **1 MRSA 405(6)(E)...Consultation with Legal Counsel – potential litigation**

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

Vote: Unanimous.

Time: 6:35 p.m.

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

Vote: Unanimous.

Time: 7:20 p.m.

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

Vote: Unanimous.

Time: 7:20 p.m.

Attest by: _____
Carmen J. Morris, City Clerk