

City of Biddeford

City Council

August 5, 2025 at 6:00 PM

City Hall Council Chambers & Zoom

1. Roll Call

Council President LaFountain - present
Councilor Lessard - present
Councilor Ortiz - present
Councilor Emhiser - excused
Councilor Whiting - present
Councilor Beaupre - present
Councilor Gross - present
Councilor Belanger - present
Councilor Doughty - excused

2. Pledge of Allegiance

3. Adjustment(s) to Agenda

The Council held a moment of silence to pay tribute to the passing of Sgt William J. Buhelt.

4. Public Hearing

*4.a "The Eleventh Amendment to the Rte. 111-Mill Redevelopment Transit-Oriented
Municipal Development and Tax Increment Financing District"*

Public Hearing opened at 6:09 pm

Comments: one citizen asked about the documents and the maps.

Closed at: 6:15 pm

5. Recognition

*5.a Recognizing the Biddeford High School Varsity Baseball Team as the 2025 Class A
State Champions*

6. Appointments

6.a 2025.99 Mayoral Appointment to a Committee- Citizen

Motion: Councilor Belanger

Second: Councilor Whiting

Vote: Unanimous in favor.

Motion passed.

7. Public Addressing the Council

One citizen spoke about the UNE pier.

8. Consideration of Minutes

8.a Council Minutes 7-15-25

Motion: Councilor Belanger

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

9. Second Reading

9.a 2025.98 Approval Amend Council Rules

Motion: Councilor Whiting

Second: Councilor Belanger

Councilor LaFountain Motion to amend the first reading of Sec. A-1 of the Code ordinances as follows: "*The Mayor shall call regular meetings of the City Council to order at 6:00 p.m. on the first and third Tuesdays of each month, and regular meetings shall adjourn by 9:00 p.m. unless a 2/3 majority of the Councilors ~~agree~~ present and voting vote affirmatively to extend the meeting.*"

Second: Councilor Whiting

Councilor Belanger – motion to remove 2/3

Councilor Beaupre – motion to Table this item until later in the meeting. The City Solicitor will draft a new motion.

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion is Tabled.

Councilor Belanger - motion to remove from Table

Second: Councilor Whiting

Councilor Beaupre motion to amend Sec A-1 *regular meetings shall adjourn by 9:00 pm* unless a majority of the Councilors present and voting agree to extend the meeting for an additional hour to continue to 10:00 pm. Beginning at 10:00 pm any motion to extend the meeting for one-hour increments shall require two-thirds (2/3ds) vote of the members present and voting. No extension past midnight shall be permitted unless all Councilors present vote unanimously to allow the meeting to continue beyond 12:00 am.

Second: Councilor Lessard

Vote on the amendment: Unanimous in favor.

Amendment passed.

Vote on the order as amended: Unanimous in favor.

Motion passed.

10. Orders of the Day

10.a 2025.95 Approval Special Event Fringe Festival

Motion: Councilor Beaupre

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

10.b 2025.96 Approval Special Event River Jam

Motion: Councilor Beaupre

Second: Councilor Lessard

Councilor Belanger – motion to the amend the location to say “at or near Pearl Street”

Second: Councilor Beaupre

Vote on the amendment: Unanimous in favor.

Amendment passed.

Vote on the order as amended: Unanimous in favor.

Motion passed.

10.c 2025.90 Approval Non-Union COLA Recommendation for 4% Cost-of-Living

Adjustment (COLA) for Non-Union Employees – Effective July 1, 2025

Motion: Councilor Belanger

Second: Councilor Beaupre

Councilors discussed the rate in the budget, the local comparisons and the comparisons to the recent union contracts.

Councilors Ortiz and Belanger spoke about the discussions in the Personnel Committee.
One citizen spoke against it.

Vote: 6 yeas – Councilors Ortiz, Belanger, Gross, Beaupre, Whiting and LaFountain.

1 nay – Councilor Lessard.

Motion passed.

10.d 2025.105 Approval / Lease Renewal, St. Louis Alumni Association - J Richard Martin

Community Center

Motion: Councilor LaFountain

Second: Councilor Belanger

Vote: Unanimous in favor.

Motion passed.

10.e 2025.100 Approval Funding for Biddeford Food Pantry

Motion: Councilor LaFountain

Second: Councilor Lessard

Councilors discussed the reason for the late application and how to fund it for this year.

Councilor Belanger – motion to amend source of funds to the Contingency Fund

Second: Councilor Lessard

Vote on the amendment – Unanimous in favor.

Amendment passed.

Vote on the order as amended: Unanimous in favor.

Motion passed.

10.f 2025.101 Approval Bond Question 1 - Combined Sewer Overflow (CSO) Bond

Motion: Councilor Belanger at the \$40,000,000 level.

Second: Councilor Lessard

Public comment – one citizen asked if there were other funding sources available.

Acting City Manager Brian Phinney reviewed the reasons for the bond, the total project costs, the mil rate at each level of the proposed bond and the timing of the withdrawals.

Councilors discussed the 3 proposed levels.

Councilor Lessard – motion to amend the bond amount to \$20,000,000.

Second: Councilor Beaupre

Vote on the amendment: 6 yeas – Councilors Lessard, Ortiz, Gross, Whiting, Beaupre and LaFountain.

1 nay – Councilor Belanger.

Amendment passed.

Vote on the order as amended: Unanimous in favor.

Clerk's Note – the second reading and public hearing meeting time was later set to 5:30 pm on Tuesday, August 26, 2025.

10.g 2025.102 Approval Bond Question 2 - Recreation Facility Improvements

Motion: Councilor LaFountain

Second: Councilor Lessard

Public Comment – one citizen spoke against proposing two bonds at the same time.

Councilors discussed the timing of this bond, the projects it would cover, the importance of recreation in the community and the challenges with placing these items in the annual budget.

Councilor LaFountain – motion to add Memorial Park to the list of City's recreational facilities, item 1, first bullet point.

Second: Councilor Beaupre

Vote on the amendment – Unanimous in favor.

Amendment passed.

Vote on the order as amended – 6 yeas – Councilors Lessard, Ortiz, Gross, Whiting, Beaupre and LaFountain.

1 nay – Councilor Belanger.

Motion passed.

Clerk's Note – the second reading and public hearing meeting time was later set to 5:30 pm on Tuesday, August 26, 2025.

10.h 2025.103 Approval Charter Revision Referendum Question

Motion: Councilor LaFountain

Second: Councilor Lessard

Councilors reviewed the timeline.

Councilor Beaupre gave several reasons for the request.

Vote: Unanimous in favor.

Motion passed.

*10.i 2025.104 Approval “The Eleventh Amendment to the Rte. 111-Mill Redevelopment
Transit-Oriented Municipal Development and Tax Increment Financing District”*

Motion: Councilor Beaupre

Second: Councilor Belanger

Acting City Manager Phinney gave a presentation regarding the proposed amendment. This opportunity is based on new state laws with TIFs.

Councilor LaFountain requested a spending summary for all current TIFs, including the parcels included in this TIF, and the benefit to taxpayers before any further amendments are considered in the future.

Councilors had questions about the expiration date, the percentages that could be used and if enough future projects would qualify.

Vote: 6 yeas – Councilors Ortiz, Belanger, Gross, Beaupre, Whiting and LaFountain.

1 nay – Councilor Lessard.

Motion passed.

10.j 2025.106 Approval Resolution Westbrook Development

Motion: Councilor Belanger

Second: Councilor Ortiz

Councilors discussed the definition of blight. They also had questions about the application scoring process.

Councilor Belanger – motion to Table this item to come back to Council on or before September 2nd.

Second: Councilor Beaupre

Vote on the motion to Table – 6 yeas – Councilors Ortiz, Belanger, Gross, Beaupre, Whiting and LaFountain.

1 nay – Councilor Lessard.

Motion is Tabled.

Councilor Belanger – motion to extend the meeting past 9:00 pm.

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

11. Committee of the Whole

11.a Review of City Hall Hours

Motion to enter Committee of the Whole at 9:02 pm by Councilor Beaupre

Second: Councilor Lessard

Vote: Unanimous in favor.

Councilors discussed the current City Hall hours and the differences between the start times.

Human Resources Director Diana DePaolo explained the current policies and answered questions.

Acting City Manager Brian Phinney provided background on the reasons the changes were made several years ago.

Councilor Ortiz asked for data on the overtime trends and the need for staff input for future discussions.

Several employees gave their perspective.

Motion to exit Committee of the Whole by Councilor Whiting at 9:37 pm

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

12. Public Addressing the Council

One citizen spoke about the affordable housing project applications and the need for all applicants to be treated equally.

13. City Manager Report

Acting City Manager Brian Phinney gave an update on the Eastern Fire Substation process, we are hoping to have answers from the State on the vernal pools very soon. The Comprehensive Plan has been submitted to the State; there is a public comment period and there will be details on our website. The FY24 audit is moving forward and should be ready this fall. The FY25 audit will start this calendar year. The Council laptops have been ordered.

14. Committee Updates by Council

Councilor Beaupre gave an update on the Traffic Committee – he had comments on the Hill Street construction and bike paths. They are discussing bike racks at the beach that wouldn't need parking permits for next year.

15. Other Business

Councilors Belanger, LaFountain and Mayor Grohman gave a big thank you to Acting City Manager Brian Phinney for all he has done, especially in the past six months.

16. Council President Addressing the Council

Council President LaFountain spoke about the Condo Conversion Ordinance work.

17. Mayor Addressing the Council

Mayor Grohman said there will be a tour of the Biddeford Primary School next week.

18. Executive Session

18.a 1 M.R.S. § 405(6)(E) Legal Matters

Motion to enter at 9:53 pm by Councilor Belanger

Second: Councilor Whiting

Vote: Unanimous in favor.

Motion passed.

Motion to exit at 10:10 pm by Councilor Lessard

Second: Councilor Whiting

Vote: Unanimous in favor.

Motion passed.

19. Adjourn

Motion to adjourn at 10:10 pm by Councilor Lessard

Second: Councilor Whiting

Vote: Unanimous in favor.

Meeting adjourned