



# CITY OF SACO, MAINE

Administration  
Saco City Hall  
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Saco, Maine 04072-1538

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## SACO CITY COUNCIL MEETING MONDAY, MARCH 20, 2017 – 6:30 PM CITY HALL AUDITORIUM

- I. CALL TO ORDER
- II. RECOGNITION OF MEMBERS PRESENT
- III. PLEDGE OF ALLEGIANCE
- IV. GENERAL
- V. PUBLIC COMMENT
- VI. CONSENT AGENDA
  - A. *“Be it ordered that the City Council approve the minutes for [February 21<sup>st</sup>](#) and [March 6<sup>th</sup>](#)”*  
*“I move to approve the order”*
  - B. Application for a License to Operate a Game of Chance: **P2**  
Biddeford & Saco Elks #1597
- VII. AGENDA
  - A. Superintendent’s School Budget Presentation **P5**
  - B. City Administrator’s Municipal Budget Presentation **P5**
  - C. (Public Hearing) Amendments to Chapter 186, Street Opening Ordinance **P6**
  - D. (Public Hearing) Addition of Chapter 171, Single Use Bags **P7**
  - E. (Second and Final) Amendments to City Code Chapter 34 Personnel Ordinance **P8**
  - F. (First Reading) FY2017 Budget Amendment #2 **P10**
- VIII. COUNCIL DISCUSSION AND COMMENT
- IX. ADJOURNMENT

# CONSENT AGENDA ITEM: B

Date: March 20, 2017

## MEETING ITEM COMMENTARY

**AGENDA ITEM:** Application for a License to Operate a Game of Chance:  
Biddeford & Saco Elks #1597

**STAFF RESOURCE:** Michele L. Hughes, City Clerk

**COUNCIL RESOURCE:** Councilor Alan Minthorn

**BACKGROUND:** **Biddeford & Saco Elks #1597** has applied for a License to operate Games of Chance as follows: Nevada Gold (2 games) and Daily Attendance (1 game) from April 1, 2017 to June 30, 2017.

The applicant has submitted their applications in accordance with the provisions of Title 17 M.R.S.A. Chapter 13-A, and in accordance with the Rules and Regulations promulgated by the Chief of the State Police governing the operation of Beano/Bingo or Games of Chance.

**EXHIBITS:** 1. Application to operate Games of Chance

**RECOMMENDATION:** Staff recommends approval.

**SUGGESTED MOTION:** *“Be it Ordered that the City Council grant the application for a License to operate Games of Chance as follows: Nevada Gold (2 games) and Daily Attendance (1 game) from April 1, 2017 to June 30, 2017 as submitted by the Biddeford & Saco Elks #1597.”*

*“I move to approve the Order”.*

**CONSENT AGENDA ITEM: B**

**Date: March 20, 2017**



**STATE OF MAINE  
DEPARTMENT OF PUBLIC SAFETY  
MAINE STATE POLICE  
SPECIAL INVESTIGATIONS UNIT  
164 STATE HOUSE STATION, AUGUSTA, MAINE 04333-0164  
(207) 624-7210**

**Application for a License to Operate Beano/Bingo or a Game of Chance**

**\*\*The Special Investigations Unit must receive this application at least eight days before Beano or a Game of Chance may begin\*\***

1. For what license are you applying (please check one): **BEANO**  **OR GAME OF CHANCE**  ①  
**BIDD-SACO ELKS 1597** IF YOU CHECKED GAMES OF CHANCE:  
 2. Organization Name: \_\_\_\_\_ Name of Game: Nevada Gold @ Daily Attendance  
 Organization Number: 1247 (Queen of Hearts) Number of Games: 4 total  
 Federal Tax ID # (EIN): 01-022-7743 Open to Public? Yes  No   
 Business Address: 68 Ocean Park Road Saco ME  
 Mailing Address: P.O. Box 1597 Saco ME 04072 Phone: 283-1597

3. Current Officers: The Orchards

NAME & TITLE	ADDRESS	CITY/ZIP	PHONE	DATE TERM EXPIRES
<u>Tim Crowley Exalted Ruler</u>	<u>Unit 6</u>	<u>Saco 04072</u>	<u>283-4053</u>	<u>3/31/17</u>
<u>John Desjardins Knight</u>	<u>Lockest</u>	<u>Saco 04072</u>	<u>590-8967</u>	<u>3-31-17</u>
<u>Roger J. Sicard Secretary</u>	<u>13 Skyline Dr.</u>	<u>Saco 04072</u>	<u>423-5330</u>	<u>3-31-17</u>

4. Location where Beano/Bingo or Game of Chance is to be conducted:  
LODGE 68 Ocean Park Rd Saco 04072  
BUILDING ADDRESS CITY/ZIP

5. Person responsible for operation of Beano or Games of Chance:  
Richard Gosselin + Rita Smith 283-1597  
NAME DAYTIME PHONE & EVENING PHONE  
 Name & Address where Licenses will be sent: BPOE 1597 P.O. Box 1597 Saco ME 04072  
 E-Mail Address: rjsicard@maine-rr.com

6. Circle the days of the week you expect to operate: Mon Tue Wed Thu Fri Sat Sun  
 What are the hours of operation? 12 noon to 10pm

7. For Tournaments and Beano Only:  
 What time do the doors open? \_\_\_\_\_ What time does the game start? \_\_\_\_\_

8. Dates to be licensed - Please specify weeks (Monday through Sunday) or full months. You may apply in advance for up to 6 months of licenses for Beano and 12 months for Games of Chance. See back of this form for rates.  
April 1-30 \_\_\_\_\_  
May 1-31 \_\_\_\_\_  
June 1-30 \_\_\_\_\_

BG 5 (09/13) - Previous Editions are Obsolete

<b>FOR OFFICE USE ONLY</b>
Check # _____
Amount \$ _____

CONSENT AGENDA ITEM: B

Date: March 20, 2017

9. Does the organization own all the equipment used in operating this amusement? Yes [x] No [ ]

If "NO", please explain the circumstances under which the equipment was acquired:

10. Has any current officer of this organization or association ever been convicted of or have any charges currently pending for violating the gambling or lottery laws of the United States or the State of Maine? Yes [ ] No [x]

If "YES" give the person's name, address, and date and place of conviction, or date and location of pending charge:

11. If the Applicant is a Fair Association, attach a list of the names and home addresses of the persons operating or assisting in the licensed activity. Please write your organization name and number on the list.

-----APPLICANT SIGNATURE-----

12. The applicant agrees to obey the laws of the State of Maine and the United States and the rules and regulations governing Beano or Game of Chance promulgated by the Chief of the State Police. The applicant warrants the truth of the foregoing statements on penalty of perjury.

Signed: Rita Smith Age 18 or older: Yes [x] No [ ]

Name: Rita Smith Title: Treasurer Date: 3-2-17

(Please print - must be duly authorized officer of this organization - title is required)

-----BLANKET LETTER-----

13. The following consent must be completed by the municipal officers of the city or town where the Beano/Bingo or Game of Chance will take place unless a separate "Blanket Letter of Approval" is filed with the Chief of the State Police.

[ ] Check here if you have previously filed a "Blanket Letter of Approval" with us, which is still valid

[ ] Check here if you have attached a "Blanket Letter of Approval".

-----CONSENT-----

The undersigned being municipal officers of the City/Town of \_\_\_\_\_ hereby certify that we consent to this application for a license to operate Beano/Bingo or a Game of Chance in accordance with the provisions of 17 M.R.S.A. Chapter 13-A (Beano) or Chapter 62 (Games of Chance) and in accordance with the Rules and Regulations promulgated by the Chief of the State Police governing the operating of Beano/Bingo or Games of Chance.

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ Date: \_\_\_\_\_

-----FEES-----

Beano/Bingo: \$5.00/Special Per Game License; \$12/Week; \$36/Month; \$400/Year

Game of Chance: \$15/Week; \$60/Month; \$700/Year Video Poker: \$15/Week or \$60/Month Card / Cribbage: \$30 Per Calendar Year

Tournament Game (up to 100 players): \$75.00/Per Tournament; \$200.00/Month (Two Tournaments per Month); \$1,500/Year (Two Tournaments per Month)

Make check payable to Treasurer, State of Maine

Return the signed and completed application to: Department of Public Safety  
Maine State Police  
Special Investigations Unit  
164 State House Station  
Augusta, ME 04333-0164

# City of Saco, Maine

## Budget Overview by Department

	2014-2015	2015-2016	2016-2017	Directive	2017-2018 Budget		Proposed
	Actual	Actual	Adopted		RAD	REC	
<b>Expenditures</b>							
Administration	363,666	172,256	351,541	362,722	30,000	5,000	367,722
Assessment	194,046	192,427	239,640	240,310	0	0	240,310
Building Inspection	222,583	231,918	334,147	331,531	119,132	25,000	356,531
Building Maintenance	104,954	96,300	119,343	121,962	8,000	3,500	125,462
Capital Program	3,506,638	3,084,222	3,674,129	3,131,161	0	0	3,131,161
City Clerk	315,752	294,910	378,648	340,660	7,600	7,600	348,260
Contingency	211,478	186,478	132,000	129,482	30,000	0	129,482
Council	17,116	14,593	18,712	18,355	0	0	18,355
County Budget	1,231,018	1,243,927	1,265,983	1,283,733	0	0	1,283,733
Economic Development	0	136,207	210,110	210,103	200,145	0	210,103
Finance	396,666	471,461	643,578	662,241	86,542	80,433	742,674
Fire	3,004,222	3,000,237	4,081,763	3,955,823	107,765	75,470	4,031,293
Fringe Benefits	3,401,689	3,509,177	0	0	0	0	0
Fund Transfers	1,059,520	1,228,534	999,719	819,182	500,000	0	819,182
Information Technology	533,441	551,046	552,981	541,472	77,000	17,000	558,472
Parks and Recreation	1,555,670	1,611,285	1,797,359	1,903,371	192,684	119,376	2,022,747
Planning	348,812	230,479	227,590	227,223	22,019	0	227,223
Police	3,628,177	3,588,333	5,022,481	5,009,206	126,867	126,867	5,136,073
Public Works	5,364,801	5,322,025	6,293,072	6,054,269	0	0	6,054,269
School Budget	20,722,537	21,764,772	22,214,912	24,711,375	0	0	24,711,375
Solicitor	165,968	216,620	144,425	141,670	0	0	141,670
Supported Agencies	716,218	704,140	839,880	817,010	61,709	17,809	834,819
Unallocated	182,546	203,436	284,000	284,000	14,025	5,000	289,000
<b>Total Expenditures</b>	<b>47,247,520</b>	<b>48,054,783</b>	<b>49,826,013</b>	<b>51,296,861</b>	<b>1,583,488</b>	<b>483,055</b>	<b>51,779,916</b>
<b>Revenues</b>							
Property Taxes	-37,733,758	-39,386,787	-40,242,015	-42,573,151	-874,874	-165,327	-42,738,478
Local Revenues	-6,185,329	-6,661,720	-6,237,547	-5,532,804	-427,367	-317,728	-5,850,532
State Revenues	-2,078,303	-2,129,567	-2,283,006	-2,469,073	0	0	-2,469,073
Federal Revenues	0	-77,793	0	0	0	0	0
Interfund Transfer	-1,324,434	-1,361,020	-1,063,445	-721,833	-281,247	0	-721,833
<b>Total Revenues</b>	<b>-47,321,823</b>	<b>-49,616,886</b>	<b>-49,826,013</b>	<b>-51,296,861</b>	<b>-1,583,488</b>	<b>-483,055</b>	<b>-51,779,916</b>
<b>Grand Total:</b>	<b>-74,303</b>	<b>-1,562,104</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**MEETING ITEM COMMENTARY**

**AGENDA ITEM:** (Public Hearing) Amendments to Chapter 186: Streets and Sidewalks

**STAFF RESOURCE:** Joseph Laverriere, P.E., City Engineer  
Patrick Fox, Public Works Director

**COUNCIL RESOURCE:** Councilor William Doyle

**BACKGROUND:** Sections of Chapter 186 (Article I) of the City Code pertaining to excavation activities within City right-of-ways are being updated to provide a clear process for property owners and contractors needing to perform work in public places. These changes aim to clarify current practices, and modify other approaches to be more in line with excavation requirements in neighboring communities. Highlights of the changes include: creating separate permits for driveway paving versus excavation activities; establishing an annual approved contractor list based on proper insurance, ability, and deposits; overseeing final pavement restoration to improve ride quality and reduce future maintenance; tying work results to the contractor performing the work instead of the property owner requesting the work.

The City Council discussed this item during workshop on February 13, 2017 and held the first reading on March 6, 2017.

**EXHIBITS:** [Exhibit items were previously provided on March 6, 2017](#)

1. Chapter 186: STREETS AND SIDEWALKS with revisions in red-line tract edit mode
2. Fee Schedule Changes (to be addressed in forthcoming annual fee update process)
3. Opening Permit Process Flow Chart

**RECOMMENDATION:** Staff recommends approval of the revisions as contained in Exhibit 1, as well as fee changes in the forthcoming round of annual fee schedule updates.

**FUNDING:** Not Applicable

**SUGGESTED MOTION:** *"... move to open the public hearing of the document titled 'Amendments to Chapter 186: STREETS AND SIDEWALKS, dated March 1, 2017'."*

*"...move to close the public hearing and further move to schedule the second and final reading of the document titled 'Amendments to Chapter 186: STREETS AND SIDEWALKS, dated March 1, 2017', for April 3, 2017."*

**MEETING ITEM COMMENTARY**

**AGENDA ITEM:** (Public Hearing) Addition of Chapter 171 – Single-Use Plastic Bags to Saco Municipal Code of Ordinances

**STAFF RESOURCE:** Meghan McInnis Doyon, Special Projects Manager

**COUNCIL RESOURCE:** Councilor Alan Minthorn

**BACKGROUND:** Single-use plastic bags have an adverse effect on the environment. Because the City is a coastal community with a river as a natural border, both aquatic and wild life are affected by the environmentally hazardous plastic bags. Research has shown that production and disposal of petroleum based products can injure or poison animals, disrupt habitats, and leach into ground water. Additionally, chemical by products can cause harm to humans, pets, and livestock.

The current proposal is to add “Chapter 171 – Single-Use Plastic Bags” to the City of Saco’s general code, which would not allow a business to provide a single use plastic bag. The City’s goal is to discourage single-use bags and to encourage the use of reusable bags. We recommend the implementation of a monetary fine system for violations of Chapter 171, should the proposal be approved and go into effect.

The Council reviewed this item at the February 21<sup>st</sup>, 2017 workshop and held the first reading on March 6, 2017.

**EXHIBITS:** [Exhibit items below were previously provided on March 6, 2017](#)  
1. Addition to the Municipal Code of Ordinances – Chapter 171 – Single-Use Plastic Bags  
2. Memorandum to Mayor and Council

**RECOMMENDATION:** Staff recommends adoption of Chapter 171 as drafted.

**FUNDING:** None needed.

**SUGGESTED MOTION:** *“... move to open the public hearing for the document titled, “City of Saco Code Amendment: Chapter 171 - Single-Use Plastic Bags.”*

*“... move to close the public hearing and further move the schedule the second and final reading of the document titled ‘City of Saco Code Amendment: Chapter 171 - Single-Use Plastic Bags’, for April 3, 2017.”*

**MEETING ITEM COMMENTARY**

**AGENDA ITEM:** (Second and Final) Amendments to City Code Chapter 34  
Personnel Ordinance

**STAFF RESOURCE:** Kevin L. Sutherland, City Administrator

**COUNCIL RESOURCE:** Councilor Alan Minthorn

**BACKGROUND:** Policies relating to personnel are listed in Saco City Code, Chapter 34: Personnel. In order to amend or change an ordinance, the process requires the standard three meeting process adopted as part of the Saco Charter (Section 2.09). This includes publication in a newspaper before the public hearing.

City staff is currently reviewing the personnel ordinance as well as several other city policies. By changing the code to reference a personnel policy, it will be easier and more effective to bring necessary change to Council's attention. It is our recommendation that Saco City Code, Chapter 34: Personnel be amended to read, "The City of Saco will have a personnel policy, on file with the City offices" and upon adoption, have Council approve the Personnel Policy as a separate document. This would enable our Human Resources Department to more efficiently modify the personnel practices for city staff with a one meeting approval from Council.

**EXHIBITS:**

1. Proposed Amendment
2. [Current City of Saco Code, Chapter 34: Personnel](#)
3. [Personnel Policy \(matches current language\)](#)

**RECOMMENDATION:** Staff recommends approval of the amendments to Chapter 34: Personnel Ordinance to reference the Personnel Policy

**FUNDING:** No funding is required

**SUGGESTED MOTION:** *"The City of Saco hereby ordains and approves the Second and Final Reading of the document titled 'Amendments to Chapter 34 Personnel Ordinance dated February 21, 2017'".*



**AGENDA ITEM: E**  
**EXHIBIT ITEM: 1**  
**Date: March 20, 2017**

**Amendment to Chapter 34 Personnel Ordinance**  
**February 21, 2017**

*“The City of Saco will have a personnel policy, on file with the City offices”*

**MEETING ITEM COMMENTARY**

**AGENDA ITEM:** FY2017 Budget Amendment #2

**STAFF RESOURCE:** Kevin L. Sutherland, City Administrator  
Cheryl Fournier, Finance Director

**COUNCIL RESOURCE:** Councilor William Doyle

**BACKGROUND:** In the City March 6<sup>th</sup> [Administrative Update](#), the City Administrator provided an update for the Route 112 Bypass to Maine Turnpike Exit 36 (and all information related to this can be found [here](#)).

The city has reached out to the Maine Turnpike Authority (MTA) about the traffic issues on Industrial Park Road and Route 112, asking them to investigate options to alleviate traffic issues on these roads.

While MTA's board has not yet met, a tentative agreement has been reached where MTA and Maine Department of Transportation (MDOT) will collectively contribute 80% towards an engineering feasibility study and are asking the local government to contribute a 20% match. The engineering study is estimated to cost \$180,000 – \$200,000, putting Saco's portion at no more than \$40,000. Financial participation will give the city the opportunity to have final say in the location of a bypass.

**EXHIBITS:** 1. Budget Amendment Request Form

**RECOMMENDATION:** The City Council authorizes the Finance Director to amend the Fiscal Year 2017 Budget.

**SUGGESTED MOTION:** *“Be it ordered that the City Council approves the first reading of Budget Amendment #2 FY2017 and further move to schedule the second and final reading for April 3, 2017.”*

*“I move to approve the order.”*

**CITY OF SACO  
BUDGET AMENDMENT REQUEST FORM**

**REVENUE & APPROPRIATION  
AMENDMENT #2 FY2017**

*Date*  
**March 15, 2017**

*Department*  
**Administration**

<b>Name of Account</b>	<b>Account Number</b>	<b>Current Budget 2016-2017</b>	<b>Received to Date</b>	<b>Adjustment Request</b>	<b>Amended Dept. Total</b>
Draw On Fund Balance	10350/300800	\$(636,019)	\$0	(\$15,208)	(\$651,227)
North Street Traffic Study	10170/300721	\$0	\$0	\$24,792	\$24,792
Admin Contracted Services	10372/500428	\$0	\$0	\$15,208	\$15,208
Use of Assigned Fund Balance	10170/300721	\$0	\$0	(\$24,792)	(\$24,792)
<b>Net change</b>				<b>\$0</b>	

Notes:

Finance Director certifies that funds are available:

Signature: *Cheryl Fournier* Date: 3/15/17

Comments: The City is over on their fund balance policy.

**Approved by City Council** Date: