

STATE OF MAINE

COUNTY OF YORK

CITY OF SACO

The following are minutes of the October 6, 2008 City Council Meeting.

- I. **CALL TO ORDER** – On Monday, October 6, 2008, at 7:00 p.m. a Council Meeting was held in the City Hall Auditorium.
- II. **ROLL CALL OF MEMBERS** - Mayor Roland Michaud conducted a roll call of the members and determined that the Councilors present constituted a quorum. Councilors present: Margaret Mills, Leslie Smith, Jr. Ronald Morton, Sandra Bastille, Arthur Tardif, Eric Cote and Marston Lovell.

Mr. Richard R. Michaud, City Administrator and Lucette S. Pellerin, City Clerk were also in attendance this evening.

III PLEDGE OF ALLEGIANCE

GENERAL – *Proclamation –
Silver Star Banner Day,
Certificate of Achievement
Saco Wastewater Treatment Facility*

Mayor Roland Michaud read the Proclamation for the Silver Star Banner Day and also the Certificate of Achievement for the Saco Wastewater Treatment Facility. Congratulations to Howard Carter and the employees for excellent work for the community.

IV APPROVAL OF MINUTES:

Minutes were not presented this evening.

V. AGENDA ITEMS:

A. (Public Hearing) Code Amendment Solid Waste Ordinance

The City's solid waste ordinance needs to be amended in light of the fact that the city is no longer under contract with Maine Energy Recovery Company. Since the city is no longer required to send waste material to MERC, the ordinance does not need to bind commercial haulers to the MERC facility in Biddeford, Commercial waste haulers are now free to choose where they bring commercial waste generated within the city. The proposed amendment addresses the change within Article II.

Councilor Cote moved, Councilor Mills seconded, to open the Public Hearing on the document titled, ‘Amendments to Article II disposal Facilities, dated September 2, 2008’. The motion passed seven (7) yeas.

There being no comments from the public Councilor Cote moved, Councilor Mills seconded, to close the Public Hearing and Be It Ordered that the City Council set the Second and Final Reading of the document Titled ‘Amendments to Article II Disposal Facilities, dated September 2, 2008’ for October 20, 2008. Further move to approve the order. The motion passed with seven (7) yeas.

B. (Public Hearing) Zoning Ordinance Amendment – Accessory Apartments

Councilor Morton moved, Councilor Bastille, seconded, to open the Public Hearing on the document titled, ‘Proposed Amendments – Saco Zoning Ordinance Related to Accessory Apartments, date August 5, 2008’. The motion passed with seven (7) yeas.

There being no comments from the public Councilor Morton moved, Councilors Mills seconded, to close the Public Hearing and Be it Ordered that the City Council set the second and Final Reading of the document titled, Proposed Amendments – Saco Zoning Ordinance Related to Accessory Apartments, dated August 5, 2008’ for October 20, 2008. Further move to approve the order. The motion passed with seven (7) yeas.

C. (2nd & Final Reading) Contract Zone – Cell Tower McKenney Road

Councilor Mills moved, Councilor Lovell seconded, to table the matter. The motion passed with six (6) yeas and one (1) abstention. Councilor Cote abstained.

VI. CONSENT AGENDA

A. (2nd & Final Reading) Chapter 34 – Personnel Ordinance

Ordains and Approves the Second and Final Reading of the document titled, ‘Amendments to Chapter 34 Personnel Ordinance § 34-33, §34-34 – Family Medical Leave, dated August 18, 2008’

B. Confirm the Mayor’s Appointments to the Coastal Waters Commission

Confirm the Mayor’s reappointment of Gary Marston to a 3 year term on the Coastal Water Commission to expire on Oct. 16, 2011.

C. Confirm the Mayor’s Appointment to the Land for Saco’s Future Committee

Confirm the Mayor’s appointment of Pavlos Casvikes to the Land for Saco’s Future Committee.

Councilor Bastille moved, Councilor Tardif seconded, to approve the Consent Agenda. The motion passed with seven (7) yeas.

VII. Councilor Mills moved, Councilor Smith seconded, that it be Ordered that the City Council, Pursuant to [1 M.R.S.A. Chapter 18, Subchapter 1, §405 (6) (E) *discussion of litigation, pending or contemplated: move to enter into Executive Session to discuss:*

- a.** CMP Request for Certificate of Public Convenience and Necessity to Build a 115kV Transmission Line between Saco and Old Orchard Beach;

The motion passed with five (5) yeas and two (2) nays. Councilor Smith and Cote voted in the negative. TIME: 7:35 p.m.

b. Report from Executive Session

The Council agreed by unanimous consent to move out of executive session.

Upon return from the executive session, at 9:07 p.m., **Mayor** Roland Michaud conducted a roll call of the members and determined that the Councilors present constituted a quorum. Councilors present: Margaret Mills, Leslie Smith, Jr. Ronald Morton, Sandra Bastille, Arthur Tardif, Eric Cote and Marston Lovell.

Councilor Mills moved, Councilor Bastille seconded, to recess at 9:08 p.m. All members were in favor.

At 9:34 p.m. the meeting reconvened.

Councilor Cote moved, Councilor Mills seconded, to purchase 5,000 light bulbs for distribution at the polls with others to be distributed by the end of the year. The motion passed with seven (7) yeas.

Councilor Cote moved, Councilor Mills seconded, to purchase ten (10) power strips. The motion passed with four (4) yeas and three (3) nays. Councilors Morton, Bastille and Tardif voted in the negative.

Mayor Michaud declared the meeting adjourned at 9:37 p.m.

ATTEST: _____
Lucette S. Pellerin, City Clerk