

STATE OF MAINE

COUNTY OF YORK

CITY OF SACO

I. CALL TO ORDER – On Tuesday, January 18, 2011 at 7:03 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., Marie Doucette, Jeffrey Christenbury, Arthur Tardif, Eric Cote and Marston Lovell. City Administrator Rick Michaud was also present.

III. PLEDGE OF ALLEGIANCE

IV. GENERAL:

PRESENTATION OF THE PAUL JANSON AWARD FOR 2010

This item was postponed until March 7, 2011.

V. APPROVAL OF MINUTES

VI. AGENDA

A. GIFT TO CITY – EASTMAN PARK

Former Mayor and local businessperson Mark Johnston has offered the City of Saco a generous donation of \$5000 to aid in the refurbishment of Eastman Park. Mr. Johnston's son Nathan Johnston came up with the idea of restoring the park.

Originally dedicated on Memorial Day of 1907, "The Soldiers Monument at Eastman Park" is prominently located at the corners of Elm, Main and North Streets in the heart of downtown Saco. Since its original placement, other memorials have been added to commemorate World War I, the Spanish-American War and the Philippine Insurrection.

The bronze statue sited at Eastman Park, as it is now known, had an original cost of \$2500, and it was last refurbished in 1988 at a cost of several thousand dollars. The plantings around the Soldiers Monument were installed in the spring of 1986 and now are in need of replacement.

A list of projects to be considered for work at Eastman Park has been developed and will provide significant enhancements to this local landmark.

Councilor Mills moved, Councilor Smith seconded that the City of Saco hereby accepts the \$5000 donation from former Mayor and local businessman Mark Johnston for the improvement at Eastman Park. The motion passed with seven (7) yeas.

B. RENEWAL TAXICAB BUSINESS LICENSE FOR A-1 CAB SERVICE – (PUBLIC HEARING)

This item was postponed until February 7, 2011.

C. ZONING ORDINANCE AMENDMENT B-3 – (SECOND & FINAL READING)

On March 1 the City Council adopted zoning ordinance amendments related to the B-3 zone. These amendments limited the size of commercial buildings and commercial occupancies and made a few changes in the B-3 use lists. These were adopted in the usual way. A new Section 733-2, "Certificate for Demolition in B-3 District", however, was passed with an automatic 9 month repealing provision, which expired at year's end.

Since the Council adopted these amendments, the Comprehensive Plan Committee has completed a draft plan, including downtown land use, and the Planning Board began work on specific downtown zoning.

The expiring demolition provisions afford a degree of protection to buildings built before 1895. A prepared motion would readopt the provisions.

In workshop on December 13 councilors suggested that the time limit in the current version of this ordinance be removed and that is represented in the current draft.

The First Reading of this item has held on December 20, 2010. The Public Hearing was held on January 3, 2011.

“Section 733-2 of the Saco Zoning Ordinance, Certificate For Demolition in B-3 District, December 20, 2010”

(Please note that underline represents new language while ~~strike through~~ represents language to be deleted.)

Section 733-2. CERTIFICATE FOR DEMOLITION IN B-3 DISTRICT

A. SCOPE AND PURPOSE The following provisions apply to any proposal involving the demolition or removal of any building or structure built before 1895, or any appurtenance thereto, in the B-3 zoning district, except for those buildings already in the downtown Historic Preservation District. Such buildings may not be demolished without a Certificate For Demolition. The purpose of this section is to afford the city the opportunity to preserve neighborhood character and to preserve historic buildings and structures, or important portions and features thereof.

B. PROCEDURE AND SUBMISSIONS The Planning Board shall hold a public hearing on each application within 30 days of submission. Notice shall be given in the same manner as required for a site plan review. The Planning Board may waive any application requirement if it determines it is not necessary to an application. There is no fee for this application. Applicants shall file with the Planning Board an application for a Certificate For Demolition, which shall include at least the following:

- a) The applicant's name, address, and interest in the subject property. If not representing the owner, the applicant shall provide evidence of right, title, or interest in the property.
- b) The owner's name, address, and signature, if different from the applicant's.
- c) The address and the tax map and lot number.
- d) The present use and zoning classification of the subject property.
- e) Photographs of the building involved and of adjacent buildings.
- f) A brief description of the new construction, reconstruction, alteration, maintenance, demolition or removal requiring the issuance of the Certificate of Demolition.
- g) Evidence which supports one or more of the Standards of Approval below. This might include evidence from a structural engineer, a building inspector, an architectural historian, builder, an appraiser, or other qualified expert.

C. STANDARDS OF APPROVAL FOR A CERTIFICATE FOR DEMOLITION

The building may be demolished within 60 days unless the Planning Board makes the following three findings based on the record:

1. The building is of historical significance as defined in Sections 413-2 and 413-4 of the Saco Zoning Ordinance;
2. Prudent and feasible alternatives to demolition exist; or
3. The property is not deteriorated beyond reasonable repair.

If the Planning Board finds that any of the three standards are not met, it shall issue a Certificate For Demolition. If it does not make such findings within 60 days of the public hearing or if it issues a Certificate of Demolition, the code enforcement officer may issue a demolition permit.

D. CONDITIONS OF APPROVAL In approving an application for the demolition, the Planning Board may impose reasonable conditions, including, but not limited to, the following conditions:

1. Photographic, video, or drawn recording of the property to be demolished, and/or
2. Reasonable salvage and curation of significant elements, and/or other reasonable mitigation measures.

E. HAZARD BUILDINGS Nothing in this section shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature. Nothing in the section shall prevent the construction, reconstruction, or demolition of

any building or feature which the Code Enforcement Officer shall determine is required because of concerns about structural deficiencies, the safety of the building and the safety of its occupants.

End of Zoning Ordinance Document

Councilor Lovell moved, Councilor Doucette seconded that the City of Saco hereby ordains and approves the Second and Final Reading of the document titled, ‘Section 733-2 of the Saco Zoning Ordinance, Certificate for Demolition in B-3 District, December 20, 2010’. The motion passed with four (4) yeas and three (3) nays – Councilors Christenbury, Tardif and Cote.

Councilor Cote moved, Councilor Tardif seconded to Table this item for 6 months. The motion failed with four (4) nays and three (3) yeas – Councilors Christenbury, Tardif and Cote.

D. CODE AMENDMENT: §4.35 ECONOMIC DEVELOPMENT COMMISSION – (SECOND & FINAL READING)

On November 1, 2010, the Council adopted the “City of Saco Economic Development Plan.” One of its recommendations reads:

“The Economic Development Commission charge should include a requirement that it prepare a strategic development plan on a biennial basis and that it be formally presented to the city council no later than 60 days after the council is sworn into office.”

The proposed amendment would implement that recommendation.

The City Council discussed this item at Workshop on December 13, 2010; the First Reading was held on December 20, 2010. The Public Hearing was held on January 3, 2011.

Code Amendment, § 4-35 (F) Economic Development Commission, dated December 13, 2010

(Please note that underline represents new language, while ~~strikethrough~~ is language to be deleted).

§ 4-35 Economic Development Commission.

A. Creation and name. There is hereby created the Economic Development Commission.

B. Purposes. The Economic Development Commission shall encourage, promote, establish, solicit and provide for industrial development, expansion and growth within the City of Saco, within the Saco Industrial Park, so called, and on lands hereafter acquired by the City for industrial uses and purposes and on other lands within the City which may be privately owned but which are particularly adaptable to industrial uses; option and purchase lands within the City on behalf of the City and do all those things designed to promote and encourage the location and perpetuation of industry within the City; encourage and promote the development and expansion of existing industrial and commercial uses within the City; gather, correlate and preserve statistics, surveys and other data relating to land classification and uses, buildings, labor statistics and other matters that will enable it to carry out its function and purposes; and perform such other functions as may be required for economic development and improvement.

C. Commission membership and terms of office. The Commission shall consist of seven voting members and the City Administrator or his/her appointed representative as an ex officio member. The Commission members shall be appointed by the Mayor, with Council confirmation, for terms of five years. Initial appointments shall be made as follows: two members for five years, two members for four years, one member for three years and one member for one year. Commission members shall be residents of the City of Saco and shall be persons qualified to perform the duties of such office.

D. Vacancy in office.

(1) Vacancies in office occur when:

(a) A member submits his/her resignation, in writing, to the City Council, which shall declare that member's seat vacant.

(b) A member's official residence is no longer within the City, in which instance the Secretary of the Commission shall notify the City Council in writing, which shall declare that member's seat vacant.

(c) A member fails to attend three consecutive unexcused meetings of the Commission, in which instance the Secretary of the Commission shall notify the City Council in writing, which shall declare that member's seat vacant.

(d) Upon the expiration of the term of a member.

(2) In the event that a vacancy does occur, the Mayor shall appoint a replacement for the unexpired term, subject to confirmation by the City Council. A member whose term has expired may continue to serve until the vacancy is filled.

E. Organization.

(1) A quorum consists of four members. The Commission may act by a majority vote of those present and voting, but at least three affirmative votes shall be necessary to take any action under Subsection F.

(2) The Commission shall annually elect a Chairman and Secretary. They shall hold regular meetings as they shall determine. Special meetings may be called by the Chairman after notice to each member at least three days in advance of such meeting.

F. Powers and duties.

(1) The Commission may collect, hold, manage, control, invest, reinvest and expend all funds annually appropriated to it by the City, subject to approval of the Council.

(2) The Commission may, in the name of the City, negotiate to purchase, enter into options to purchase and purchase lands lying within the City for current and prospective industrial uses, subject, however, to approval by the Council.

(3) The Commission may, in the name of the City, negotiate and enter into lease and rental transactions of industrial sites and improvements owned by the City, subject to approval by the Council.

(4) The Commission shall, in the name of the City, manage and administer all revolving loan funds. Any expenditures of these funds are subject to approval by the Council.

(5) Review site plans and building designs and make recommendations to the Planning Board.

(6) The Commission may, in the name of the City, negotiate and enter into options for the sale of industrial real estate, contracts for sale of real estate and conveyances of real estate with prospective buyers of the same, subject to the approval of the Council; provided, however, that the Council shall determine site prices of improved and unimproved industrial real estate and real estate interests owned by the City.

(a) In the event that the Commission secures a prospective purchaser for one or more of said sites and/or improvements, the Commission may, without further authority from the Council, enter into a contract to sell, an option to sell or a conveyance of such site or sites or improvements, based upon the predetermined prices or a price in excess of the predetermined prices.

(b) The predetermined prices for such real estate and real estate interests as determined by the Council shall remain in force for a period of 12 months from the date of such determination for the purposes as set forth in this subsection; provided, however, that the Council may, within any twelve-month period, adjust the prices and provide written notification of such adjustments to the Commission, in which event the Commission shall use the adjusted prices in dealing with industrial prospects. In any event, the Council shall, at least every 12 months, review the predetermined prices and notify the Commission, in writing, of any adjustments thereto.

(7) The Commission may accept, in the name of the City, gifts and devises of real estate and real estate interests to be used by the Commission and the City for further industrial development and expansion.

(8) The Commission may employ personnel, including engineers, surveyors, architects, contractors, attorneys at law, accountants and other necessary persons, for the purpose of designing, developing, constructing and promoting the Saco Industrial Park, so called, and any other industrial real estate which may be hereafter acquired by the City, subject to its authority and the expenditures of funds, as provided in Subsection F(1).

(9) The Commission shall ensure, through the City Code Enforcement Office, any covenant and deed restrictions on industrial property. The Code Enforcement Office is authorized to initiate legal action to enforce covenant and deed restrictions.

(10) The Commission shall prepare an economic development plan every other year, and it shall be presented to the new City Council within 60 days of the Council's taking office.

G. Budget. The Commission shall prepare an operating budget for each fiscal year and shall submit such budget to the City Administrator, for inclusion in the City operating budget, not less than three months prior to the commencement of such fiscal year.

H. Confidentiality of negotiations. It is hereby determined that premature disclosure of information used in or generated by negotiations undertaken pursuant to Subsection F(6) would prejudice the competitive and bargaining positions of the Commission and the City. Therefore, the Commission may conduct those negotiations in accordance with 1 M.R.S.A. § 405.

End of Code Amendment Document

Councilor Tardif moved, Councilor Lovell seconded that the City of Saco hereby ordains and approves the Second and Final Reading of the document titled, 'Code Amendment §4-35 (F) Economic Development Commission, dated December 13, 2010'. The motion passed with six (6) yeas and one (1) nay – Councilor Christenbury.

AMENDMENT – Councilor Lovell moved, Councilor Smith seconded to amend item #F (10) to read: 'The Commission shall prepare an economic development plan to be submitted to the new city council by the first meeting in January 2012'. The motion passed with four (4) yeas and three (3) nays – Councilors Mills, Christenbury and Tardif.

E. CONTRACT ZONE – 128 FLAG POND ROAD – MICHAEL AND BRENDA MAKSUT, OWNERS AND APPLICANTS – (SECOND & FINAL READING)

Applicants Mike and Brenda Maksut propose a contract zone that would allow them to establish an Auto Repair Garage in an existing building on their property at 128 Flag Pond Road. In order to establish such a use in this R-1a zone, the best alternative for the applicants is a contract zone. Mr. Maksut operated Seacoast Auto on Portland Road in leased space until recently, and would like to re-open the business on his own property.

This item was reviewed by the Planning Board on December 1, 2010. The Board voted to make a positive finding on each of the four standards required for a contract zone, and has forwarded a positive recommendation to the Council. If the contract zone is approved, the project would be subject to site plan review by the Planning Board prior to opening.

The City Council discussed this item at Workshop on December 13, 2010. The First Reading was held on December 20, 2010. The Public Hearing was held on January 3, 2011.

**Contract Zone Agreement by and Between
Michael and Brenda Maksut and the City of Saco**

December 1, 2010

THE CITY OF SACO HEREBY ORDAINS:

I. That the Zoning Ordinance of the City of Saco, dated January 2, 1985, and amended through July 19, 2010 is hereby further amended by adopting this Contract Zone Agreement by and between the City of Saco and Michael and Brenda Maksut (Applicants).

1. The Applicants propose to establish an Auto Repair Garage at 128 Flag Pond Road (Subject Property).

2. Subject Property is identified as Tax Map 76, Lot 11 on City of Saco tax maps, and is in the R-1a zoning district.
3. Said property is currently developed with a Single Family Dwelling which serves as the Applicants' residence, a permitted use in the R-1a zoning district.
4. Right, title and interest is demonstrated with the Applicants' submission of a warranty deed conveying the premises at 128 Flag Pond Road from Richard and Diane Girard to Michael and Brenda Maksut. Said deed is recorded in Book 4949, Page 322 at the York County Registry of Deeds.
5. The Subject Property is improved with a 1,025 square foot single-family dwelling, a 2,400 square foot garage, and a 768 square foot workshop.
6. The Applicants currently operate an Auto Repair Garage at 748 Portland Road, in leased space.
7. The Applicants propose to move their business from Portland Road to the Subject Property. However, "Auto Repair Garage" is not an allowed use in the R-1a zone.
8. As stated in Section 1403-1 of the Zoning Ordinance, "Occasionally, competing and incompatible land uses conflict; and traditional zoning methods and procedures such as variances, conditional use permits, and alterations to the zone boundaries are inadequate to promote desirable growth. In these special situations, more flexible and adaptable zoning methods are needed to permit differing land uses in both developed and undeveloped areas, and at the same time recognize the effects of change."
9. Recognizing the use restrictions imposed by the Zoning Ordinance, the Applicants hereby make application for a Contract Zone that would allow an Auto Repair Garage to be established and to operate on the Subject Property.

II. This Contract Zone, specifically and exclusively for the parcel at 128 Flag Pond Road, would allow the Applicants to establish and operate an Auto Repair Garage as proposed on the Subject Property, subject to the following conditions and restrictions, as provided for in Section 1403 of the Saco Zoning Ordinance:

1. An Auto Repair Garage as proposed and described by the Applicants shall be allowed to operate as a permitted use on the parcel identified herein as the Subject Property: Tax Map 76, Lot 11.
2. The Applicant shall adhere to all other applicable provisions of the R-1a zoning district and of the City of Saco Zoning Ordinance.
3. All details as shown on the submitted plans and included in the submitted application are hereby incorporated into this contract by reference. The proposed use shall be operated substantially in conformance with those plans. Minor changes may be approved by the staff of the City of Saco. Any changes determined by the staff to be "major" shall be submitted to the Planning Board for review. If it is determined that the changes constitute a change in the contract, then the developer shall also be required to obtain City Council approval of the changes.
4. This contract and its provisions shall specifically and exclusively apply to the Contract Zone request submitted by the Applicants. Approval of this Contract Zone is in part based on the financial and technical qualifications of the Applicants as submitted to the City. Accordingly, this contract and the contract zone it creates shall not be transferable unless approved by the City Council.
5. Failure of the Applicants to open the proposed Auto Repair Garage for business within one (1) year from

the date of approval shall render this approval and Contract null and void.

- 6. Breach of these conditions and restrictions by the developer shall constitute a breach of this Contract Zone Agreement, which shall be considered a zoning violation, subject to enforcement action.
- 7. As specified in Section 1403-9 of the Zoning Ordinance, all applications for contract zoning are subject to site plan review.

III. Pursuant to authority found in 30-A M.R.S.A. Section 4352 (8), and the City of Saco Zoning Ordinance, Section 1403, and by vote of the Saco Planning Board on December 1, 2010 and the Saco City Council on _____, 2011, the following findings are hereby adopted:

A. City Tax Map 76, Lot 11 is a parcel of an unusual nature and location, for the following reasons:

The property at 128 Flag Pond Road is within one-quarter mile of the Maine Turnpike. While zoned R-1a, it is in close proximity to Rte. One and located on a connector road, both of which facilitate access to the property for both residential and commercial uses.

The Applicants have built a 2,400 s.f. garage on the property and have established personal use of the garage for auto repair work. The scale of activity has been found to be appropriate for the neighborhood.

B. The proposed rezoning is consistent with the Saco Comprehensive Plan, based on the following goals:

Chapter 17, Section B. Local Economy.

Local Goals: To increase the number of jobs available in Saco.

Chapter 17, Section F. Land Use, Local Goals

To foster a pattern of land use that respects and builds upon the established settlement pattern of an urban core surrounded by an outlying rural area.

To guide development to identified growth areas that are compatible with the existing settlement pattern and that enhance the desired pattern of land use.

C. The proposed use is consistent with the existing uses and permitted uses within the original zone. The original zone is the Residential Low Density District (R-1a) zone, the purpose of which is “predominantly single-family residential in character... New land uses in this district are restricted to low density residential and associated uses.” (Zoning Ordinance, Section 405-1.) Among the permitted and conditional uses allowed in the R-1a zone are single and two-family housing, community living uses, day care centers, stables, kennels, home-based retail uses, and golf courses.

D. The conditions proposed are sufficient to meet the intent of Section 1403. Contract Zoning, of the Saco Zoning Ordinance.

Based on the above findings, conditions and restrictions, the City Council hereby incorporates this Contract Zoning agreement into the Saco Zoning Ordinance by reference. By signing this contract, both parties agree to abide by the conditions and restrictions contained herein.

Adopted by the Saco City Council on _____, 2011.

by _____

Richard Michaud

by _____

Michael and Brenda Maksut

End of Contract Zone Document

Councilor Smith moved, Councilor Mills seconded that the City of Saco hereby ordains and approves the Second and Final Reading of the document titled, ‘Contract Zone Agreement By and Between Michael and Brenda Maksut and the City of Saco, dated December 1, 2010’. The motion passed with seven (7) yeas.

F. APPLICATION FOR A LICENSE TO OPERATE GAMES OF CHANCE

La Kermesse Franco-Americaine has applied for a license to operate Games of Chance: Wheel, Dice, Pull Tabs, Black Jack and Poker on February 26, 2011 at the Elks Lodge, 68 Ocean Park Rd.

The applicant has submitted their application 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.

Councilor Lovell moved, Councilor Doucette seconded that it be ordered that the City Council grant the application for a License to Operate Games of Chance: Wheel, Dice, Pull Tabs, Black Jack and Poker on February 26, 2011 at the Elks Lodge, 68 Ocean Park Rd., as submitted by LaKermesse Franco-Americaine. Further move to approve the order. The motion passed with seven (7) yeas.

G. END OF YEAR REPORT, SEA LEVEL ADAPTATION WORKING GROUP (SLAWG)

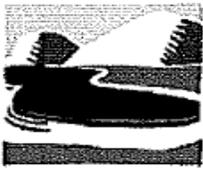
The cities of Saco and Biddeford, and towns of Old Orchard Beach and Scarborough have embarked on a regional effort to identify, develop and implement strategies in response to the threat of rising sea levels and coastal storm impacts. Funding is provided in part by the Maine Coastal Program. Matching funds of \$3,125 are requested from each community for calendar year 2011. Staffing is provided by the Maine Geological Survey and the Southern Maine Regional Planning Commission. Peter Marks, a Camp Ellis resident, and City Planner Bob Hamblen represent Saco at SLAWG meetings.

The attached Vulnerability Assessment for SLAWG communities, a preliminary look at potential impacts on coastal properties, suggests that a two foot rise in sea levels by the year 2100 – a conservative estimate – could mean flood damages during the high spring tide of \$400 million. A coastal storm equivalent to the 1978 storm could result in \$1 billion in damages. It is the SLAWG’s mission to anticipate such issues and to plan how best to respond.

By way of background to this project; in October 2009 the City was informed that the cost for the study is \$50,000. The State Planning Office provided \$25,000 with the condition that there be a match of \$25,000. The town of Scarborough and the City of Biddeford expressed interest to partner in this program. Saco, Scarborough, and Biddeford committed \$4,167 each, towards meeting the \$25,000 match requirement. The Council approved said expenditure on October 5, 2009.

On September 20, 2010, the Council approved the *‘Interlocal Agreement Creation of a Sea Level Adaptation Working Group (SLAWG) between Biddeford, Saco, Old Orchard Beach, Scarborough and SMRPC’*.

The City Council discussed this item at Workshop on January 3, 2011.



**SOUTHERN MAINE
REGIONAL PLANNING
COMMISSION**

The Council of Governments
Serving the Municipalities of
Southwestern Maine

MEMORANDUM

To: Councils of Scarborough, Old Orchard Beach, Saco and Scarborough
From: Jonathan T. Lockman AICP, Planning Director, SMRPC
Date: 21 December 2010
RE: End of Calendar Year Report from the Sea Level Adaptation Working Group (SLAWG)

- Acton
- Alfred
- Arundel
- Baldwin
- Berwick
- Biddeford
- Brownfield
- Buxton
- Cornish
- Dayton
- Denmark
- Eliot
- Fryeburg
- Hiram
- Hollis
- Kennebunk
- Kennebunkport
- Kittery
- Lebanon
- Limerick
- Limington
- Lovell
- Lyman
- Newfield
- North Berwick
- Ogunquit
- Old Orchard Beach
- Parsonsfield
- Porter
- Saco
- Sanford
- Shapleigh
- South Berwick
- Stoneham
- Stow
- Sweden
- Waterboro
- Wells
- York

Attached is the 2010 year-end report of the group you appointed last fall, the Sea Level Adaption Working Group (SLAWG), which is entitled: "Sea Level Rise And Potential Impacts by the Year 2100...A Vulnerability Assessment for the Saco Bay Communities" The conclusions of the report can be summarized, as follows:

The sea level in Saco Bay has risen approximately 7.2 inches since 1912, as actually measured by the Portland Tide Gauge. The working group has assumed that between the present time and the year 2100, sea level in the Bay will rise an additional 2 feet. The assumption is based on the middle sea level scenario from the Intergovernmental Panel on Climate Change (IPCC, 2001) and sea level predictions adopted by the State of Maine in the Coastal Sand Dune Rules. Observed sea level changes in Maine have been following global trends over the past century. This report predicts damage to land and buildings based on a projection of two feet of additional sea level added to the highest annual tide (also known as the Spring Tide), as well as two feet of additional sea level added to the highest storm level, recorded in 1978.

Based on the most recent tax assessments, the total value of all land and buildings that could be flooded in all four communities, by the year 2100, at the time of each spring tide, is estimated at approximately \$400 million. The total value of all land and buildings that could be flooded in all four communities, by the year 2100, should a storm occur with sea levels two feet higher than in the 1978 storm, is estimated at approximately \$1 billion.

Locations of the land and buildings predicted to be inundated with rising sea level are shown in a series of color figures in the report, with the highest losses predicted in Old Orchard Beach and Scarborough, but with losses shown in all four communities.

In the calendar year of 2011, the SLAWG is planning to meet 20 times, to continue its work in completing the vulnerability assessment, and to create an action plan with identified and prioritized projects for Council consideration by each community. Representatives from the committee would be happy to appear before you at a regular meeting or workshop, should you desire, in the beginning of 2011, for the purpose of presenting this assessment. Pages 9 and 10 of the report contain a description of the next steps in the SLAWG's work program, should you wish additional details.

The State Planning Office has recently announced that it will award \$12,500 in grant funds to the Southern Maine Regional Planning Commission, to fund the work of the SLAWG during 2011. This is contingent upon SMRPC receiving an equal match from the four community partners. Therefore, at this time, we are attaching a request to this letter for \$3,125 in contribution from each of your four communities (totaling \$12,500) for the calendar year 2011. We appreciate your continued support of this unique and important regional planning effort. Please let me know if you have any questions.

*21 Bradeen Street . Suite 304 . Springvale, Maine 04083
207.324.2952 Voice . 207.324.2958 Fax . jlockman@smrpc.org
<http://www.smrpc.org>*

To review the complete report of the Sea Level Adaptation Working Group, right click on the below hyperlink and select 'open hyperlink'. This report will be available for review online for a couple of years. A copy of the report will also be archived in the council packet item commentaries.

<http://www.smrpc.org/Sea%20Level%20Adaptation/Sea%20Level%20Adaptation%20Working%20Group%20Page.htm>

Councilor Christenbury moved, Councilor Lovell seconded that it be ordered that the City Council accept the 'Vulnerability Assessment for the Saco Bay Communities of Biddeford, Saco, Old Orchard Beach and Scarborough,' dated Dec. 31, 2010, and provide funding as requested in the amount of \$3,125.00 as a local match to the \$12,500.00 provided by the State Planning Office/Maine Coastal Program for continuation of the Sea Level Adaptation Working Group's mission in 2011. The motion passed with six (6) yeas and one (1) nay - Councilor Smith.

VII. EXECUTIVE SESSION:

Councilor Mills moved, Councilor Christenbury seconded that it be ordered that the City Council, Pursuant to [M.R.S.A. Chapter 18, Subchapter 1, §405 (6) (E) (D)] move to enter into Executive Session to discuss legal rights and duties concerning pending litigation subjects CMP and Estates at Bay View; and Labor Contract Discussions between the City of Saco and Maine Association of Police for the Saco Police Command Unit and the Saco Worker's Alliance Labor Contracts. The motion passed with unanimous consent. TIME: 7:58 p.m.

a. REPORT FROM EXECUTIVE SESSION

Upon return from executive session at 8:30 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., Marie Doucette, Jeffrey Christenbury, Arthur Tardif, Eric Cote and Marston Lovell. City Administrator Rick Michaud was also present.

Councilor Mills moved, Councilor Lovell seconded that it be ordered that the City Council approve the labor union contract agreement between the 'City of Saco and Maine Association of Police for the Saco Police Patrol Unit' and authorize the City Administrator to execute said contract agreement, effective July 1, 2009 to June 30, 2012'. The motion passed with unanimous consent.

Councilor Mills moved, Councilor Doucette seconded that it be ordered that the City Council approve the labor union contract agreement between the 'City of Saco and the Saco Worker's Alliance', and authorize the City Administrator to execute said contract agreement, effective July 2, 2009 to June 30, 2012'. The motion passed with unanimous consent.

EXECUTIVE SESSION

Councilor Mills moved, Councilor Christenbury seconded to enter Executive Session to discuss legal rights and duties concerning pending litigation subjects CMP and Estates at Bay View. The motion passed with unanimous consent.

a. REPORT FROM EXECUTIVE SESSION

Upon return from executive session at 9:03 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., Marie Doucette, Jeffrey Christenbury, Arthur Tardif, Eric Cote and Marston Lovell. City Administrator Rick Michaud was also present.

A report was not given on the Executive Session.

VIII. ADJOURNMENT

Councilor Mills moved, Councilor Christenbury seconded to adjourn the meeting. The motion passed with unanimous consent. TIME: 9:03 p.m.

ATTEST: _____
Michele L. Hughes, Deputy City Clerk