

STATE OF MAINE

COUNTY OF YORK

CITY OF SACO

The following are minutes of the April 4, 2011 Council Meeting.

- I. CALL TO ORDER** – On Monday, April 4, 2011 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., Marie Doucette, Arthur Tardif, Jeffrey Christenbury, Eric Cote and Marston Lovell. Also in attendance this evening were City Administrator Rick Michaud and Lucette S. Pellerin, City Clerk.

III. PLEDGE OF ALLEGIANCE

VII. CONSENT:

a. Games of Chance: Biddeford Saco Elk 1597

Grant the Biddeford-Saco Elks Licenses to operate the following Games of Chance: Daily Attendance and Pull Tickets from April 1, 2011 to June 30, 2011.

b. 250th Year Celebration for Saco

Authorize the formation of an Ad Hoc Desqui-bicentennial Committee to plan and organize an even(s) in celebration of Saco's Sesqui-bi8centennial (250th) Anniversary; and further requested to bring back to Council such a plan for acceptance;

c. Saco River Dredge Application

Autho4ize the City Administrator to issue a letter in support of the dredge request on behalf of the City Council.

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

IV. GENERAL:

Employee 25th Year of Service Recognition: Michael Flynn, Firefighter; Greg Dwelley, Public Works- Foreman

Michael Flynn

Michael Flynn joined the Saco Fire Department on April 2, 1986 as a Firefighter EMT. Prior to working in Saco Mike had extensive background in Emergency Medical Services a manager of a private Ambulance Company.

For the last twenty-five years Mike has been a hard-working and dedicated employee. Currently Mike is assigned as the lead pump operator on B-shift, a position that requires strong leadership, experience and the ability to function well under stressful and tense situations.

We congratulate Mike on his 25th year of service to the City of Saco.

V. APPROVAL OF MINUTES: March 21, 2011

Minutes were approved as written.

VI. AGENDA

A. (Public Hearing) Contract Zone Amendment – Bear Brook Estates Mobile Home Park

Applicant Bear Brook Estates LLC, represented by John Daigle of the Old Orchard Beach Campground, was granted a contract zone approval on June 1, 2009, that would allow a forty-one (41) unit mobile home park to be constructed on a 16.5 acre portion of the campground parcel. The contract zone would limit dwelling units within the park to manufactured homes installed on foundations, and establishes the minimum lot size of 7,500 s.f.

As is true with all contract zone agreements in Saco, there is a two year “sunset provision” that requires Planning Board approval be accomplished within two years of the contract zone approval, or said approval becomes null and void. Due to the real estate market, Mr. Daigle has not yet pursued Planning Board approval. Therefore, he requests that the Council consider a one year extension of the 2009 approval, which would mean approval is valid through June 1, 2012.

Councilor Doucette moved, Councilor Christenbury seconded, to open the Public Hearing on the amendment to the document titled, “Contract Zone Agreement By and Between Bear Brook Estates, LLC and the City of Saco” dated April 7, 2009. The motion passed with seven (7) yeas.

There being no comments from the public Councilor Doucette moved, Councilor Christenbury seconded, to close the Public Hearing and Be it Ordered that the Second and Final Reading of the Amendment to the Contract Zone Agreement be set for Tuesday 19, 2011. Further move to approve the order. The motion passed with seven (7) yeas.

B. (Public Hearing) Sale of Central Fire Station and/or Office Building: 12 and 14 Thornton Avenue

On March 21, 2011, The Council voted to table this item and hold a Public Hearing on April 2, 2011, pursuant to Chapter 81, City Property § 81-2 of the City Code, on the Central Fire Station located on Thornton Avenue, pending any action until the Public Hearing. The Clerk has properly advertised the Public Hearing.

Councilor Lovell moved, Councilor Mills seconded, to open the Public Hearing on the Sale of Central Fire Station and/or Office Building: 12 and 14 Thornton Avenue Central Fire Station pursuant to Chapter 81, City Property, §81-2 Procedure. The motion passed with yeas.

Mr. Don Osman, Fieldview Estates, suggested that the building, known as the Fire Station, be considered for a Center City Youth Center.

Ms. Johanna Hoffman, Pepperell Square, made reference to the possibility that the building could be listed as a Historical Building. Johanna, president of Saco Spirit, stated that the organization is in favor of preserving the building for local entrepreneurs.

Tom Merrill, Esq., Simpson Rd., stated that his interest in the building was to preserve the building. Also Mr. Merrill spoke of leasing space to Saco Spirit in the building.

Ms. Hoffman stated that Saco Spirit is a 501C non-profit organization.

Ms. Elizabeth DeSimone, Ferry Rd., supports Saco Spirit in their efforts to obtain, with the help of Mr. Merrill, the building.

Mr. Paul Glenn, Locke St., is in favor of Saco Spirit efforts in securing the building. Mr. Glenn stated that the project would rejuvenate downtown.

Mr. Christopher DiMatteo supports the reuse of the Fire Station.

Mr. Tarik Sivonen, Sokokis Circle, stated that he support Saco Spirit and that their efforts will have long- term benefit. The risk is worth taking.

MAIN MOTION AS AMENDED: Councilor Lovell moved, Councilor Christenbury seconded, to close the Public Hearing and Be It Ordered that the City Council list the property identified on Tax Map 38, Lot 84 (12 and 14 Thornton Avenue) with Commercial Real Estate Broker ‘CBRE/The Boulos Company’ at 6% commission with the listing price of \$475,000, for 12 and 14 Thornton Avenue for a four (4) month period; and further to exclude commission payments on a sale to Waterman Development LLC, Nate Libby Masonry, Saco Biddeford Savings Bank, Saco Spirit for Business and Thomas Merrill. Further move to approve the Order. The motion passed with five (5) yeas and two (2) nays. Councilors Mills and Cote voted in the negative.

First Amendment to Main Motion: Councilor Tardif moved list with ‘CBRE/The Boulos Company’ for a six (6) month period. The motion **failed** due to a lack of second.

Second Amendment to Main Motion: Councilor Mills moved, Councilor Smith seconded, that the sale of 14 Thornton Ave. (known as the former Central Station) be contingent that the building be preserved, on site, and not raised. Said restriction does not apply to the office building. The motion **failed** with three (3) yeas and four (4) nays. Councilors Doucette, Christenbury, Tardif and Lovell voted in the negative.

Third Amendment to Main Motion: Councilor Cote moved, Councilor Smith seconded, that the City Council reserves the right to accept or refuse all offers to be made on the Thornton Ave. properties. The motion passed with five (5) yeas and two (2) nays. Councilors Mills and Tardif voted in the negative.

C. (Public Hearing) Alternative Taxi License (pending)

The application was pulled from the Agenda.

D. (Public Hearing) Twin City Taxi License (pending)

The application was pulled from the Agenda.

E. Tax Due Dates

In discussing the due dates with the Tax Collector, we have agreed on the following dates:

First half due date – August 12, 2011 with interest accruing from August 15, 2011.
Second half due date – February 10, 2012 with interest accruing from February 13, 2012.

Councilor Mills moved, Councilor Christenbury seconded, that it be Ordered that the City Council set the interest rate for delinquent FY12 property taxes ant 7% on any refunds of FY12 tax payments at 3.0% authorized the tax collector to accept prepayment of taxes not yet committed without having to pay interest on these prepayments and to establish the due dates for tax payments as follows:

First half payment – Due Date 8/12/2011 with first interest date of 8/15/2012.

Second half payment – Due Date 02/10/2012 with first interest date of 02/13/2012. Further moved to approve the Order. The motion passed with seven (7) yeas.

VIII. RECESS THE MEETING AND CONVENE THE WORKSHOP - CONFERENCE ROOM

The Mayor conducted the Workshop in the City Hall Auditorium TIME: 8:154p.m.

1. Agenda Item:

- a. Shall the City of Saco Support LD 803 “An Act to Allow the Town of Dayton to Opt Out of its Regional School Unit Agreement”

The meeting reconvened at 8:25 p.m.

IV. RECONVENE THE MEETING and VOTE:

- a. **Shall the City of Saco Support LD 803 “An Act to Allow the Town of Dayton to Opt Out of its Regional School Unit Agreement**

On November 4, 2008, the Saco voters approved joining RSU 23, State Representative Wayne Parry ® of Arundel is sponsoring a bill LD 803, titled, “An Act to Allow the Town of Dayton to Opt Out of its Regional School Unit Agreement”. The bill is now before the Education and Cultural Affairs Committee. Dayton is currently part of RSU 23, as is the City of Saco. Is the City of Saco interested in becoming an additional party to LD 803?

LD 803 will allow the Town of Dayton (and City Saco) to withdraw from RSU 23 without penalty upon a favorable vote of its residents respectively. If the vote required by the bill is favorable to withdraw, the bill allows school departments of both municipalities to form an alternative organizational structure.

Councilor Smith moved, Councilor Tardif seconded that it be Ordered that the City Council request of Saco’s State Representatives’ Pilon and Valentino and State Senator Barry Hobbins to support and work with Representative Wayne Parry of Arundel to include the City of Saco with Dayton in LD 803 – “An Act to Allow the Town of Dayton to Opt Out of its Regional School Unit. The motion passed with seven (7) yeas.

X. ADJOURNMENT

Councilor Smith moved, Councilor Doucette seconded, to adjourn. The motion passed with yeas. TIME: 8:29 p.m.

ATTEST: _____

Lucette S. Pellerin, MMC/CCM