

STATE OF MAINE

COUNTY OF YORK

CITY OF SACO

**I. CALL TO ORDER** – On Monday, November 14, 2011 at 7:01 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, Philip Blood, Arthur Tardif, Eric Cote and Marston Lovell. City Administrator Rick Michaud was also present.

**III. PLEDGE OF ALLEGIANCE**

**IV. GENERAL**

**V. APPROVAL OF MINUTES**

**VI. AGENDA**

**A. EXECUTIVE SESSION**

Councilor Mills read the M.R.S.A. point of this topic in the valid reasons for closure of a government meeting to go into an Executive Session: “Disposition of publicly owned property or economic development only if premature disclosures of information would prejudice the competitive or bargaining position of the government body or agency”. Councilor Mills felt that an open discussion would not spoil the city or prospective buyer’s positions, and in fact, so much has been discussed in council meeting and workshops, on the street and covered by media that she felt that it evaluating this behind closed doors would be detrimental to the quality of discourse and trust we all want in Saco. Councilor Smith concurred. Councilor Cote agreed and noted that 5 votes were needed to go into Executive Session.

There was a discussion as to how many votes were needed to vote to go into an Executive Session. City Administrator Rick Michaud noted that only time the council needed five votes was to amend the budget after it has been adopted, so it would be four votes to go into an Executive Session. Councilor Cote read from the Freedom of Access rules that an Executive Session can only be called by a 3/5 vote of the members present and voting, which would be five votes to go into an Executive Session.

The Mayor called for a vote of how the Council viewed the City Administrator Rick Michaud and Councilor Cote opinion of how many votes were needed to go into an Executive Session:

City Administrator Rick Michaud - 4 votes needed – Councilor Lovell and Councilor Tardif;

Councilor Cote - 5 votes needed - Councilor Cote, Councilor Blood, Councilor Smith, Councilor Mills and Councilor Doucette.

The Councilors agreed five (5) to two (2), to go with Councilor Cote’s interpretation.

Councilor Tardif moved, Councilor Lovell seconded ‘Be it Ordered that the City Council, Pursuant to [M.R.S.A. Chapter 18, Subchapter 1, §405 (6) (C)] move to enter into Executive Session to discuss: (C) the Disposition of Real Property located at 12-14 Thornton Avenue.’ The motion failed with three (3) yeas and (4) nays – Councilors Mills, Smith and Cote. TIME: 7:13 p.m.

**DISPOSITION OF REAL PROPERTY LOCATED AT 23-14 THORNTON AVENUE - DISCUSSION**

City Administrator Rick Michaud noted that two new pieces of information have been received as follows: Cynthia Taylor of Housing Initiatives of New England, made a verbal offer of \$475,000 to Mayor Elect Mark Johnston. This organization has done a number of projects in Maine and Ms. Taylor happened to see the media coverage and was interested in restoring the old Fire Station to create elderly housing. Ms. Taylor is interested in having a meeting with the city to go through the property. Also, the Shoe Manufacturer “Lasco” is also interested in entering into a lease with the City of the old Fire Station.

Other additional proposals are as follows: Council has a proposal from Katherine S. Scammon – To produce video recordings. Also Tom Merrill, Saco Spirit and Nate Libby Masonry are interested in purchasing the building.

Council Smith moved, Councilor Lovell seconded to Table items B- E until receiving a formal proposal from the new interested party and no later than the first meeting in January.

AMENDMENT - Councilor Mills moved to Table the items until the first meeting in May. The motion failed due to a lack of a second.

The Mayor called for a vote on the main motion. The motion passed with five (5) yeas and two (2) nays – Councilors Cote and Mills.

Nate Libby Proposal – Bill Mann, representative for Mr. Libby presented a proposal to pay \$40,000 for the building and to commit to restoring the building. He has met all the requirements as the city has requested. The building would be fixed over a relatively short period of time.

## **B. SALE OR LEASE OF 12-14 THORNTON AVENUE**

At the Council Meeting on October 24, 2011, the Council discussed the possible sale or lease of the old central fire station and/or the office building at 12-14 Thornton Avenue. One councilor asked for any interested parties with ideas or proposals for the future use of the property and buildings submit them to the Council for consideration. Several of such proposals have been received by the City Administrator and are attached for review.

**SUGGESTED MOTION:** *“Be it Ordered that the City Council.”*

**To the Honorable Mayor Michaud and Saco City Councilors  
Rick Michaud, City Administrator**

I strongly oppose demolishing the Fire House, and implore the City Council instead to actively pursue alternative uses that could help re-vitalize downtown and preserve a unique, historic structure at the same time. Since the last public Council meeting, several proposed uses have come forward, and with some effort and determination on the part of the City to make something happen others will undoubtedly follow. The City Council should view this as an opportunity, like the new train station, to make downtown Saco a place where people want to go.

Demolishing the building for parking, by contrast, will result in a paved hole in the City landscape. The likely tenant will be the bank, which, according to my information, in fact does not need additional parking. While such a plan might generate some modest revenue to the City (after making up for the immediate costs of demolition and paving), it would do nothing to address the City's municipal parking needs (such as they are) further downtown towards and including Pepperell Square. Nor, more importantly, would it do anything to help the vitality of downtown or put additional properties on the tax rolls.

Some may say that the City has tried over the last few months to find a suitable use for the Fire House, and having found none the only alternative is to tear it down. However one might characterize that effort to date, I urge the City Council now to re-double its efforts, with a sense of determination and urgency and under the leadership of a newly elected Mayor, to make something exciting happen with the Fire House property. I would be willing to help in that effort, and stand ready to contribute as best I can, whether through Saco Spirit or otherwise.

Sincerely,

Tom Merrill  
184 Simpson Road

November 8, 2011



**SACO SPIRIT**

12 ½ Pepperell Square  
Suite 2A  
PO Box 336  
Saco, Maine 04072

*SACO SPIRIT'S MISSION is to make Saco a better place to live and work  
by enhancing the vitality of our Downtown.*

*"A Main Street Maine Community"*

November, 8 2011

To the Honorable Mayor Ron Michaud  
Members of City Council  
Rick Michaud, City Administrator

Since late last year, Saco Spirit has paid close attention to the progress taken by the City Council in the disposition of the Old Central Fire Station.

In response to the Council's most recent and surprising action, to allow the City Administrator to accept bids for demolition, we respectfully request that the Council consider slowing this process and allowing interested parties a chance to come together, formulate a long term plan for the reuse of this historic building and measure the economic benefits, job creation, and shared revenues which would result from bringing new business to the downtown.

We ask for 6 months to actively pursue and develop viable reuse plans which have recently come to our attention. There is serious interest in a creative use for this building which will benefit all of Main Street.

We have included a list of downtown merchants who support this proposal. These merchants are affected by decisions made by City Council regarding this item and wish to be informed and included in the process.

The parking issues which are inherent in Downtown communities need to be addressed by careful analysis and strategic thoughtful long term planning. Main Street is a valuable commodity and space is at a premium. This is reflected in the comprehensive plan for the City. Reuse of existing buildings is encouraged. Maintaining a pedestrian friendly environment in the downtown is essential to its long term health and prosperity. Having strategically placed parking areas for both customers and employees is essential. We support a comprehensive parking study.

In closing, the Board of Saco Spirit is in support of a 6 month allowance to determine the best economic development plan for the Old Central Fire Station.

Thank you for your consideration in this matter.

Sincerely

  
Johanna Hoffman, President -- Saco Spirit Inc.

Dear Saco City Council:

We, the Downtown Merchants, believe that the City of Saco should delay tearing down the old Saco Fire Station for six months. Six months will allow us time to take a clear look at how to best use the space for economic renewal in Saco.

Sincerely,

Name	Signature	Business	Address
Frost Paffon		Blue Elephant	12 Pepperell Sq.
Jessica McElroy		Blue Elephant	12 Pepperell Sq.
Anton Kiste		ILLUSTARS	6 Commercial St.
Ben Paine		RE/MAK	18 Pepperell Square
Rob Buff		RE/MAK	18 Pepperell Sq.
Kelly St. Onge		Clark Insurance	15 Pepperell Sq.
Rubeca Harris		Clark Insurance	15 Pepperell Sq.
Stacy Hill		Saco House of Pizza	163 Main St.
Max Hill		Saco House of Pizza	163 Main St.
Destin DeBart		Saco House of Pizza	163 Main St.
Tracy Mun		Traditions	163 Main St.
Tammy Probst		Traditions	163 Main St.
Heather Cole		The Long Short of It	152 Main St.
CAROLYN C. CALPITO		Anderson - Watkins	172 Main St.
Linda h. Morris		Anderson - Watkins	172 Main St.
Janna L. Ford		Salon Smith + BarberShop	174 Main St.
Tea Paulin		STAFFARM 1092	201 MAIN ST SACO ME 04072
Cheryl Dunham		Stone Soup Artisan's	228 Main St Saco ME 04072
Lebbie Deves		Artistry in Bloom	209 main st Saco 04072
Dana Lamson		Artistry in Bloom	209 main st Saco 04072
Noki Pettinger		Coastal Cakes	8 Pepperell Sq
JOHANNA HOFFMANN		Saco Frame Center	10 Pepperell Sq
John Keegan		Saco Frame Center	10 Pepperell Sq
Valinda B. Gelling		Saco Frame Center	10 Pepperell Sq
Jennifer Cort		Coastal Cakes	8 Pepperell Sq
Christine Labelle		Coastal Cakes	8 Pepperell Sq
CHRISTINE LABELLE		Chulavie Hearts Desire	191 Main St Saco
Beth Johnston		Vic & Whit's	206 Main St.
Electrolast		ALL PRY PRODUCTION	12 Pepperell Sq Saco
Janice Peppard		ROCK NUTS	Main St.
Barna Hernold		Hanna Denicola	134 Berry Pr (008)
Ben Sanderson		EDWARD JAMES	292 Main Street
Edward Jones		EDWARD JAMES	292 Main St.
Rock Nuts		ROCK NUTS	294 Main St.
Sam's Place		Sam's Place	240 Main St. Saco

Dear Saco City Council:

We, the Downtown Merchants, believe that the City of Saco should delay tearing down the old Saco Fire Station for six months. Six months will allow us time to take a clear look at how to best use the space for economic renewal in Saco.

Sincerely,

Name	Signature	Business	Address
Margaret A. Hairman	Margaret A. Hairman	CBRB	180 Main St., Saco
Kevin Robert	Kevin Robert	CBRB	"
Christie Lilly	Christie Lilly	CBRB	180 Main St., Saco
Michele Langheav	Michele Langheav	CBRB	"
Simon Cyr	Simon Cyr	CBRB	"
Ann Smith	Ann Smith	CBRB	"
Margaret K. [unclear]	Margaret K. [unclear]	CBRB	180 Main St. Saco
Irene Lim	Irene Lim	Ferleaf	20 Free St. Saco
Harold Albert	Harold Albert	Vic's Appl.	237 Main St., Saco

Name	Signature	Business	Address
DAVID GAINES	David Gaines		156 MAIN #1
MARK D. JOHNSON	Mark D. Johnson	Vic's Appl.	200 MAIN ST SACO
Nathan D. Johnson	Nathan D. Johnson	Vic's Appl.	200 MAIN ST SACO
JASON BENNETT	Jason Bennett	Vic's Appl.	237 MAIN SACO
ROLAND A. BRADDER	Roland A. Bradder	Vic's Appl.	237 MAIN ST.
Claudia Dubessault	Claudia Dubessault	Vic's Appl.	237 Main St. Saco
Don Deane	Don Deane	Vic's Appl.	237 MAIN ST SACO
George Caras	George Caras	Neighborhood Health + Herbs	239 Main St. Saco
Jurivore	Jurivore	Neighborhood Health + Herbs	247 Main St.
K. Garrity	K. Garrity	Sunk Place	240 MAIN ST., Saco
Susan Cuthfield	Susan Cuthfield	Stone Soup Artisans	225 Main St. Saco
Lina Valentin	Lina Valentin	State Rep.	199 MAIN ST. SACO
ROBERT J. STIERTE	Robert J. Stierte	The Jackson Group	12 1/2 Peppercorn Sq.
Shylea Carlin	Shylea Carlin	The Jackson Group	12 1/2 Peppercorn Sq.

LOLA BARTLETT	Lola Bartlett	ILLUSTON'S	SACO.
Linda Coppolino	Linda Coppolino	ILLUSTON'S	SACO

**C. REVIEW DEMOLITION BIDS FOR 12-14 THORNTON AVENUE**

The first step in the process for transformation of 12-14 Thornton Avenue to parking is the demolition of both buildings. The City Engineer has written specifications for this task and the City Council approved the specifications for the demolition of the old fire station on October 24, 2011; the advertising of the demolition project was completed. The scope of the project includes, but is not limited to: the removal and proper disposal off site of all refuse material from the site including the former fire station and associated administration building, underground utilities, slabs, and portions of foundations. A bid opening date was set for November 9, 2011.

There were 4 bids received:

BID OPENING  
12-14 THORNTON AVENUE DEMOLITION OF BUILDINGS PROJECTS  
November 9, 2011

CONTRACTOR	SIGNED BID	BID BOND	AMOUNT OF BID
CIA Salvage	✓	✓	89,125.10
Dearborn Contr.	✓	✓	147,928.00
Shaw Bros.	✓	✓	111,750.00
T Buck	✓	✓	214,902.00

**SUGGESTED MOTION:** *“Be it Ordered, that the City Council accept the bid report for the demolition of the buildings at 12-14 Thornton Avenue.”*

**D. BUDGET AMENDMENT TO INCLUDE A CAPITAL ITEM: 12-14 THORNTON AVENUE DEMOLITION**

The expenditures related to the demolition of the old Central Fire Station and Administration building at 14 Thornton Ave is suggested by low bid to be \$89,125.10.

A supplemental appropriation to increase the excise revenue by \$89,125.10, and increase the capital improvement expense account by \$89,125.10. Net increase of the budget is \$0. The current budget of \$1,319,491 for excise revenue will be increased to \$1,408,616.10. Year to date FY12, we have received \$422,000 of additional excise tax revenue from EAN (Enterprise Rental Car). The remaining additional excise tax from EAN will be added to the Unassigned Fund Balance in June 2012.

The Council discussed this item at the Meeting on October 24, 2011; the motion was to *“approve a supplemental appropriation of \$89,125.10 to use this appropriation in the Capital Improvement account for expenditures related to the demolition of the old Central Station and Administrative Building at 14 Thornton Ave.”* Five Councilors voted to table the vote on the budget amendment until November 14, 2011.

**SUGGESTED MOTION:** *“The Council hereby removes from being tabled the former motion from October 24, 2011 and instead suggest the following motion: Be it ordered that the City Council approve a supplemental appropriation of \$89,125.10 to use this appropriation in the Capital Improvement account for expenditures related to the demolition of the old Central Station and Administrative Building at 12-14 Thornton Ave”.*

**CITY OF SACO**

## BUDGET AMENDMENT REQUEST FORM APPROPRIATION

Date

**October 21, 2011**

Department

**Capital Improvement Projects**

Current Budget 2011-2012	Expended To Date	Amount of Adjust. Requested	Revised Budget Amount	Est. year-end expense 2011-2012	Account Title	Account Number
\$165,000	\$0	\$89,125.10	\$254,125.10	\$254,125.10	Capital Improve ment Projects	10670/500910
Notes: Increase the Capital Improvement Projects account 10670/500910 to pay for the demolition of the old Fire Barn at 14 Thornton Ave. No money has been Expended into this account as the projects budgeted are expected to be completed at end of FY12.						
Support for Budget Requests: Provide justification for the budget request using as much detail as is necessary to support it. Examples of acceptable support include unit costs, quantity estimates, prices quotes, etc. Use additional sheets if necessary.						

## REVENUE AMENDMENTS

Account Number

**Org 10020**

Account Title

**Taxes - Excise**

Current Budget 2011-2012	Received to Date	Adjustment Request	Amended Dept. Total	Increase (Decrease)
\$2,868,000	\$1,323,878	\$89,125.10	\$2,957,125.10	\$89,125.10
Notes: Excise Tax Revenue is ahead of budget by \$452,006 primarily due to EAN. We didn't budget EAN as having any revenue in FY12. We were told that EAN had other obligations that they had to fill. They returned to start filling registrations mid June 2011, which is added revenue to our excise tax line. We currently have received \$422,315 worth of excise tax revenue from EAN for July-October 2011. We would like to increase the budget for excise tax to pay for the demolition of the old Fire Barn at 14 Thornton Ave.				
Finance Director certifies that funds are available:				
Signature			Date:	
Comments: Net change to the budget is \$0. The City should use unexpected revenue to pay for the demolition of the Fire Barn. The additional EAN money will increase the Fund Balance at year end.				
Approved by City Council			Date:	

### E. VOTE TO AWARD A BID FOR THE DEMOLITION OF 12-14 THORNTON AVENUE

The Council approved the bid specifications for demolition of the fire station on October 24, 2011; bids specs were advertise and mailed to vendors and the bid opening was held on November 9, 2011. There were 4 bids received:

BID OPENING  
12-14 THORNTON AVENUE DEMOLITION OF BUILDINGS PROJECTS  
November 9, 2011

CONTRACTOR	SIGNED BID	BID BOND	AMOUNT OF BID
CIA Salvage	✓	✓	89,125.10
Dearborn Contr.	✓	✓	147,928.00
Shaw Bros.	✓	✓	111,750.00
T Buck	✓	✓	214,902.00

**SUGGESTED MOTION:** *“Be it Ordered, that the City Council authorize the City Administrator to execute a contract award for the demolition of structures and miscellaneous infrastructure at 12 and 14 Thornton Avenue to CIA Salvage in the amount of \$89,125.10.”*

**IX. ADJOURNMENT**

Councilor Lovell moved, Councilor Smith seconded to adjourn the meeting at 8:05 p.m. The motion passed with the unanimous consent.

ATTEST: \_\_\_\_\_  
Michele L. Hughes, City Clerk