

STATE OF MAINE

COUNTY OF YORK

CITY OF SACO

I. CALL TO ORDER – On Monday, November 16, 2015 at 7:00 p.m. a Council Meeting was held in the City Hall Auditorium.

II. ROLL CALL OF MEMBERS – Mayor Donald Pilon conducted a roll call of the members and determined that the Councilors present constituted a quorum. Councilors present: David Precourt, Leslie Smith Jr., Thomas Roughan, Kevin Roche, Arthur Tardif, Eric Cote and Nathan Johnston. City Administrator Kevin Sutherland was also present this evening.

III. PLEDGE OF ALLEGIANCE

IV. GENERAL

A moment of silence was held in recognition of the people who lost their lives over the weekend in Paris, France.

V. PUBLIC COMMENTS

VI. AGENDA

A. NEW APPLICATION FOR SPECIAL ENTERTAINMENT PERMIT – BEBE’S (PUBLIC HEARING)

Native American Investments LLC d/b/a BeBe’s has applied for a new Special Entertainment Permit. The permit will be concurrent with the establishment’s liquor license and compliance with all requirements for a food license and Certificate of Occupancy to be issue by the City of Saco.

The applicant has paid all applicable permit fees and the clerk has properly advertised the public hearing in accordance with the Saco City Code, Chapter 93 - Entertainment §93-2.

Councilor Smith moved, Councilor Precourt seconded to open the Public Hearing.

There were no public comments.

Councilor Smith moved, Councilor Precourt seconded to close the Public Hearing and be it Ordered that the City Council grant the new application submitted by the Native American Investments LLC d/b/a BeBe’s for a Special Entertainment permit to be concurrent with the establishment’s current liquor license and subject to compliance with all requirements for a food license and Certificate of Occupancy to be issued by the City of Saco. Further move to approve the Order. The motion passed with seven (7) yeas.

B. LETTER REQUESTING CONTINUED SUPPORT OF ARMY CORPS OF ENGINEERS MAINTENANCE DREDGING OF THE SACO RIVER

Periodic maintenance of the navigable federal channel in the Saco River is required as sediments are deposited in the channel over time. The last dredge was in the early 1990’s. The shallow depths as a result of the sediment deposition create a hazard to the commercial and recreational vessels in the river.

This effort has had historically strong support from this and prior City Councils. On May 1, 2015 working in close collaboration with the City of Biddeford we submitted a formal request to the USACE for this much needed work to be completed. It has been six months since that application package has been submitted.

On October 15, 2015, City Administrator Kevin Sutherland and Economic Development Director, William Mann met with Cathy Goodwin and Bonnie Pothier who are the local representatives of Senators Susan Collins and Angus King, respectively, to discuss the status of this project and other matters. We indicated our intention to update our Mayor and City Council on the status of the project and request that they send a letter (draft attached) to our Congressional Delegation affirming the City of Saco’s support for this effort and requesting the personal support of Senators Collins and King and Representative Pingree. This item was discussed in a Council Workshop on Monday, November 2, 2015.

Councilor Roche moved, Councilor Smith seconded “Be it Ordered that the City Council and Mayor sign three originals of the attached letter and authorize the City Administrator to issue said letter on behalf of the City Council to our Congressional delegation affirming the City of Saco’s continued support of maintenance dredging of the Saco River.” Further move to approve the Order.

Councilor Roche noted that there were some grammatical errors in the letter and asked that they be fixed before the letter is sent out. City Administrator Kevin Sutherland stated that he would send the final letter around for review prior to sending it out.

Mayor Pilon called for a vote on the motion. The motion passed with seven (7) yeas.



CITY OF SACO – 300 MAIN STREET SACO, MAINE 04072

Mayor Donald Pilon
Councilor Precourt
Councilor Smith
Councilor Roughan
Councilor Roche

Councilor Tardif
Councilor Cote
Councilor Johnston
Email: Council@SacoMaine.org
Phone: (207)282-4191

November 16, 2015

Senator Susan Collins
c/o Ms. Cathy Goodwin
413 Dirksen Senate Office Building
Washington, DC 20510

Senator Angus S. King, Jr.
c/o Ms. Bonita Pothier
133 Hart Senate Office Building
Washington, DC 20510

Representative Chellie Pingree
c/o Mr. Any Colvin
2162 Rayburn House Office Building
Washington, DC 20515

RE: May 1, 2015 Request to Army Corp of Engineers for Maintenance Dredging of the Saco River.

Dear Senators Collins, King, and Representative Pingree:

In follow-up to our spring request of the U.S. Army Corps of Engineers (USACE) regarding maintenance dredging of the Saco River, copy enclosed, we are writing to give you an update on the status of this request. We thank you for your interest and support of this project. Your staffs have been extremely helpful. As the approval, appropriation, and funding process moves forward we are asking, to the extent your personal schedules permit, that you contact the leadership of the USACE and weigh in with support for the dredging of the Saco River. Lastly, as budget hearings go forward, we would be grateful if you could attend or testify in support of this project at any hearing(s) on the Army Corp’s budget to insure that the necessary appropriation and funding is approved.

The USACE is in the process of doing environmental and other testing and has put the project in their work flow pipeline. Subject to the necessary approvals at the highest levels of the USACE and Congressional funding it is anticipated that this work will be done in the late fall of 2016 and be completed in a time span of 8 to 10 Weeks.

We will keep you posted from our end and know you and your staffs will do the same as things progress.

As we noted in our request in May, the economic impact on the Saco Bay region and in particular on the Cities of Saco and Biddeford exceeds \$50 million annually.

We thank you for your support and personal engagement on this effort. The continued vitality not only of our regional economy but certainly the marine related trades and businesses that take place along and at the mouth of the Saco River, are dependent on this happening and soon!

Sincerely,

Donald E. Pilon, Mayor

Leslie E. Smith, Jr., Vice Mayor & Councilor, Ward 2

David A. Precourt, Councilor, Ward 1

Thomas P. Roughan Councilor, Ward 3

Kevin M. Roche, Councilor, Ward 4

Arthur J. Tardif Councilor, Ward 5

Eric B Cote, Councilor, Ward 6

Nathan D. Johnson Councilor, Ward 7

cc: Kevin Sutherland
Patrick Fox
William Mann
Ms. Cathy Goodwin
Ms. Bonita Pothier
Mr. Andy Colvin

Mayor Alan Casavant and Biddeford City Council
James Bennett
Thomas Milligan
Daniel Stevenson
Christine Ohman

C. PUBLIC UTILITIES

The expansion of natural gas utility service in Saco is something that has been pursued for many years, with particular emphasis on the expansion of this service to our industrial and business parks and commercial corridors.

Historically, a significant barrier to the expansion of this utility option has been the cost of extending the distribution line. Currently, this cost is funded by customers through an up-front contribution in aid of construction payment, or “CIAC”. Unitil is in the process of seeking approval from the Maine Public Utilities Commission (MEPUC) to create a Targeted Area Build-out Program (TAB). The TAB eliminates the up-front CIAC requirement by charging customers who are served by the new main a TAB or surcharge fee on their monthly bill, avoiding the up-front CIAC payment.

Saco was selected to “Pilot” the TAB program given its relatively large market, demonstrated customer interest, and reasonable construction costs. This will bring natural gas to the Saco business/industrial parks as well as downtown. At this point, Unitil has to get final approval from the PUC to start this program. It is expected that a decision on Unitil’s request will be finalized before the end of this calendar year. More information on this pending regulatory case may be found by clicking on [PUC case number 2015-00146](#).

As a public utility, the expansion of this service is regulated by the PUC and not the City of Saco. Locally, Unitil will still need to apply for and obtain street opening permits. We have expressed the City’s priority that work begin in our industrial park areas and that street openings in the downtown be done so that the heavy summer traffic season is avoided.

Unitil has asked for a letter of support from the City of Saco to be sent in support of their TAB application. Attached is a draft letter. With the consent of the Council, the attached letter will be submitted to the PUC in support of Unitil’s TAB proposal.

Councilor Roche moved, Councilor Smith seconded “Be it Ordered that the City Council authorize the City Administrator to issue a letter on behalf of the City of Saco to the Maine Public Utilities Commission stating the City of Saco’s support for Unitil’s Application in Case Number 2015-00146”. Further move to approve the Order.

Amendment - Councilor Roughan moved to authorize the City Administrator to prepare and provide a letter as per the exhibit attached on behalf of the City of Saco. Councilors Roche and Smith were both oaky with the friendly amendment to reference the attached letter.

Mayor Pilon called for a vote on the motion with the amendment. The motion passed with seven (7) yeas.



CITY OF SACO – 300 MAIN STREET SACO, MAINE 04072

Mayor Donald Pilon
Councilor Precourt
Councilor Smith
Councilor Roughan
Councilor Roche

Councilor Tardif
Councilor Cote
Councilor Johnston
Email: Council@SacoMaine.org
Phone: (207)282-4191

November 16, 2015

Mr. Harry Lanphear
Administrative Director
Maine Public Utilities Commission
18 State House Station
Augusta, ME 04333-0018

Re: Northern Utilities, Inc. d/b/a Unitil; Request for Commission Approval of Targeted Area Build-Out Program; *Docket No. 2015-00146*

Dear Mr. Lanphear:

On behalf of intervenor City of Saco in the above-referenced Commission proceeding, I am writing to inform you that City Council is in support of the Commission's approval of the Stipulation that has been filed by the other parties in the proceeding. The City is supportive of the Stipulation and the natural gas distribution system build-out that it will bring to the City.

If you have any questions concerning this matter, please do not hesitate to contact me at your convenience.

Sincerely,

Kevin L. Sutherland, City Administrator

VII. CONSENT AGENDA
A. MINUTES

Councilor Precourt moved, Councilor Roche seconded "Be it Ordered that the City Council approve the minutes for November 2, 2015". Further move to approve the Order. The motion passed with seven (7) yeas.

VIII. RECESS THE MEETING AND CONVENE THE WORKSHOP

Councilor Smith moved, Councilor Roughan seconded to recess the meeting and convene the Workshop. The motion passed with seven (7) yeas. TIME: 7:18 p.m.

IX. ADJOURN THE WORKSHOP AND RECONVENE THE MEETING
D. CITY SURPLUS REAL PROPERTY – 42 FAIRFIELD STREET

On April 21, 2015 the City Council authorized the City Administrator to sell certain City-owned Surplus properties including the property located at 42 Fairfield Street.

On October 28, 2015, having provided notice to abutters with 250 feet, advertising in the Journal Tribune and notifying members of the real estate community, sealed bids were received at City Hall for the purchase of the property. (See Exhibit A for a list of the bids.)

Councilor Cote moved, Councilor Roughan seconded to adjourn the workshop and reconvene the meeting and "Be it Ordered that the City Council Pursuant to 'Sale of City-Owned Property' Chapter 81, Article 1, Section 81-2", authorizes the City Administrator to convey, through a Quitclaim Deed, the City-owned property located at 42 Fairfield Street to the Trustees of Thornton Academy for a sale price of \$65,250.00. The motion passed with five (5) yeas and two (2) nays – Councilors Johnston and Smith.

BID OPENING

WEDNESDAY OCTOBER 28, 2015
2:00PM

AT SACO CITY HALL

FOR THE PROPERTY LOCATED AT:
42 FAIRFIELD STREET

MAP 39 LOT 199

Name / Contact Guy Scribner/Payton Email Address paytonscribner@gmail.com	Bid Amount \$ \$52,753.00
Name / Contact Thornton Academy Email Address Rene.Merard@thorntonacademy.org	Bid Amount \$ \$65,250.00
Name / Contact Email Address	Bid Amount \$

X. ADJOURNMENT OF THE MEETING AND RECONVENE THE WORKSHOP

Councilor Cote moved, Councilor Roughan seconded to adjourn the meeting and to reconvene the workshop. The motion passed with seven (7) yeas. TIME: 7:32p.m.

Attest: _____
Michele L. Hughes, City Clerk