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

Dear Mr. Lanphere:

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

Councillor Precourt moved, Councillor 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

Councillor Smith moved, Councillor 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.)

Councillor Cote moved, Councillor 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 – Councillors Johnston and Smith.

BID OPENING

WEDNESDAY OCTOBER 28, 2015
2:00PM

AT SACO CITY HALL

FOR THE PROPERTY LOCATED AT:
42 FAIRFIELD STREET
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: 7:32 p.m.

Attest: __________________________
Michele L. Hughes, City Clerk