I. CALL TO ORDER – On Monday, March 28, 2016 at 6:30 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: David Precourt, Roger Gay, William Doyle, Kevin Roche, Alan Minthorn, Eric Cote and Nathan Johnston. City Administrator Kevin Sutherland was also present this evening.

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF MINUTES

Councilor Doyle moved, Councilor Gay seconded to approve the minutes for February 1, 2016; February 16, 2016; and March 7, 2016. The motion passed with seven (7) yeas.

V. GENERAL

VI. AGENDA

A. CITY ADMINISTRATOR’S FY 17 MUNICIPAL BUDGET PRESENTATION TO CITY COUNCIL

City Administrator Kevin Sutherland presented the Municipal Budget and gave an overview of the new budget process.

March 28, 2016

To Mayor Michaud and Saco City Council:

I am pleased to present to you the recommended 2017 City of Saco Budget. Budget to budget, I am recommending an overall increase in expenditures of $281,822 for the City and County portion of the budget, however reductions in fund transfers have led to a greater need for property tax to offset this. This year’s budget includes a property tax increase of $577,741 or 1.45% of the property tax levy and $277,519 in use of reserves for specific one-time projects and programs.

This budget includes placeholders for both the County and School portions. The city was able to absorb a forecasted 2% increase on the County portion of the tax bill in the overall increase of 1.45%. This does not take into account any increase voted on by the School Board’s budget.

Under the proposed 1.45%, the median home (valued at $211,000) will not see a property tax bill increase due to the changes in the homestead exemption. The Homestead Exemption is a state-wide program which provides a measure of property tax relief for certain individuals that have owned homestead property in Maine for at least 12 months and make the property they occupy on April 1 their permanent residence. In FY2017, the program will provide an additional $5,000 reduction to the assessed value - a savings of $100 for the property owner and a loss of revenue for the city of nearly $200,000. This budget proposes raising taxes just enough to gain that loss back, effectively keeping taxes the same for residents of Saco.
While a few service reductions were necessary to meet this budget, many of the requests above the directive were restored due to savings found within the municipal budget. Refinancing of bonds, internal policy changes, newly proposed fees, and a host of other organizational shifts by department heads provided us with the capacity to spare some potentially drastic cuts. I give staff a lot of credit for thinking outside the box and for working with me in developing this new budget process.

New Process

The budget process this year is new to Saco. In January, I brought to you a forecasted maintenance of effort budget that had two book ends – an increase in taxes of nearly 7% or a reduction in spending of almost 6%. I was looking for guidance from council as to what budget we should work to present in March. The general consensus was to present a budget that would result in no change to the tax bill for the homeowner whose primary residency is in Saco. Each department was given a directive that they had to meet. While all departments complied, they were given the option to submit Requests Above Directive (RAD(s)). These included a mix of bringing the departments back to current budget year levels (maintenance of effort) and new initiatives.

Over the course of the next month, departments and supported agencies will meet with Council in workshop to review budgets, the Directive, the Requests Above Directive – both those that City Administration was able to support and those that could not be financially supported.

As we go through the process, Administration and Finance will take note of RADs you as council wish to add back, take out, or create. These potential changes will be voted on individually at the May 9th meeting before the final vote on the budget.

Budget Book

The budget book is new as well. This document is designed to be a public friendly version of budget. While all of the numbers are still collected and tracked for accounting purposes, the budget book is displayed in broad categories for each department, agency, and budgeting unit – all driven from the same database leaving no room for error. Working with staff and agencies we’ve met the guideline of council in the 2017 column labeled Directive. The columns that come after that include RAD - the total of all the Requests from Departments, REC – the supported requests by Administration (Recommended) and Budget – the sum of Directive and REC.

There are five sections in this years’ budget book.
Section 1 – Saco overview and contacts for elected officials and departments
Section 2 – Fiscal summary documents for the City of Saco
Section 3 – Details of our Capital Program
Section 4 – Department budgets, org charts with FTEs, and detailed information on each of the RADs
Section 5 – Supported Agencies and Other Budgeting Units – some with RADs.
Appendix A: Chart of Accounts – which accounts are found in each of the budget categories
Appendix B: Memberships – a list of the memberships and costs for each department

I want to thank staff for “playing along” with this budget format and trusting me, for Cheryl Fournier’s quick study of new software and new ways of presenting information – without which, this would have never happened and for Emily Roy’s ability to handle anything I hand off to her. Most of all, I want to thank Council for giving me the opportunity to present the budget in this format.

We have a great team and I am so lucky to live and work in a community like Saco!
## Budget Overview

<table>
<thead>
<tr>
<th></th>
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<td>511,500</td>
<td>149,000</td>
<td>144,000</td>
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<td><strong>47,903,596</strong></td>
<td><strong>2,117,862</strong></td>
<td><strong>1,096,240</strong></td>
<td><strong>48,999,836</strong></td>
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<td><strong>Revenues</strong></td>
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<td>Local Revenues</td>
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<td>State Revenues</td>
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# 2017 Local Budget by Department

## Directive, Requests, and Recommended

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<th>Department</th>
<th>Directive</th>
<th>RAD</th>
<th>REC</th>
<th>Budget</th>
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<td>Administration</td>
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<td>122,258</td>
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<td>8,300</td>
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<td>41,426</td>
<td>(64,853)</td>
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<td>3,315,101</td>
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<td>City Clerk</td>
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<td>Contingency</td>
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<td>1,264,509</td>
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<td>Economic Development</td>
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<td>-</td>
<td>159,590</td>
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<td>-</td>
<td>21,764,771</td>
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<td>Solicitor</td>
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<td>144,425</td>
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<td>Unallocated</td>
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<td>-</td>
<td>(277,519)</td>
<td>(3,324,801)</td>
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<td><strong>TOTAL</strong></td>
<td>39,171,597</td>
<td>1,836,882</td>
<td>577,741</td>
<td>39,749,338</td>
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### Additional Information

**Note:** The complete municipal budget book can be viewed online at [www.sacomaine.org](http://www.sacomaine.org) or in the City Clerk’s Office.
B. SUPERINTENDENT'S FY17 SCHOOL BUDGET PRESENTATION TO CITY COUNCIL

Superintendent Dominic DePatsy and Finance Director Jason DiDonato presented the School Budget.

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**School Board Proposed Budget**

- **Total Proposed Budget:** $34,195,769
- **Increase from Prior Year of:** $260,657
  - This is a .77% budget increase over last year.
  - We have Three fixed costs in our budget increase:
    - TA tuition increase of $250k.
    - Salary increase of $350K.
    - Benefits increase of $250K.
- **Impact on the Saco taxpayers**
  - $0.64 increase on the mil rate
    - $0.52 due to the new subsidy received
  - $127.70 increase on a $200k home
    - $103.29 due to the new subsidy received
  - 5.98% increase over last year’s school taxes or a 3.44% overall increase to the town.
    - 4.48% due to the new subsidy or 2.78% overall to taxes

---

**What Makes Up Saco’s Budget?**

- **Salaries:** $14,636,396
- **Benefits:** $4,199,128
- **Contingency:** $150,000
- **Other Tuition:** $679,656
- **TA Tuition:** $11,671,886
- **Debt Service:** $333,350
- **Operating Expenses:** $2,525,354
C. ZONING ORDINANCE AMENDMENTS: SECTIONS 805, 1102.10, AND 1106.18 RELATED TO STORMWATER RUN-OFF – (SECOND & FINAL READING)

The proposed amendments to Section 805 are necessary to update the Zoning Ordinance to ensure compliance with current requirements of the Maine DEP and the Small Municipal Separated Storm Sewer System (MS4) program; maintain the City’s delegated review authority from Maine DEP; improve standards for inspection and maintenance of stormwater facilities; and improve water quality protection to the natural receiving water systems throughout the City.

The Planning Board considered this twice in workshop and held public hearings on December 15, 2015, and on Jan. 19, 2016. The Board recommends that the amendments be adopted as proposed.

The City Council discussed these amendments during workshop on February 8, 2016 and the first reading was held on February 22, 2016.

Councilor Johnston moved, Councilor Precourt seconded “Be it ordered that the City Council ordain and approve the Second & Final Reading for the document titled, ‘Amendment to Sections 805, 1102.10, and 1106.18, January 19, 2016’”. Further move to approve the order. The motion passed with seven (7) yeas.
“Amendments to Sections 805 – Stormwater Run-Off, 1102.10, and 1106.18, January 19, 2016”

Section 805. Stormwater Run-Off (Amended 3/2/92; 6/18/2001; 6/1/09; 7/16/12; ??/??/16)

In general, surface water run-off shall be minimized, and it shall be the responsibility of the person developing the land to demonstrate that the work will not have an adverse impact on abutting or downstream properties. Sites shall be designed to minimize the amount of impervious area with a focus on reducing vehicle areas, including parking, drives, aisles, and service areas.

The volume of stormwater discharged from any parcel shall be minimized through the use of on-site infiltration, detention, or retention to the extent practical. When stormwater must be discharged from a parcel, the preferred method is to discharge into the natural drainage system. Discharge of stormwater to the City’s Municipal Separated Storm Sewer System (MS4) shall be allowed only when on-site retention and/or discharge to the natural system is not practical.

Infiltration, detention, or retention of stormwater shall assure that the Total Maximum Daily Loads (TMDLs) that have been established by the U.S. Environmental Protection Agency for various waterbodies in the City will be met to the extent practical. The disposal of stormwater shall not constitute a threat to public health, safety and welfare and shall not degrade the quality of surface water or groundwater below city, state or federal standards.

The City is a regulated community under the National Pollutant Discharge Elimination System (NPDES) MS4 Program; therefore, provisions for stormwater runoff management are required for all new development or redevelopment projects (Site Plan and Subdivision) that result in one or more acres of disturbed area. In determining if the threshold has been met, all disturbed area created after December 27, 2006 (original effective date of this provision) shall be included in this total. This provision also applies to projects disturbing less than one acre, if the construction activity is part of a larger common plan or development or sale that would disturb one or more acre. This provision does not apply to any new development or redevelopment on a parcel that is part of a subdivision previously approved under this Ordinance that has a compliant Post-Construction Stormwater Management Plan with sufficient capacity to accept and treat increases in stormwater discharges associated with the project.

Projects resulting in one or more acre of disturbed area shall be subject to the requirements of the Maine General Construction Permit (MGCP); Maine State Stormwater Management Law, 38 MRSA § 420D and the latest revision of the “Stormwater Management Rules” Chapters 500, 501 and 502; and the requirements of Section 805-1 and 805-2 of the City’s Ordinance. Where the standards or provisions of such stormwater rules conflict with City ordinances, the stricter (more protective) standard shall apply.

Smaller projects resulting in less than one acre of disturbed area but more than 10,000 square feet of new or redeveloped impervious area are subject to the requirements of Section 805-3 of the City’s Ordinance.

805-1. STORMWATER QUANTITY AND QUALITY CONTROL

All projects subject to this section shall be designed with adequate provisions for the proper quantity and quality control management of all stormwater from a proposed development through a stormwater drainage system that will not have adverse impacts on abutting or downstream properties. The stormwater drainage system shall be designed to meet the standards contained in the most recently revised version of the Maine Department of Environmental Protection’s “Stormwater Management Rules” Chapters 500, 501 and 502; comply with the practices described in the most recently revised version of the “Maine Stormwater Best Management Practices Manual”; and meet the requirements of Section 805-2.

1. To the extent possible, the design shall dispose of stormwater runoff on the land at the proposed development through the appropriate use of the natural features of the site. Stormwater runoff systems will infiltrate, detain, or retain stormwater falling on the site such that the rate of flow from the site does not exceed that which would occur in the undeveloped state for a storm of intensity equal to the 2, 10, 25 and 50-year storm events.
2. If the postdevelopment peak runoff rate exceeds the predevelopment peak runoff rate, on-
site mitigation measures, such as detention basins or flow restrictors, shall be required.

3. All natural drainage ways shall be preserved at their natural gradients and shall not be
filled or converted to a closed system except as approved by the Planning Board and
appropriate state agencies.

4. The design of the storm drain system shall fully incorporate the existing upstream runoff
which must pass over and/or through the site to be developed. The system shall be
designed to pass upstream flows without surcharging the system. Any special roadway
culvert crossing designed to meet other applicable state regulations (i.e. fish passage)
shall be specifically identified on the plans.

5. Proposed alterations in stormwater drainage paths shall not enable the crossing of runoff
over a city street in order to enter a drainage system.

6. A waiver may be granted by the Department of Public Works to discharge an
insignificant increase in stormwater runoff to the MS4 when all of the following
conditions are met:
   A. A drainage study is prepared by a professional engineer licensed in the State of
      Maine, which demonstrates that the increase has no adverse impact to the
      downstream conditions, including impacts on abutting or city properties.
      Improvements may be required of the developer to prevent adverse downstream
      impacts caused by the project.
   B. The increase in the peak flow from the site or in the peak flow of the receiving
      waters cannot be avoided by reasonable changes in project design or density.
   C. Written authorization to discharge the increased peak flow rates has been
      provided by the Director of Public Works.

7. At the time of application, the applicant shall notify the Department of Public Works if its
stormwater management system includes any Stormwater BMP(s) that will discharge to
the City’s MS4 and shall include in this notification a listing of which Stormwater
BMP(s) will so discharge.

805.2 POST-CONSTRUCTION STORMWATER MANAGEMENT PLAN

All projects subject to this section shall be designed to meet the following requirements:

1. The applicant may meet the quantity and quality standards listed in Section 805-1 above
   either on-site or off-site, but where off-site facilities are used, the applicant shall submit
documentation to the City that the applicant has sufficient property interest where the off-
site facilities are located – by perpetual easement or other appropriate legal instrument –
to ensure that the facilities will be available to provide post-construction stormwater
management for the project and that the property will not be altered in a way that
interferes with the off-site facilities.

2. Where the applicant proposes to retain ownership of the stormwater management
facilities shown in its Post-Construction Stormwater Management Plan, and the
stormwater management facilities will not be dedicated to the City, the applicant shall
enter into a Maintenance Agreement with the City. The form of the Maintenance
Agreement is attached as Form 1. The applicant shall cause the Maintenance Agreement
to be recorded in the York County Registry of Deeds within 30 days of the date of
execution of the Agreement. Failure to comply with the terms of the Maintenance
Agreement shall constitute a violation of this Ordinance.

3. Whenever elements of the stormwater management facilities are not within the right-of-
way of a public street and the facilities will not be offered to the City for acceptance as
public facilities, the Planning Board may require that perpetual easements be provided to
the City allowing access for maintenance, repair, replacement and improvement of the
stormwater management facilities in accordance with the approved Drainage
Maintenance Agreement. If an offer of dedication is proposed, the applicant shall be
responsible for the maintenance of these stormwater management facilities until such
time (if ever) they are accepted by the City. Nothing in this Ordinance requires the City
to accept any stormwater management facilities offered or dedicated by the applicant.
4. Any person, business, corporation or other entity owning, leasing or having control over stormwater management facilities required by a Post-Construction Stormwater Management Plan shall demonstrate compliance with that Plan as follows:

A. That person shall, at least annually, inspect, clean and maintain the stormwater management facilities, including, but not limited to, any parking areas, catch basins, drainage swales, detention basins and ponds, pipes and related structures, in accordance with all City and State inspection, cleaning and maintenance requirements of the approved Post-Construction Stormwater Management Plan.

B. That person shall repair any deficiencies found during inspection of the stormwater management facilities.

C. That person shall, on or by July 15th of each year, provide a completed and signed certification to the Department of Public Works certifying that the person has inspected, cleaned and maintained the stormwater management facilities, describing any deficiencies found during inspection of the stormwater management facilities and certifying that the person has repaired any deficiencies in the stormwater management facilities noted during the annual inspection. The form of the Annual Stormwater Certification is attached as Form 2.

D. The required inspection(s) must be conducted by a qualified inspector employed by the responsible person. The qualified inspector shall perform an initial inspection to determine the status of the stormwater management facilities. If the initial inspection identifies any deficiencies with the facilities, the same qualified inspector shall reinspect the facilities after they have been maintained or repaired to determine if they are performing as intended.

E. The qualified inspector means a person who conducts post-construction stormwater management facilities, Best Management Practice (“BMP”) inspections and meets the following qualifications:

1.) The inspector shall not have any ownership or financial interest in the property being inspected nor be an employee or partner of any entity having an ownership or financial interest in the property; and

2.) The inspector shall have a working knowledge of Chapter 500, Stormwater Management Rules, and Maine’s Stormwater BMP Manual, and

3.) The qualified inspector shall meet at least one of the following criteria outlined in a-c below or the qualified inspector must be on the DEP’s list of approved post construction stormwater BMP inspectors.

Non-Proprietary Stormwater Management Facilities

a.) Has a college degree in environmental science or civil engineering and is a professional engineer with at least three years of experience designing, evaluating or inspecting stormwater management facilities; or

b.) Has a college degree in an environmental science or civil engineering, or comparable expertise, and has demonstrated a practical knowledge of stormwater hydrology and stormwater management techniques, including the maintenance requirements for Stormwater Management Facilities, and has the ability to determine if stormwater facilities are performing as intended. This qualification must be accompanied by two professional references to be valid; or

c.) Has successfully completed the requirements of a DEP training course on inspecting post-construction stormwater management facilities. Note: successful completion may require receiving a passing grade in an examination at the conclusion of the course.
Proprietary Stormwater Management Facilities

a.) Proprietary stormwater management facilities must be inspected by a person approved by the manufacturer.

5. In order to determine compliance with this section and with the Post-Construction Stormwater Management Plan, the Director of the Department of Public Works or his/her designee may enter upon a property at reasonable hours and after making a good faith effort to contact the owner, occupant or agent to inspect the stormwater management facilities. Entry into a building shall only be after actual notice to the owner, occupant or agent.

6. Submission Requirements

A. Post-Construction Stormwater Management Plan shall conform to the applicable submission requirements of Section 8 of DEP Chapter 500 Rules.

The applicant shall provide the City with an electronic version of the Post-Construction Stormwater Management Plan in a format that is compatible with the City’s requirements. Following completion of construction, the applicant shall provide the City with an updated version of the plan showing the Stormwater Management Facilities as actually constructed.

The Planning Board may modify or waive any of the submission requirements for a Post-Construction Stormwater Management Plan if the Board finds that, due to the unique physical characteristics of the site or the scale of the proposed activity, the information is not required to allow the Board to determine if the applicable stormwater management standards are met.

B. As-Built Certification. Prior to the issuance of a Certificate of Occupancy for a project requiring a Post-Construction Stormwater Management Plan under this Ordinance, the Applicant shall submit evidence in the form of a letter with as-built survey plan prepared and stamped by a Professional Engineer who either prepared the Post-Construction Stormwater Management Plan and its associated Facilities or supervised the Plan and Facilities construction and implementation. The letter or plan shall certify that the Stormwater Management Facilities have been installed in accordance with the approved Post-Construction Stormwater Management Plan and that they will function as intended by said Plan. The as-built survey plan shall be performed for all post-construction stormwater facilities to document general conformance with the approved plans.

805-3. DRAINAGE PLAN

Activities that are not subject to site plan review that result in the expansion or alteration of an existing building or structure that results in the creation or redevelopment of ten thousand (10,000) square feet of impervious surface area shall meet the requirements for a Drainage Plan. New principal buildings that are located in a subdivision with an approved Post-Construction Stormwater Management Plan are not required to comply with the requirement for a Drainage Plan if the approved Stormwater Management Plan contains provisions that adequately address surface drainage related to the construction of the building as determined by the Code Enforcement Officer.

The Drainage Plan shall meet the “urban impaired stream standard” when located within a watershed designated by the Maine Department of Environmental Protection as an Urban Impaired Watershed.

The Drainage Plan shall demonstrate that the proposed improvements are designed to minimize the amount of stormwater leaving the site. This shall include consideration of the design and location of improvements to minimize the total area of impervious surface on the site and stormwater management techniques to minimize both the volume and rate of runoff from the lot. The Drainage Plan shall provide for the treatment of 0.5 inches of runoff from ninety (90) percent of the new or redeveloped impervious area and 0.2 inches of runoff from seventy-five (75) percent of the new or redeveloped non-impervious surface area. The use of LID practices appropriate for the type of development as set forth in Chapter 16 of the DEP Stormwater Manual, Volume III-BMPs Technical Design Manual is encouraged but not required.
A. The Drainage Plan must also demonstrate that:

1. any stormwater draining onto or across the lot in its pre-improvement state will not be impeded or re-directed so as to create ponding or flooding of adjacent lots;

2. any increase in volume or rate of stormwater draining from the lot onto an adjacent lot following the improvement can be handled on the adjacent lot without creating ponding, flooding or other drainage problems and that the owner of the lot being improved has the legal right to increase the flow of stormwater onto the adjacent lot;

3. any increase in volume or rate of stormwater draining from the lot onto City property following the improvement can be handled without creating ponding, flooding or other drainage problems and that the owner of the lot being improved has the legal right to increase the flow of stormwater onto the City’s property; and

4. Any increase in volume or rate of stormwater draining from the lot into the City’s separate storm sewer system can be accommodated in the system without creating downstream problems or exceeding the capacity of the storm sewer system.

B. Submission Requirements

A Drainage Plan must include a written statement demonstrating how the project has been designed to minimize the volume and rate of stormwater leaving the site including provisions for minimizing the area of impervious surface or the use of LID practices, and a plan and supporting documentation with at least the following information:

1. The location and characteristics of any streams or drainage courses existing on the parcel and/or abutting parcels.

2. The existing and proposed grading of the site using one-foot contours.

3. The location and area of existing and proposed buildings and impervious surfaces on the site.

4. The existing pattern of stormwater drainage on the site, including points of discharge to the City’s storm sewer system or adjacent properties.

5. The proposed pattern of stormwater drainage after development, including the location and design of any stormwater facilities.

The Planning Board may modify or waive any of the submission requirements for a Drainage Plan if the Planning Board determines that the information is not required to determine if the drainage standard is met.

805-4. STANDARDS FOR EASEMENTS AND RIGHT-OF-WAY

Drainage easements containing components of the stormwater water runoff system lying outside of the public right-of-way lines shall conform to the following standards:

A. The minimum width of the easement shall be thirty (30) feet, provided that where a watercourse or retention area is wider than thirty (30) feet, the Planning Board may require a drainage easement of adequate width to conform substantially to the lines of such watercourse or retention area, including additional width to provide access. The Planning Board may reduce the width of the easement upon a positive recommendation from the Director of Public Works, if the narrower easement will allow the stormwater facilities to be maintained or if the unique characteristics of the site make the creation of a wider easement impractical.

B. Where a drainage easement will contain an open channel, stream or drainage way, the easement shall be designed and landscaped to further the objectives of the Stormwater Management Plan. The natural landscape shall be retained to the extent practical as determined by the Planning Board.

C. Where a drainage easement will contain a closed conduit, the easement shall be centered...
D. JOINT BIDDEFORD SACO COUNCIL RESOLUTION – (SECOND & FINAL READING)

WHEREAS, the City Councils of Biddeford and Saco held a joint meeting on January 11th, 2016 to re-focus our commitment to working together in order to strengthen our communities. Going forward, the Cities of Biddeford and Saco wish to work in close cooperation to find opportunities to reduce municipal operating and capital costs, improve service to the public, and promote economic growth in our region; and

WHEREAS, to encourage such efforts, periodic joint meetings may be held between the City Councils. In addition, the Saco City Administrator and Biddeford City Manager should make every effort to meet at least quarterly to discuss issues of mutual concern and explore areas of further cooperation: Now, therefore

Councilor Precourt moved, Councilor Johnston seconded “BE IT RESOLVED that the City of Saco on this 28th day of March establish a joint steering committee with Biddeford. The committee shall consist of the two (2) Mayors and two (2) City Councilors from each community. The Saco City Administrator and Biddeford City Manager shall staff the committee. The committee shall meet at least quarterly but may meet more often. The meetings shall rotate between each city. The host community shall provide staff support for the meeting and the Mayor of the host community shall chair the meeting; and

BE IT FURTHER RESOLVED, The City Councils may meet at least twice annually in joint session. The meetings shall take place in January and September of each year. The location of the meeting shall be set by the host community with rotation between the communities. The host community will provide the staffing for the meeting. The meeting shall be jointly run by the two Mayors with the host community Mayor taking the lead. The steering committee will provide recommendations for the establishment of the agenda for the joint meetings with the respective Mayors having the responsibility to finalize the agenda for the joint meetings.

BE IT FURTHER RESOLVED, each year, the City Administrator/Manager shall provide a report to the City Council during the annual budget message outlining the current cooperative efforts between the Cities. There shall be specific emphasis on those efforts that have been improved and initiated. Any efforts that have been terminated or reduced shall also be identified. The report shall be made part of the public documents that are included with the annual budget message”. Further move to approve the resolution.
Councillor Doyle noted that at the last meeting there was discussion to not “mandate” the City Council’s 2 meetings per year but to “suggest” that 2 meetings shall happen. Councilors Precourt and Johnston both agreed to modify the motion wording from “shall” to “may”.

The motion passed with seven (7) yeas.

E. AMENDMENT TO SACO CODE, CHAPTER 99 – FIREARMS – (FIRST READING)

Saco is well-known for its horse farms and breeders in the Buxton Road/Louden Road areas. As equine enthusiasm continues to expand, an interest in western-style mounted cowboy shooting sports has developed as well.

Enthusiasts of this activity have requested an ordinance change necessary to permit them to legally conduct competitions and demonstrations in the Shotgun Only zone. Currently this is not permissible by ordinance (Chapter 99 Firearms). The Saco City Code only permits the discharge of shotguns and muzzleloaders in the area where two of the primary horse farms with an expressed interest in mounted cowboy shooting sports are located. This sport does not involve discharging projectiles, as only blank cartridges are used. However, ordinance changes are necessary to permit the activity, as the firearms the blank cartridges are discharged from meet the federal, state, and city definitions of ‘firearm’.

An additional issue the suggested changes attempt to address is to permit blank cartridges to be discharged for limited purposes (military ceremonies, theatrical purposes, etc).

And finally, language/structural changes to the current ordinance were addressed as explained.

City Council discussed during Workshop on March 14, 2016 and suggested revisions to Chapter 99.

Councillor Precourt moved, Councilor Gay seconded “Be it Ordered that the City Council does hereby ordain and approve the First Reading for the amendment to the Saco Code, Chapter 99-Firearms, and further moves to set the Public Hearing for April 4, 2016.” Further move to approve the order. The motion passed with seven (7) yeas.

Chapter 99: Firearms
[HISTORY: Adopted by the City Council of the City of Saco 5-1-1995 as Ch. III, Sec. 3-2, of the 1994 Code. Amendments noted where applicable.]

§ 99-1 Definitions
As used in this chapter, the following terms shall have the meanings indicated:

APPROVED OUTDOOR FIREARMS RANGE
An approved outdoor firearms range having a backstop constructed of logs or timbers of at least 12 inches in diameter with an earth barrier behind or an earth barrier of suitable materials with no less than a forty-five-degree slope. There shall be a natural obstruction of trees or terrain to the rear of the backstop. The target area shall be placed no less than three feet from the top and sides of the backstop. The range widths of the target shall be no less than 15 feet for 50 yards, 25 feet for 100 yards and 50 feet for 200 yards. A No range shall be situated less than 100 feet from the nearest roadway and shall not be constructed so that bullets or projectiles will not travel toward the nearest roadway. No shooting at an outdoor range shall be allowed between the hours of sunset and sunrise. These regulations shall not apply to indoor shooting ranges.

FIREARM
Any weapon, whether loaded or unloaded, which is designed to expel a projectile by the action of an explosive, and includes any such weapon commonly referred to as a "pistol," "revolver," "rifle," "gun," "machine gun" or "shotgun." Any weapon which can be made into a firearm by the insertion of a firing pin or other similar thing or repair is a firearm.

MUZZLE-LOADING FIREARM
A rifle or smoothbore firearm that is loaded through the muzzle with powder or priming charge or a flint-, match- or wheel lock mechanism.
NO-DISCHARGE ZONE
That portion of the City encompassed within the following boundaries: Deep Brook, from the Saco River northerly to Route 112; then easterly to the intersection of Route 112 and Jenkins Road; then northerly to so-called Newton Farm Pond; then easterly to the Maine Turnpike; then southerly to Goosefare Brook; then following Goosefare Brook easterly to Old Orchard Road; then southerly to Ferry Road; then easterly to the easternmost boundary of Laurel Hill Cemetery; then southerly to the Saco River, thence along the Saco River to Deep Brook, the point of beginning.
[Amended 11-7-2005]

SHOTGUN
A rifled or smoothbore firearm designated to shoot shot shells, e.g., 10-, 12-, 16-, 20- and 28-gauge and .410-caliber.

SHOTGUN/MUZZLELOADER FIREARM-ONLY ZONE
[Amended 4-1-1996]
That portion of the city encompassed within the following boundaries:
A. That area from the point where Deep Brook joins the Saco River northerly along the westerly side of Deep Brook to Buxton Road; then westerly along Buxton Road to Simpson Road; then southwesterly along Simpson Road to Fire Lane 4; then from the intersection of Fire Lane 4 and Simpson Road southwesterly to the Saco River; thence along the Saco River to the Maine Turnpike, the point of beginning.
[Amended 11-7-2005]
B. Beginning at a point along the Saco River at the southeast corner of Laurel Hill Cemetery; then in a northerly direction to Ferry Road; then westerly on Ferry Road to Old Orchard Road; then northerly on Old Orchard Road to the Goosefare Brook at the town line; then easterly along Goosefare Brook to the ocean's edge; then southerly along the shoreline to the breakwater at Camp Ellis; then westerly along the Saco River to Laurel Hill Cemetery, being the point of beginning.

UNRESTRICTED ZONE
That portion of the City not encompassed within the No Discharge or Shotgun/Muzzleloader-Only zones.

§ 99-2 Permission required for discharge near residences.
It shall be unlawful for any person to shoot or discharge a firearm of any kind or description in the city within 100 yards of a residential dwelling without the permission of the owner or, in his their absence, of an adult occupant of that dwelling as set forth in 12 M.R.S.A. § 7406, Subsection 13.

§ 99-3 Discharge in a reckless manner prohibited.
It shall be unlawful for any person to shoot or discharge a firearm of any kind or description in the city in a reckless manner, pursuant to 17 A.M.R.S.A. §§ 208 A and 211.

§ 99-4 Shotgun-only zones.
A. Shotgun/Muzzleloading Firearm-Only zone: It shall be unlawful for any person to shoot or discharge a firearm of any kind or description other than a shotgun, or muzzle-loading firearm, or blank cartridges in any portion of the city which is designated as a shotgun/muzzleloading firearm-only zone.
B. No-Discharge Zone: It shall be unlawful for a person to shoot or discharge a firearm of any kind or description in the No-Discharge zone except as specifically allowed in this chapter.
C. Unrestricted Zone: There are no municipal restrictions on discharging legally possessed or licensed firearms in this zone, subject to all applicable federal, state or municipal laws or ordinances.

§ 99-5 Exceptions: self-defense.
A. Exceptions. The provisions of §§ 99-2 through 99-4 shall not apply in the following cases, except in the no-discharge zone. No provision of this chapter shall be construed to limit the authority to discharge a firearm by a person who is:

1. An approved firearms range acting in lawful defense of a person, including themselves.
2. Raccoon hunting at night with a .22 caliber long rifle firearm a law enforcement officer or government official acting within the scope of their lawful duties.
3. Trappers tending their traps a member of any branch of the United States military, veterans’ organizations or similar organizations in connection with public ceremonial events.
4. Discharging a firearm with blank cartridges for school-sanctioned theatrical productions or athletic events.
5. in the shotgun/muzzleloader-only zone, discharging a firearm with blank cartridges if otherwise compliant with 12 MRS §11209.
6. in the shotgun/muzzleloader-only zone, discharging a firearm at an approved firearms range.
7. Raccoon hunting at night with a .22 long rifle caliber firearm.
8. a trapper tending his traps.

B. Nothing in this chapter shall infringe upon the statutory right of a person to act in self-defense as provided for by Maine statutes.

§ 99-6 Noise Limitations. Notwithstanding the preceding, any contest or event that involves shooting, and any facility that hosts, promotes or facilitates shooting on its premises must also comply with any applicable City noise limitation and ordinance.

§ 99-67 Violations and penalties; recovery of fines.

Any person who violates any of the provisions of this section shall be subject to a fine of not less than $500 nor more than $1,000, plus costs, which fines shall be recovered in a civil action to the use of the city.

F. ZONING ORDINANCE AMENDMENTS: TABLE 412-1, MU-3 ZONE – (FIRST READING)

The developer of the Park North multi-use development asked that the Planning Board consider lessening frontage requirements for parcels in the MU-3 zone, each side of Rte. 1 and North of Flag Pond Road and Cascade Road. The Board reviewed existing parcels and frontages, the Comprehensive Plan, and frontage requirements along Route 1 in nearby communities as part of its discussion.

The Planning Board considered this in a series of workshops from August to December and held a public hearing on Jan. 19, 2016. The Board recommends that the amendments be adopted as proposed.

The City Council discussed this item during Workshop on March 14, 2016.

Councillor Doyle moved, Councillor Gay seconded “The City Council hereby Ordains and Approves the First Reading of the document titled, “Amendments to Table 412-1 and Footnotes, Amended January 19, 2016”, and further moves to set the Public Hearing for April 4, 2016.” The motion passed with seven (7) yeas.

“Amendments to Table 412-1 and Footnotes, Amended January 19, 2016”

(New language is underlined):

- Maintain 200 feet as required frontage for a parcel in the MU-3 zone, but, add footnote 28 to Table 412-1 as follows:
  28. If single point of access (curb cut) to Rte. 1 is shared between two or more parcels, frontage may be reduced to 150 feet for each parcel.

- Add footnote 29 to Table 412-1 as follows:
  29. Street frontage for a parcel not obtaining frontage from Rte. 1 may be reduced to 75 feet.
VII. CONSENT AGENDA

Councilor Precourt moved, Councilor Roche seconded to approve Consent Agenda items #A and #B as follows:

A. Be it Ordered that the City Council confirm the Mayor’s appointment of Alyssa Bouthot to the Historic Preservation Commission as a member for a three-year term ending March 28, 2019. Further move to approve the Order;

B. Be it Ordered that the City Council, pursuant to “Sale of City-Owned Property” Chapter 81, Article I, Section 81-2., authorizes the City Administrator to convey, through a Quitclaim Deed, the City-owned property located at 264 Boom Road to Susan and Jeff Lessard of 286 Boom Road for a sale price of $29,500.

The motion passed with seven (7) yeas.

The item commentaries are listed below.
A. CONFIRMATION OF MAYOR’S APPOINTMENT OF ALYSSA BOUTHOT TO THE HISTORIC PRESERVATION COMMISSION

The Historic Preservation Commission consists of five members and up to five associate members, appointed by the Mayor and confirmed by the Council, each for a three-year term. Some of the duties of the Commission are to:

- Review applications for certificate of appropriateness,
- Advise and inform the City officials and owners of historic buildings, structures or sites, on physical and financial aspects of preservation, renovation, and rehabilitation.
- Each Commission member shall be a resident of the City and shall be persons qualified to perform the duties of such office and shall serve without compensation.

The Mayor is seeking to have Alyssa Bouthot appointed to the Historic Preservation Commission for a three-year term.

B. SURPLUS REAL PROPERTY – 264 BOOM ROAD BID ACCEPTANCE

On April 21, 2015 the City Council authorized the City Administrator to sell certain City-owned Surplus properties including the property located at 264 Boom Road.

On March 9, 2016, having provided notice to abutters within 1000 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 1 for a list of the bids.)

Later in the day, we received a letter from the high bidder withdrawing his bid. See Exhibit 3.

**EXHIBIT # 1 - BID OPENING – WEDNESDAY MARCH 9, 2016 – 2:00 P.M. FOR THE PROPERTY LOCATED AT: 264 BOOM ROAD – MAP 85 LOT 4-6**

<table>
<thead>
<tr>
<th>Name / Contact</th>
<th>Bid Amount $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joe Scammell</td>
<td>$20,100.00</td>
</tr>
<tr>
<td>Sue Lessard</td>
<td>$29,500.00</td>
</tr>
<tr>
<td>Michael Hale</td>
<td>$60,000.00</td>
</tr>
</tbody>
</table>

**EXHIBIT # 3**

Wednesday, March 9, 2016
To whom it may concern:

I am writing to rescind my bid for the property located at 264 Boom road in Saco Maine. Although I do feel I did my homework on this property prior to bidding, and had spoken to the town office, as well as Maine Water among others, I had not researched Sacomaine.org or spoken with Saco code office.

At this time, I feel the restrictions on the piece of property, including specific uses as well as resource protections, water restrictions and easement issues are much more rigid than I was aware. At this time, it does not make sense for me to pursue this piece of property.

If you have any questions, please feel free to contact me at (207)332-0063. Thank you for your help.
VIII. EXECUTIVE SESSION

Councilor Doyle moved, Councilor Precourt seconded “Be it Ordered that the City Council, Pursuant [M.R.S.A. Chapter 18, Subchapter 1, §405 (6)] move to enter into Executive Session to discuss: (D) Labor Contract Negotiations for Saco Professional Firefighters Association I.A.F.F 2300. The motion passed with seven (7) yeas. TIME: 7:28 p.m.

IX. REPORT FROM EXECUTIVE SESSION

Councilor Minthorn moved, Councilor Johnston seconded to move from the Executive Session. The motion passed with seven (7) yeas. TIME: 7:40 p.m.

Mayor Michaud conducted a roll call of the members and determined that the Councilors present constituted a quorum. Councilors present: David Precourt, Roger Gay, William Doyle, Kevin Roche, Alan Minthorn, Eric Cote and Nathan Johnston.

Councilor Minthorn moved, Councilor Doyle seconded “The City Council hereby ordains and approves the ‘Agreement between the City of Saco Professional Firefighters Association I.A.F.F. 2300, July 1, 2015 through June 30, 2018,’ and further authorizes the City Administrator to execute the Agreement. The motion passed with seven (7) yeas.

X. ADJOURNMENT

Councilor Minthorn moved, Councilor Roche seconded to adjourn the meeting. The motion passed with unanimous consent. Time: 7:40 p.m.

Attest:__________________________
Michele L. Hughes, City Clerk