

STATE OF MAINE

COUNTY OF YORK

CITY OF SACO

Note: Council meeting packets and video recordings are posted on the city website, available for public review.

I. CALL TO ORDER – On Monday, June 8, 2020, at 6:30 p.m. a Council Meeting was held via video conference due to the national health emergency COVID-19 pandemic.

II. RECOGNITION OF MEMBERS PRESENT – Mayor William Doyle recognized the members of the Council and determined that the Councilors present constituted a quorum. Councilors present: Marshall Archer, James Purdy, Joseph Gunn, Lynn Copeland, Alan Minthorn, Jodi MacPhail and Nathan Johnston. City Administrator Bryan Kaenrath was also present this evening.

III. PLEDGE OF ALLEGIANCE

IV. GENERAL

V. COMMITTEE CORRESPONDENCE TO COUNCIL

VI. PUBLIC COMMENT - (Video recording 13:37 minute mark)

- Kevin Roche, Resident – School Budget Comments read by Councilor Copeland

VII. APPROVAL OF MINUTES: MAY 26, 2020 - (Video recording 17:34 minute mark)

Councilor Minthorn moved, Councilor Gunn seconded to approve the May 26, 2020 minutes as written. The motion passed with five (5) yeas and two (2) nays – Councilors Copeland and Johnston.

VIII. CONSENT ITEMS

IX. ACTION ITEMS

A. RENEWAL APPLICATION FOR A SPECIAL ENTERTAINMENT PERMIT – SEA SALT LOBSTER RESTAURANT – (PUBLIC HEARING) - (Video recording 19:20 minute mark)

Councilor Minthorn moved, Councilor Johnston seconded to open the Public Hearing. The motion passed with seven (7) yeas.

There were no public comments.

Councilor Minthorn moved, Councilor Copeland seconded to close the Public Hearing and Be it Ordered that the City Council grant the renewal application submitted by Sea Salt Products LLC d/b/a Sea Salt Lobster Restaurant for a Special Entertainment permit to be concurrent with the establishment’s current liquor license. Further move to approve the Order. The motion passed with seven (7) yeas.

B. ADOPTION OF REVISED MMA GENERAL ASSISTANCE ORDINANCE – (PUBLIC HEARING) - (Video recording 22:39 minute mark)

Councilor Archer moved, Councilor Johnston seconded to open the Public Hearing. The motion passed with seven (7) yeas.

There were no public comments.

Councilor Archer moved, Councilor Minthorn seconded to close the Public Hearing. The motion passed with seven (7) yeas.

Councilor Archer moved, Councilor Johnston seconded “The City of Saco hereby moves to repeal the MMA General Assistance Ordinance dated September 2013, and to adopt the MMA General Assistance Ordinance dated August 2019.” The motion passed with seven (7) yeas.

C. ACTION ITEM I. – COUNCIL RESOLUTION APPROVING SCHOOL BUDGET FOR FISCAL YEAR 2020-2021 – (TABLED 5-26-20) - (Video recording 26:56 minute mark)

Councilor Minthorn moved, Councilor Johnston seconded to remove from the table “Council Resolution Approving School Budget for Fiscal Year 2020-2021”. The motion passed with seven (7) yeas.

Amendment – Councilor Minthorn moved, Councilor Johnston seconded “Be it Ordered that the City Council remove the 11 cost centers from the resolution and direct the School Board to allocate the total amount approved for the School Budget by cost center” and “Be it Ordered that the total amount appropriated for the total cost of funding public education from Pre-Kindergarten to grade 12 in this amendment be \$42,463,384 total” and “Be it Ordered that the total amount the School Board is authorized to expend for the Fiscal Year July 1, 2020 and ending June 30, 2021 be amended to \$42,463,384 total”. Further move to approve the Order.

Amendment to the Amendment - Councilor Copeland moved, Councilor Archer seconded to reduce the current \$42,463,384 back to the prior years approved budget \$40,463,383.56 plus the additional amount identified in the e-mail from the Superintendent as being contractual obligations.

Councilor Johnston stated that when we started this budget process, he was on the record saying we wanted this to be as minimal increase to the mill rate as possible.

Mayor Doyle called for a vote on the amendment to the amendment. The motion failed with one (1) yeas and six (6) nays – Councilors Archer, Purdy, Gunn, Minthorn, MacPhail, and Johnston.

Councilor Copeland stated that it was discussed last year when we wanted to put it out to the people to vote, people were very vocal about saying that they elected us to make the decision. So, I just want to go on record saying that I’m willing to make the very difficult decision. This is not a decision that not any of us want to make these choices right now. But we have to do what we have to do.

Mayor Doyle called for a vote on the original amendment. The motion passed with six (6) yeas and one (1) nay – Councilor Copeland.

Main motion as Amended - Councilor Minthorn moved, Councilor Johnston seconded “Be it Resolved, pursuant to Title 20-A, sections 2307, 1485 and 15690, that: The sum of \$42,463,384 be approved for the total cost of funding from the Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and that the sum of \$18,497,843 be raised as the City’s contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688;

State Mandated Explanation: The City’s contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that the City must raise in order to receive the full amount of state dollars.

The sum of \$309,013 be raised and appropriated for the annual payments on debt service previously approved by the City’s voters for non-state-funded school construction projects and non-state-funded portions of school construction projects in addition to the funds appropriated as the local share of the City’s contribution to the total cost of funding public education from Pre-kindergarten to grade 12;

The School Board be authorized to expend \$42,463,384 for the fiscal year beginning July 1, 2020 and ending June 30, 2021 from the City’s contribution to the total cost of funding public education from Prekindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools; and

The School Board be authorized to expend such other sums as may be received from federal and state grants and/or programs and/or other sources during the fiscal year for school purposes provided that such grants, programs or other sources do not require the expenditures of other funds not previously appropriated

Further move to approve the resolution.

The motion passed with six (6) yeas and one (1) nay – Councilor Copeland.

D. ACTION ITEM J – COUNCIL RESOLUTION APPROVING ADDITIONAL LOCAL FUNDS FOR THE SCHOOL BUDGET FISCAL YEAR 2020-2021 – (TABLED 5-26-20) -

(Video recording 1:17:30 minute mark)

Councilor Johnston moved, Councilor Archer seconded to remove from the table “Council Resolution Approving Additional Local Funds or the School Budget Fiscal Year 2020-2021”. The motion passed with six (6) yeas and one (1) nay – Councilor Copeland.

Main motion - Mayor Doyle called for a vote on the main motion (listed below).

“Be it Resolved that \$9,561,379 be raised and appropriated in additional local funds, which exceeds the State’s Essential Programs and Services allocation model by \$9,561,379 as required to fund the budget recommended by the School board.

State Mandated Explanation: The additional local funds are those locally raised funds over and above the City’s local contribution to the total cost of funding public education from Pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state funded debt service that will help achieve the school department budget for educational programs.

School board’s Statement of Reasons for Exceeding Essential Programs and Services allocation model: The school budget proposed for the fiscal year exceeds the state’s funding allocation model for various reasons. In general, (i) the model does not recognize the actual costs to operate and maintain the school program and curriculum; (ii) the state is not funding the model at 55% of the actual total cost of education; (iii) the state has added certain costs to the model without increasing available funding such as the state share of teacher retirement costs; (iv) the state has reduced or eliminated funding of costs necessary to operate the schools by such means as changing the student: teacher ratio, the student: ed tech, and other student: staff ratios and reducing funding of administrative costs.”

(Note: Title 20-A, section 15671-A(5)(B) requires a separate, recorded vote for these additional local funds and approval by a majority of the full council. Section 15690 provides for the School board’s Statement of Reasons to accompany the article as provided to the Council).

Further move to approve the resolution.

The motion passed with six (6) yeas and one (1) nay – Councilor Copeland.

Reconsider - Councilor Minthorn moved, Councilor Johnston seconded to reconsider the main motion. The motion passed with six (6) yeas and one (1) nay – Councilor Copeland.

Amendment – Councilor Minthorn moved, Councilor Johnston seconded “Be it Resolved that \$9,062,667 be raised and appropriated in additional local funds, which exceeds the State’s Essential Programs and Services allocation model by \$9,062,667 as required to fund the budget recommended by the School board. The motion passed with six (6) yeas and one (1) nay – Councilor Copeland.

Main motion as amended– Mayor Doyle called for a vote on the main motion as amended. The motion passed with six (6) yeas and one (1) nay – Councilor Copeland.

E. ACTION ITEM K – COUNCIL RESOLUTION APPROVING ADULT EDUCATION BUDGET FOR FISCAL YEAR 2020-2021 – (TABLED 5-26-20) - (Video recording 1:25:33 minute mark)

Councilor Minthorn moved, Councilor Johnston seconded to remove from the table, “Council Resolution Approving Adult Education Budget for Fiscal Year 2020-2021”. The motion passed with six (6) yeas and one (1) nay – Councilor Copeland.

Main Motion – Mayor Doyle called for a vote on the main motion (listed below). The motion passed with six (6) yeas and one (1) nay – Councilor Copeland.

“Be it Resolved that \$140,055 be appropriated for adult education and that \$140,055 be raised as the local share; with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for well-being of the adult education program.”

(Note: the adult education budget is separate from the school operating budget)

Further move to approve the resolution.

F. ACTION ITEM G – CITY OPERATION BUDGET MAIN MOTION (AS AMENDED) - (TABLED 5-26-20) - (Video recording 1:28:17 minute mark)

Councilor Copeland moved, Councilor Minthorn seconded to remove from the table, “City Operations Budget Main Motion as amended.” The motion passed with seven (7) yeas.

Amendment - Councilor Minthorn moved, Councilor Archer seconded “Be it ordered that the City Council Increase Account 10350 (org) 300800 (object) Use of Fund Balance (descr) by \$62,355(amount) and Increase Account 10494 (org) 500103 (obj) Public Works Non-Supervisory Wages by \$45,890 and Increase Account 10600 (org) 500215 (obj) Fringe Benefits Dental/Optical by \$325 and Increase Account 10600 (org) 500287 (obj) Fringe Benefits Mepers (Retirement) by \$3947 and Increase Account 10600 (org) 500288 (obj) Fringe Benefits Health & Basic Life Insurance by \$8190 and Increase Account 10600 (org) 500289 (obj) Fringe Benefits Fica Taxes by \$3511 and Increase Account 10600 (org) 500290 (obj) Fringe Benefits St/Lt Disability by \$492.

[A 'yes' vote adds a temporary facilities new headcount with one-time money. A 'no' vote keeps the Budget the same]

Note: Due to the increased requirements of Covid-19 on Facilities Staff, this amendment will one-time position for one year.

The motion passed with seven (7) yeas.

Amendment – Councilor Minthorn moved, Councilor Johnston seconded to decrease account 10650 (org) 500911 (object) Bond Principal (descry) by \$10,000 (amount) and Decrease Account 10660 (org) 500911 Bond Interest by \$122,715.

[A ‘yes’ vote reduces debt service cost to recognize savings. A ‘no’ vote keeps the Budget the same].

The motion passed with seven (7) yeas.

Mayor Doyle asked the council to move onto new business while the Finance Director calculated the final budget numbers. There were no objections.

Note: Continuation of City Operation Budget motions are below under Action Items #F.

X. NEW BUSINESS

A. COUNCIL SUMMER CALENDAR DISCUSSION - (Video recording 1:51:21 minute mark)

The council’s proposed summer schedule was discussed as follows:

- June 15th
- July 13th and 20th
- August 3rd & 17th

Mayor Doyle recessed the meeting at 8:25 p.m. - (Video recording 2:06:13 minute mark)

Mayor Doyle reconvened the meeting at 8:35 p.m. - (Video recording 2:17:00 minute mark)

IX. ACTION ITEMS

F. ACTION ITEM G – CITY OPERATION BUDGET MAIN MOTION (AS AMENDED) - (TABLED 5-26-20) - (Video recording 2:17:00 minute mark)

Main Motion as Amended – Councilor Minthorn moved, Councilor Copeland seconded “Be it Ordered that the City Council move to approve an appropriation order for the adoption of the Fiscal Year 2021 budget, excluding all school, county, and TIF transfers per Section 6.06 and 6.07 of the Charter of the City of Saco, Maine as follows:

Approve gross municipal expenditures of \$29,498,508.

Expenditures to be offset by \$12,432,688 in anticipated revenue and other credits, which represents \$1,671,665 in anticipated state revenue sharing and \$10,761,023 in other local revenues (except those revenues received from the state for homestead exemptions and BETE reimbursement),

With the net to be raised by local taxes.

And further be it ordered that the Approved amounts set in the following attached schedule titled CITY OF SACO FY2021 APPROPRIATION ORDER shall become a part of the City Clerk's records and shall designate the form of the City of Saco Budget for Fiscal Year 2021 as authorized under Section 6.04 of the Charter of the City of Saco, Maine.

And further, approve those appropriations, as determined necessary and appropriate by the City Administrator or their Designee, from those special revenue funds where available and corresponding with the estimates presented for approval in the City Administrator’s budget book or as adjusted and presented to Council during the course of budget deliberations.

Further move to approve the order.

The motion passed with seven (7) yeas.

CITY OF SACO FY2021 APPROPRIATION ORDER

Department	FY2016 Actual	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Curr (as of Feb)	FY 2020 Approved	Administrator's Budget	Council Amendments	Approved Budget
Assessor	192,428	168,342	194,031	212,678	146,059	222,762	696,885	(276,355)	420,530
Building Maintenance	96,300	108,147	106,554	61,602	4,038	0	0	0	(0)
Capital Projects	3,182,046	3,709,618	3,360,656	2,900,082	4,868,742	3,107,257	5,302,002	(702,090)	4,599,912
City Administration	172,255	265,263	288,500	370,896	320,467	411,768	239,905	(17,769)	222,136
City Clerk	295,026	278,552	301,767	328,120	216,347	325,665	352,232	0	352,232
Code Enforcement	231,918	266,829	333,618	298,504	270,972	391,321	367,717	0	367,717
Communications	0	0	0	0	0	0	177,820	0	177,820
Contingency	272,968	371,854	301,728	491,655	354,533	200,958	256,000	(25,000)	231,000
Council	14,593	14,855	15,361	17,580	9,900	21,575	21,575	0	21,575
Federal Assistance	0	0	0	387,939	0	0	0	0	(0)
Finance	471,462	510,477	478,467	446,580	413,356	580,428	661,636	(10,161)	651,475
Fire/Ambulance	3,005,694	3,222,248	3,099,822	3,204,736	2,327,616	3,401,717	3,785,099	(218,584)	3,566,515
Fringe Benefits	3,509,179	3,429,039	3,722,906	3,828,966	2,755,451	4,117,969	4,869,303	(164,058)	4,705,245
Human Resources	0	0	140,069	179,906	150,328	215,059	225,746	0	225,746
Information Technology	551,046	386,975	430,522	527,231	302,813	376,516	356,540	(320)	356,220
Insurance	203,436	213,123	226,506	243,254	175,136	233,750	185,000	0	185,000
Overlay	0	0	0	0	0	0	360,454	(360,454)	(0)
Parks & Recreation	1,611,288	1,593,396	1,616,769	1,748,130	1,344,379	1,774,313	1,979,235	(190,214)	1,789,021
Planning & Econ Dev	366,683	336,753	391,276	407,761	315,681	402,268	261,649	(22,600)	239,049
Police Department	3,588,333	3,576,904	3,791,619	3,808,311	2,648,572	4,126,872	4,375,415	0	4,375,415
Public Works	5,322,294	5,686,708	5,425,048	5,533,073	3,600,337	5,922,380	6,027,870	10,000	6,037,870
Solicitor	216,620	143,193	165,871	115,712	139,417	144,362	157,286	0	157,286
Supported Entities	698,684	804,952	838,334	964,116	601,151	793,133	867,544	(58,800)	808,744
Transfers	1,167,942	893,824	2,516,859	67,338	8,000	8,000	8,000	0	8,000
Municipal Expenditures	25,170,195	25,981,052	27,746,283	26,144,170	20,973,295	26,778,073	31,534,913	(2,036,405)	29,498,508

G. ADOPTION OF FISCAL YEAR 2021 MUNICIPAL & SCHOOL BUDGETS – (Video recording 2:25:16 minute mark)

Councilor Minthorn moved, Councilor Purdy seconded “Be it Ordered that the City Council move to approve an appropriation order for the adoption of the Fiscal Year 2021 budget, excluding county and TIF transfers per Section 6.06 and 6.07 of the Charter of the City of Saco, Maine as follows:

Approve gross municipal expenditures of \$29,498,508 and School appropriation of \$27,700,575

Expenditures to be offset by \$12,432,688 in anticipated revenue and other credits, which represents \$1,671,655 in anticipated state revenue sharing and \$10,761,023 in other local revenues (except those revenues received from the state for homestead exemptions and BETE reimbursement). With the net to be raised by local taxes.

Further move to approve the order.

The motion passed with six (6) yeas and one (1) nay – Councilor Copeland.

XI. ADMINISTRATIVE UPDATE - (Video recording 2:27:28 minute mark)

City Administrator Bryan Kaenrath provided administrative updates.

- Councilor MacPhail – City Hall Covid-19 Appointment Set-up – Smooth Process

XII. COUNCIL DISCUSSION AND COMMENT - (Video recording 2:33:28 minute mark)

- Councilor Archer – Municipal Budget Process Thank You
- Councilor Minthorn – School Department Absentee Ballot Informational Handout
- Councilor Johnston – Municipal Budget Process Thank You & Thornton Academy Graduate Congratulations
- Councilor Archer – School Budget Absentee Ballot Informational Handout

XIII. EXECUTIVE SESSION

XIV. REPORT FROM EXECUTIVE SESSION

XV. ADJOURNMENT - (Video recording 2:39:55 minute mark)

Councilor Minthorn moved, Councilor Copeland seconded to adjourn the meeting as 9:00 p.m. The motion passed with five (5) yeas and two (2) nays – Councilors Archer and Minthorn.

Attest: _____
Michele L. Hughes, City Clerk