

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, October 5, 2020, at 6:31 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 - (Video recording 1:34 minute mark)

A. JOINT MEETING WITH SCHOOL BOARD OCTOBER 21ST

Mayor Doyle noted that the Council will be meeting with the School Board at their Wednesday, October 21st meeting. This meeting will take the place of the September meeting, so we can start the process of the next budget cycle.

➤ **ANNUAL FIRE PREVENTION WEEK**

Mayor Doyle noted that yesterday kicked off the Annual Fire Prevention Week. The theme is “serve up fire safety in the kitchen”. Cooking is the leading source of home fires in the United States.

V. COMMITTEE CORRESPONDENCE TO COUNCIL - (Video recording 3:39 minute mark)

- Councilor MacPhail - Coastal Resiliency Committee – Had first kick-off meeting in September. We were joined by the Waste Water Resource Dept. And members of the EPA. Working on setting goals. Dyer Library Book Sale is still ongoing during regular business hours of the library until further notice. The museum store is also stocked with lots of seasonal gifts now.
- Councilor Minthorn – Transit Committee – The new turnpike coaches will be arriving any day now. Will be retrofitted with electronics and communications gear and ready to serve Zoom customers in early November. Smart Phone and Smart Card electronic fare system in now being used. Will be installing the electric charging stations behind the Saco Transportation Center for the electric buses than will be arriving at the end of the next calendar year.

VI. PUBLIC COMMENT - (Video recording 6:25 minute mark)

- Councilor Purdy – E-mail from Nicol Tiffit, Rocky Hill Road, in support of the SMS Saco Valley Land Trust land purchase. Also received a letter of support from Susan Littlefield of the Saco Valley Land Trust.
- Melissa Field, 160 Bradley Street, Member of the Conservation Commission – Support the use of the open space fund to support the students at Saco Middle School for the purchase of land mentioned earlier.
- Zach Arsenaunt, 166 McKenney Road – Thank you for passing the Climate Emergency Declaration and Supports the Saco Middle School Land Purchase.
- Abigail Lizotte, Resident of Dayton, Student at Saco Middle School - Supports the conservation project.
- Nicol Tiffit, Rocky Hill Rd – Discussed the land that is looking to be preserved and how it would link to other trails.
- Heather Leeman-Kenyon, Scarborough Resident – In support of the conservation land that the Saco Middle School students are attempting to acquire.
- Becky Anderson, Teacher at Saco Middle School – A vote to promise a contribution from the open space fund would open up a grant and other money raising opportunities for the students.

VII. APPROVAL OF MINUTES

VIII. CONSENT AGENDA - (Video recording 24:10 minute mark)

Councilor Minthorn moved, Councilor MacPhail seconded to approve consent agenda items #A and #B as follows:

- A. MASSAGE THERAPIST LICENSE APPLICATION: JILL DENNISON** - “Be it Ordered that the City Council grant Jill Dennison a Massage Therapist License in accordance with the Codes of the City of Saco, Chapter 138”. Further move to approve the Order.
- B. APPLICATION FOR A SOLID WASTE PERMIT – CASELLA D/B/A PINE TREE WASTE SERVICES & BBI WASTE INDUSTRIES** - “Be it Ordered that the City Council grant the renewal application for a Solid Waste Permit as submitted by Casella d/b/a Pine Tree Waste Services & BBI Waste Industries”. Further move to approve the Order.

The motion passed with seven (7) yeas.

IX. ACTION ITEMS

- A. EXTENTION OF OUTDOOR RETAIL AND RESTAURANT OPERATIONS - (COVID 19 TEMPORARY POLICY)** - (Video recording 25:31 minute mark)

Councilor Purdy moved, Councilor Copeland seconded “Be it Ordered that the City Council extends the Outdoor Retail and Restaurant Operations (Covid-19 Temporary Policy) as outlined in the Economic Development Specialist’s memo dated May 28, 2020”. Further move to approve the Order. The motion passed with seven (7) yeas.

- A. SACO MIDDLE SCHOOL LAND PURCHASE** - (Video recording 31:22 minute mark)

Councilor Copeland moved, Councilor Minthorn seconded “Be it Ordered that the City Council authorize the payment of 50% (or \$35,000) of the \$70,000) of the funds needed for the Saco Middle School to purchase conservation land, to be paid once Saco Middle School has raised their half of the \$70,000 (or \$35,000).

Mayor Doyle noted that this is a budget amendment and requires a 3 meeting process.

City Administrator Bryan Kaenrath clarified that the money would come out of the general fund and not the open space fund.

Amendment – Councilor Copeland moved, Councilor Minthorn seconded to include that this be set for moving the process forward and having a Public Hearing on October 19th. The motion passed with seven (7) yeas.

Mayor Doyle called for a vote on the main motion as amended. The motion passed with seven (7) yeas.

X. NEW BUSINESS

- A. UPDATE TO CITY VEHICLES POLICY** - (Video recording 52:32 minute mark)

City Administrator Bryan Kaenrath provided a brief overview of the city vehicle policy.

- B. TAX WRITE-OFFS FOR FY2020** - (Video recording 55:02 minute mark)

Finance Director Glenys Salas reviewed the miscellaneous accounts receivable write-off's for fiscal year 2020.

- C. DISPOSITION OF FORECLOSED PROPERTY** - (Video recording 1:02:25 minute mark)

Finance Director Glenys Salas reviewed the real estate foreclosed property list.

- D. MILL BROOK PARK COVENANTS AMENDMENT CONSIDERATION** - (Video recording 1:04:48 minute mark)

Planning& Economic Development Director Denise Clavette and Economic Development Specialist Jessa Berna reviewed the Mill Brook Park Covenants Amendment consideration and whether the council wants to consider amendments at all.

XI. ADMINISTRATIVE UPDATE - (Video recording 1:19:21 minute mark)

City Administrator Bryan Kaenrath provided administrative updates.

XII.COUNCIL DISCUSSION AND COMMENT

XIII. EXECUTIVE SESSION - (Video recording 1:24:18 minute mark)

Councilor Minthorn moved, Councilor MacPhail seconded “Be it Ordered that the City Council enter into executive session, pursuant to [M.R.S.A. Title 1, Chapter 13, Subchapter 1, §405(6)]: (E) - Pending Legal Matter”. The motion passed with seven (7) yeas. Time: 7:55 p.m.

XIV.REPORT FROM EXECUTIVE SESSION - (Video recording 3:16:09 minute mark)

Mayor Doyle, City Councilors: Archer, Purdy, Gunn, Copeland, Minthorn, MacPhail, Johnston, and City Administrator Kaenrath were all present.

Councilor Minthorn moved, Councilor Archer seconded “Be it Ordered that the City Council exit executive session, pursuant to [M.R.S.A. Title 1, Chapter 13, Subchapter 1, §405(6)]: (E) Pending Legal Matter”. The motion passed with seven (7) yeas. Time: 9:47 p.m.

Councilor Minthorn moved, Councilor Copeland seconded “Be it Ordered that the City Council hereby authorizes the City Administrator and cities Legal Counsel to take all necessary action to settle the pending litigation with Bayview Estates LLC versus the City of Saco Superior Court Docket #AP-2020-02, subject to the following terms: 1) The city through its Code Enforcement Officer shall provide a letter to Bayview Estates LLC or its successor in interest confirming the subject property may be developed with 2 single family homes under the current provisions of the Zoning Ordinance; 2) The city shall pay Bayview Estates LLC \$17,000 to reimburse the plaintiffs costs of litigation to date;. 3) In return for the cities action set forth in #1 and #2, Bayview Estates LLC shall dismiss an impending appeal. The motion passed with four (4) yeas and three (3) nays – Councilors Archer, Gunn, and Johnston.

XV. ADJOURNMENT - (Video recording 3:19:49 minute mark)

Councilor Minthorn noted that the Ecology School and Atlantic Sea Farms made the cover of MaineBiz.

Councilor Minthorn moved, Councilor Copeland seconded to adjourn the meeting. The motion passed with seven (7) yeas. Time: 9:51 p.m.

Attest: _____
Michele L. Hughes, City Clerk