

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, August 17, 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 (Excused from the meeting at 9:31 p.m.). City Administrator Bryan Kaenrath was also present this evening.

III. PLEDGE OF ALLEGIANCE

IV. GENERAL

A. REVIEW COUNCIL SCHEDULE - (Video recording 7:25 minute mark)

Mayor Doyle reviewed the proposed council meeting schedule for moving forward into September as follows: September 14th, 21st, & 28th.

V. COMMITTEE CORRESPONDENCE TO COUNCIL - (Video recording 9:45 minute mark)

- Councilor Minthorn – Shuttle Bus Transit Meeting – Scheduled deliveries are all moving forward and Transit is looking forward to renewing the lease at the Train Station. Ridership is increasing slowly.
- Councilor Gunn – Historic Preservation Commission - Thank you letter from HPS Chair Kelley Archer to all the volunteers helping with the Rendezvous Point Burial Ground project to make it a success. HPC is continuing to work on the Maine Historic Preservation Grant approval.
- Councilor Copeland – Saco Shoreline Commission – Voted at a meeting to send this to council. Comments on the PPA Models provided by the United States Army Corps of Engineers. Concern remains about the beach damage beyond the Army Corps of Engineers defined project area.

VI. PUBLIC COMMENT - (Video recording 24:04 minute mark)

City Administrator Bryan Kaenrath received public comments as follows:

- Nancy Phillips, 2 Chantelle Way – Animal Control Policy –Concerned about a recent incident in front of Saco Middle School where 2 unleashed dogs attacked a woman and her leashed pet. Concerned about safety of SMS students. Ms. Phillips objects to under voice command being in the Animal Control Policy.
- Superintendent of Schools Dominic DePatsey - Dog attack incident on June 5, 2020 at Saco Middle School – Staff was traumatized by the event and what they witnessed and are very concerned with the safety of students, parents, and community members.
- Barbara Labrecque, 5 Chantelle Way – Dog attack incident on June 5, 2020 at Saco Middle School – Concerned about the safety of students and residents.

VII. APPROVAL OF MINUTES - (Video recording 28:54 minute mark)

Councilor Minthorn moved, Councilor Purdy seconded to approve the minutes of the August 3, 2020 council meeting. Mayor Doyle called for a vote on the motion. The motion passed with five (5) yeas and two (2) nays – Councilors Copeland and Johnston.

VIII. CONSENT ITEMS - (Video recording 31:00 minute mark)

Councilor Minthorn moved, Councilor MacPhail seconded to approve consent agenda items #A and #B.

Councilor Copeland moved, Councilor Johnston seconded to pull item #A – Biddeford Saco Old Orchard Beach Transit Lease Approval from the consent agenda. The motion passed with six (6) yeas and one (1) nay – Councilor Minthorn. This item was added to the end of the Action Items as letter #F.

Mayor Doyle called for a vote on the motion to approve consent agenda item #B. The motion passed with seven (7) yeas.

IX. ACTION ITEMS

A. RENEWAL APPLICATION FOR A SPECIAL ENTERTAINMENT PERMIT – TOWNHOUSE PUB – (PUBLIC HEARING) - (Video recording 35:35 minute mark)

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

There were no public comments.

Councilor Johnston moved, Councilor Minthorn seconded to close the Public Hearing and “Be it Ordered that the City Council grant the renewal application submitted by Townhouse Management Inc. d/b/a Townhouse Pub 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. PROPOSED I-2 ZONING AMENDMENT – LARGE COMMERCIAL VEHICLE SALES AND SERVICE USE – (FIRST READING) - (Video recording 38:47 minute mark)

Councilor Johnston moved, Councilor Minthorn seconded to approve the First Reading and schedule a public hearing on September 14, 2020 regarding the following order, in substantially the same form as presented: “Be it ordered that the City Council accept the new permitted use in the I-2 Zoning District of Large commercial vehicle sales and service: An establishment primarily for the sale of new and used specialized vehicles and/or construction equipment, all larger than 10,000 pounds gross vehicle weight rating, including but not limited to mobile cranes, earth moving equipment, fire and rescue apparatus, drivable RV’s, and semi-tractor trailer trucks. This use includes repair, manufacturing, fabrication and assembly, but does not include the processing or storage of raw materials or salvaging operations”. The motion passed with seven (7) yeas.

C. CHAPTER 81 REVIEW: 2 MARGUERITE ROAD – (FINAL READING) - (Video recording 48:05 minute mark)

Councilor Purdy moved, Councilor Gunn seconded to approve the final reading for the following order, in substantially the same form as presented: ‘Be it ordered that the City Administrator is hereby authorized to execute sale of approximately 10,000 square feet of land for assessed land valuation, with buyer covering all associated fees, and to execute all necessary documents to donate specified portion of land of 2 Marguerite Road to the Habitat for Humanity.’

Table – Councilor Johnston moved, Councilor Archer seconded to table this item. The motion failed with two (2) yeas and five (5) nays – Councilors Purdy, Gunn, Copeland, Minthorn, and MacPhail.

Amendment – Councilor Johnston moved to strike assessed land value and instead inset \$6,000. The motion was not considered due to the lack of a second.

Amendment – Councilor Johnston moved, Councilor Copeland seconded to amend that after following Habitat for Humanity that we set the conditions on the donation of the following: All new single family homes that are built will have residential sprinkler systems installed prior to issuance of an occupancy permit, and any future driveway access be off Marguerite Road. Further move that the proceeds from the sale of approximately 10,000 sq. ft. of land be deposited as follows: \$3,000 to be donated to Habitat for Humanity for use towards the cost of installing a residential sprinkler system with the remaining to be deposited to Parks & Recreation for the upkeep of the Boothby Park playground.

Amendment to the Amendment – Councilor Johnston moved, Councilor MacPhail seconded to withdraw the driveways off Marguerite Road condition. The motion passed with six (6) yeas and one (1) nay – Councilor Gunn.

Mayor Doyle called for a vote on the amendment as amended. The motion failed with three (3) yeas and four (4) nays – Councilors Archer, Purdy, Gunn, and Minthorn.

Amendment – Councilor Johnston moved, Councilor Copeland seconded that the entire proceeds go to Habitat for Humanity. The motion passed with four (4) yeas and three (3) nays – Councilors Archer, Gunn, and Minthorn.

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

D. AUTHORIZE THE CREATION OF A WRRD COASTAL RESILIENCY AD HOC COMMITTEE - (Video recording 1:59:01 minute mark)

Councilor MacPhail moved, Councilor Minthorn seconded “Be it Ordered that the City Council authorize the creation of an Ad Hoc WRRD Coastal Resiliency Committee and allow the Mayor to appoint members, with Council’s approval, to the committee as necessary”. The motion passed with seven (7) yeas.

E. AUTHORIZE THE CREATION OF AN ARTS COMMISSION - (Video recording 2:03:05 minute mark)

Councilor MacPhail moved, Councilor Copeland seconded “Be it Ordered that the City Council authorize the creation of an Arts Commission and allow the Mayor to appoint members, with Council’s approval, to the commission as necessary”. The motion passed with seven (7) yeas.

F. BIDDEFORD SACO OLD ORCHARD BEACH TRANSIT LEASE APPROVAL - (Video recording 2:06:32 minute mark)

Councilor Minthorn moved, Councilor Archer seconded “Be it Ordered that the City Council authorize the City Administrator to enter a lease agreement with Biddeford, Saco, Old Orchard Beach Transit for use of the office space at the Transportation Center.” Further move to approve the Order.

Amendment – Councilor Copeland moved, Councilor Minthorn seconded to amend the lease as follows:

- P. 4 #6 Renewal Option – Strike the words “will consult” and replace with “agree to consult with each other”
- P. 4 #7 Common Area Cleaning and Supplies - Last sentence strike the word “by” and replace with “for”;
- P. 9 #25 No Smoking Policy – add “per Ordinance”.

Table – Councilor Purdy moved, Councilor Archer seconded to table the motion until September 14th, 2020. The motion passed with six (6) yeas and one (1) nay – Councilor Minthorn.

X. NEW BUSINESS

A. LOCAL OPTIONS SALES TAX SUPPORT MEMO - (Video recording 2:18:55 minute mark)

Mayor Doyle and Councilors discussed the pros and cons of a local option sales tax.

Mayor Doyle called for a 10 minute recess at 8:48 p.m.

Mayor Doyle reconvened the meeting at 8:58 p.m.

B. JUNE BUDGET REVIEW - (Video recording 2:42:37 minute mark)

Finance Director Glenys Salas reviewed the expenditures and revenues.

C. UNACCEPTED PORTION OF BERRY ROAD FOLLOW-UP - (Video recording 3:04:20 minute mark)

Councilor Johnston was excused from the meeting at 9:31 p.m.

City Planner Emily Cole-Prescott, Public Works Director Patrick Fox, and Code Enforcement Officer Richard Lambert were available to answer council questions.

XI. ADMINISTRATIVE UPDATE - (Video recording 3:08:48 minute mark)

City Administrator Bryan Kaenrath provided administrative updates.

XII. COUNCIL DISCUSSION AND COMMENT

XIII. EXECUTIVE SESSION

XIV. REPORT FROM EXECUTIVE SESSION

XV. ADJOURNMENT - (Video recording 3:17:22 minute mark)

Councilor Minthorn moved, Councilor Archer seconded to adjourn the meeting at 9:43 p.m. The motion passed with six (6) yeas.

Attest: _____
Michele L. Hughes, City Clerk

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