

STATE OF MAINE

COUNTY OF YORK

CITY OF SACO

I. CALL TO ORDER – On Monday, June 20, 2016 at 7:00 p.m. a Council Meeting was held in the City Hall Auditorium.

II. RECOGNITION OF MEMBERS PRESENT –Mayor Roland Michaud recognized the members of the Council 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. GENERAL

V. PUBLIC COMMENT – 2 People

➤ Norman Davidson, Watson Mill Rd – Mr. Davidson wrote a letter 9 months ago to the Council about Herbicides & Pesticides – He is looking for an answer to the letter as to whether or if the City Council will do anything about acting on pesticides and herbicides used within the municipal boundaries of the City of Saco. In Maine there are 20 municipalities that either have or are working on passing legislation which restricts certain pesticides and herbicides within their municipal boundaries. He is concerned about the people surrounded by the areas in which they are used. City Administrator Kevin Sutherland stated that a response to the letter had been sent out and that he would resend it to Mr. Davidson and also have the city look into this further.

➤ Barbara Colman, 45B Stockman Ave. - #1 – In the Fall/Winter the Council approved a new speaker system and new microphones that were supposed to be on your lapels which would make it much easier for all to hear. What happened to why you did not get those lapel microphones? #2 – I attended a meeting last week on the Stackpole Bridge and we were informed there would be an update as to the preservation and historical society as to whether they could approve the plans that would be put forth for the way they were going to construct the bridge because they couldn't put the pylons in place the way they had it. Have we received a decision from the Historical Preservation to proceed forward with the construction of the bridge? Mayor Michaud replied that the city had received a letter and the bridge will not be considered historical. The construction standards being applied to the bridge negates the ability to consider it a national historic bridge because it was based on the construction style originally. The standard of the bridge has been designed and the construction will be beginning in the near future. Several Councilors had concerns after hearing this new information.

VI. AGENDA

A. K-9 RETIREMENT AND TRANSFER OF PROPERTY

K-9 Ranger has been a member of the Saco Police Department since January of 2009. He has been teamed with Officer Nic Stankevitz for that entire period of time. Ranger. Ranger is at retirement age (I know, two in two weeks!) and we are beginning the process to replace him.

It is customary when a police K-9 retires to allow the handler to adopt him. As K-9 Ranger has lived with Nic and his family during his tenure with the City, we desire to make this transfer of ownership official. Once the transfer has been accomplished, Officer Nicholas Stankevitz will assume responsibility for all bills and liability concerning Ranger.

The City Council discussed this item at Workshop on June 13, 2016

Councilor Gay moved, Councilor Doyle seconded “Be it Ordered that the City Council does hereby approve the transfer of police K-9 Ranger, a Belgian Malinois Shepherd to Officer Nicholas Stankevitz” Further move to approve the order. The motion passed with seven (7) yeas.

B. MAIN STREET UPDATES

Saco Main Street Executive Director Rob Biggs presented the activities since February:

We have done a quick redesign our webpage to good reviews, making it more up to date and user friendly. We are now undergoing a complete overhaul to make the Saco Main Street page a useful tool for our organization and the City to communicate to all the folks in Saco.

Our Facebook Page has almost doubled in followers in the last 14 weeks and I hope that you have been following our “If you don’t know.... You don’t know Saco Main Street.” This series is designed to bring a human face to downtown and has highlighted both merchants and our City staff. It has been hugely popular and many of the subjects have reached out to thank me.

As you may have noticed we have installed 68 US and Main flags the length of Main Street from the Saco River to Beach Street. This was designed to identify that our downtown district starts at the river and not at the railroad tracks. You will soon see 30 individually painted Adirondack chairs along our Main Street. These chairs have been sponsored by local businesses and individuals, decorated by local artists and will be displayed through Labor Day when we will hold an auction as a fundraiser to continue our mission.

Late last month the organizers of the Biddeford Ball, Roxi Suger and Julian Schlaver of Angelrox, came to me and said they had a challenge with the venue that they were planning on in Biddeford and asked if we could help them find a home for their event in Saco this year. After some discussion and explanation, the developer of the Saco Mill Building #4, Eric Chinburg and his team has agreed to stage the ball in 15,000 square feet of the mill building. I want to pause and tell you that the Chinburg team led by Eric and Jen Chinburg and Matt Assia just didn’t open their doors for us, they literally added more doors and stairs for access/egress, altering their building schedule and completed the construction of the space that was the home of this premier event in record time. None of this could not have happened without the cooperation and problem solving collaboration with Dick Lambert, Fire Chief John Duross, Deputy Fire Chief Dave Pendleton and Deputy Police Chief Ray Demers. Thank you.

This event occurred on Saturday and was a tremendous success in terms of community building, fundraising for charity, and fun-raising. The Biddeford Ball has raised over \$50 thousand in the last two years that was given to charities and public projects here in Saco and Biddeford. This year their charitable giving will focus on child hunger and the numbers are similar.

The 46th Saco Main Street Art Festival will be held this Saturday on June 25th. This year we have a new sponsor Shaheen & Gordon. They contacted us and said they wanted to get involved with Saco and Main Street and I want to thank them for their interest in investing in Saco.

I have been working with the Dyer Library and Saco Museum and we will be staging a summer free music series starting July 7th for 6 consecutive Thursdays from 6:00 – 8:00 PM showcasing a wide variety of music and performers from acoustical folk to the glittering 80’s. We will have three non-profits a night selling a variety of refreshments. This is designed to bring different demographics from the community together in a night of community. We thank the Dyer Library and Saco Museum for their collaboration, participation in, and support of this effort.

On July 30th once again we will be staging the 7th Annual Classic Car show. The car show Committee headed up by Mike Trembley and Ann Lonergan have done another masterful job of putting a great event together.

In September we are partnering with our sister organization across the river the Heart of Biddeford to produce RiverJam: Two Cities One River on September 17th. This year we will have day time activities with a KidsZone, more involvement with the river and four great bands in the evening headlined by the Rustic Overtones and the Mallet Brothers.

To the Harvest Festival we will be bringing back the pumpkins in a big way, adding bed races, and the World Rock, Paper, Scissors Championship. Yes, you heard that right – start practicing!

For the Holiday Festival I want to have more daytime events, as well as, enlarge and enhance the Light Parade. Details later.

We're not just about events. In addition to the events, Saco Main Street is working with an Eagle Scout candidate, William Morris, to rehabilitate Jubilee Island and the covered bridge off Water Street, as well as, other civic groups the Riverwalk. This little jewel in Saco needs to be better utilized and can enhance our city. Although not in the Main Street district I have my eyes on raising private funds to renew and develop Diamond Park for improved public access to the fresh water side of the river.

We also have been working with businesses, most recently the Saco Bay Creamery across the street from this building helping them with new signage and publicity to enhance and grow their business which was challenged in its ramp-up by limited and adequate marketing. The owners Jan and Don McGarva have seen a significant increase in business over the last two years.

I have read and reread the Saco Bridge 2025 report many times and heard the public say they wanted more food and beverage options, casual gathering spots, parks and shopping options.

In the future I see a great Saco rising. At one time Saco was one of the top centers of activity on the northeast coast and the founding fathers with great foresight formed and built great things. It is time we dream big and execute, investing in Saco for the future leaving a legacy that our children and their children can be proud of. I see a thriving Main Street with public art, gathering places, more public space and access along the river, more food and drink establishments and live music venues.

Main Street is more than an address, it's a mindset that embraces a strong sense of community based on shared neighborly values. It's a place where handshakes, smiles, personal greetings and promises still mean something.

To quote President Kennedy, "All this will not be finished in the first hundred days. Nor will it be finished in the first one thousand days: nor in the lifetime of this Administration. But let us begin."

I can't do this all by myself, I need you and you and you and you and you and you and youThank you all for your time and support.

C. ZONING ORDINANCE AMENDMENTS – B-3 ZONE - (FIRST READING)

The City has been working with a prospect that is interested in locating its business in Saco. The company is a manufacturer, wholesaler and retailer of kayaks and canoes. Their ideal location would include direct access to water for product demonstrations and rentals. Staff has identified two potential locations, each in the B-3 zone and adjacent to the Saco River.

It is requested that the following two uses be considered for addition as Conditional Uses in the B-3 zone. Please note that the Zoning Ordinance states the B-3 zone "...permits high value business and services of the type needed within walking distance of high density residential dwellings, and which may also serve a regional financial, service or retail role."

- 1.) Amend Section 410-7 to allow "Accessory sales of goods manufactured on the premises" as a Conditional Use.
- 2.) Amend Section 410-7 to allow "Light industry" as a Conditional Use.

The Planning Board considered these issues and held a public hearing on June 7, 2016. The Board recommends that the amendments be adopted as proposed.

Councilor Cote moved, Councilor Precourt seconded "The City Council hereby Ordains and Approves the First Reading of the document titled, 'Amendments to Sections 410-7 of the Zoning Ordinance, June 20, 2016', and further moves to set the Public Hearing for July 5, 2016." Further move to approve the order. The motion passed with seven (7) yeas.

**Amendments to Section 410-7 of the Zoning Ordinance
June 20, 2016**

(New language is underlined).

410-7. B-3 DOWNTOWN BUSINESS DISTRICT

(See also special size limitations in portion of B-3 district, Section 733-1)

PERMITTED USES

- | | |
|--|---|
| 1. Multifamily dwellings | 20. Private clubs |
| 2. Elder/Disability Housing Facility and Elder/Disability Housing Facility – Limited Service (5/21/12) | 21. Health and fitness clubs (Amended 4/7/03) |
| 3. Home occupation | 22. Essential services |
| 4. Retail businesses excluding outdoor sales | 23. Public utility buildings |
| 5. Eating establishments except those listed as conditional uses and excluding drive-in service (Amended 4/7/03) | 24. Municipal uses |
| 6. Eating and drinking establishments (Amended 4/7/03) | 25. Quasi-public uses |
| 7. Business offices (Amended 4/7/03) | 26. Accessory uses |
| 8. Professional offices (Amended 4/7/03) | 27. Funeral homes |
| 9. Offices of contractors and tradesmen (Amended 4/7/03) | 28. Any use permitted in the Resource Protection District |
| 10. Financial institutions | 29. Bed and breakfast establishments (Amended 9/5/85) |
| 11. Business services | 30. Home babysitting service (Amended 8/1/88) |
| 12. Personal services (Amended 12/5/94) | 31. Day care home (Amended 8/1/88) |
| 13. Repair services (Amended 4/7/03) | 32. Day care center (Amended 8/1/88) |
| 14. Artist or craftsperson studios (Amended 4/7/03) | 33. Single family dwellings (Amended 4/3/89) |
| 15. Reserved (Amended 3/1/10) | 34. Two family dwellings (Amended 4/3/89) |
| 16. Tourist homes | 35. Adult day care center, Type 1 and 2 (Amended 7/1/91) |
| 17. Health care clinics for humans (Amended 4/7/03) | 36. Nursery School (Amended 7/6/93) |
| 18. Places of Worship (Amended 7/16/12) | 37. One accessory apartment in a single family dwelling (Amended 10/20/08) |
| 19. Commercial schools | 38. Drive-in windows are permitted only in association with financial institutions (Amended 3/1/10) |

CONDITIONAL USES

1. Commercial recreation
2. Indoor recreation (Amended 4/7/03)
3. Fast food restaurants, excluding drive through service (Amended 4/7/03)
4. Elder/Disability Care Facility – Full Service (5/21/12)
5. Drinking establishments (Amended 3/7/94; 4/7/03)
6. Commercial parking lots
7. Marinas (Amended 10/16/85)
8. Water recreation including piers, docks and boathouses related thereto (Amended 10/16/85)
9. High Voltage Transmission Lines (Amended 12/15/08)
10. Hotels and motels (Amended 3/1/10)
10. Registered dispensary (Amended 7/19/10)
11. Registered dispensary, grow-only (Amended 7/19/10)
12. Registered dispensary, non-growing (Amended 7/19/10)
13. Accessory sales of goods manufactured on the premises
14. Light industry

D. ZONING ORDINANCE AMENDMENTS: I-1 ZONE – (FIRST READING)

The City has been working with a prospect that is interested in locating its contracting business to Saco Industrial Park – specifically at 71 Industrial Park Road. Currently, this use is permitted in the I-3 (Mill Brook Business Park) Zone but not in the I-1 (Saco Industrial Park) Zone. All equipment for a contracting business must be either screened by a tree line, hedge row, other acceptable screening or kept inside a building in either zone.

Given the intention that the Mill Brook Business Park be focused on attracting clean, green or light manufacturing businesses it is requested that the following two amendments be considered:

1.) Amend Section 410-11 to allow “Contractors” as a permitted use.

2.) Amend Section 410-13 to change “Contractors” from a permitted use to a conditional use.

The Planning Board considered these issues and held a public hearing on June 7, 2016. The Board recommends that the amendments be adopted as proposed.

Councilor Doyle moved, Councilor Minthorn seconded “The City Council hereby Ordains and Approves the First Reading of the document titled, ‘Amendments to Sections 410-11 and 410-13 of the Zoning Ordinance, June 20, 2016’, and further moves to set the Public Hearing for July 5, 2016.” The motion passed with seven (7) yeas.

**Amendments to Sections 410-11 and 410-13 of the Zoning Ordinance
June 20, 2016**

(New language is underlined).

410-11. I-1 INDUSTRIAL PARK DISTRICT

(Amended 8/1/88, 11/17/88, 3/2/92, 7/6/93, 11/7/94, 2/19/02)

PERMITTED USES

- | | |
|---|--|
| <ol style="list-style-type: none">1. Hotels and motels2. Supply Yards3. Parking Lots as an accessory use to abutting lots in the B-6 zone4. Off-site parking for uses located within the district (Amended 11-7-94)5. Health Club6. Financial Institutions7. Business offices8. Business services9. Hospitals and Clinics for humans10. Research and testing labs11. Wholesale trade and warehousing12. Distribution | <ol style="list-style-type: none">13. Truck Terminal14. Light Industry15. Any use permitted in the Resource Protection District16. Essential services17. Accessory uses18. Municipal Uses19. Public Utility Buildings20. Public and private schools21. Commercial schools22. Nursery School23. High Voltage Transmission Lines (Amended 12/15/08)24. <u>Contractors</u> |
|---|--|

CONDITIONAL USES

1. Heavy Industry
2. Recycling Center
3. Waste Composting Facility
4. Day Care Center
5. Wireless Telecommunication Facilities (Amended 10/21/02)
7. Registered dispensary, grow-only (Amended 7/19/10)
8. Addiction Treatment Facility (Amended 12/6/10)

410-13 I-3 LIGHT INDUSTRIAL BUSINESS PARK DISTRICT (Amended 2/19/02; 4/7/03)

PERMITTED USES

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. Hotels and motels 2. Accessory retail sales of goods manufactured on the premises 3. Eating establishments (Amended 4/7/03) 4. Eating and drinking establishments (Amended 4/7/03) 5. Accessory food service facilities 6. Financial institutions 7. Business offices 8. Offices of tradesmen or contractors 9. Business services 10. Repair services 11. Research and testing laboratories/labs 12. Wholesale trade and warehouses 13. Contractors 14. Light industry 15. Any use permitted in the Resource Protection District 16. Essential services 17. Accessory uses 18. Municipal uses 19. Public utility buildings | <ol style="list-style-type: none"> 20. Quasi-public uses 21. Public parks and playgrounds 22. Public schools 23. Private schools 24. Commercial schools 25. Nursery schools 26. Day care centers 27. Agriculture 28. High Voltage Transmission Lines (Amended 12/15/08) |
|---|--|

CONDITIONAL USES

1. Automobile dealers
2. Indoor recreation/amusement centers
3. Health and fitness clubs
4. Distribution facilities
5. Radio & TV transmission towers
6. Wireless Telecommunication Facilities (Amended 10/21/02)
7. Registered dispensary, grow-only (Amended 7/19/10)
8. ~~Contractors~~

STACKPOLE BRIDGE

Councilor Minthorn moved that with the loss of the Historic Preservation designation he would like to revisit this discussion in light of the new information and recall December’s vote that approved additional funding for the restoration project as the proposed design was fraught with excess cost to the city that we don’t need to have.. Mayor Michaud stated that the motion wouldn’t be considered because the item was not on the agenda..

VII. EXECUTIVE SESSION

Councilor Johnston moved, Councilor Precourt seconded “Be it Ordered that the City Council, Pursuant to [M.R.S.A. Chapter 105, Subchapter 8, §841 (2)] (E) Hardship or Poverty and Pursuant to[M.R.S.A. Chapter 18, Subchapter 1, §405 (6)] move to enter into Executive Session to discuss: (D) Labor Negotiations for Teamsters Local 340, and (C) Acquisition of Real Property and Disposition of Publicly Held Property” The motion passed with seven (7) yeas. TIME: 7:35 p.m.

VIII. REPORT FROM EXECUTIVE SESSION

Councilor Minthorn moved, Councilor Doyle seconded to move from the Executive Session. The motion passed with unanimous consent. TIME: 9:42 p.m.

Mayor Michaud recognized the members of the Council 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.

There were no reports this evening.

IX. ADJOURNMENT

Councilor Minthorn moved, Councilor Doyle seconded to adjourn the meeting. The motion passed with unanimous consent. TIME: 9:45 p.m.

Attest: _____
Michele L. Hughes, City Clerk