

STATE OF MAINE

COUNTY OF YORK

CITY OF SACO

I. CALL TO ORDER – On Monday, April 1, 2019 at 6:31 p.m. a Council Meeting was held in the City Hall Auditorium.

II. RECOGNITION OF MEMBERS PRESENT – Mayor Marston Lovell recognized the members of the Council and determined that the Councilors present constituted a quorum. Councilors present: Marshall Archer, Roger Gay, William Doyle, Lynn Copeland, Alan Minthorn, Micah Smart, and Nathan Johnston. City Administrator Kevin Sutherland and City Clerk Michele Hughes were also present this evening.

III. PLEDGE OF ALLEGIANCE

IV. GENERAL

➤ **RECOGNITION OF IRA ROSENBERG PASSING**

Mayor Lovell recognize the passing of Saco businessman Ira Rosenberg who passed away a couple days ago.

➤ **RECOGNITION OF MUNICIPAL STAFF PRESENT**

Mayor Lovell recognized the many staff members that were present this evening.

V. PUBLIC COMMENT

- Stephen Shiman, School Liaison – We had a meeting last Wednesday and approved all principals and kept the status quo for all other positions. We are looking forward to a week from Wednesday to the joint session with council to go over the budget that we submitted to you. I will also say that our business manager Jason has been very open to questions that you may have. I do suggest that you bring them up with him before then. We have tried to think this through very carefully but mainly we want the communications to be good. Anything that is on your minds, bring up. I'm looking to this process of working with you on this.
- John Harkins, 4 Christopher Terrace – I want to commend the staff for the excellent job on the website. It will take a little bit getting used to. I'm a little bit concerned about the TIF with the encumbrance in FY2018 budget and the approval occurred in the FY2019. I'm not sure this is a legal process. Also, tonight on the executive session, what is it about? Usually it is identified as a real estate matter or personnel matter etc. and it seems to be amiss. Then purchasing last week. I commented about omitting. There was no way of impugning that I didn't feel satisfied with the contract or the contents of that contract. It just occurs to me that if the administrator has unlimited authority to go out and waive or do not bid on any items that come under the prevue of council then this could lead to abuse. We have nearly \$1 million in capital acquisitions every year that are financed over a period of time and how many of these have been out to bid? I look at the newspapers and I don't see too many of them. Just a comment. Thank you.

VI. CONSENT AGENDA

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

A. Approve Change to Maine PERS Adding COLA for Police – “Be it Ordered that the City Council approves participation in Special Plan 3C for all current and future Police Officers, for future service only. Service rendered prior to July 1, 2019 remains under Special Plan 3N for the period from July 1, 2015 through June 30, 2019 and under Special Plan 2N for the period before July 1, 2015. The City Council authorizes the City Administrator to sign the Agreement between the City of Saco and the Maine Public Employees Retirement System.” Further move to approve the Order.

B. Confirm Mayor's Appointment to the Coastal Waters Commission – Jonathan Safford – “Be it Ordered that the City Council confirm the Mayor's Appointment of Jonathan Safford as a full member of the Saco Coastal Waters Commission, for a three-year term ending on April 1, 2022.” Further move to approve the Order.

C. Confirm Mayor's Appointment to the Economic Development Commission – Steve Dupuis – “Be it ordered that the City Council confirm the Mayor's appointment of Stephen R. Dupuis as a full member of the Saco Economic Development Commission, to serve Robert Tkacik's unexpired term, ending on February 28, 2021.” Further move to approve the Order.

The motion passed with seven (7) yeas.

VII. AGENDA

A. CONSENT AGENDA ITEM A – APPROVAL OF MINUTES FOR FEBRUARY 4 AND FEBRUARY 19, 2019

Councilor Copeland moved, Councilor Johnston seconded to remove the minutes of February 4 and February 19, 2019 from the table. The motion passed with seven (7) yeas.

Councilor Copeland moved, Councilor Minthorn seconded to approve the February 4 and February 19, 2019 minutes. The motion passed with seven (7) yeas.

B. BUDGET AMENDMENT #10 – REALIGNMENT OF TIF FUND USE IN GENERAL BUDGET

As part of the FY 2019 Budget process, Council approved a use of TIF funds totaling \$474K in order to reduce the municipal mil rate and mitigate the impact of school budget increases. Initially this amount was approved as a transfer to the General Fund to cover applicable costs. Subsequent research by the new Planning & Economic Development Director has revealed that transfers into the General Fund to cover related costs are not an allowed method of expending TIF funds. Therefore, this motion reallocates applicable General Fund expenses to their corresponding TIF Funds. The net impact to the General Fund and use of surplus is zero.

Councilor Copeland moved, Councilor Minthorn seconded “Be it ordered that the City Council approves the second and final reading of Budget Amendment #10 FY2019. Further move to approve the order. The motion passed with seven (7) yeas.

City of Saco
Budget Amendment Request Form
Revenue & Appropriation
Amendment # 10 - Reallocation of TIF Uses

3/1/2019
Date

Planning & Economic Development
Department

Summary			
Change in Expenses	(\$495,348)	Change in Revenues	(\$495,348)
			Balance
			\$0

Type	Org	Object	Project	Account Name	Current Budget	Actual YTD	Adjustment Requested	Ammended Budget
Rev	10340	300962	00000	Transfer From T.I.F.	\$290,000	\$115,000	(\$290,000)	\$0
Rev	10340	300961	00000	Transfer From Downtown T.I.F.	\$184,000	\$0	(\$184,000)	\$0
Exp	10640	500409	00000	Purchase Of Land	\$667,455	\$667,455	(\$336,433)	\$331,022
Exp	10430	500425	00000	Contracted Solicitor	\$145,966	\$122,301	(\$26,295)	\$119,671
Exp	10452	500428	00000	Contracted Services	\$50,000	\$8,791	(\$15,000)	\$35,000
Exp	10660	500911	00000	Bond Interest - Facilities	\$436,706	\$259,366	(\$96,272)	\$340,434
Exp	10620	500709	00000	Bidd Saco Area Econ. Dev.	\$15,000	\$5,000	(\$15,000)	\$0
Exp	10454	500484	00000	Southern Maine Regional Plan	\$6,348	\$6,983	(\$6,348)	\$0
Rev	10340	300959	00000	Transfer From Economic Develop	\$270,000	\$0	(\$21,348)	\$248,652

Notes: This amendment eliminates the planned transfer of revenue from TIF funds in favor of re-allocating other budgeted expenses in the General fund to their more appropriate special revenue funds (mix of Economic Development fund and TIFs). Since the reduction in revenues matches the reduction in expenses, there is no net impact to the General Fund.

Finance Director certifies that funds are available:


Glenys Salas, Finance Director

3/11/2018
Date

C. BUDGET AMENDMENT #11 – UNION CONTRACT INCREASES AND OTHER PAY ADJUSTMENTS

On December 17th, 2018, Council approved union contracts for Public Safety Support, Public Works, WRRD, the

Firefighters Association, and Police Patrol & Command while in executive session. Salary changes were implemented immediately, but a budget amendment is still required to appropriate the approved funding from payroll contingency. Before preparing the amendment, Finance & HR worked together to thoroughly audit all salary lines in the FY2019 Budget to ensure final budgeted amounts were correct.

Councilor Gay moved, Councilor Johnston seconded “Be it ordered that the City Council approves the second and final reading of Budget Amendment #11.” Further move to approve the order. The motion passed with seven (7) yeas.

City Administrator noted for the record he had rewritten the item background and made it clear that the approvals are not made in executive session. They are made after executive session as required by law. So, while the background information says, “in executive session”, it was in fact approved “after it was discussed in executive session”.

Mayor Lovell called for a vote on the motion. The motion passed with seven (7) yeas.

City of Saco
Budget Amendment Request Form
Revenue & Appropriation
Amendment #11 - Union Contract Increases & Other Pay Adjustments

3/11/2019

Human Resources

Date

Department

Summary								
Change in Expense		\$0	Change in Revenues		\$0	Balance		\$0
Type	Org	Object	Project	Account Name	Current Budget	Actual YTD	Adjustment Requested	Ammended Budget
Exp	10410	500102	00000	Supervisory Wages	\$65,370	\$42,819	\$4,630	\$70,000
Exp	10410	500104	00000	Court Officers/Clerical Wages	\$95,771	\$20,936	\$205	\$95,976
Exp	10420	500103	00000	Non-Supervisory Wages	\$69,734	\$21,194	(\$69,734)	\$0
Exp	10370	500101	00000	Department Head Wages	\$128,826	\$77,894	(\$826)	\$128,000
Exp	10370	500103	00000	Non-Supervisory Wages	\$136,224	\$83,515	(\$264)	\$135,960
Exp	10390	500101	00000	Department Head Wages	\$71,845	\$44,322	(\$139)	\$71,706
Exp	10390	500103	00000	Non-Supervisory Wages	\$40,345	\$24,823	(\$8)	\$40,337
Exp	10390	500104	00000	Court Officers/Clerical Wages	\$8,524	\$6,037	\$383	\$8,907
Exp	10440	500101	00000	Department Head Wages	\$79,944	\$49,318	(\$155)	\$79,789
Exp	10440	500103	00000	Non-Supervisory Wages	\$120,643	\$69,089	\$26,646	\$147,289
Exp	10440	500104	00000	Court Officers/Clerical Wages	\$41,247	\$25,321	(\$31)	\$41,216
Exp	10440	500118	00000	Stipends	\$33,133	\$14,708	(\$6,623)	\$26,510
Exp	10380	500101	00000	Department Head Wages	\$95,976	\$58,840	(\$186)	\$95,790
Exp	10380	500102	00000	Supervisory Wages	\$61,920	\$38,199	(\$120)	\$61,800
Exp	10380	500104	00000	Court Officers/Clerical Wages	\$236,297	\$128,848	\$1,062	\$237,359
Exp	10380	500118	00000	Stipends	\$4,000	\$0	(\$4,000)	\$0
Exp	10470	500101	00000	Department Head Wages	\$102,040	\$62,557	(\$199)	\$101,841
Exp	10470	500102	00000	Supervisory Wages	\$167,110	\$103,103	(\$324)	\$166,786
Exp	10470	500104	00000	Court Officers/Clerical Wages	\$45,253	\$28,066	\$3,022	\$48,275
Exp	10470	500110	00000	Firefighter/Emt Wages	\$1,895,893	\$1,118,134	\$4,221	\$1,900,114
Exp	10374	500101	00000	Department Head Wages	\$92,880	\$57,307	(\$180)	\$92,700
Exp	10374	500103	00000	Non-Supervisory Wages	\$54,629	\$33,594	(\$629)	\$54,000
Exp	10374	500104	00000	Court Officers/Clerical Wages	\$0	\$4,560	\$19,999	\$19,999
Exp	10376	500118	00000	Stipends	\$9,000	\$2,500	(\$9,000)	\$0
Exp	10384	500101	00000	Department Head Wages	\$85,040	\$52,136	(\$165)	\$84,875
Exp	10384	500103	00000	Non-Supervisory Wages	\$116,340	\$70,300	(\$1,340)	\$115,000
Exp	10570	500101	00000	Department Head Wages	\$84,624	\$52,206	(\$164)	\$84,460
Exp	10570	500102	00000	Supervisory Wages	\$281,338	\$163,519	\$2,302	\$283,640
Exp	10570	500104	00000	Court Officers/Clerical Wages	\$38,924	\$23,622	\$1,790	\$40,714
Exp	10570	500130	00000	Laborer Wages	\$214,668	\$126,353	\$11	\$214,679
Exp	10450	500101	00000	Department Head Wages	\$90,000	\$54,470	\$3,500	\$93,500
Exp	10450	500103	00000	Non-Supervisory Wages	\$66,000	\$58,291	(\$2,001)	\$63,999
Exp	10450	500104	00000	Court Officers/Clerical Wages	\$39,674	\$24,439	(\$8)	\$39,666

Exp	10550	500103	00000	Non-Supervisory Wages	\$66,000	\$0	(\$2,000)	\$64,000
Exp	10460	500101	00000	Department Head Wages	\$101,136	\$62,010	(\$186)	\$100,950
Exp	10460	500102	00000	Supervisory Wages	\$176,639	\$108,293	(\$342)	\$176,297
Exp	10460	500104	00000	Court Officers/Clerical Wages	\$137,440	\$69,473	(\$24,635)	\$112,805
Exp	10460	500105	00000	Police Investigators	\$828,962	\$449,133	(\$168,077)	\$660,885
Exp	10460	500106	00000	Police Patrolmen	\$1,106,438	\$597,089	\$224,428	\$1,330,866
Exp	10460	500108	00000	Cross Guards/Animal Control	\$76,619	\$45,339	\$19,143	\$95,761
Exp	10464	500107	00000	Dispatcher Wages	\$570,039	\$335,389	(\$575)	\$569,464
Exp	10480	500101	00000	Department Head Wages	\$101,897	\$62,470	(\$198)	\$101,699
Exp	10480	500102	00000	Supervisory Wages	\$405,682	\$296,438	\$22,212	\$427,894
Exp	10480	500103	00000	Non-Supervisory Wages	\$129,475	\$100,646	(\$10,891)	\$118,584
Exp	10480	500104	00000	Court Officers/Clerical Wages	\$75,062	\$45,012	(\$3,506)	\$71,556
Exp	10480	500131	00000	Equipment Operator Wages	\$358,635	\$211,812	\$10,460	\$369,095
Exp	10480	500132	00000	Truck Driver Wages	\$400,674	\$239,170	\$9,931	\$410,605
Exp	10480	500133	00000	Mechanic Wages	\$234,127	\$143,195	\$61,711	\$295,838
Exp	10494	500102	00000	Supervisory Wages	\$0	\$0	\$63,860	\$63,860
Exp	10494	500103	00000	Non-Supervisory Wages	\$0	\$0	\$86,528	\$86,528
Exp	10600	500296	00000	Payroll Contingency	\$288,891	\$0	(\$259,538)	\$29,353

Notes: Human Resources and Finance collaborated to thoroughly audit our salary lines after the union contract increases were in place to ensure the salary budget lines align with final employee salary amounts. Remaining payroll contingency covers fringe benefits on new headcount.

Finance Director certifies that funds are available:



Glenys Salas, Finance Director

3/11/2019

Date

VIII. ADMINISTRATIVE UPDATE

City Administrator Kevin Sutherland's update:

- Beach Management Plan/Piping Plover Coordination – The Beach Management Plan approved by council on June 4, 2018 was required for the sand for the river dredging to be placed on the beach in Camp Ellis. As on today, April 1st we are expected to begin our monitoring for piping plovers and other migratory birds. This project was originally going to be organized by our Special Projects staff person. But, thankfully Pat Fox from Public Works and Ryan Sommer from Parks & Recreation stepped up to develop a program for year 1. After gathering information from neighboring communities and seeing if we could share a staff resource we unfortunately do not believe they can absorb this role for Saco with their current staffing. Many of the requirements of the plan will affect Parks & Recreation more than any other city department as well as the recreation and leisure activities of our residents. Per the plan we need to designate a piping plover coordinator and also the individual will be someone capable of launching a new program with the volunteer and reporting requirements to our state and federal agencies. For year 1 of this new requirement I'm designating Ryan Sommer as the piping plover coordinator. It will be a significant commitment of time and resources beyond anyone's existing day to day responsibilities. We're assuming it is 10 hours per week for the next 20-25 weeks. So, I will be looking to recognize his work with pay for this additional work load through remaining open salary positions and possibly the Bayview Parking revenues.
- Gearbots Competition - District Meet at the Saco Community Center on April 6th. The coaches and their teams meet once a week from January through early-April. They currently have teams meeting in Lewiston, Massabesic, Portland, Raymond, Saco, Windham, Wiscasset, and Yarmouth, with 4-6 kids per team.
- Budget on Website - Emily created a quick link to budget documents on the website. The city is also seeking budget questions from residents. They can be submitted by filling out a paper form, online or by Facebook. Questions will be answered prior to the budget workshops and posted on the webpage and shared during the administrative update.

IX. COUNCIL DISCUSSION AND COMMENT

- Councilor Copeland – Saco Main Street Event this past Weekend. The event was well attended. They had a cornhole tournament and other games. Hope they made allot of money. It was a lovely event.

- Councilor Minthorn – We are on a 3rd redesign of our website. Thank you to Emily for doing a great job. She is quick to make recommended changes to the website as well.

X. EXECUTIVE SESSION

Councilor Copeland moved, Councilor Johnston 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) Consultation with Counsel regarding a memorandum from an attorney regarding Camp Ellis.” The motion passed with seven (7) yeas. Time: 6:56 p.m.

XI. REPORT FROM EXECUTIVE SESSION

Mayor Lovell, Councilors: Archer, Gay, Doyle, Copeland, Minthorn, Smart, Johnston and the City Administrator were all present.

Councilor Mnthorn moved, Councilor Gay seconded to come out of executive session. The motion passed with seven (7) yeas. Time: 8:17 p.m.

Councilor Minthorn moved, Councilor Copeland seconded the City Council hereby authorizes the City Administrator to send a revised letter to the ACOE regarding the Saco River & Camp Ellis Beach Shore Damage Mitigation Project. The motion passed with seven (7) yeas.

Councilor Minthorn moved, Councilor Smart seconded the City Council hereby authorizes our Mayor, Marston Lovell, to communicate with our neighboring Councils to request support from all Saco Bay communities to facilitate leverage with the State of Maine with the ACOE. The motion passed with six (6) yeas and one (1) nay – Councilor Copeland.

XII. ADJOURNMENT

Councilor Johnston moved, Councilor Smart seconded to adjourn the meeting at 8:19 p.m. The motion passed with seven (7) yeas.

Attest: _____
Michele L. Hughes, City Clerk