

**WESTBROOK CITY COUNCIL
COMMITTEE OF THE WHOLE MEETING MINUTES
THURSDAY FEBRUARY 21, 2019
WESTBROOK HIGH SCHOOL, ROOM 114**

CALL TO ORDER

Meeting called to order at 6:30pm by Councilor Lynda Adams.

City Councilors Present: Lynda Adams (Ward 5); Victor Chau (Ward 2); Michael T. Foley (At-Large); Ann E. Peoples (At-Large); Brendan Rielly (Ward 1); Gary Rairdon (Ward 4, President)

City Councilors Absent: Anna A. Turcotte (Ward 3, Vice President)

Other City Officials Present: Jerre Bryant (City Administrator); Stephen Fields (Assistant City Administrator/Director of Human Resources); Jennie Franceschi (Director of Planning & Code Enforcement); Angela Holmes (City Clerk); Katherine Kelley (Wastewater Division Supervisor); Arty Ledoux (Public Services Operations Manager); Ashley Rand (Deputy City Clerk); Michael Sanphy (Mayor)

LAND USE ORDINANCE AMENDMENTS

Committee Chair Adams gave the floor to Ms. Franceschi to present the following proposed Land Use Ordinance amendments:

1. Business Professional Office District

City Council approved the rezoning of several parcels on outer Stroudwater Street from Business Professional Office District to other classifications. The Land Use Ordinance now needs to be amended to be consistent with the recent zoning map changes. The proposal is to strike this language entirely, as there are no longer any parcels in the City with this designation.

Motion to refer these changes as presented to City Council for action.

Moved by Councilor Foley, seconded by Councilor Peoples.

Committee Chair Adams opened the floor for comments. The following individuals spoke: Councilor Rielly, Ms. Franceschi, Mr. Bryant

Motion carried by a show of hands. None opposed.

**2. Section 278, Village Review Overlay Zone Committee
Section 403, Village Review Overlay Zone**

The proposal for Section 278 would establish a Village Review Overlay Zone Committee. The committee currently exists in practice, but the language to establish the committee was never codified. The proposal for Section 403 identifies and clarifies the role of the VROZ Committee within the Land Use Ordinance specifically regarding demolition permits and would streamline signage review in the downtown district. Smaller scale projects in the downtown would be referred to the VROZ Committee for review, and the Committee would meet on an as-needed basis to make a recommendation for approval or denial to City staff. This eliminates the need for applicants to wait until a Planning Board meeting to have their project considered. If VROZ made a recommendation for denial, the project would be automatically forwarded to the Planning

Board for further review.

Motion to refer these changes as presented to City Council for action.
Moved by Councilor Foley, seconded by Councilor Rielly.

Committee Chair Adams opened the floor for comments. The following individuals spoke:
Councilor Rielly, Ms. Franceschi, Mr. Bryant, Committee Chair Adams, Councilor Chau, Councilor Peoples, Councilor Foley, Ms. Holmes

Motion carried by a show of hands. None opposed.

3. **Section 404, Sign Ordinance**

The proposed changes would clarify existing language, policies and processes regarding signage in the City Center District.

Motion to refer these changes as presented to City Council for action.
Moved by Councilor Foley, seconded by Councilor Peoples.

Committee Chair Adams opened the floor for comments. The following individuals spoke:
President Rairdon, Ms. Franceschi, Councilor Foley, Councilor Chau, Committee Chair Adams

Motion carried by a show of hands. None opposed.

4. **Artisan Food and Beverage**

This proposal would define and establish standards for artisan food and beverage within the City, specifically for operations where food or beverage is manufactured and sold on premise.

Motion to refer these changes as presented to City Council for action.
Moved by Councilor Peoples, seconded by Councilor Foley.

Committee Chair Adams opened the floor for comment. The following individuals spoke:
President Rairdon

Motion carried by a show of hands. None opposed.

5. **Veterinary Office and Kennel**

This proposal separates the terms “veterinary office” and “kennel,” allowing for their own distinct definitions and standards.

Motion to refer these changes as presented to City Council for action.
Moved by Councilor Foley, seconded by President Rairdon.

Committee Chair Adams opened the floor for comments. The following individuals spoke:
Councilor Rielly, Councilor Peoples, Ms. Franceschi, Councilor Foley, Committee Chair Adams

Motion carried by a show of hands. None opposed.

6. **Gateway Commercial District**

This proposal amends permitted and conditional uses in the Gateway Commercial District.

Motion to refer these changes as presented to City Council for action.

Moved by Councilor Foley, seconded by President Rairdon.

Committee Chair Adams opened the floor for comments. The following individuals spoke:
Councilor Foley, Ms. Franceschi, Councilor Rielly, Councilor Chau

Motion to amend the underlying motion to delete the inclusion of “convention center” from the proposal.

Moved by Councilor Rielly, seconded by Councilor Chau.

Committee Chair Adams opened the floor for comments on the motion to amend the underlying motion. The following individuals spoke: Councilor Foley, Mr. Bryant, Committee Chair Adams, Ms. Franceschi

Motion to amend the underlying motion failed. (Vote 2-4-1)

Ayes: Chau, Rielly

Nays: Adams, Foley, Peoples, Rairdon

Absent: Turcotte

Motion to refer proposal as presented carried. (Vote 5-1-1)

Ayes: Adams, Chau, Foley, Peoples, Rairdon

Nays: Rielly

Absent: Turcotte

7. **Administrative Changes Bundle**

This proposal is to enact several administrative changes to improve consistency and conformity through the Land Use Ordinance, clearing up various definitions and terminology.

Motion to refer these changes as presented to City Council for action.

Moved by Councilor Foley, seconded by Councilor Peoples.

Committee Chair Adams opened the floor for comments. The following individuals spoke:
Councilor Foley, Committee Chair Adams

Motion to refer proposal as presented carried. (Vote 5-1-1)

Ayes: Adams, Chau, Foley, Peoples, Rairdon

Nays: Rielly

Absent: Turcotte

8. **North Street No Parking Zone**

This proposal would amend the Uniform Traffic Ordinance to prohibit parking on North Street along the 212 Brown Street Contract Zone frontage.

Motion to refer these changes as presented to City Council for action.

Moved by Councilor Foley, seconded by Councilor Peoples.

Committee Chair Adams opened the floor for comments. The following individuals spoke:
Councilor Foley, Ms. Franceschi

Motion to refer proposal as presented carried. (Vote 5-1-1)

Ayes: Adams, Foley, Peoples, Rairdon, Rielly

Nays: Chau

Absent: Turcotte

EVENT PERMIT ORDINANCE & PERMIT FEES

Committee Chair Adams gave the floor to Ms. Rand to explain this item. In the fall of 2018, City Council heard a proposal from the Event Permit Committee to establish Event Permit Fees. This item was tabled until language could be drafted establishing the Event Permit and process in the Code of Ordinances. An ordinance was drafted and reviewed by the City's attorney, who recommended that a new chapter be established to enact this language. As the number of events held in Westbrook increases, City departments decided to coordinate a review of the event details to ensure full knowledge of the activities and City services required so there are no last-minute calls. The Event Permit Committee is composed of representatives from the City Clerk's Office, Planning & Code Enforcement, Fire Department, Police Department, Public Services and Community Services. It meets with every applicant who wants exclusive use of City property for some event. The Committee helps determine parking needs, the number of people expected in attendance, and public service and safety requirements. The Event Permit Committee proposed a fee structure for these permits based upon a review of what other communities charge. If an applicant feels they cannot afford the fee, they would appeal to City Council to waive the fee. Westbrook Together Days specifically would be exempt from these fees, as it is currently exempt from food service establishment license fees.

Committee Chair Adams opened the floor for comments. The following individuals spoke: Councilor Foley, Ms. Rand, Mr. Bryant, President Rairdon, Councilor Rielly, Councilor Chau, Councilor Peoples, Committee Chair Adams, Ms. Holmes, Ms. Franceschi, Mr. Ledoux

President Rairdon disclosed that he has an interest in this matter, as he is involved with a non-profit that has an annual event in the City and would recuse himself from further discussion and consideration of this matter.

Motion to amend the proposal to (1) eliminate fees for Westbrook-based community groups, (2) to assess fees for non-Westbrook-based organizations, and to refer this proposal to City Council for action, as amended.

Moved by Councilor Foley, seconded by Councilor Peoples.

Motion carried by a show of hands. (Vote 5-0-1-1)

Ayes: Adams, Chau, Foley, Peoples, Rielly

Nays: None

Absent: Turcotte

Abstain: Rairdon

MASS GATHERING ORDINANCE

Committee Chair Adams gave the floor to Mr. Bryant, who presented a copy of Scarborough's Mass Gathering Ordinance as an example of potential language for Westbrook. This was brought forward in conjunction with conversations about the City's ability to deal with large events. Staff will continue to work on drafting a Mass Gathering Ordinance and will return to the committee when language is ready for review.

Committee Chair Adams opened the floor for comments. The following individuals spoke: Councilor Chau, Committee Chair Adams, Mr. Bryant

No action taken. Item stays in Committee.

SEWER ORDINANCE

Committee Chair Adams gave the floor to Ms. Kelley, who explained that the City's Sewer Ordinance has not been updated since 1977 and refers to outdated practices and regulations.

Motion to refer these changes as presented to City Council for action.
Moved by Councilor Foley, seconded by President Rairdon.

Committee Chair Adams opened the floor for comments. The following individuals spoke: Councilor Foley, Councilor Peoples, Councilor Rielly

Motion carried by a show of hands. None opposed.

CEMETERY ORDINANCE AMENDMENTS

Committee Chair Adams gave the floor to Mr. Ledoux, who stated that the proposed Cemetery Ordinance amendments contain various housekeeping items which would bring the language up to date.

Motion to amend the proposal to eliminate "Parks and Cemeteries Director" to be consistent with the rest of the proposed language changes, and to refer this proposal to City Council for action, as amended.
Moved by Councilor Foley, seconded by Councilor Peoples.

Committee Chair Adams opened the floor for comments. The following individuals spoke: Councilor Foley, Committee Chair Adams, Mr. Ledoux

Councilor Foley and Councilor Peoples agreed to amend their motion to include an amendment to the proposal which would amend the language to include an Alternate Parks & Cemeteries Board of Trustees member. The new motion is as follows: to amend the proposal to eliminate "Parks and Cemeteries Director" to be consistent with the rest of the proposed language changes, to include an Alternate Parks and Cemeteries Board of Trustees member, and to refer this proposal to City Council for action, as amended.

Motion carried by a show of hands. None opposed.

ADJOURNMENT

Motion to adjourn at 9:28pm.
Moved by Councilor Foley, seconded by President Rairdon.

Motion carried by a show of hands. None opposed.