

**WESTBROOK CITY COUNCIL
REGULAR CITY COUNCIL MEETING MINUTES
MONDAY OCTOBER 1, 2018
WESTBROOK HIGH SCHOOL ROOM 114**

CALL TO ORDER

Called to order at 7:00pm by President Rielly.

City Councilors Present: Lynda Adams (Ward 5); Victor Chau (Ward 2); Ann E. Peoples (Ward 4); Gary Rairdon (At-Large); Anna Turcotte (Ward 3); John O'Hara (At-Large/Vice President); Brendan Rielly (Ward 1/President)

City Councilors Absent: None

Other City Officials Present: Becky Albert (Director of Walker Memorial Library); Jerre Bryant (City Administrator); Natalie Burns (City Solicitor); Jerre Bryant (City Administrator); Sadie Cross (Student Representative); Eric Dudley (Director of Engineering & Public Services); Stephen Fields (Assistant City Administrator/Director of Human Resources); Jennie Franceschi (Director of Planning and Code Enforcement); Angela Holmes (City Clerk); Suzanne Knight (Finance Director); Peter Lancia (Westbrook School Department Superintendent); Janine Roberts (Police Chief); Mike Sanphy (Mayor)

MAYOR'S MESSAGE

Mayor Sanphy introduced Boy Scouts Troop 70 and Cub Scouts Den 6 and welcomed them to the Council meeting.

Mayor Sanphy read into the record a proclamation in celebration of the 103rd Birthday of Westbrook Resident Frances Boothby.

Appointing Leopold Ndayisabye to the Public Safety Commission.

Melinda Kinney from Charter Communications (formerly Time Warner Cable). In process of digitizing entire network. As part of project, viewers will need a digital cable box to continue watching programming. Will be able to better utilize bandwidth, increase broadband speeds. Channels 2, 3, and 5 are Westbrook's current public, governmental and educational channels. 1300s will be community government channels. They are asking for City's acknowledgement of Channel 2 – have an amendment to franchise agreement which says that Channel 2 (city's channel) will be made. Want to make sure that the City is aware of what they're doing and acknowledge this. The change is slated to occur November 27th. Since 2013 we digitized channels, these have been sitting in two locations (1300s and 2, 3, 5). Digital boxes are free for about a year, then about \$8/month. Customers will need to obtain a digital box. Technicians will go out and install boxes for free in case anyone needs assistance.

Mr. Bryant noted that he has refused to sign the document; in the past changes have just happened and we've been notified of it, have never been requested to sign off on the change. Doesn't think there's an option, but important that this go before all of City Council to make everyone aware of the pending change and that we're being asked to agree that this is an interpretation and adaptation of the franchise agreement.

Last Saturday attended dedication monument for Chief Poland, prominent in Westbrook history. Mike Shaughnessy and Friends of the Presumpscot built a monument at 89 Conant Street. This monument is open to the public for viewing.

STUDENT REPRESENTATIVE UPDATE

Sadie Cross presented that last week was Homecoming and Spirit Week. Each day had a theme for dressing up: America Day Monday, Maine Day Tuesday, Wednesday Superfan Day, Throwback Thursday, Friday was Class Colors. Pep rally at the end of the week, had a 45-minute long Jenga match. Saturday was homecoming dance. Excellent participation across the week's events. Next football game v. Mt. Blue. Volleyball had 2nd tournament ever (new sport this year) and Westbrook won 6 of 8 games. Cross Country had competition, all Westbrook girls ran well. Field hockey is undefeated, played tonight at Kennebunk. Next game is October 3rd. School-wide School Council representatives have meeting tomorrow to discuss student surveys that were put out last year, questions students had, things they wanted changed, clubs they wanted. WHS art program has annual pumpkin carving at LL Bean on October 19th for Camp Sunshine.

PUBLIC COMMENT

President Rielly opened the floor for the first public comment period of the evening. The following individuals spoke:

1. Dan Glover (90 Stroudwater Street, member of Archangel Committee of Greater Portland)
2. Dennis Marotte (41 Falmouth Street, Chairman Archangel Committee of Greater Portland)
3. Christine Latini (170 Pierce Street)
4. Councilor Adams
5. Ms. Holmes
6. Councilor Turcotte
7. Mr. Bryant

UNFINISHED BUSINESS

Included below are items which were considered by City Council at a previous meeting and were tabled.

1. **Order 2018-130. Authorizing Expenditure for Franklin Covey All-Access Pass**
 - a. Mr. Bryant noted that Mr. Fields' review of this item is not complete and requested that Council leave this item on the table until the next Council meeting on October 15, 2018.
 - b. President Rielly asked if any City Councilors had an objection to leaving this item on the table. No objections received.
Item remains tabled.

ORDERS OF THE DAY (SECOND AND FINAL READING)

Included below are the City Council Orders receiving second and final reading.

1. **Orders 2018-132 and Orders 2018-135 through 143.**
 - a. Motion to approve second and final reading of the following orders:

Order 2018-132	Authorizing Release and Quitclaim Deed to Sappi North America, Inc. for 41 Cumberland Street
Order 2018-135	Authorizing Purchase of Room Dividers for the Walker Memorial Library
Order 2018-136	Authorizing Purchase of Tables and Chairs for the Walker Memorial Library

- Order 2018-137 Accepting Assistance to Firefighters Grant and Authorizing Expenditure of Matching Funds
- Order 2018-138 Accepting Maine Arts Commission CCED Phase I Grant and Authorizing Award of Bid and Expenditure of Matching Funds
- Order 2018-139 Authorizing Award of Bid and Westbrook Environmental Improvement Corporation Expenditure for Saccarappa Falls Sculpting Design Services
- Order 2018-140 Authorizing Extension to Agreement with Gorham Sand & Gravel for Winter Sand
- Order 2018-141 Authorizing Contract with GIS Mapping and Analysis for GIS Development and Maintenance
- Order 2018-142 Authorizing Contract with Firstlight for a Dedicated Fiber Line to Fire Station 3
- Order 2018-143 Authorizing Agreement for Conflict Counsel Legal Services and Amending the General Fund Annual Vendor List

Moved by Councilor Peoples, seconded by Councilor Rairdon.

Motion carried. Orders 2018-132 and Orders 2018-135 through 143 adopted. (Vote 7-0)

Ayes: Councilor Adams, Councilor Chau, Councilor Peoples, Councilor Rairdon, Councilor Turcotte, Vice President O’Hara, President Rielly

Nays: None

2. Order 2018-134. Authorizing Amendment to the Land Use Ordinance to Establish *Contract Zone 11 – 212 Brown Street Contract Zone*

- a. Ms. Holmes noted for the record that this item requires a public hearing. Notice of the public hearing was published in Portland Press Herald on September 19 and September 24, 2018.
- b. President Rielly opened the public hearing.
- c. The following individuals spoke during the public hearing:
 - i. Michael Foley (39 Blue Spruce Farm Road)
 - ii. Phil Spiller (76 Sawyer Road)
 - iii. Isabel Mullin (lives across 212 Brown Street)
 - iv. Councilor Peoples
 - v. Vice President O’Hara
 - vi. Shawn Frank (Sebago Technics)
- d. President Rielly closed the public hearing.
- e. Motion to approve second and final reading of Order 2018-134.
 Moved by Councilor Peoples, seconded by Councilor Rairdon.
Motion carried. Order 2018-134 adopted. (Vote 7-0)
 Ayes: Councilor Adams, Councilor Chau, Councilor Peoples, Councilor Rairdon, Councilor Turcotte, Vice President O’Hara, President Rielly
 Nays: None

NEW BUSINESS

Included below are the Council actions on New Business, which includes business licenses requiring City Council approval, City Council resolves and orders receiving first and final reading, City Council orders receiving the first of two required readings, and all items to be considered in Executive Session.

1. **Resolve 2018-17. Setting the Hours of Voter Registration and Polls for the November 6, 2018 Elections**
 - a. Motion to approve first and final reading of Resolve 2018-17.
Moved by Councilor Turcotte, seconded by Councilor Chau.
 - b. The following individuals commented on the motion to approve first and final reading of the legislation:
 - i. Councilor Chau
 - ii. Ms. Holmes
 - c. Revisiting motion to approve first and final reading of Resolve 2018-17.
Motion carried. Resolve 2018-17 adopted. (Vote 7-0)
Ayes: Councilor Adams, Councilor Chau, Councilor Peoples, Councilor Rairdon, Councilor Turcotte, Vice President O’Hara, President Rielly
Nays: None
2. **Resolve 2018-18. Approving the Appointment of Wardens and Ward Clerks**
 - a. Motion to approve first and final reading of Resolve 2018-18.
Moved by Councilor Adams, seconded by Councilor Peoples
 - b. The following individuals commented on the motion to approve first and final reading of the legislation:
 - i. Councilor Chau
 - ii. Ms. Holmes
 - d. Revisiting motion to approve first and final reading of Resolve 2018-18.
Motion carried by a show of hands. Resolve 2018-18 adopted. (Vote 7-0)
3. **Orders 2018-144 and 2018-145.**
 - a. Motion to approve first and final reading of the following orders:
Order 2018-144 Authorizing Closure of Spring Street for Night Work
Order 2018-145 Authorizing Closure of Main Street for Night Work
Moved by Councilor Rairdon, seconded by Councilor Chau.
 - b. The following individuals commented on the motion to approve second and final reading of the legislation:
 - i. Councilor Chau
 - ii. Mr. Bryant
 - iii. Mr. Dudley
 - iv. Vice President O’Hara
 - v. President Rielly

- c. Revisiting motion to approve first and final reading of Orders 2018-144 and 2018-145.
Motion carried. Orders 2018-144 and 2018-145 adopted. (Vote 7-0)
 Ayes: Councilor Adams, Councilor Chau, Councilor Peoples, Councilor Rairdon, Councilor Turcotte, Vice President O’Hara, President Rielly
 Nays: None

- 4. **Order 2018-146. Authorizing Closure of Main Street for Halloween on Main Street**
 - a. Motion to approve first and final reading of Order 2018-146.
 Moved by Councilor Rairdon, seconded by Councilor Peoples.

 - b. The following individuals commented on the motion to approve second and final reading of the legislation:
 - i. Vice President O’Hara
 - ii. Councilor Rairdon
 - iii. Ms. Holmes
 - iv. Mr. Bryant
 - v. Councilor Chau
 - vi. Deb Shangraw (Chamber of Commerce Board of Directors)
 - vii. Councilor Adams

 - c. Revisiting motion to approve first and final reading of Order 2018-146.
Motion carried. Order 2018-146 adopted (Vote 7-0)
 Ayes: Councilor Adams, Councilor Chau, Councilor Peoples, Councilor Rairdon, Councilor Turcotte, Vice President O’Hara, President Rielly
 Nays: None

- 5. **Order 2018-147. Amending All Annual Vendor Lists**
 - a. Motion to approve first and final reading of Order 2018-147.
 Moved by Councilor Adams, seconded by Councilor Peoples.

 - b. The following individuals commented on the motion to approve second and final reading of the legislation:
 - i. Councilor Chau
 - ii. Mr. Bryant

 - c. Revisiting motion to approve first and final reading of Order 2018-147.
Motion carried. Order 2018-147 adopted (Vote 7-0)
 Ayes: Councilor Adams, Councilor Chau, Councilor Peoples, Councilor Rairdon, Councilor Turcotte, Vice President O’Hara, President Rielly
 Nays: None

- 6. **Order 2018-148. Amending the FY 2018-2019 General Fund Annual Vendor List for Vendor Name Changes**
 Motion to postpone item indefinitely
 Moved by Councilor Peoples, seconded by Councilor Adams.
Motion carried by a show of hands. None opposed. Order 2018-148 postponed indefinitely.

7. **Order 2018-149. Repealing Order 2016-46 Regarding Police Forfeiture Fund Policy and Adopting an Unappropriated Funds Policy**
 - a. Motion to approve first and final reading of 2018-149.
Moved by councilor Turcotte, Seconded by Councilor Rairdon.
 - b. The following individuals commented on the motion to approve second and final reading of the legislation:
 - i. Mr. Bryant
 - ii. Councilor Chau
 - c. Revisiting motion to approve first and final reading of Order 2018-149.
Motion carried. Order 2018-149 adopted (Vote 7-0)
Ayes: Councilor Adams, Councilor Chau, Councilor Peoples, Councilor Rairdon, Councilor Turcotte, Vice President O’Hara, President Rielly
Nays: None
8. **Order 2018-150. Authorizing Acceptance and Expenditure of Donation to Westbrook Recovery Liaison Program**

Motion to postpone item indefinitely
Moved by Councilor Peoples, seconded by Councilor Rairdon.
Motion carried by a show of hands. None opposed. Order 2018-150 posted indefinitely.
9. **Order 2018-151. Approving Collective Bargaining Agreements with Westbrook Police Association**
 - a. Motion to approve first reading of Order 2018-151.
Moved by Councilor Adams, seconded by Councilor Peoples
 - b. The following individuals commented on the motion to approve first reading of the legislation:
 - i. Councilor Peoples
 - ii. Chief Roberts
 - c. Revisiting motion to approve the first reading of Order 2018-151.
Motion carried by a show of hands. None opposed.
10. **Order 2018-152. Authorizing Agreement for Parking Garage Winter Maintenance**
 - a. Motion to approve first reading of Order 2018-152.
Moved by Councilor Turcotte, seconded by Councilor Rairdon.
 - b. The following individuals commented on the motion to approve first reading of the legislation:
 - i. Mr. Bryant
 - c. Revisiting the motion to approve the first reading of Order 2018-152.
Motion carried by a show of hands. None opposed.

11. **Order 2018-153. Authorizing Expenditure for Security Upgrade at Westbrook High School and Westbrook Regional Vocational Center**

- a. Motion to approve first reading of Order 2018-153.
Moved by Councilor Rairdon, seconded by Councilor Peoples.

- b. The following individuals commented on the motion to approve first reading of the legislation:
 - i. Mr. Bryant
 - ii. Councilor Rairdon
 - iii. Mr. Flanagan
 - iv. Councilor Chau
 - v. Vice President O’Hara
 - vi. Councilor Turcotte

- c. Motion to table item until the next meeting.
Moved by President Rielly, seconded by Councilor Peoples
Motion carried by a show of hands. None opposed.

12. **Order 2018-154. Authorizing Agreement for Fence Installation at the Fred C. Wescott Building**

- a. Motion to approve first reading of Order 2018-154.
Moved by Councilor Peoples, seconded by Councilor Turcotte

- b. The following individuals commented on the motion to approve first reading of the legislation:
 - i. Councilor Turcotte
 - ii. Mr. Dudley
 - iii. Councilor Chau
 - iv. Mr. Bryant

- c. Revisiting motion to approve the first reading of Order 2018-154.
Motion carried by a show of hands. None opposed.

13. **Order 2018-155. Amending the Westbrook Code of Ordinances § 27-42, Schedule A, Regarding Effluent Limits**

- a. Motion to approve first reading of Order 2018-155.
Moved by Councilor Chau, seconded by Councilor Peoples.

- b. The following individuals commented on the motion to approve first reading of the legislation:
 - i. Councilor Peoples
 - ii. Mr. Dudley

- c. Revisiting motion to approve the first reading of Order 2018-155.
Motion carried by a show of hands. None opposed.

14. **Order 2018-156. Authorizing Award of Bid for Police Cruisers**

- a. Motion to approve first reading of Order 2018-156.
Moved by Councilor Rairdon, seconded by Councilor Turcotte.

- b. Councilor Adams requested permission to recuse herself from voting upon Order 2018-156, as her husband would be outfitting the vehicles.
- c. Motion to allow Councilor Adams to abstain from consideration of Order 2018-156. Moved by Councilor Rairdon, seconded by Councilor Chau.
Motion carried by a show of hands. None opposed.
- d. The following individuals commented on the motion to approve first reading of the legislation:
 - 1. Councilor Rairdon
 - 2. Councilor Peoples
 - 3. Chief Roberts
 - 4. Mr. Bryant
 - 5. Councilor Chau
 - 6. Mr. Dudley
- e. Revisiting the motion to approve first reading of Order 2018-156.
Motion carried by a show of hands. None opposed (Councilor Adams abstaining).

15. Order 2018-157. Authorizing Westbrook Environmental Improvement Corporation Expenditure to Downtown Westbrook Coalition

- a. Motion to approve first reading of Order 2018-157.
Moved by Councilor Peoples, seconded by Councilor Adams
- b. The following individuals commented on the motion to approve first reading of the legislation:
 - i. Councilor Chau
 - ii. Vice President O’Hara
 - iii. Mr. Bryant
- c. Revisiting the motion to approve first reading of Order 2018-157.
Motion carried by a show of hands. Vote (6-1)
Ayes: Councilor Adams, Councilor Peoples, Councilor Rairdon, Councilor Turcotte, Vice President O’Hara, President Rielly
Nays: Councilor Chau

16. Order 2018-158. Authorizing Expenditure for Relocation of School Zone Signs and Signals

- a. Motion to approve first reading of Order 2018-158.
Moved by Councilor Rairdon, seconded by Councilor Turcotte.
- b. The following individuals commented on the motion to approve first reading of the legislation:
 - i. Councilor Chau
 - ii. Mr. Bryant

- c. Revisiting the motion to approve first reading of Order 2018-158.
Motion carried by a show of hands. None opposed.

17. Order 2018-159. Authorizing Insurance Settlement

Motion to approve first reading of Order 2018-159.

Moved by Councilor Turcotte, seconded by Councilor Peoples.

Motion carried by a show of hands. None opposed.

PUBLIC COMMENT

President Rielly opened the floor for the second and final public comment period of the evening. The following individuals spoke:

1. Phil Spiller, Jr. (76 Sawyer Road)
2. Councilor Chau
3. Chief Roberts

ADJOURNMENT

Motion to adjourn at 9:16pm.

Moved by Councilor Rairdon, seconded by Councilor Peoples

Motion carried by a show of hands. None opposed.