

**WESTBROOK CITY COUNCIL
MEETING MINUTES
MONDAY NOVEMBER 7, 2016 AT 7:00PM
WESTBROOK HIGH SCHOOL ROOM 114**

CALL TO ORDER

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

Councilors Present: Victor Chau (Ward 2); John O'Hara (At Large); Gary Rairdon (Ward 4); Michael Sanphy (Ward 5); Anna Turcotte (Ward 3); Michael Foley (At-Large/Vice President); Brendan Rielly (Ward 1/President)

Other City Officials Present: Veronica Bates (School Committee Ward 2); Jerre Bryant (City Administrator); Natalie Burns (City Solicitor); Abigail Cioffi (Downtown Westbrook Coalition Coordinator); Eric Dudley (Director of Engineering & Public Services); Suzanne Knight (Finance Director); Arty Ledoux (Operations Manager); Ashley Rand (Deputy City Clerk); Janine Roberts (Police Chief); Jordan Shelburne (Tax Collector); Andrew Turcotte (Fire Chief)

PLEDGE OF ALLEGIANCE

President Rielly led all Councilors and members of the audience in the Pledge of Allegiance.

MAYOR'S MESSAGE

- The Mayor Appointed the following individuals to the following boards/ committees:
 - Arron Burns to the Zoning Board of Appeals
 - David Morse to the Zoning Board of Appeals
 - Michael Foley to Greater Portland Transit District Board of Directors
 - Margaret Innes to Westbrook Environmental Improvement Corporation (WEIC)
 - Michael Dobkowski to Westbrook Environmental Improvement Corporation (WEIC)
 - William Hilton to Walker Memorial Library Board of Regents
 - Jane Cote to Walker Memorial Library Board of Regents
 - Dawn Levesque to Walker Memorial Library Board of Regents
 - Edward Reidman to Sewer Commission
 - Rene Daniel to Planning Board
 - Jonathan T. Leahy to the Board of Assessment Review
- Mayor Hilton expressed her gratitude to the City Election staff for all of their hard work to prepare for the election. If anyone has a question about their polling location, please call the election hotline at 207-591-8116.

STUDENT REPRESENTATIVE UPDATE

- Connor Blake announced that the Westbrook High School Marching Band one a Gold Medal in the MBDA Maine State Finals and A Gold Medal at the NESBA New England Championship.
- 40 High School Students attended the Maine State Leadership Alliance training on October 28th at Bath High School. Senator Angus King was the keynote speaker. There were 2,000 other High School students from the State.
- Westbrook High School will hold a mock Election during Election Day, November 8th. The mock election is student run. Last month the City Clerk's office conducted a voter registration day for students that were eligible to register to vote. 12 Students registered during the registration drive.

PUBLIC COMMENT

President Rielly opened the floor for the first public comment portion of the City Council meeting. The following individuals spoke:

- i. President Rielly read a letter from resident David Storer- 50 Little Ave
- ii. President Rielly read a letter from resident Flynn Ross- 45 Middle Street
- iii. Lynda Adams- 60 Adams Way
- iv. Councilor O’Hara
- v. Councilor Chau
- vi. President Rielly
- vii. Phil Spiller
- viii. Abigail Cioffi- Downtown Westbrook Coalition Coordinator
- ix. Brian Bozsik- 44 Maple St

ORDERS OF THE DAY

Included below are the Council actions on the Orders of the Day, which are those City Council orders receiving second and final reading.

1. Orders 2016-130 through 2016-131.

Order 2016-130 Adopting Moratorium Ordinance on Retail Marijuana Stores, Facilities, and Social Clubs

Order 2016-131 Authorizing Conveyance of City Property to Presumpscot Regional Land Trust

Order 2016-132 Authorizing Payment of Stewardship Fee to Presumpscot Regional Land Trust

Order 2016-134 Authorizing Extension of Contracts for Snow Plowing Services

Order 2016-135 Authorizing Sewer Lining Contract with Layne Inliner

Order 2016-136 Authorizing Fire Department Expenditure for Officer Development Training Program

Order 2016-137 Authorizing WEIC Expenditure for WGME TV Campaign

- a) Motion to approve first reading of Order 2016-130- Order 2016-137.

Moved by Vice President Foley, Seconded by Councilor O’Hara.

- b) The following individuals commented on the motion to approve first reading of the legislation:

- i. President Rielly

Revisiting the motion to approve first reading of the legislation.

Motion carried. Order 2016-130 through 2016-137 adopted. (Vote 6-0-1)

Ayes: Councilor Chau, Councilor O’Hara, Councilor Sanphy, Councilor Turcotte, Vice President Foley, President Rielly

Nays: None

Absent: Councilor Rairdon

NEW BUSINESS

Included below are the Council actions on New Business, which include 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. Liquor License Application Renewal for Casa Novello, located at 694 Main St

- c) Motion to approve liquor license renewal

Moved by Councilor Chau, Seconded by Councilor Sanphy.

Motion carried by a show of hands, 6-0-1. Councilor Rairdon Absent.

Resolves (First and Final Reading)

2. **Resolve 2016-028 through Resolve 2016-035.**

- Resolve 2016-028 Approving the Reappointment of Arron Burns to the Zoning Board of Appeals
Resolve 2016-029 Approving the Reappointment of David Morse to the Zoning Board of Appeals
Resolve 2016-030 Approving the Appointment of Michael Foley to the Greater Portland Transit District (Metro) Board of Directors
Resolve 2016-031 Approving the Reappointment of Margaret Innes to Westbrook Environmental Improvement Corporation (WEIC)
Resolve 2016-032 Approving the Appointment of Michael Dobkowski to Westbrook Environmental Improvement Corporation (WEIC)
Resolve 2016-033 Approving the Reappointment of Edward Reidman to Sewer Commission
Resolve 2016-034 Approving the Reappointment of Rene Daniel to Planning Board
Resolve 2016-035 Approving the Reappointment of Jonathan T. Leahy to the Board of Assessment

- a) Motion to approve first and final reading of Resolve 2016-028- Resolve 2016-035.
Moved by Vice President Foley, Seconded by Councilor O’Hara.
- b) The following individuals commented on the motion to approve first and final reading of the legislation:
- ii. Councilor Sanphy
- c) Motion to table first and final reading of Resolve 2016-028- Resolve 2016-035.
Moved by Councilor Sanphy, Seconded by Councilor O’Hara.
- d) The following individuals commented on the motion to table first and final reading of the legislation:
- i. Lynda Adams- 60 Adams Way
 - ii. Mr. Bryant
 - iii. Mayor Hilton
 - iv. Mike Ross- 45 Middle Street
 - v. Councilor O’Hara
 - vi. Councilor Chau
 - vii. Ms. Burns
 - viii. Veronica Bates- 450 Saco Street
 - ix. Phill Spiller- 76 Sawyer Road
 - x. President Rielly
 - xi. Mike Bozsik- 44 Maple Street
 - xii. Councilor Turcotte
 - xiii. Councilor Sanphy
- e) Revisiting the motion to approve first reading and final of the legislation.
- f) **Motion Carried. Resolve 2016-028 through Resolve 2016-035 adopted. (Vote 4-2-1)**
Ayes: Councilor Chau, Councilor Turcotte, Vice President Foley, President Rielly
Nays: Councilor Sanphy, Councilor O’Hara
Absent: Councilor Rairdon

3. ***Resolve 2016-036. Authorizing the 2017 Land & Water Conservation Fund Grant Application for the Cornelia Warren Recreation Area**

- A. Ms. Rand noted for the record that this item requires a public hearing. Notice of the public hearing was posted in the American Journal, notice was posted in City Hall and on the City website.
- B. President Rielly opened the public hearing. The following individuals spoke:

- i. Mr Brant
- ii. Phil Spiller- 76 Sawyer Way
- iii. Peter Burke
- iv. Anne Peoples- 22 Garfield Street
- v. John Bernier- Corniella Warren Association Trustee
- vi. Vice President Foley
- vii. Councilor Chau
- viii. Abigail Cioffi
- ix. Connor Blake- Student Representative
- x. Veronica Bates- 450 Saco Street

C. President Rielly closed the public hearing.

D. Motion to approve first and final reading of Resolve 2016-036.

E. Moved by Councilor Chau, seconded by Councilor Sanphy.

Motion Carried. Resolve 2016-036. (Vote 6-0-1)

Ayes: Councilor Chau, Councilor O’Hara, Councilor Sanphy, Councilor Turcotte, Vice President Foley, President Rielly

Nays: None

Absent: Councilor Rairdon

4. Resolve 2016-037. Endorsing the Greater Portland Transit District’s Service Expansion Plan

a) Motion to approve first and final reading of Resolve 2016-037.

Moved by Vice President Foley, Seconded by Councilor Sanphy.

b) The following individuals commented on the motion to approve first and final reading of the legislation:

- i. Councilor O’Hara
- ii. Greg Jordan- Portland Metro
- iii. Mr Bryant
- iv. Vice President Foley
- v. Councilor Chau
- vi. Councilor Turcotte
- vii. Phil Spiller- 76 Sawyer Way

c) Revisiting the motion to approve first and final reading of the legislation.

Motion Carried. Resolve 2016-037. (Vote 5-1-1)

Ayes: Councilor Chau, Councilor Sanphy, Councilor Turcotte, Vice President Foley, President Rielly

Nays: Councilor O’Hara

Absent: Councilor Rairdon

Orders (First of Two Required Readings)

5. Orders 2016-139 through 2016-145.

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| Order 2016-139 | Authorizing final payment to DiMatteo Construction for City Hall Renovations |
| Order 2016-140 | Authorizing the Acceptance of a Community Oriented Policing Services (COPS) Grant from the U.S. Department of Justice |
| Order 2016-141 | Authorizing a contract for the development and annual hosting of the City’s webGIS site |

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| Order 2016-142 | Award of Bid for Purchase of a Replacement Wide Format Printer, Plotter, Scanner |
| Order 2016-143 | Approving Purchase of Strength and Endurance Training Equipment for Public Safety Fitness Facility |
| Order 2016-144 | Approving purchase of a Rotary Mower for Mowing City Owned Landfills and Certain Road-side areas |
| Order 2016-145 | Authorizing purchase for flooring upgrades at the Fred C Wescott Building
Motion to approve first reading of Order 2016-139 through Order 2016-145.
Moved by Vice President Foley, Seconded by Councilor Sanphy.
Motion carried by a show of hands, 6-0-1 Rairdon Absent. |

PUBLIC COMMENT

President Rielly opened the floor for the second and final public comment portion of the City Council meeting. The following individuals spoke:

- i. Rob Smith- 92 Brackett Street
- ii. Vice President Foley
- iii. Mike Ross- 45 Middle Street
- iv. Councilor O’Hara
- v. Phil Spiller – 76 Sawyer Way
- vi. Mayor Hilton

REFERRALS

Land Use Ordinance amendments re: definitions for group home, boarding home and associated uses to the Planning Board.

Motion to refer item to Facilities and Streets Committee

Motion carried by a show of hands, 6-0-1 Rairdon Absent.

EXECUTIVE SESSION

Request was made to adjourn into two separate executive sessions pursuant to 36 MRSA § 841.2(E) to discuss uncollectable property tax case.

Moved by Councilor Sanphy, seconded by Councilor Turcotte.

Motion carried by a show of hands, 6-0-1 Rairdon Absent.

Adjourned to Executive Session at 9:54pm.

Councilors Present: Victor Chau (Ward 2); Councilor O’Hara (At-Large); Michael Sanphy (Ward 5); Anna Turcotte (Ward 3); Michael Foley (At-Large/Vice President); Brendan Rielly (Ward 1/President)

Other City Officials Present: Jerre Bryant (City Administrator); Natalie Burns (City Solicitor); Colleen Hilton (Mayor); Suzanne Knight (Finance Director); Jordan Shelburne (Tax Collector)

RECONVENE

City Council reconvened from Executive Session at 10:08pm.

Motion to write-off property taxes that have been certified as uncollectable to be Tax Collector for Tax Map/ Lot 023-000-020E in the amount of \$3,255.42.

Moved by Councilor Chau, Seconded by Councilor Sanphy

Motion Carried by show of hands, 6-0-1 Rairdon Absent.

EXECUTIVE SESSION

Request was made to adjourn into executive session pursuant to 1 MRSA, Section 405-6-E to discuss legal rights and duties of the city with legal counsel.

Moved by Councilor Sanphy, seconded by Councilor Turcotte.

Motion carried by a show of hands, 6-0-1 Rairdon Absent.

Adjourned to Executive Session at 10:10pm.

Councilors Present: Victor Chau (Ward 2); Councilor O’Hara (At-Large); Michael Sanphy (Ward 5); Anna Turcotte (Ward 3); Michael Foley (At-Large/Vice President); Brendan Rielly (Ward 1/President)

Councilors Absent: Councilor Rairdon (Ward 4)

Other City Officials Present: Jerre Bryant (City Administrator); Natalie Burns (City Solicitor); Colleen Hilton (Mayor)

RECONVENE

City Council reconvened from Executive Session at 11:12pm.

ADJOURNMENT

Motion to adjourn at 11:12 pm.

Moved by Vice President Foley, Seconded by Councilor Turcotte.

Motion carried by a show of hands, 6-0-1 Rairdon Absent.