

**WESTBROOK CITY COUNCIL  
REGULAR CITY COUNCIL MEETING MINUTES  
MONDAY MAY 6, 2019  
WESTBROOK HIGH SCHOOL, ROOM 114**

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**CALL TO ORDER**

Meeting called to order at 7:00pm by City Council President Gary Rairdon.

**City Councilors Present:** Victor Chau (Ward 2); Michael T. Foley (At-Large); Lawrence McWilliams (Ward 5); Brendan Rielly (Ward 1); Gary Rairdon (Ward 4, President)

**City Councilors Absent:** Ann E. Peoples (At-Large); Anna A. Turcotte (Ward 3, Vice President)

**Other City Officials Present:** Jerre Bryant (City Administrator); Natalie Burns (Legal Counsel); Stephen Fields (Assistant City Administrator/Director of Human Resources); Dean Flanagan (Westbrook School Department Director of Operations); Jennie Franceschi (Director of Planning & Code Enforcement); Brian Grasser (Police Officer); Greg Hamilton (Director of Public Safety Communications/IT); Angela Holmes (City Clerk); Suzanne Joyce (School Committee Member, At-Large); Suzanne Knight (Finance Director); Peter Lancia (Westbrook School Department Superintendent); Dena Lebeda (Tax Collector); Arty Ledoux (Public Services Director of Operations); Corbett Morse (Buildings Supervisor); Noreen Poitras (School Committee Member, Ward 3); Greg Post (Director of Community Services); Janine Roberts (Police Chief); Suzanne Salisbury (School Committee Member, At-Large); Michael Sanphy (Mayor); Steve Sloan (Deputy Fire Chief); Daniel Stevenson (Director of Economic & Community Development); Andrew Turcotte (Fire Chief)

**PLEDGE OF ALLEGIANCE**

President Rairdon led all present in the Pledge of Allegiance.

**MINUTES**

President Rairdon stated that unless any objections are received, the minutes from the following meetings will stand as presented: Finance Committee Meeting held on March 30, 2019; City Council Workshop, Regular City Council Meeting & Committee of the Whole Meeting held on April 1, 2019; Finance Committee Meeting held on April 8, 2019; Finance Committee Meeting held on April 11, 2019; Finance Committee Meeting, Special City Council Meeting & Committee of the Whole Meeting held on April 22, 2019. Councilor Foley noted a typographical error in one of the minutes, which will be corrected by the City Clerk. No objections to the adoption of the minutes were received; minutes stand as presented, with the typographical correction included.

**MAYOR'S MESSAGE**

Mayor Sanphy shared the following messages:

1. The Employee of the Quarter Award (January – March 2019) was presented to Corbett Morse, Building Supervisor.
2. The Police Department Employee of the Quarter Award (January – March 2019) was presented to Officer Brian Grasser.

3. The Special Council Meeting scheduled for Monday May 20, 2019 has been cancelled.
4. The Mayor read the following proclamations into the record:
  - a. A Proclamation in Honor of International Firefighters Day
  - b. A Proclamation in Honor of Municipal Clerks Week
  - c. A Proclamation in Honor of Peace Officers Memorial Day
  - d. A Proclamation in Honor of Arbor Week

### **STUDENT REPRESENTATIVE UPDATE**

No Student Representative was present.

### **PUBLIC COMMENT**

President Rairdon opened the floor for the first public comment portion of the evening's meeting. The following individuals spoke: Chief Roberts

### **UNFINISHED BUSINESS**

Included below are all City Council Orders and Resolves which were tabled during a previous Council meeting and require additional action.

1. **Order 2019-66. Authorizing a Temporary Construction Easement for Saccarappa Park.**

Motion to remove Order 2019-66 from the table.

Moved by Councilor Foley, seconded by Councilor Chau.

President Rairdon opened the floor for comments on the motion; none received.

**Motion carried by a show of hands. None opposed. Item removed from the table.**

Motion to postpone Order 2019-66 indefinitely, as Sappi has withdrawn their application.

Moved by Councilor Foley, seconded by Councilor Chau.

President Rairdon opened the floor for comments on the motion; none received.

**Motion carried by a show of hands. None opposed. Order 2019-66 postponed indefinitely.**

### **ORDERS OF THE DAY (SECOND AND FINAL READING)**

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

1. **Order 2019-69. Authorizing Rearrangement of Voting Places.**  
**Order 2019-70. Authorizing Expansion of the Westbrook Façade Improvement Program and Westbrook Environmental Improvement Corporation Expenditure.**  
**Order 2019-71. Authorizing Lease Agreement with Waterfront Concerts, LLC for Noise Monitoring.**  
**Order 2019-72. Authorizing Contract for Architectural & Engineering Services at the Fred C. Wescott Building.**  
**Order 2019-73. Authorizing Award of Bid for Replacement Computers.**  
**Order 2019-74. Authorizing Award of Bid for Automatic Fire Alarm, Sprinkler and Excavation Work at Fire Station #3.**  
**Order 2019-75. Authorizing Award of Bid and Lease Purchase Agreement for Self-Contained Breathing Apparatus (SCBA).**  
**Order 2019-76. Authorizing Purchase of Stryker Pro Stair Chair.**

**Order 2019-77. Authorizing Recreation and Conservation Commission Expenditures for Pride Preserve Project.**

- a. Ms. Holmes noted for the record that Order 2019-69 requires a public hearing. Notice of the public hearing was published in the American Journal on April 25 & May 2, 2019. President Rairdon opened the public hearing; no one spoke. President Rairdon closed the public hearing.
- b. Motion to approve second and final reading of Orders 2019-69 through 2019-77. Moved by Councilor Foley, seconded by Councilor Rielly. President Rairdon asked if any Councilor would like to consider these items separately. No one spoke. President Rairdon opened the floor for comments on the motion; no one spoke.  
**Motion carried. Orders 2019-69 through 2019-71 adopted. (Vote 5-0-2)**  
Ayes: Chau, Foley, McWilliams, Rairdon, Rielly  
Nays: None  
Absent: Peoples, Turcotte

**2. Order 2019-78. Authorizing Amendment to Zoning Map – Rezoning 15 Saunders Way as Industrial Park District.**

- a. Ms. Holmes noted for the record that Order 2019-78 requires a public hearing. Notice of the public hearing was published in the American Journal on April 25 & May 2, 2019. President Rairdon opened the public hearing; no one spoke. President Rairdon closed the public hearing.
- b. Motion to approve second and final reading of Order 2019-78. Moved by Councilor Chau, seconded by Councilor Foley. President Rairdon opened the floor for comments on the motion; no one spoke.  
**Motion carried. Order 2019-78 adopted. (Vote 5-0-2)**  
Ayes: Chau, Foley, McWilliams, Rairdon, Rielly  
Nays: None  
Absent: Peoples, Turcotte

**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 2019-7. Supporting a City-Wide Valuation Update.**

**Resolve 2019-8. Recommitting Bicentennial Park to Host Expanded Dog Park.**

Motion to approve first and final reading of Resolves 2019-7 and 2019-8.

Moved by Councilor Rielly, seconded by Councilor Chau.

President Rairdon asked if any Councilor would like these items considered separately. No one spoke.

President Rairdon opened the floor for comments on the motion. The following individuals spoke: Councilor Foley, Mr. Bryant

**Motion carried. Resolves 2019-7 & 2019-8 adopted. (Vote 5-0-2)**

Ayes: Chau, Foley, McWilliams, Rairdon, Rielly

Nays: None

Absent: Peoples, Turcotte

2. **Order 2019-79. Amending Order 2015-77 Regarding Use of Maine Public Employees Retirement System (Mainers) Funds Policy.**  
**Order 2019-80. Adopting Policy Regarding Use of Self-Funding Program Fund Balances.**  
**Order 2019-81. Approving Referendum for Selection of Wardens & Ward Clerks.**  
Motion to approve first and final reading of Orders 2019-79 through 2019-81.  
Moved by Councilor Rielly, seconded by Councilor Foley.  
President Rairdon asked if any Councilor would like these items considered separately. No one spoke.  
President Rairdon opened the floor for comments on the motion. The following individuals spoke: Councilor Foley, Councilor Chau, Mr. Bryant, Phil Spiller, Jr. (76 Sawyer Road)  
**Motion carried. Orders 2019-79 through 2019-81 adopted. (Vote 5-0-2)**  
Ayes: Chau, Foley, McWilliams, Rairdon, Rielly  
Nays: None  
Absent: Peoples, Turcotte
  
3. **Order 2019-82. Authorizing Acceptance & Expenditure of Grant Funds for Riverbank Park Paving Project.**  
Motion to approve the first of two readings of Order 2019-82.  
Moved by Councilor Rielly, seconded by Councilor Foley.  
President Rairdon opened the floor for comments on the motion. No one spoke.  
**Motion carried by a show of hands. None opposed.**
  
4. **Order 2019-83. Authorizing Acceptance & Expenditure of Grant Funds for Downtown Banners.**  
Motion to approve the first of two readings of Order 2019-83.  
Moved by Councilor Foley, seconded by Councilor Rielly.  
President Rairdon opened the floor for comments on the motion. The following individuals spoke: Councilor Foley, Councilor Chau  
**Motion carried by a show of hands. None opposed.**
  
5. **Order 2019-84. Approving 2018-2021 Collective Bargaining Agreement with Fire & Rescue Unit.**  
Motion to approve the first of two readings of Order 2019-84.  
Moved by Councilor Foley, seconded by Councilor McWilliams.  
President Rairdon opened the floor for comments on the motion. No one spoke.  
**Motion carried by a show of hands. None opposed.**
  
6. **Order 2019-85. Adopting Chapter 41 of the Code of Ordinances, Property Tax Assistance.**  
Motion to approve the first of two readings of Order 2019-85.  
Moved by Councilor McWilliams, seconded by Councilor Rielly.  
President Rairdon opened the floor for comments on the motion. The following individuals spoke: Councilor McWilliams, Councilor Rielly  
  
Motion to amend § 41-4. D to state “that the program will be funded up to a cap of \$50,000.”  
Moved by Councilor Rielly.  
**Motion failed for lack of a second.**

President Rairdon returned to comments on the original motion. The following individuals spoke: Councilor Foley, Councilor Chau, President Rairdon

**Motion carried by a show of hands. None opposed.**

7. **Order 2019-86. Authorizing Borrowing of Bond Funds through Maine Bond Bank.**

Ms. Holmes stated for the record that this item will require a public hearing during the meeting held on May 13, 2019. Notice of the public hearing will be published in the American Journal on May 2 & 9, 2019.

Motion to approve the first of two readings of Order 2019-86.

Moved by Councilor Chau, seconded by Councilor Rielly.

President Rairdon opened the floor for comments on the motion. The following individuals spoke: President Rairdon

**Motion carried by a show of hands. None opposed.**

8. **Order 2019-87. Authorizing Marketing Expenditures and Amending the FY 2018-2019 General Fund Annual Vendor List.**

Motion to approve the first of two readings of Order 2019-87.

Moved by Councilor Foley, seconded by Councilor Rielly.

President Rairdon opened the floor for comments on the motion. No one spoke.

**Motion carried by a show of hands. None opposed.**

9. **Order 2019-88. Approving the FY 2019-2020 Annual Budget & Appropriations.**

Motion to approve the first of two readings of Order 2019-88.

Moved by Councilor Foley, seconded by Councilor Rielly.

President Rairdon opened the floor for comments on the motion. The following individuals spoke: Councilor Foley

Motion to eliminate \$150,000 from the School Operations portion of the budget.

Moved by Councilor Foley, seconded by Councilor McWilliams.

President Rairdon opened the floor for comments on the motion. The following individuals spoke: Committee Member Joyce, Committee Member Salisbury, Councilor Rielly, President Rairdon, Councilor McWilliams, Councilor Chau

**Motion carried. (Vote 3-2-2)**

Ayes: Foley, McWilliams, Rairdon

Nays: Chau, Rielly

Absent: Peoples, Turcotte

President Rairdon returned to comments on the original motion. The following individuals spoke: Councilor Foley

**Motion carried. (Vote 4-1-2)**

Ayes: Chau, Foley, McWilliams, Rairdon

Nays: Rielly

Absent: Peoples, Turcotte

10. **Order 2019-89. Approving the FY 2019-2020 School Budget Warrants.**

Motion to approve the first of two readings of Order 2019-89, with the total amount to be adjusted down by \$150,000 as reflected by the action taken on Order 2019-88.

Moved by Councilor Foley, seconded by Councilor McWilliams.

**Motion carried. (Vote 4-1-2)**

Ayes: Chau, Foley, McWilliams, Rairdon

Nays: Rielly

Absent: Peoples, Turcotte

As a Point of Order, there was discussion regarding whether the previous motion to approve Order 2019-89 with an amendment was properly made.

The following individuals spoke: Ms. Burns, Mr. Bryant, Councilor Foley, Ms. Holmes

Ms. Burns determined that the motion was acceptable and required no correction.

**PUBLIC COMMENT**

President Rairdon opened the floor for the second and final public comment portion of the evening's meeting. The following individuals spoke: Councilor Foley, Phil Spiller, Jr. (76 Sawyer Road), Councilor Chau

**REFERRALS**

Motion to refer Creation of a Fire Truck Fund to the Finance Committee.

Moved by Councilor Rielly, seconded by Councilor Chau.

**Motion carried by a show of hands. None opposed.**

**COMMITTEE REPORTS**

None

**EXECUTIVE SESSION**

Motion to add an Executive Session item to the agenda.

Moved by Councilor Foley, seconded by Councilor Rielly.

**Motion carried by a show of hands. None opposed.**

Motion to enter Executive Session at 8:35pm pursuant to 1 M.R.S.A. § 405-6(C) to discuss matters relating to economic development where premature disclosure of the information would prejudice the competitive or bargaining position of the City, invited the Mayor, City Administrator, Director of Economic Development and City Clerk to attend.

Moved by Councilor Foley, seconded by Councilor Rielly.

**Motion carried by a show of hands. None opposed.**

**RECONVENE**

City Council reconvened at 9:11pm.

**City Councilors Present:** Victor Chau (Ward 2); Michael T. Foley (At-Large); Lawrence McWilliams (Ward 5); Brendan Rielly (Ward 1); Gary Rairdon (Ward 4, President)

**City Councilors Absent:** Ann E. Peoples (At-Large); Anna A. Turcotte (Ward 3, Vice President)

**Other City Officials Present:** Jerre Bryant (City Administrator); Stephen Fields (Assistant City Administrator/Director of Human Resources); Greg Hamilton (Director of Public Safety)

Communications/IT); Angela Holmes (City Clerk); Janine Roberts (Police Chief); Michael Sanphy (Mayor); Steve Sloan (Deputy Fire Chief); Andrew Turcotte (Fire Chief)

**ADJOURNMENT**

Motion to adjourn at 9:12pm.

Moved by Councilor Foley, seconded by Councilor Reilly.

**Motion carried by a show of hands. None opposed.**