



**WESTBROOK CITY COUNCIL
SPECIAL CITY COUNCIL MEETING MINUTES
MONDAY JUNE 15, 2020
WESTBROOK PERFORMING ARTS CENTER**



READING THE CALL

Ms. Holmes noted for the record that this Special City Council Meeting was called by Mayor Foley on June 11, 2020. Notice was sent to all City Councilors and was posted to the City's website.

CALL TO ORDER

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

City Councilors Present: Claude Rwaganje (At-Large); Michael Shaughnessy (At-Large); David C. Morse (Ward 1); Victor Chau (Ward 2); Anna A. Turcotte (Ward 3, Vice President); Gary Rairdon (Ward 4, President); Elliot Storey (Ward 5)

City Councilors Absent: None

Other City Officials Present: Rosemary Bebris (Library Director); Jerre Bryant (City Administrator); Natalie Burns (City Solicitor); Eric Dudley (Director of Engineering & Public Services); Melanie Fernald (Assistant Clerk); Stephen Fields (Assistant City Administrator/Director of Human Resources); Michael T. Foley (Mayor); Jennie Franceschi (Director of Planning & Code Enforcement); Angela Holmes (City Clerk); Suzanne Knight (Finance Director); Dr. Peter Lancia (Westbrook School District Superintendent); Ashley Rand (Deputy City Clerk); Rebecca Spitella (Assistant Planner)

PLEDGE OF ALLEGIANCE

President Rairdon led all present in the Pledge of Allegiance.

MINUTES

There were no minutes for consideration.

MAYOR'S MESSAGE

Mayor Foley read his message into the record. The full text of the Mayor's Message is attached to these minutes.

STUDENT REPRESENTATIVE UPDATE

No Student Representatives were present.

PUBLIC COMMENT

President Rairdon opened the floor for the first public comment portion of the evening's meeting. The following individuals spoke: Vice President Turcotte, Judith Reidman (7 Enchanted Lane), Mayor Foley

ORDERS OF THE DAY (SECOND AND FINAL READING)

Included below are the City Council Orders which require second and final reading. Ms. Holmes noted for the record that pursuant to 1 M.R.S.A. § 403-A, all votes cast must be in the form of a roll call vote.

1. **Order 2020-56. Authorizing Repeal & Replacement of Chapter 19, Walker Memorial Library.**

Motion to approve second and final reading of Order 2020-56.

Moved by Councilor Morse, seconded by Councilor Chau.

President Rairdon opened the floor for comments on the motion to approve second and final reading.

No one spoke.

Motion carried. Order 2020-56 adopted. (Vote 7-0)

Ayes: Rwaganje, Shaughnessy, Morse, Chau, Turcotte, Rairdon, Storey

Nays: None

2. **Order 2020-57. Authorizing Expenditure for Walker Memorial Library Floor Replacement.**

Order 2020-58. Authorizing Recreation and Conservation Commission Expenditure for Pride Preserve Project, Phase II.

Order 2020-59. Authorizing Award of Bid for Longfellow Street Sewer Replacement Project.

Order 2020-60. Authorizing Expenditure for Sewer Line Inspection Services.

Order 2020-61. Authorizing the Consolidation of the Maine Public Employees Retirement System (MePERS) Reserve Fund into the General Fund Balance and the Repeal of Orders 2015-77 and 2019-79.

Order 2020-62. Authorizing the Use of Undesignated General Fund Balance to Pay Off Lease Purchase Agreements and Authorize Capital Purchases.

Order 2020-63. Authorizing the Use of \$968,105 of Undesignated General Fund Balance for the FY 2021 Payment to the Maine Public Employees Retirement System (MePERS).

Order 2020-64. Authorizing Amendment to Comprehensive Resource Management Agreement and Contract Member Municipality Waste Handling and Recycling Agreement with ecomaine.

Order 2020-65. Amending Chapter 41, Property Tax Assistance, Reducing the Age Eligibility for the Senior Property Tax Assistance Program from 70 to 68.

Order 2020-66. Authorizing the Use of the Unused Balance of School Capital Bond Funds to Pay Debt Service Expenses in the FY 2020, FY 2021 and FY 2022 Budgets.

Order 2020-67. Approving the FY 2020-2021 Annual Budget & Appropriations.

Order 2020-68. Approving the FY 2020-2021 School Budget Warrants.

Motion to approve second and final reading of Orders 2020-57 through 68.

Moved by Councilor Chau, seconded by Councilor Shaughnessy.

President Rairdon asked if any Councilor wishes any item to be considered separately. President Rairdon

asked that Orders 2020-58 and 2020-64 be considered separately.

President Rairdon opened the floor for comments on the motion to approve second and final reading of Orders 2020-57, 59 through 63, and 65 through 69. No one spoke.

Motion carried. Orders 2020-57, 59 through 63 and 65 through 69 adopted. (Vote 7-0)

Ayes: Rwaganje, Shaughnessy, Morse, Chau, Turcotte, Rairdon, Storey

Nays: None

President Rairdon opened the floor for comments on the motion to approve second and final reading of Order 2020-58. Mr. Bryant requested an amendment to reduce the amount from \$55,000 to \$15,000.

Motion to amend Order 2020-58, to reduce the amount from \$55,000 to \$15,000.

Moved by Councilor Rwaganje, seconded by Vice President Turcotte.

President Rairdon opened the floor for comments on the motion to amend Order 2020-58. The following individuals spoke: President Rairdon

Motion carried by a show of hands. None opposed.

President Rairdon returned to the motion to approve Order 2020-58, now as amended.

Motion carried. Order 2020-58 adopted, as amended. (Vote 7-0)

Ayes: Rwaganje, Shaughnessy, Morse, Chau, Turcotte, Rairdon, Storey

Nays: None

President Rairdon opened the floor for comments on the motion to approve second and final reading of Order 2020-64. Mr. Bryant noted that Casella Waste requested an amendment under Section 3.4, to add the statement "The charges associated with the management of unacceptable waste shall be the sole responsibility of the City."

Motion to amend Order 2020-64 to include the statement requested by Casella Waste.

Moved by Councilor Chau, seconded by Councilor Shaughnessy.

President Rairdon opened the floor for comments on the motion to amend Order 2020-64. No one spoke.

Motion carried by a show of hands. (Vote 6-1)

Ayes: Rwaganje, Shaughnessy, Morse, Chau, Turcotte, Rairdon

Nays: Storey

President Rairdon returned to the motion to approve Order 2020-64, now as amended.

Motion carried. Order 2020-64 adopted, as amended. (Vote 6-1)

Ayes: Rwaganje, Shaughnessy, Morse, Chau, Turcotte, Rairdon

Nays: Storey

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. Pursuant to 1 M.R.S.A. § 403-A, all votes were cast by a roll call vote.

1. Resolve 2020-19. Approving the MMA Workers Compensation Safety Incentive Program.

Motion to approve first and final reading of Resolve 2020-19.

Moved by Councilor Shaughnessy, seconded by Vice President Turcotte.

President Rairdon opened the floor for comments on the motion to approve first and final reading of the legislation. No one spoke.

Motion carried. Resolve 2020-19 adopted. (Vote 7-0)

Ayes: Rwaganje, Shaughnessy, Morse, Chau, Turcotte, Rairdon, Storey

Nays: None

2. Resolve 2020-20. Setting the Hours of Voter Registration and the Polls.

Motion to approve first and final reading of Resolve 2020-20.

Moved by Councilor Morse, seconded by Councilor Chau.

President Rairdon opened the floor for comments on the motion to approve first and final reading of the legislation. The following individuals spoke: Councilor Chau, Ms. Holmes, Councilor Storey, Mayor Foley, Councilor Rwaganje, President Rairdon, Chief Roberts

Motion carried. Resolve 2020-20 adopted. (Vote 7-0)

Ayes: Rwaganje, Shaughnessy, Morse, Chau, Turcotte, Rairdon, Storey

Nays: None

3. **Order 2020-70. Accepting Unappropriated Funds Report for 3rd Quarter FY 2020.**

Motion to approve first and final reading of Order 2020-70.

Moved by Councilor Rwaganje, seconded by Vice President Turcotte.

President Rairdon opened the floor for comments on the motion to approve first and final reading of the legislation. No one spoke.

Motion carried. Order 2020-70 adopted. (Vote 7-0)

Ayes: Rwaganje, Shaughnessy, Morse, Chau, Turcotte, Rairdon, Storey

Nays: None

4. **Order 2020-71. Authorizing Contractual Agreement with the Town of Scarborough for Shared Services of Animal Control Officer.**

Motion to approve the first of two readings for Order 2020-71.

Moved by Councilor Shaughnessy, seconded by Councilor Chau.

President Rairdon opened the floor for comments on the motion to approve first and final reading of the legislation. The following individuals spoke: Mayor Foley, Mr. Bryant

Motion carried by a show of hands. None opposed.

5. **Order 2020-72. Authorizing Contracts for Reconstruction of Cornelia Warren Four Season Rink.**

Motion to approve the first of two readings for Order 2020-72.

Moved by Councilor Rwaganje, seconded by Councilor Morse.

President Rairdon opened the floor for comments on the motion to approve first and final reading of the legislation. The following individuals spoke: Mr. Bryant, President Rairdon, Councilor Rwaganje, Councilor Storey

Motion carried by a show of hands. None opposed.

6. **Order 2020-73. Approving FY 2020-21 Annual Vendor List.**

Motion to approve the first of two readings for Order 2020-73.

Moved by Councilor Shaughnessy, seconded by Vice President Turcotte.

President Rairdon opened the floor for comments on the motion to approve first and final reading of the legislation. No one spoke.

Motion carried by a show of hands. None opposed.

7. **Order 2020-74. Authorizing a Utility Easement on 5 Bradley Drive.**

Motion to approve the first of two readings for Order 2020-74.

Moved by Councilor Morse, seconded by Vice President Turcotte.

President Rairdon opened the floor for comments on the motion to approve first and final reading of the legislation. The following individuals spoke: Mr. Bryant, President Rairdon

Motion carried by a show of hands. None opposed.

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 Shaughnessy, Vice President Turcotte, Councilor Rwaganje, Mayor Foley

REFERRALS

Motion to refer "Police Department Policy and Procedures" to the Public Safety Committee.

Moved by Councilor Rwaganje, seconded by Councilor Chau.

Motion carried. (Vote 6-1)

Ayes: Rwaganje, Shaughnessy, Morse, Chau, Turcotte, Rairdon

Nays: Storey

COMMITTEE REPORTS

There were no reports from City Council committees.

EXECUTIVE SESSION

Motion to recess into Executive Session at 8:03pm to discuss the City's legal rights and duties pursuant to 1 M.R.S.A. § 405-6(E), inviting the Mayor, City Solicitor, City Administrator, Assistant City Administrator and City Clerk to attend.

Moved by Councilor Chau, seconded by Councilor Rwaganje.

Motion carried by a show of hands. None opposed.

RECONVENE

City Council reconvened at 8:41pm.

City Councilors Present: Claude Rwaganje (At-Large); Michael Shaughnessy (At-Large); David C. Morse (Ward 1); Victor Chau (Ward 2); Anna A. Turcotte (Ward 3, Vice President); Gary Rairdon (Ward 4, President); Elliot Storey (Ward 5)

City Councilors Absent: None

Other City Officials Present: Jerre Bryant (City Administrator); Natalie Burns (City Solicitor); Stephen Fields (Assistant City Administrator/Director of Human Resources); Michael T. Foley (Mayor); Angela Holmes (City Clerk)

ADJOURNMENT

Motion to adjourn at 8:41pm.

Moved by Councilor Shaughnessy, seconded by Vice President Turcotte.

Motion carried by a show of hands. None opposed.



Mayor Michael T. Foley

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MAYOR'S MESSAGE

June 15, 2020

FY 2021 BUDGET & UPCOMING ELECTION

Tonight, Westbrook City Council will give second and final reading to the FY 2021 budget. The State Primary & School Budget Validation Referendum will be held on July 14, 2020. We are excited to report that we have over 1,500 requests for absentee ballots.

REFERRAL – REVIEWING THE POLICE DEPARTMENT'S USE OF FORCE POLICY

A referral has been included on tonight's City Council agenda, asking for City Council's Public Safety Committee to review the Police Department's Use of Force policy. This referral has been made in response to the killings of George Floyd, Breonna Taylor, Ahmaud Arbery and many other Black lives. The City of Westbrook's Police Department is unique in its fundamental commitment to community engagement and community policing efforts, but we recognize that the time is ripe for a review of Use of Force policies in Police Departments across the United States. This referral is made to ensure that we in Westbrook continue to operate to the highest possible standard, and to keep the public informed about policy development, implementation and oversight in our community. The Westbrook Police Department under the direction of Chief Janine Roberts continues to demonstrate integrity in leadership, which welcomes accountability and feedback. In this light, we request a conversation with the Public Safety Committee to review our Use of Force policy and to have an open conversation about serving and protecting all members of our community.

WESTBROOK'S TAKEOUT & DELIVERY SUPPORT EFFORT CONTEST

Lisa Wallace was the latest winner of the Westbrook Takeout & Delivery Support Effort Contest, winning a \$100 gift certificate to Jack's Thai Cuisine. Today's drawing will be done in advance for today's meeting and our next drawing will be next Monday. To enter the contest, visit the City website and upload photos of receipts from Westbrook restaurants totaling \$100 or more. We hope this program will help to infuse money into our local economy and help our local businesses. Coming in July, we will look to revamp this program and continue through the rest of the summer.

MORE BUSINESSES OPEN

We are excited more businesses are able to reopen here in the City after the most recent announcement from Governor Mills! Please continue to support your local businesses, they need our support now more than ever! Our Economic Development team will work to support Bars & Breweries here in the City so they can reopen for outside service as well as support all other business with anything they may need.