

**WESTBROOK CITY COUNCIL
SPECIAL CITY COUNCIL MEETING MINUTES
MONDAY JULY 15, 2019
WESTBROOK HIGH SCHOOL, ROOM 114**

READING THE CALL

City Clerk Angela Holmes noted for the record that this Special City Council meeting was called by Mayor Michael Sanphy on Friday July 13, 2019. It was also announced during the Inaugural Ceremonies held on December 3, 2018. Notice of the meeting was emailed to all City Councilors and was posted on the City's website.

CALL TO ORDER

Meeting called to order at 7:10pm by City Council President Gary Rairdon.

City Councilors Present: Victor Chau (Ward 2); Michael T. Foley (At-Large); Lawrence McWilliams (Ward 5); Ann E. Peoples (At-Large); Brendan Rielly (Ward 1); Gary Rairdon (Ward 4, President); Anna A. Turcotte (Ward 3, Vice President)

City Councilors Absent: None

Other City Officials Present: Jerre Bryant (City Administrator); Natalie Burns (Legal Counsel); Stephen Fields (Assistant City Administrator/Director of Human Resources); Jennie Franceschi (Director of Planning & Code Enforcement); Angela Holmes (City Clerk); Katherine Kelley (Wastewater Manager); Suzanne Knight (Finance Director); Michael Sanphy (Mayor); Daniel Stevenson (Director of Economic Development); David Thompson (Police Lieutenant); 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 following meeting minutes will stand as presented: Committee of the Whole meetings (1 & 2), Regular City Council meeting and Finance Committee meeting held on July 1, 2019; and the Finance Committee meeting held on July 8, 2019. No objections were received; minutes stand as presented.

MAYOR'S MESSAGE

Mayor Sanphy congratulated President Rairdon on another excellent turnout for the Westbrook Strong 5k & Matt's Mile and invited him to speak for a few minutes on the race.

Mayor Sanphy gave the floor to Mr. Stevenson to provide a brief overview of the "Seeing Orange" program, which provides updates to the public on construction projects happening in the downtown area. In addition, Mr. Stevenson noted that the Clean Team has been operating in the downtown, picking up trash that Public Services may be unable to get with their vehicles.

STUDENT REPRESENTATIVE UPDATE

There were no Student Representatives present.

PUBLIC COMMENT

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

UNFINISHED BUSINESS

Included below are City Council Orders which were previously considered by City Council, but which were laid on the table for future action.

1. **Order 2019-114. Authorizing Business Partnership Initiative Program Agreements for Spring Street & Eisenhower Drive Intersection Project.**
Motion to leave Order 2019-114 on the table.
Moved by Councilor Foley, seconded by Councilor Peoples.
President Rairdon opened the floor for comments on the motion. No one spoke.
Motion carried by a show of hands. None opposed. Item remains tabled.
2. **Order 2019-121. Amending the Uniform Traffic Ordinance Regarding Parking on Dunn Street.**
Motion to leave Order 2019-121 on the table.
Moved by Councilor Rielly, seconded by Councilor Peoples.
President Rairdon opened the floor for comments on the motion. The following individuals spoke: Councilor Foley
Motion carried by a show of hands. None opposed. Item remains tabled.
3. **Request for Extension of Liquor License, submitted by Fraternal Order of Eagles (89 Saco Street).**
Motion to remove the request for an extension of a liquor license from the table.
Moved by Councilor Rielly, seconded by Councilor Peoples.
Motion carried by a show of hands. None opposed.

As a point of order, Councilor Foley asked Mr. Bryant for clarification on the procedures. Mr. Bryant stated that the underlying motion to approve the extension request must be considered. If the Council wishes to deny the request, they must adopt Findings of Fact pertaining to the denial, as prepared by the City Solicitor.

President Rairdon opened the floor for comments on the underlying motion to approve the extension request. The following individuals spoke: Councilor Foley, Mr. Bryant, Ms. Holmes

Motion failed. Extension not approved. (Vote 0-7)

Ayes: None

Nays: Chau, Foley, McWilliams, Peoples, Rielly, Turcotte, Rairdon

Motion to adopt the Findings of Fact.

Moved by Councilor Foley, seconded by Councilor Peoples.

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

Motion carried by a show of hands. None opposed.

ORDERS OF THE DAY (SECOND AND FINAL READING)

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

1. **Order 2019-124. Accepting Land & Water Conservation Fund Grant for the Cornelia Warren Outdoor Recreation Area.**
Order 2019-125. Authorizing Lease Purchase of Sidewalk Tractor.
Order 2019-126. Authorizing Purchase of Replacement Rotary Broom.
Order 2019-127. Authorizing Expenditure for Road Striping Services.
Order 2019-128. Authorizing Purchase of Refurbished Automated External Defibrillators.
Order 2019-129. Establishing Chapter 42, *Mass Gathering Events*, in the Westbrook Code of Ordinances.
Order 2019-130. Amending the Westbrook Code of Ordinances Regarding Purchasing Procedures.
Order 2019-131. Authorizing the Addition of AT&T/FirstNet to Vendor Lists for Cellular Services.

Motion to approve second and final reading of Orders 2019-124 through 131.

Moved by Councilor Foley, seconded by Councilor Chau.

President Rairdon asked if any Councilor would like any of these Council Orders considered separately; no response received.

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

Motion carried. Orders 2019-124 through 131 adopted. (Vote 7-0)

Ayes: Chau, Foley, McWilliams, Peoples, Rielly, Turcotte, Rairdon

Nays: None

2. **Order 2019-132. Authorizing Permanent Consolidation of Polling Locations.**

Ms. Holmes noted for the record that this item requires a public hearing. Notice of the public hearing was published in the American Journal on July 4, 2019 and was posted to the City's website.

President Rairdon opened the public hearing. The following individuals spoke: Councilor Rielly, Ms. Holmes, President Rairdon

President Rairdon closed the public hearing.

Motion to approve second and final reading of Order 2019-132.

Moved by Councilor Foley, seconded by Councilor Rielly.

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

Motion carried. Order 2019-132 adopted. (Vote 7-0)

Ayes: Chau, Foley, McWilliams, Peoples, Rielly, Turcotte, Rairdon

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. **Order 2019-133. Amending Order 2019-99, Temporary Construction Easement for a Portion of Saccarappa Park.**

Motion to approve first and final reading of Order 2019-133.

Moved by Vice President Turcotte, seconded by Councilor Peoples.

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

Motion carried. Order 2019-133 adopted. (Vote 7-0)

Ayes: Chau, Foley, McWilliams, Peoples, Rielly, Turcotte, Rairdon

Nays: None

2. **Order 2019-134. Authorizing Street Closure for National Night Out.**
Motion to approve first and final reading of Order 2019-134.
Moved by Councilor Peoples, seconded by Vice President Turcotte.
President Rairdon opened the floor for comments on the motion. No one spoke.
Motion carried. Order 2019-134 adopted. (Vote 7-0)
Ayes: Chau, Foley, McWilliams, Peoples, Rielly, Turcotte, Rairdon
Nays: None

3. **Order 2019-135. Authorizing Amendment to Zoning Map – Rezoning 380 Main Street as City Center District.**
Ms. Holmes noted for the record that this item will require a public hearing, scheduled to be held on August 5, 2019. Notice of the public hearing will be published in the American Journal on July 18 & 25, 2019.
Motion to approve the first of two readings of Order 2019-135.
Moved by Councilor Rielly, seconded by Councilor Peoples.
President Rairdon opened the floor for comments on the motion. The following individuals spoke: Councilor Chau, Ms. Franceschi
Motion carried by a show of hands. None opposed.

4. **Order 2019-136. Authorizing Temporary Construction & Permanent Drainage Easement at 167 New Gorham Road.**
Motion to approve the first of two readings of Order 2019-136.
Moved by Councilor Peoples, seconded by Councilor McWilliams.
President Rairdon opened the floor for comments on the motion. The following individuals spoke: Councilor Chau, Mr. Bryant, Ms. Kelley
Motion carried by a show of hands. None opposed.

5. **Order 2019-137. Authorizing Expenditure for Police Department Firing Range Improvements.**
Motion to approve the first of two readings of Order 2019-137.
Moved by Vice President Turcotte, seconded by Councilor Chau.
President Rairdon opened the floor for comments on the motion. The following individuals spoke: Councilor Chau, Mr. Bryant
Motion carried by a show of hands. None opposed.

6. **Order 2019-138. Authorizing Acceptance & Expenditure of CDBG Funds for Parent Engagement & Education at the Intercultural Community Center.**
Motion to approve the first of two readings of Order 2019-138.
Moved by Councilor Foley, seconded by Councilor Peoples.
President Rairdon opened the floor for comments on the motion. The following individuals spoke: Mr. Bryant
Motion carried by a show of hands. None opposed.

7. **Order 2019-139. Authorizing Acceptance & Expenditure of Community Development Block Grant Funds & Matching Donations for the Cornelia Warren Four Season Rink Renovation.**
Motion to approve the first of two readings of Order 2019-139.
Moved by Councilor Rielly, seconded by Councilor Foley.

President Rairdon opened the floor for comments on the motion. The following individuals spoke: Councilor Foley, Phil Spiller, Jr. (Recreation & Conservation Commission Member)

Motion carried by a show of hands. None opposed.

8. **Order 2019-140. Authorizing Various Recreation & Conservation Commission Expenditures.**

Motion to approve the first of two readings of Order 2019-140.

Moved by Councilor Peoples, seconded by Vice President Turcotte.

President Rairdon opened the floor for comments on the motion. The following individuals spoke: Mr. Bryant, Rachele Curran-Apse (Presumpscot Regional Land Trust)

Motion carried by a show of hands. None opposed.

9. **Order 2019-141. Authorizing Conveyance of City Property to the Westbrook-Gorham Rotary Club for Use by the Westbrook Regional Vocational Center.**

Motion to approve the first of two readings of Order 2019-141.

Moved by Councilor Rielly, seconded by Councilor Peoples.

Councilor Foley disclosed for the record that he is a member of the Westbrook-Gorham Rotary Club but has no personal interest in this decision nor would he receive any personal gain; for these reasons, he is willing to participate in the consideration of this item.

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

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

Ayes: Foley, McWilliams, Peoples, Rielly, Turcotte, Rairdon

Nays: Chau

10. **Order 2019-142. Authorizing Agreement for Property Appraisal Services.**

Motion to approve the first of two readings of Order 2019-142.

Moved by Vice President Turcotte, seconded by Councilor Chau.

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

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. No one spoke.

REFERRALS

Motion to refer "11 Mechanic Street" to the Committee of the Whole.

Moved by Councilor Foley, seconded by Councilor Peoples.

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

Motion carried by a show of hands. None opposed.

COMMITTEE REPORTS

Councilor Rielly, chair of the Committee of the Whole, noted for the record that former City Councilor Lynda Adams was consulted about an item she had referred to committee for discussion regarding dog waste control. As the reason for this request pertained to dog waste on private property, which is a civil matter, this item requires no further action.

Motion to take no further action on this item.

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.

EXECUTIVE SESSION

Motion to enter into Executive Session at 8:05pm pursuant to 1 M.R.S.A. § 405-6(C) to discuss the disposition of publicly held properties where premature disclosure would prejudice the competitive or bargaining position of the City.

Moved by Councilor Rielly, seconded by Councilor Peoples.
President Rairdon opened the floor for comments on the motion. No one spoke.
Motion carried by a show of hands. None opposed.

RECONVENE

Meeting reconvened at 8:50pm.

City Councilors Present: Victor Chau (Ward 2); Michael T. Foley (At-Large); Lawrence McWilliams (Ward 5); Ann E. Peoples (At-Large); Brendan Rielly (Ward 1); Gary Rairdon (Ward 4, President); Anna A. Turcotte (Ward 3, Vice President)

City Councilors Absent: None

Other City Officials Present: Jerre Bryant (City Administrator); Stephen Fields (Assistant City Administrator/Director of Human Resources); Angela Holmes (City Clerk); Michael Sanphy (Mayor); Daniel Stevenson (Director of Economic Development)

ADJOURNMENT

Motion to adjourn at 8:50pm.
Moved by Councilor Foley, seconded by Councilor Rielly.
Motion carried by a show of hands. None opposed.