



**WESTBROOK CITY COUNCIL  
REGULAR CITY COUNCIL MEETING MINUTES  
MONDAY AUGUST 3, 2020  
WESTBROOK PERFORMING ARTS CENTER**



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### **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:** Jerre Bryant (City Administrator); Natalie Burns (Legal Counsel); Eric Dudley (Director of Engineering & Public Services); Melanie Fernald (Deputy Clerk); Stephen Fields (Assistant City Administrator/Director of Human Resources); Michael T. Foley (Mayor); Greg Hamilton (Director of Emergency Communications & IT); Angela Holmes (City Clerk); Katherine Kelley (Wastewater Manager); Suzanne Knight (Finance Director); Dena Lebeda (Tax Collector); Nancy Litrocapes (Economic Development Specialist); Janine Roberts (Police Chief); Rebecca Spitella (Asst. City Planner)

### **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 Special City Council meeting and the Public Safety Committee meeting held on July 27, 2020 would stand as presented. No objections received. Minutes stand as presented.

### **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, Councilor Shaughnessy read emails from Matt Sulem (Bicycle Coalition of Maine) and Tammy Barrows (resident of Main Street)

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

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

1. **Order 2020-78. Amending Land Use Ordinance Regarding Sign Regulations.**  
**\*\*Public Hearing\*\***

Ms. Holmes noted for the record that Order 2020-78 requires a public hearing. Notice of the public hearing was published in the Portland Press Herald on July 22 & July 27, 2020.

President Rairdon opened the public hearing. No one spoke.

President Rairdon closed the public hearing.

Motion to approve second and final reading of Order 2020-78.

Moved by Councilor Chau seconded by Vice President Turcotte.

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

The following individuals spoke: Councilor Shaughnessy, Ms. Spitella

**Motion carried. Order 2020-78 adopted. (Vote 7-0)**

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

Nays: None

2. **Order 2020-79. Authorizing Expenditure for Agenda Management System.**

**Order 2020-80. Authorizing Amendment and Additional Expenditure for Engineering Services for Downtown Lighting.**

**Order 2020-81. Authorizing Expenditure for Police Department Training & Duty Ammunition.**

**Order 2020-82. Approving Emergency Expenditure for Police Department Protective Gear.**

**Order 2020-83. Authorizing Award of Bid for Police Department Patrol Room Renovations.**

**Order 2020-84. Authorizing Reimbursement for Police Officer Training Costs.**

**Order 2020-85. Authorizing Westbrook Environmental Improvement Corporation (WEIC) Expenditure for Due Diligence Services at Mechanic Street Parking Lot.**

**Order 2020-86. Authorizing Community Policing Sub-Station Rent Payments.**

**Order 2020-87. Authorizing Saco/Eisenhower Street Intersection MPI Agreement.**

**Order 2020-88. Authorizing Eisenhower/Spring Street MDOT BPI Intersection Project Construction/Perpetual Easement Compensation.**

**Order 2020-89. Authorizing Second & Final Payment for Simulcast Transmitter/Receiver Site & Amending Annual Vendor List.**

**Order 2020-90. Authorizing a Utility Easement at 5 Bradley Drive (5 Bradley Drive Westbrook, LLC).**

Motion to approve second and final reading of Orders 2020-79 through 2020-90.

Moved by Councilor Morse, seconded by Vice President Turcotte.

President Rairdon opened the floor for comments on the motion to approve second and final reading of Orders 2020-79 through 2020-90. The following individuals spoke: Councilor Shaughnessy, Mr. Dudley, President Rairdon

**Motion carried. Order 2020-79 through 90 adopted. (Votes 7-0)**

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

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. **Liquor License Application (New Owner) – Oklee, LLC d/b/a Time Out Sports Pub, located at 10-12 Cumberland Street**

Ms. Holmes noted for the record, this item requires a public hearing.

President Rairdon open the floor for public hearing. The following individuals spoke: President Rairdon. Public hearing closed.

**Motion to approve liquor license for Oklee, LLC d/b/a Time Out Sports Pub, located at 10-12 Cumberland Street**

Moved by Councilor Chau, seconded by Councilor Morse.

**Motion carried by show of hands. None opposed. Liquor License approved.**

**2. Order 2020-91. Authorizing Acceptance of Easements for MDOT Projects**

Motion to approve first and final reading of Order 2020-91.

Moved by Councilor Chau, second by Councilor Morse.

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

**Motion carried. Order 2020-91 adopted. (Vote 7-0)**

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

Nays: None

**3. Order 2020-92. Authorizing Purchase of Police Desks**

Motion to approve first and final reading of Order 2020-92.

Moved by Vice President Turcotte, seconded by Councilor Rwaganje.

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

**Motion carried. Order 2020-92 adopted. (Vote 7-0)**

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

Nays: None

**4. Order 2020-93. Approving Administrative Updates to the Downtown Façade Improvement Program.**

Motion to approve the first and final reading of Order 2020-93.

Moved by Councilor Shaughnessy, seconded by Councilor VP Turcotte.

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

Mayor Foley, Ms. Litrocapes, Councilor Chau.

**Motion carried. Order 2020-93 adopted. (Vote 7-0)**

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

Nays: None

**5. Order 2020-94. Adopting Policy on Tax-Acquired Properties.**

Motion to approve the first and final reading of Order 2020-94.

Moved by Vice President Turcotte, seconded by Councilor Rwaganje.

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

Mayor Foley, President Rairdon

**Motion carried. Order 2020-94 adopted. (Vote 7-0)**

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

Nays: None

**6. Order 2020-95. Adopting One-Time Interest Amnesty Offer for Owner-Occupied Residential Properties.**

Motion to approve the first and final reading of Order 2020-95.

Moved by Councilor Rwaganje, seconded by Councilor Shaughnessy.

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

Councilor Storey, Mayor Foley, Vice President Turcotte, Mr. Bryant, Councilor Rwaganje, President Rairdon.

**Motion carried. Order 2020-95 adopted. (Vote 5-2)**

Ayes: Rwaganje, Shaughnessy, Morse, Turcotte, Rairdon

Nays: Chau, Storey

- 7. Order 2020-96. Authorizing Reallocation of Funds for County Road Pump Station Project.**  
Motion to approve the first of two readings for Order 2020-96.  
Moved by Councilor Morse, seconded by Councilor Vice President Turcotte.  
President Rairdon opened the floor for comments on the motion. No one spoke.  
**Motion carried by a show of hands. None opposed.**
- 8. Order 2020-97. Authorizing Award of Bid for Public Safety Building Assessment.**  
Motion to approve the first of two readings for Order 2020-97.  
Moved by Councilor Shaughnessy, seconded by Councilor Vice President Turcotte.  
President Rairdon opened the floor for comments on the motion. No one spoke  
**Motion carried by a show of hands. None opposed.**
- 9. Order 2020-98. Authorizing Award of Bid for Unmarked Police Vehicle.**  
Motion to approve the first of two readings for Order 2020-98.  
Moved by Councilor Morse, seconded by Councilor Rwaganje.  
President Rairdon opened the floor for comments on the motion. The following individuals spoke:  
Councilor Storey, Chief Roberts  
**Motion carried by a show of hands. None opposed.**
- 10. Order 2020-99. Authorizing Appropriation of Recreation and Conservation Commission Open Space Funds for the Cornelia Warren 4-Season Rink Project.**  
Motion to approve the first of two readings for Order 2020-99.  
Moved by Councilor Shaughnessy, seconded by Councilor Chau.  
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.**
- 11. Order 2020-100. Authorizing Purchase of Replacement Voice/Radio Recorder System.**  
Motion to approve the first of two readings for Order 2020-100.  
Moved by Councilor Morse, seconded by Vice President Turcotte.  
President Rairdon opened the floor for comments on the motion. No one spoke  
**Motion carried by a show of hands. None opposed.**
- 12. Order 2020-101. Authorizing Acceptance of Asset Forfeiture Funds.**  
Motion to approve the first of two readings for Order 2020-101.  
Moved by Vice President Turcotte, seconded by Councilor Shaughnessy.  
President Rairdon opened the floor for comments on the motion. No one spoke  
**Motion carried by a show of hands. None opposed.**
- 13. Order 2020-102. Authorizing Payment for Annual Email Archive Maintenance Support & Amending Annual Vendor List.**  
Motion to approve the first of two readings for Order 2020-102.  
Moved by Councilor Shaughnessy, seconded by Councilor Rwaganje.  
President Rairdon opened the floor for comments on the motion. The following individuals spoke:  
Councilor Storey, Mr. Bryant.  
**Motion carried by a show of hands. None opposed.**

**14. Order 2020-103. Authorizing Award of Bid for Two Police Cruisers.**

Motion to approve the first of two readings for Order 2020-103.

Moved by Vice President Turcotte, seconded by Councilor Shaughnessy.

President Rairdon opened the floor for comments on the motion. The following individuals spoke: Councilor Storey, Chief Roberts, Mr. Bryant, Mayor Foley, Mr. Dudley, Councilor Rwaganje.

**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 Rwaganje, Mayor Foley

**REFERRALS**

Motion to refer "Installation of Street Light at 23 Everett Street" to the Facilities & Streets Committee, and to refer "Charter Amendments – Appropriation/Expenditure Threshold & Ballot Access" to the Committee of the Whole.

Moved by Councilor Morse, seconded by Vice President Turcotte.

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

**COMMITTEE REPORTS**

There were no reports from City Council committees.

**ADJOURNMENT**

Motion to adjourn at 8:31pm.

Moved by Vice President Turcotte, seconded by Councilor Morse.

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



MAYOR'S OFFICE



**Mayor Michael T. Foley**

2 York Street

Westbrook, Maine 04092

Phone: 207-591-8110

Fax: 877-688-9553

## MAYOR'S MESSAGE

August 3, 2020

### APPOINTMENTS

I would like to announce an appointment to the Public Safety Commission of Muhammad Khan who will be the designated Ward 3 member replacing long time member Bruce Caron. This is an important commission that helps with the hiring of all of our public safety staff. I'd like to thank Bruce who recently departed for his many years of service to this commission as the Ward 3 Representative. He previously served as the Alternate Member and we are currently looking for additional community members to serve for Ward 4 and one Alternate Member. Please contact me for more information.

### FREE COVID-19 TESTING SITE

Last City Council meeting I announced that the City has partnered with the Maine CDC & DHHS to offer a COVID-19 "Swab & Send" testing site here in the City of Westbrook. This site is located at the Public Safety Building, 570 Main Street, and testing will be conducted by appointment only. Appointments can be scheduled through [www.solvehealth.com](http://www.solvehealth.com) or by calling 207-854-0655.

### REFERRALS

There are two referrals on the City Council agenda this evening. The first is a request made by a resident for a streetlight, which will be reviewed by the Facilities & Streets Committee, and the second is a request to send two Charter change questions to referendum at the November 3<sup>rd</sup> Election. The first question concerns an increase to the appropriation/expenditure threshold. At present, any appropriation/expenditure of \$3,000 or more requires two readings and approval by City Council. This \$3,000 was last amended over two decades ago. The Administration now proposes sending a referendum question to voters to increase that limit to \$10,000. The second item concerns an amendment to how candidates get on the ballot. Westbrook is the only municipality amongst those with populations of 15,000 or more that still allows partisan politics to have a role in access to the ballot. All other municipalities require municipal candidates to obtain signatures of support via petition to get on the ballot. This item asks voters whether Westbrook should remove the option for municipal candidates to gain access to the ballot by political party nomination, and instead require all municipal candidates to use the nomination petition option. These are items we had been working on prior to the pandemic and now we are at the time when these should be considered for the upcoming election. A Committee of the Whole meeting will be scheduled on August 31st to review these items. If supported by the committee, they would move to refer these items to City Council for consideration. If adopted by City Council, the question would be included on the November 3, 2020 ballot. Per 30-A M.R.S.A. § 2105(4), the total number of votes cast on either side of a Charter change referendum question needs to be at least 30% of the total votes cast in the City at the last gubernatorial election (2,584 total votes cast required), with a majority vote required to approve the question. With the second question in particular, the November 3, 2020 election is ideal for a Charter change referendum question, as we are

projected to have a higher voter turnout and there are no municipal seats on the ballot at that election. We look forward to discussing this proposal with the City Council later this month.

### **UPCOMING ELECTION**

The Presidential Election will be held on November 3, 2020. We are again encouraging voters to consider voting absentee this election to minimize crowds at the polls on Election Day. Today is the first day that voters can request an absentee ballot by calling our Election Hotline at 591-8116 or submitting a request online.

## CITY OF WESTBROOK TAX ACQUIRED PROPERTY

	*CHARITABLE	**COMMERCIAL	***LAND	****RESIDENTIAL		TOTAL DUE CITY
TOTAL DUE	\$1,400.92	\$43,945.76	\$191,859.41	\$519,889.41		
INTEREST ONLY	\$225.48	\$11,335.50	\$51,214.75	\$164,346.94		<b>\$984,218.17</b>
* CHARITABLE TOTAL IS PRESUMPCOT REGIONAL LAND TRUST					TOTAL FOR HAMLET	\$68,288.81
					INTEREST	\$19,213.57
**COMMERCIAL TOTAL IS MADE UP OF 4 PROPERTIES						
*** LAND TOTAL IS MADE UP OF 49 PARCELS						
****RESIDENTIAL TOTAL IS MADE UP OF 32 MOBILE HOMES FROM THE HAMLET, 6 TWO-FAMILY UNITS, 1 THREE-FAMILY UNIT AND 17 SINGLE-FAMILY HOMES						
<b><i>TOTALS ARE FROM 1998-2018 ONLY (ALREADY TAX-ACQUIRED)</i></b>						