

**WESTBROOK CITY COUNCIL
SPECIAL CITY COUNCIL MEETING MINUTES
MONDAY FEBRUARY 26, 2017 AT 7:00PM
WESTBROOK CITY HALL**

READING THE CALL

Ms. Rand noted for the record that this Special Session was called by Mayor Mike Sanphy on Friday February 23, 2018, such Special Session to be held on Monday February 26, 2018 at 7:00pm.

CALL TO ORDER

Called to order at 7:00pm by President Rielly, who led all present in the Pledge of Allegiance.

Councilors Present: Lynda Adams (Ward 5); Victor Chau (Ward 2); Ann Peoples (At-Large); Brendan Rielly (Ward 1/President); John O'Hara (At-Large/Vice President)

Councilor Absent: Gary Rairdon (Ward 4); Anna Turcotte (Ward 3)

Other City Officials Present: Jerre Bryant (City Administrator); Natalie Burns (City Solicitor); James DiEmedio (Buildings Superintendent); Eric Dudley (Director of Public Services); Jennie Franceschi (Director of Code Enforcement & Planning); Katherine Gray (Wastewater Manager); Suzanne Knight (Finance Director); Ashley Rand (Deputy City Clerk); Michael Sanphy (Mayor); Janine Roberts (Police Chief); Daniel Stevenson (Economic Development Director); Andrew Turcotte (Fire Chief)

APPROVAL OF MINUTES

President Rielly noted that unless there were any objections, City Council would let stand the minutes from the City Council Workshop held February 5, 2018, and the City Council Meeting held February 5, 2018. Minutes stand as presented.

MAYOR'S MESSAGE

- Mayor Sanphy presented the City of Westbrook Employee of the Year Award for 2017 to James DiEmedio (Building Superintendent)
- Mayor Sanphy Appointed Mary Payne to the Public Safety Commission
- Mayor Sanphy Appointed Mutima Peter to the Public Safety Commission
- Mayor Sanphy stated that coffee with the Mayor will be held Saturday March 3rd at City Hall from 9:00am-10:00am. All are welcome to stop by for coffee.

STUDENT REPRESENTATIVE UPDATE

Student Representative Maura Rielly stated the following:

- There is a new security entry at the main entrance of the High School. All students, staff, and parents will have to pass through here in order to get into the school.

Student Representative Rayna Al Obaidi stated the following:

- Poetry Regional Finals will be Wednesday February 28th at the Westbrook Performing Arts Center. Westbrook High School Awards Banquet will be held in March.

PUBLIC COMMENT

President Rielly opened the floor for the first public comment portion of the City Council meeting. No one spoke.

ORDERS OF THE DAY (SECOND AND FINAL READING)

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

1. **Order 2018-13. Approving the IDEXX Laboratories Tax Increment Financing District Amendment**

- a. Motion to approve second and final reading of the order:
Moved by Vice President O'Hara, seconded by Councilor Chau.

- b. The following individuals commented on the motion to approve second reading of the legislation:
 - i. Mr. Bryant
 - ii. Vice President O'Hara
 - iii. Councilor Chau

- c. Revisiting the motion to approve Second and Final reading of Order 2018-13.
Moved by Vice President O'Hara, Seconded by Councilor Chau
Motion carried. Order 2018-13 Adopted. (Vote 5-0-2)
Ayes: Councilor Adams, Councilor Chau, Councilor Peoples, President Rielly, Vice President O'Hara
Nays: None
Absent: Councilor Rairdon, Councilor Turcotte

2. **Order 2018-14 through 19.**

Motion to approve second and final reading of the following orders:

- | | |
|---------------|--|
| Order 2018-14 | Authorizing Replacement of Emergency Communications Radio System |
| Order-2018-15 | Authorizing Expenditure for Police Training |
| Order 2018-16 | Award of Bid for upgrading Wastewaters SCADA Software and Installation of Alarm Management |
| Order 2018-17 | Award of Bid for Sewer Department Truck |
| Order 2018-18 | Award of Bid for Outdoor Pool Water Service Replacement |
| Order 2018-19 | Authorizing Agreement for Loaner Fire Truck |

Moved by Vice President O'Hara, seconded by Councilor Peoples.

Motion carried. Order 2018-01 through Order 2018-06 Adopted. (Vote 5-0-2)

Ayes: Councilor Adams, Councilor Chau, Councilor Peoples, President Rielly, Vice President O'Hara

Nays: None

Absent: Councilor Rairdon, Councilor 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. **Liquor License Applications (Renewals).** Motion to approve the liquor license renewal application for the following restaurant: Chipotle Mexican Grill of Colorado LLC d/b/a Chipotle Mexican Grill #1749, located at 11 Main Street
Moved by Councilor Chau, seconded by Councilor Peoples.
Motion carried by show of hands. None opposed.

2. **Liquor License Application (New).**

- a. Motion to approve the liquor license application for the following restaurant: RT New England Franchise LLC d/b/a Ruby Tuesday located at 11 Main Street, Suite 14
Moved by Councilor O'Hara, seconded by Councilor Peoples.
- b. Ms. Rand noted this item requires public hearing. Notice of public Hearing was published in the American Journal on February 22, 2018. Notice was mailed to property owners within 500' of the business, as well as posted to the City's website. Ms. Rand also noted that Ruby Tuesday has been recently acquired by a new law firm to handle their financials, the State is requiring that law firm to fill out a new Liquor License application.
- c. President Rielly opened the Public Hearing. None one spoke.
- d. President Rielly Closed the Public Hearing.
- e. Revisiting the motion to approve liquor license application.
Motion carried by show of hands. None Opposed.

3. **Resolve 2018-01. Appointing Gregory Blake to the Westbrook Sewer Commission**

- a. President Rielly noted that the Administration has asked that this Resolve be withdrawn from the Agenda.
- b. Resolve withdrawn.

4. **Resolve 2018-02. Nominating Victoria Inman as the Inland Fisheries & Wildlife Agent**

Motion to approve first and final reading of Resolve 2018-02

Moved by Councilor Chau, Seconded by Councilor Peoples

Motion carried. Resolve 2018-02 Adopted. (Vote 5-0-2)

Ayes: Councilor Adams, Councilor Chau, Councilor Peoples, Councilor Rairdon, Councilor Turcotte, President Rielly, Vice President O'Hara

Nays: None

Absent: Councilor Rairdon, Councilor Turcotte

5. **Orders 2018-20 through 2018-22**

- a. Motion to approve first and final reading of the following Orders:
Order 2018-20 Authorizing Additional Expenditure for Community Services Software
Order 2018-21 Accepting Donation for Replacement Police Canine
Order 2018-22 Authorizing WEIC Expenditure to Westbrook High School Environmental Education Program
Moved by Councilor Peoples, Seconded by Councilor Rairdon
- b. The following individuals commented on the motion to approve first and final reading of the legislation:
 - i. Councilor Chau
- c. Revisiting the motion to approve first and final reading of Orders 2018-20 through 2018-22.
Motion carried. Orders 2018-20 through 2018-22 Adopted. (Vote 5-0-2)
Ayes: Councilor Adams, Councilor Chau, Councilor Peoples, Councilor Rairdon, Councilor Turcotte, President Rielly, Vice President O'Hara
Nays: None

Absent: Councilor Rairdon, Councilor Turcotte

6. **Order 2018-23. Approving the Transit Oriented Development Tax Increment Financing District**
 - a. Motion to approve first reading of Order 2018-23
Moved by Vice President O'Hara, seconded by Councilor Adams
 - b. The following individuals commented on the motion to approve first reading of the legislation:
 - i. Mr. Bryant
 - ii. President Rielly
 - c. Revisiting the motion to approve first reading of Order 2018-23
Motion carried by a show of hands (5-0). None opposed.
7. **Order 2018-24. Approving the Waterstone Development Tax Increment Financing District**
 - a. Motion to approve first reading of Order 2018-24
Moved by Councilor Peoples, Seconded by Councilor Chau
 - b. The following individuals commented on the motion to approve first reading of the legislation:
 - i. Mr. Bryant
 - ii. Greg Day-Waterstone Development
 - iii. President Rielly
 - iv. Alyssa Tibbetts (Attorney, Jensen Baird Gardner Hennerly)
 - v. Councilor Chau
 - c. Revisiting the motion to approve first reading of Order 2018-24
Motion carried by a show of hands (5-0). None opposed.
8. **Order 2018-25. Approving the FY 2019 Contract with The Animal Refuge League of Greater Portland**
 - a. Motion to approve first reading of Order 2018-25
Moved by Councilor Peoples, seconded by Councilor Chau
 - b. The following individuals commented on the motion to approve first reading of the legislation:
 - i. Councilor Chau
 - c. Revisiting the motion to approve first reading of Order 2018-25
Motion carried by a show of hands (5-0). None opposed.
9. **Order 2018-26. Authorizing Extension of Contract for 2018 Paving Services**

Motion to approve first reading of Order 2018-26
Moved by Councilor Adams, seconded by Councilor Peoples
Motion carried by a show of hands (5-0). None opposed.
10. **Order 2018-27. Authorizing Payment for Annual Maintenance of Public Safety's Recording System Server and Amending the 2017-2018 Annual Vendor List**

Motion to approve first reading of Order 2018-27
Moved by Councilor Adams, seconded by Councilor Peoples
Motion carried by a show of hands (5-0). None opposed.

11. **Order 2018-28. Award of Bid for Mowing and Ground Maintenance Services for Westbrook School Department Properties**

- a. Motion to approve first reading of Order 2018-28
Moved by Councilor Adams, seconded by Councilor Peoples
- b. The following individuals commented on the motion to approve first reading of the legislation:
 - i. Councilor Chau
 - ii. Mr. Bryant
- c. Revisiting the motion to approve first reading of Order 2018-28
Motion carried by a show of hands (5-0). None opposed.

12. **Order 2018-29. Award of Bid for Stormwater Management Features**

Motion to approve first reading of Order 2018-29
Moved by Councilor Adams, seconded by Councilor Peoples
Motion carried by a show of hands (5-0). None opposed.

13. **Order 2018-30. Authorizing Acceptance and Expenditure of a Donation from Calpine**

Motion to approve first reading of Order 2018-30
Moved by Councilor Peoples, seconded by Councilor Chau
Motion carried by a show of hands (5-0). None opposed.

14. **Order 2018-31. Approving the 2016–2018 Collective Bargaining Agreement for Fire/Rescue Unit**

- a. Motion to approve first reading of Order 2018-31
Moved by Councilor Chau, seconded by Councilor Adams
- b. The following individuals commented on the motion to approve first reading of the legislation:
 - i. Mr. Bryant
 - ii. Councilor Chau
- c. Revisiting the motion to approve first reading of Order 2018-31
**Motion carried by a show of hands (4-1-2).
Councilor Chau opposed.**

15. **Order 2018-32. Award of Bid for Police Evidence Response Vehicle**

Motion to approve first reading of Order 2018-32
Moved by Councilor Adams, seconded by Councilor Peoples.
Motion carried by a show of hands (5-0). None opposed.

PUBLIC COMMENT

President Rielly opened the floor for the second and final public comment. No one spoke.

Executive Session

Motion to enter Executive Session at 8:21pm in accordance with MRSA § 405-6(C) on an economic development matter where premature disclosure of information would prejudice the bargaining position of the City.

Moved by Councilor Peoples, seconded by Councilor Chau.

Motion carried by a show of hands. None opposed.

President Rielly noted for the record that no further business would take place after the Executive Session, and that the Council would immediately adjourn upon returning from Executive Session.

ADJOURNMENT

Motion to adjourn at 9:33pm.

Moved by Councilor Adams, seconded by Councilor Peoples.

Motion carried by a show of hands (5-0). None opposed.