

**WESTBROOK CITY COUNCIL
CITY COUNCIL MEETING MINUTES
MONDAY MARCH 5, 2018 AT 7:00PM
WESTBROOK CITY HALL**

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); John O’Hara (At-Large/Vice President); Ann Peoples (At-Large); Brendan Rielly (Ward 1/President); Anna Turcotte (Ward 3)

Councilors Absent: Gary Rairdon (Ward 4)

Other City Officials Present: Jerre Bryant (City Administrator); Natalie Burns (City Solicitor); Eric Dudley (Director of Public Services); Jennie Franceschi (Director of Code Enforcement & Planning); Greg Hamilton (Director of IT & Communications); Suzanne Knight (Finance Director); Ashley Rand (Deputy City Clerk); Janine Roberts (Police Chief); Michael Sanphy (Mayor); Daniel Stevenson (Economic Development Director); Alyssa Tibbets (Legal Representation from Jensen Baird Gardner Henry); Andrew Turcotte (Fire Chief)

APPROVAL OF MINUTES

President Rielly noted that unless any objections were received, he would let stand the minutes from the Special City Council Meeting held on February 26, 2018. No objections received. Minutes stand as presented.

MAYOR’S MESSAGE

Mayor Sanphy announced the following items:

1. Mayor Sanphy invited Chief Roberts to the podium to share a presentation on Community Partnerships for Protecting Children.
2. March 17th a polar plunge fundraiser for Special Olympics will be held in Winthrop. Chief Roberts and other Westbrook Police Officers will take the plunge. Link to donate is on the Westbrook Police Department Facebook Page.
3. Arthur Leighton has been reappointed by the Mayor to serve on the Walker Memorial Library Board of Regents for an additional five-year term.

STUDENT REPRESENTATIVE UPDATE

Student Representative Maura Rielly announced the following items:

1. National Walk Out will be held at 10:00am on Wednesday March 14th. The walkout to be 17 minutes long in recognition of the 17 lives lost at Marjory Stoneman Douglas High School in Parkland, Florida on February 14, 2018.

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 2018-23. Approving the Transit Oriented Development Tax Increment Financing District.

- a. President Rielly noted for the record that this Order requires a public hearing. Notice of the public hearing was published in the American Journal on February 22, 2018 and was posted to the City website.
- b. President Rielly opened the public hearing. The following individuals spoke:
 - i. Mr. Bryant
- c. President Rielly closed the public hearing.
- d. Motion to approve second and final reading of Order 2018-23.
Moved by Councilor Chau, seconded by Councilor Peoples.
- e. Motion to amend Order 2018-23 to include an incremental change as outlined in the attached Order.
Moved by Councilor Chau, seconded by Councilor Peoples.
Motion carried by a show of hands. None opposed. Order amended.
- f. Revisiting the motion to approve first and final reading of Order 2018-23, as amended.
Motion carried. Order 2018-23 adopted, as amended. (Vote 6-0-1)
Ayes: Councilor Adams, Councilor Chau, Councilor Peoples, Councilor Turcotte, Vice President O'Hara, President Rielly
Nays: None
Absent: Councilor Rairdon

2. Order 2018-24. Approving the Waterstone Development Tax Increment Financing District.

- a. President Rielly noted for the record that this Order requires a public hearing. Notice of the public hearing was published in the American Journal on February 22, 2018 and was posted to the City website.
- b. President Rielly opened the public hearing. The following individuals spoke:
 - i. Mr. Bryant
 - ii. Aonton Melchionda - Waterstone Development
 - iii. Councilor Turcotte
 - iv. Councilor Adams
 - v. President Rielly
 - vi. Student Representative Rielly
 - vii. Councilor Chau
 - viii. Phil Spiller - Vice President, Discover Downtown Westbrook
 - ix. Deb Shangraw - President, Discover Downtown Westbrook
- c. President Rielly closed the public hearing.

- d. Motion to approve second and final reading of Order 2018-24.
Moved by Councilor Adams, seconded by Councilor Peoples.
 - e. Motion to amend Order 2018-24 to include an incremental change to add Employment Goals worksheet as outlined in the attached Order.
Moved by Councilor Adams, seconded by Councilor Peoples.
Motion carried by a show of hands. None opposed. Order amended.
 - f. Revisiting the motion to approve first and final reading of Order 2018-24, as amended.
Motion carried. Order 2018-24 adopted, as amended. (Vote 5-1-1)
Ayes: Councilor Adams, Councilor Chau, Councilor Peoples, Councilor Turcotte, Vice President O'Hara
Nays: President Rielly
Absent: Councilor Rairdon
3. **Point of Order.** President Rielly noted that unless there were any objections, he would consider Orders 2018-25 through 2018-32. Councilor Chau requested Order 2018-31 to be separated out.
4. **Orders 2018-25 through 2018-30 and Order 2018-32.**
Motion to approve second and final reading of the following orders:
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| Order 2018-25 | Approving the FY 2019 Contract with The Animal Refuge League of Greater Portland |
| Order 2018-26 | Authorizing Extension of Contract for 2018 Paving Services |
| Order 2018-27 | Authorizing Payment for Annual Maintenance of Public Safety's Recording System Server and Amending the 2017-2018 Annual Vendor List |
| Order 2018-28 | Award of Bid for Mowing and Ground Maintenance Services for Westbrook School Department Properties |
| Order 2018-29 | Award of Bid for Stormwater Management Features |
| Order 2018-30 | Authorizing Acceptance and Expenditure of a Donation from Calpine |
| Order 2018-32 | Award of Bid for Police Evidence Response Vehicle |
- Moved by Councilor Peoples, seconded by Councilor Adams.
Motion carried. Orders 2018-25 through 2018-30 and Order 2018-32 adopted. (Vote 6-0-1)
Ayes: Councilor Adams, Councilor Chau, Councilor Peoples, Councilor Turcotte, Vice President O'Hara, President Rielly
Nays: None
Absent: Councilor Rairdon
5. **Order 2018-31. Approving the 2016-2018 Collective Bargaining Agreement for Fire/Rescue Unit**
- a. Motion to approve second and final reading of Order 2018-31
Moved by Councilor Peoples, seconded by Councilor Adams
 - b. The following individuals commented on second and final reading for the legislation:
 - i. Councilor Chau
 - c. Revisiting motion to approve second and final reading of order 2018-31.
Moved by Councilor Adams, seconded by Councilor Peoples.
Motion carried. Order 2018-31 adopted. (Vote 4-2-1)
Ayes: Councilor Adams, Councilor Peoples, Councilor Turcotte, President Rielly

Nays: Councilor Chau, Vice President O'Hara
Absent: Councilor Rairdon

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 Renewal.** Motion to approve the Liquor License Renewal Application submitted by Live @ 212, located at 212 Brown Street.
Moved by Councilor Peoples, seconded by Councilor Chau.
Motion carried by a show of hands. None opposed.

2. **Resolve 2018-03. Approving the Appointment of John A. Turcotte to the Planning Board**
 - a. Motion to approve first and final reading of Resolve 2018-03.
Moved by Councilor Chau, seconded by Councilor Peoples.

 - b. Motion to for Councilor Turcotte to abstain from the Resolve
Moved by Councilor Peoples, seconded by Councilor Chau
Motion carried. (Vote 5-0-1-1)
Ayes: Councilor Adams, Councilor Chau, Councilor Peoples, Vice President O'Hara, President Rielly
Nays: None
Abstained: Councilor Turcotte
Absent: Councilor Rairdon

 - c. Revisiting the motion to approve first and final reading of Resolve 2018-03.
Motion carried. Resolve 2018-03 adopted. (Vote 5-0-1-1)
Ayes: Councilor Adams, Councilor Chau, Councilor Peoples, Vice President O'Hara, President Rielly
Nays: None
Abstained: Councilor Turcotte
Absent: Councilor Rairdon

3. **Order 2018-33. Acceptance of Donation for the Westbrook Community Policing Program.**
Motion to approve first and final reading of Order 2018-33.
Moved by Councilor Turcotte, seconded by Councilor Peoples.
Motion carried. Order 2018-33 adopted. (Vote 6-0-1)
Ayes: Councilor Adams, Councilor Chau, Councilor Peoples, Councilor Turcotte, Vice President O'Hara, President Rielly
Nays: None
Absent: Councilor Rairdon

4. **Order 2018-34. Repealing the Medical Marijuana Moratorium**
 - a. Motion to approve first and final reading of Order 2018-34.
Moved by Vice President O'Hara, seconded by Councilor Peoples.

- b. The following individuals commented on the motion to approve first reading of the legislation:
 - i. Councilor Chau
 - ii. Ms. Franceschi
 - c. Revisiting the motion to approve first and final reading of Order 2018-34.
Motion carried. Order 2018-34 adopted. (Vote 6-0-1)
 Ayes: Councilor Adams, Councilor Chau, Councilor Peoples, Councilor Turcotte, Vice President O’Hara, President Rielly
 Nays: None
 Absent: Councilor Rairdon
5. **Order 2018-35. Authorizing an Extension of Adult Use Marijuana Moratorium**
 Motion to approve first reading of Order 2018-35.
 Moved by Vice President O’Hara, seconded by Councilor Turcotte.
Motion carried by a show of hands. None opposed.
6. **Order 2018-36. Authorizing Recreation and Conservation Commission Expenditure for Trail System Improvements.**
- a. Motion to approve first reading of Order 2018-36.
 Moved by Vice President O’Hara, seconded by Councilor Turcotte.
 - b. The following individuals commented on the motion to approve first reading of the legislation:
 - i. Melissa Hamlin - Recreation and Conservation Committee Chair
 - ii. Rachelle Apse - Presumpscot Regional Land Trust Executive Director
 - iii. Councilor Adams
 - iv. Mr. Bryant
 - v. Vice President O’Hara
 - c. Revisiting the motion to approve first reading of Order 2018-36.
Motion carried by a show of hands. None opposed.
7. **Order 2018-37. Authorizing Amendment and Extension to Settlement Agreement for the Saccarappa Hydroelectric Project License Surrender.**
- a. Motion to approve first reading of Order 2018-37.
 Moved by Councilor Peoples, seconded by Councilor Adams.
 - b. Administration noted that this item is a one reading item, and would be voted on for first and final reading of the Order.
 - c. The following individuals commented on the motion to approve reading and final reading of the legislation:
 - i. Councilor Chau
 - ii. Mr. Bryant
 - iii. Michael Shaughnessy - Friends of Presumpscot President
 - d. Revisiting the motion to approve first and final reading of Order 2018-37.
Motion carried. Order 2018-37 adopted. (Vote 6-0-1)

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

Nays: None

Absent: Councilor Rairdon.

8. **Order 2018-38. Authorizing Payment for Legal Services and Amendment to the Annual Vendor List**

a. Motion to approve first reading of Order 2018-38.

Moved by Councilor Turcotte, seconded by Councilor Peoples.

b. The following individuals commented on the motion to approve first reading of the legislation:

i. President Rielly

ii. Mr. Bryant

c. Revisiting the motion to approve first reading of Order 2018-38.

Motion carried by a show of hands. None opposed.

PUBLIC COMMENT

President Rielly opened the floor for the second and final public comment. The following individuals spoke:

1. Phil Spiller - 76 Sawyer Road

REFERRALS

Motion to refer the following items to the Committee of the Whole:

Authorizing Amendment to the City of Westbrook Code of Ordinances Chapter 23 Article II, Recreation and Conservation Commission

Moved by Councilor Peoples, seconded by Councilor Adams

Motion carried by a show of hands. None opposed. Item referred to the committee.

ADJOURNMENT

Motion to adjourn at 9:22pm.

Moved by Councilor Peoples, seconded by Councilor Turcotte.

Motion carried by a show of hands. None opposed.