

**WESTBROOK CITY COUNCIL  
REGULAR CITY COUNCIL MEETING MINUTES  
MONDAY JULY 1, 2019  
WESTBROOK HIGH SCHOOL, ROOM 114**

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**CALL TO ORDER**

Meeting called to order at 7:00pm 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); Eric Dudley (Director of Public Services); Stephen Fields (Assistant City Administrator/Director of Human Resources); Jennie Franceschi (Director of Planning & Code Enforcement); Greg Hamilton (Director of Emergency Communications/IT); Angela Holmes (City Clerk); Suzanne Knight (Finance Director); Janine Roberts (Police Chief); Michael Sanphy (Mayor)

**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: Facilities & Streets Committee, Committee of the Whole and Special City Council meetings held on May 13, 2019; Special City Council meeting held on May 20, 2019; Regular City Council meeting held on June 3, 2019; and the two Special City Council meetings and Committee of the Whole meeting held on June 17, 2019. No objections were received; minutes stand as presented.

**MAYOR'S MESSAGE**

Mayor Sanphy gave the floor to Ms. Holmes, who announced that the City Clerk's Office has been notified that an organization has mailed out voter registration cards pre-filled with personal information, with the intent that the recipient should sign the card and return it to the Clerk's Office in a pre-paid envelope. Ms. Holmes noted that this mailing is not from the City Clerk's Office, and that mailings such as these are typically seen prior to large elections such as next year's Presidential election. Organizations can legally purchase voter record data from the Secretary of State's Office, and typically use this information to target communications such as these mailings. Ms. Holmes stated that residents are under no obligation to sign the form, but that it is an official voter registration card so if they do, the Clerk's Office will update their voter information.

Mayor Sanphy gave the floor to Mr. Bryant, who announced that the John P. Davan Indoor Pool at the Westbrook Community Center is now open. Mr. Bryant introduced a short video describing the updates completed at the pool.

Mayor Sanphy announced that the Walking Man sign at Hawke's Plaza has officially been designated as a National Landmark. He also wished all residents a safe and happy 4<sup>th</sup> of July.

## **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: Dennis Marrotte (41 Falmouth Street), Elliot Storey (Constitution Drive), Lynda Adams (60 Adams Way)

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

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

1. **Public Hearing on Order 2019-98, Amending Land Use Ordinance Chapter V, Subdivision & Site Plan.**

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 June 13 & 20, 2019, and on the City's website. President Rairdon opened the public hearing for Order 2019-98. No one spoke. President Rairdon closed the public hearing.

2. **Order 2019-98. Amending Land Use Ordinance Chapter V, Subdivision & Site Plan.  
Order 2019-110. Approving FY 2019-2020 Annual Vendor Lists for General, Parking Garage & Recreation Funds.**

**Order 2019-115. Authorizing Purchase of Replacement Police Tasers.**

**Order 2019-116. Authorizing Award of Bid for Half Ton 4x4 Supercrew Pick Up.**

**Order 2019-117. Authorizing Award of Bid for Replacement Agricultural Tractor.**

**Order 2019-118. Authorizing Award of Bid for Replacement Single Axle Plow Truck.**

**Order 2019-119. Authorizing Award of Bid for Replacement Tandem Axle Plow Truck.**

**Order 2019-120. Authorizing Award of Bid for Utility Van.**

Motion to approve second and final reading of Orders 2019-98, 110, and 115-120.

Moved by Councilor Rielly, seconded by Councilor Peoples.

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 2019-98, 110 and 115-120 adopted. (Vote 7-0)**

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

Nays: None

3. **Public Hearings on Order 2019-111, Approving an Amended and Restated Harnois Apartments Affordable Housing Development District Development Program, and on Order 2019-112, Authorizing Emery Apartments Affordable Housing Development District Development Program.**

President Rairdon stated that if there were no objections, the public hearings for Orders 2019-111 and 112 would take place together. No objections were received.

Ms. Holmes noted for the record that notices of the public hearings were published in the American Journal on June 20, 2019.

President Rairdon opened the public hearings for Orders 2019-111 and 112. No one spoke.

President Rairdon closed the public hearings.

4. **Order 2019-111. Approving an Amended and Restated Harnois Apartments Affordable Housing Development District Development Program.**  
**Order 2019-112. Authorizing Emery Apartments Affordable Housing Development District Development Program.**

Motion to approve second and final reading of Orders 2019-111 and 112.

Moved by Councilor Rielly, seconded by Councilor Peoples.

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. The following individuals spoke: President Rairdon.

**Motion carried. Orders 2019-111 and 112 adopted. (Vote 7-0)**

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

Nays: None

5. **Public Hearing on Order 2019-113, Authorizing ClearH2O Municipal Development & Tax Increment Financing District #19 Development Program.**

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 June 20, 2019.

President Rairdon opened the public hearing for Order 2019-113. No one spoke.

President Rairdon closed the public hearings.

6. **Order 2019-113. Authorizing ClearH2O Municipal Development & Tax Increment Financing District #19 Development Program.**

Motion to approve second and final reading of Order 2019-113.

Moved by Councilor Rielly, seconded by Councilor Peoples.

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

**Motion carried. Order 2019-113 adopted. (Vote 7-0)**

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

Nays: None

7. **Order 2019-114. Authorizing Business Partnership Initiative Program Agreements for Spring Street & Eisenhower Drive Intersection Project.**

President Rairdon noted for the record that the Administration has asked City Council to table this item until the July 15, 2019 Special Council meeting so that the roles and responsibilities of the parties to this agreement can be clarified.

Motion to table Order 2019-114 until July 15, 2019.

Moved by Councilor Rielly, seconded by Councilor Chau.

**Motion carried by a show of hands. None opposed. Order 2019-114 tabled.**

## **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. **Extension of liquor license for Fraternal Order of Eagles (89 Saco Street).**

Ms. Holmes noted for the record that the Fraternal Order of Eagles, located at 89 Saco Street, has submitted a request for an extension of their existing liquor license to include a larger footprint.

Ms. Holmes read into the record a petition submitted by Jo Ann Calderbank in opposition to the extension of the liquor license, signed by 16 neighbors.

The following individuals presented comments and/or questions: Councilor Peoples, Mr. Bryant, Councilor Foley

Motion to approve the liquor license extension, as presented.

Moved by Councilor Foley, seconded by Councilor McWilliams.

President Rairdon opened the floor for comments on the motion. The following individuals spoke: Councilor Foley, Councilor Turcotte, Elliot Storey (Constitution Drive), Mr. Bryant, Ms. Burns, Councilor Peoples

Motion to table the request for a liquor license extension until the Special City Council meeting held on July 15, 2019.

Moved by Councilor Peoples, seconded by Councilor Turcotte.

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

2. **Order 2019-121. Amending the Uniform Traffic Ordinance Regarding Parking on Dunn Street.**

Motion to approve first and final reading of Order 2019-121.

Moved by Councilor Chau, seconded by Councilor Peoples.

President Rairdon opened the floor for comments on the motion. The following individuals spoke: Councilor McWilliams, Mr. Dudley, Councilor Chau, Chief Roberts, Dunn Street Resident (name unknown), Councilor Foley

Motion to table Order 2019-121 until the Special Council meeting held on July 15, 2019.

Moved by Councilor Chau, seconded by Councilor Peoples.

**Motion carried. Order 2019-121 tabled. (Vote 6-1)**

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

Nays: Foley

3. **Order 2019-122. Amending the Uniform Traffic Ordinance Regarding Parking Time Limits.**

Motion to approve first and final reading of Order 2019-122.

Moved by Councilor Rielly, seconded by Councilor McWilliams.

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

**Motion carried. Order 2019-122 adopted. (Vote 7-0)**

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

Nays: None

4. **Order 2019-123. Accepting Sculpture Donations from Warren Memorial Foundation and Authorizing Establishment of the Warren Memorial Sculpture Garden.**

Motion to approve first and final reading of Order 2019-123 (item mistakenly listed on agenda as requiring two readings).

Moved by Councilor Foley, seconded by Councilor Peoples.

President Rairdon opened the floor for comments on the motion. The following individuals spoke: Andy Curran (Westbrook Arts & Culture President), Michael Shaughnessy (Conant Street), Councilor Rielly

**Motion carried. Order 2019-123 adopted. (Vote 7-0)**

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

Nays: None

5. **Order 2019-124. Accepting Land & Water Conservation Fund Grant for the Cornelia Warren Outdoor Recreation Area.**

Motion to approve the first of two readings of Order 2019-124.  
Moved by Councilor Turcotte, seconded by Councilor McWilliams.  
President Rairdon opened the floor for comments on the motion. The following individuals spoke: Ms. Burns (noted a typographical error in the Order, which will be corrected), Elliot Storey (Constitution Drive), Phil Spiller, Jr. (76 Sawyer Road), Mr. Bryant, Councilor Foley, Councilor Chau

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

6. **Order 2019-125. Authorizing Lease Purchase of Sidewalk Tractor.**

Motion to approve the first of two readings of Order 2019-125.  
Moved by Councilor Peoples, seconded by Councilor Rielly.  
President Rairdon opened the floor for comments on the motion. No one spoke.

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

7. **Order 2019-126. Authorizing Purchase of Replacement Rotary Broom.**

Motion to approve the first of two readings of Order 2019-126.  
Moved by Councilor Turcotte, 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.**

8. **Order 2019-127. Authorizing Expenditure for Road Striping Services.**

Motion to approve the first of two readings of Order 2019-127.  
Moved by Councilor Turcotte, 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.**

9. **Order 2019-128. Authorizing Purchase of Refurbished Automated External Defibrillators.**

Motion to approve the first of two readings of Order 2019-128.  
Moved by Vice President Turcotte, seconded by Councilor Rielly.  
President Rairdon opened the floor for comments on the motion. The following individuals spoke: Dennis Marrotte (41 Falmouth Street), President Rairdon

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

10. **Order 2019-129. Establishing Chapter 42, *Mass Gathering Events*, in the Westbrook Code of Ordinances.**

Motion to approve the first of two readings of Order 2019-129.  
Moved by Councilor Peoples, seconded by Councilor Chau.  
President Rairdon opened the floor for comments on the motion. The following individuals spoke: Councilor Rielly, Ms. Burns

Motion to amend § 42-1 to read "outdoor gatherings".

Moved by Councilor Rielly, seconded by Councilor Peoples.

President Rairdon opened the floor for comments on the motion to amend §42-1. The following individuals spoke: Councilor Foley (noted a typographical error in the Order, which will be corrected), Mr. Bryant

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

President Rairdon opened the floor for additional comments on the motion to approve the first of two readings of Order 2019-129, now as amended. The following individuals spoke: Councilor Chau

Motion to amend §42-4.4, changing the deadline to 15 business days.

Moved by Councilor Chau, seconded by Councilor Rielly.

President Rairdon opened the floor for comments on the motion to amend §42-4.4. No one spoke.

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

Motion to amend the mass gathering limit from 5,000 people to 400 people.

Moved by Councilor Chau. No second received.

**Motion fails for lack of second.**

President Rairdon opened the floor for additional comments on the motion to approve the first of two readings of Order 2019-129, amended. The following individuals spoke: Ms. Franceschi, Elliot Storey (Constitution Drive)

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

**11. Order 2019-130. Amending the Westbrook Code of Ordinances Regarding Purchasing Procedures.**

Motion to approve the first of two readings of Order 2019-130.

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.**

**12. Order 2019-131. Authorizing the Addition of AT&T/FirstNet to Vendor Lists for Cellular Services.**

Motion to approve the first of two readings of Order 2019-131.

Moved by Councilor Peoples, seconded by Councilor Foley.

President Rairdon opened the floor for comments on the motion. The following individuals spoke: Councilor Foley, Councilor Chau, Mr. Hamilton, Mr. Dudley

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

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

Ms. Holmes noted for the record that this item will require a public hearing, scheduled to be held at the Special City Council meeting held on July 15, 2019. Notice of the public hearing will appear in the American Journal on July 4, 2019.

Motion to approve the first of two readings of Order 2019-132.

Moved by Vice President Turcotte, seconded by Councilor Foley.

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

**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: Phil Spiller, Jr. (76 Sawyer Road), Councilor Foley, President Rairdon

**REFERRALS**

Motion to refer "Wild Duck Feeding Ban and Education Plan" and "Pedal-Powered Tour Bikes" to the Committee of the Whole and to refer "Parking on Oak Street" to the Facilities & Streets Committee.

Moved by Councilor Foley, seconded by Councilor Rielly.  
**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 a committee meeting will take place as soon as the Council meeting adjourns.

**ADJOURNMENT**

Motion to adjourn at 9:00pm.  
Moved by Councilor Foley, seconded by Councilor Rielly.  
**Motion carried by a show of hands. None opposed.**