

**WESTBROOK CITY COUNCIL
CITY COUNCIL MEETING MINUTES
MONDAY JULY 2, 2018 AT 7:00PM
WESTBROOK HIGH SCHOOL, ROOM 114**

CALL TO ORDER

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

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

Councilors Absent: Lynda Adams (Ward 5); Gary Rairdon (Ward 4); Anna Turcotte (Ward 3)

Other City Officials Present: Jerre Bryant (City Administrator); Natalie Burns (City Solicitor); Harrison Deah (General Assistance Coordinator); Eric Dudley (Director of Public Services); Jennie Franceschi (Director of Code Enforcement & Planning); Angela Holmes (City Clerk); Suzanne Knight (Finance Director); Ashley Rand (Deputy City Clerk); Michael Sanphy (Mayor)

APPROVAL OF MINUTES

No minutes to approve.

MAYOR’S MESSAGE

Mayor Sanphy announced the appointment of Kristen Spiller as a Constable for the City of Westbrook. The Mayor also noted that the monthly Mayor’s Coffee event will be held Saturday July 7, 2018 at 9:00am.

STUDENT REPRESENTATIVE UPDATE

President Rielly noted that he and the Westbrook High School Assistant Principal met with three applicants for the two Student Representative positions. He will bring forward a recommendation for appointment at a future Council meeting.

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. **Orders 2018-90 through 2018-92.**

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

Order 2018-90 Award of Bid for Trenchless Technology Services

Order 2018-91 Authorizing Purchase of Remounted Ambulance

Order 2018-92 Authorizing Purchase of Downtown Parking Signage

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

Motion carried. Orders 2018-90 through 2018-92 adopted. (Vote 4-0-3)

Ayes: Councilor Chau, Councilor Peoples, Vice President O’Hara, President Rielly

Nays: None

Absent: Councilor Adams, 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. **Mobile Vending Unit Application (Renewal) for Don's Lunch, located at 925 Main Street.**

Mr. Bryant noted for the record that the owner of Don's Lunch, Craig Bernier, applied for a renewal of his business license. Due to complaints submitted by the 917 Main Street Condo Association, the renewal application was referred to City Council for review. City Council tabled a motion to approve the renewal to give Mr. Bernier and the neighbors an opportunity to resolve the issues. The parties came to an agreement whereby Mr. Bernier would install an 8' tall stockade fence along the easterly side of the property boundary and further agreed to earlier closing times for the business on certain days. The agreed-upon deadline for completion of the fence was June 21, 2018. Mr. Bernier did not install the fence by the deadline. When the City contacted Mr. Bernier, he stated that he will no longer operate his business in Westbrook. No further action by City Council necessary.

2. **Liquor License (Renewal) for DeLuca, LLC d/b/a BreaLu Café, located at 9 Cumberland Street.**

Motion to approve the liquor license renewal application.
Moved by Councilor Peoples, seconded by Councilor Chau.

Motion carried by a show of hands. None opposed.

3. **Liquor License (New) for Top Kabab, located at 888 Main Street.**

a. 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 21, 2018, mailed to property owners within 500' of the establishment, and posted on the City of Westbrook's website.

b. President Rielly opened the public hearing. No one spoke.

c. President Rielly closed the public hearing.

d. Motion to approve the liquor license application.
Moved by Councilor Chau, seconded by Councilor Peoples.

e. The following individuals commented on the motion to approve the liquor license:
i. Councilor Peoples

f. Revisiting the motion to approve the liquor license application.
Motion carried by a show of hands. None opposed.

4. **Resolve 2018-10. Reappointment of Bonnie Molten, Rene Daniel, and Thomas Perrey to the Westbrook Housing Board of Commissioners.**

a. Motion to approve first and final reading of Resolve 2018-10.
Moved by Councilor Peoples, seconded by Vice President O'Hara.

b. The following individuals commented on the motion to approve first and final reading of the legislation:
i. Councilor Peoples

- c. Revisiting the motion to approve first and final reading of Resolve 2018-11.
Motion carried. Resolve 2018-10 adopted. (Vote 4-0-3)
 Ayes: Councilor Chau, Councilor Peoples, Vice President O’Hara, President Rielly
 Nays: None
 Absent: Councilor Adams, Councilor Rairdon, Councilor Turcotte
5. **Resolve 2018-11. Appointment of Interim Tax Collector.**
- a. Motion to approve first and final reading of Resolve 2018-11.
 Moved by Vice President O’Hara, seconded by Councilor Chau.
 - b. The following individuals commented on the motion to approve first and final reading of the legislation:
 - i. Mr. Bryant
 - ii. Mayor Sanphy
 - iii. Vice President O’Hara
 - iv. President Reilly
 - c. Revisiting the motion to approve first and final reading of Resolve 2018-11.
Motion carried. Resolve 2018-11 adopted. (Vote 4-0-3)
 Ayes: Councilor Chau, Councilor Peoples, Vice President O’Hara, President Rielly
 Nays: None
 Absent: Councilor Adams, Councilor Rairdon, Councilor Turcotte
6. **Orders 2018-93 through 2018-95.**
- a. Motion to approve the first of two readings for the following items:

Order 2018-93	Approving the FY 2018-19 General Fund Annual Vendor List
Order 2018-94	Approving the FY 2018-19 Recreation Fund Annual Vendor List
Order 2018-95	Approving the FY 2018-19 Parking Garage Fund Annual Vendor List

 Moved by Councilor Chau, 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
 - iii. Ms. Knight
 - c. Revisiting the motion to approve the first of two readings for Orders 2018-93 through 2018-95.
Motion carried by a show of hands. None opposed.
7. **Order 2018-96. Amending the Land Use Ordinance, Chapter VIII, Penalty Provisions, Section 805, *Stop Work Order*.**
 Motion to approve the first of two readings for Order 2018-96.
 Moved by Councilor Chau, seconded by Councilor Peoples.
Motion carried by a show of hands. None opposed.
8. **Order 2018-97. Amending the Land Use Ordinance, Chapter II, Section 201, *Definitions - Service Business*.**

- a. Motion to approve the first of two readings for Order 2018-97.
Moved by Councilor Peoples, seconded by Councilor Chau.
- b. As a point of order, Mr. Bryant noted that City Council needed to set the date of August 6, 2018 as the public hearing date for this item and for Order 2018-98.
- c. Councilors Peoples and Chau agreed to amend the underlying motion to approve the first of two readings for Order 2018-97 and to set the public hearing for Orders 2018-97 and 2018-98 for August 6, 2018.
- d. The following individuals commented on the motion to approve first reading of the legislation and to set the public hearings:
 - i. Councilor Chau
 - ii. Ms. Franceschi
- e. Revisiting the motion to approve the first of two readings for Order 2018-97 and to set the public hearing for Orders 2018-97 and 2018-98.
Motion carried by a show of hands. None opposed.

9. **Order 2018-98. Award of Bid for Public Services Utility Vehicle.**

- a. Motion to approve the first of two readings for Order 2018-98, noting that the public hearing for this item is set for August 6, 2018.
Moved by Vice President O'Hara, seconded by Councilor Chau.
- b. The following individuals commented on the motion to approve the first reading of the legislation:
 - i. Councilor Chau
- c. Revisiting the motion to approve the first of two readings for Order 2018-98.
Motion carried by a show of hands. None opposed.

10. **Order 2018-99. Authorizing Payment for Line Striping Services.**

Motion to approve the first of two readings for Order 2018-99.
Moved by Vice President O'Hara, seconded by Councilor Peoples.
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. Mayor Sanphy
2. Councilor Chau

REFERRAL

Motion to refer "Farm Animals" to the Committee of the Whole.
Moved by Vice President O'Hara, seconded by Councilor Chau.
Motion carried by a show of hands. None opposed.

EXECUTIVE SESSION

Motion to enter Executive Session at 7:30pm pursuant to 36 M.R.S.A. § 841-2(E) to consider hardship tax abatements, inviting the Mayor, City Solicitor, City Administrator, Finance Director and General Assistance Coordinator to attend.

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

Motion carried by a show of hands. None opposed.

RECONVENE

City Council reconvened from Executive Session at 7:50pm.

HARDSHIP ABATEMENTS

1. Motion to approve Hardship Tax Abatement 2018-A.
Moved by Vice President O'Hara, seconded by Councilor Peoples.
Motion carried by a show of hands. None opposed.
2. Motion to deny Hardship Tax Abatement 2018-B.
Moved by Vice President O'Hara, seconded by Councilor Peoples.
Motion carried by a show of hands. None opposed.
3. Motion to accept the findings of fact for Hardship Tax Abatements 2018-A and 2018-B.
Moved by Vice President O'Hara, seconded by Councilor Peoples.
Motion carried by a show of hands. None opposed.

ADJOURNMENT

Motion to adjourn at 7:51pm.

Moved by Councilor Peoples, seconded by Councilor Chau.

Motion carried by a show of hands. None opposed.