

-Approved-
BRUNSWICK TOWN COUNCIL
Minutes
October 19, 2009
Municipal Meeting Room
Maine Street Station
16 Station Avenue

Councilors Present: Chair M. Hallie Daughtry, W. David Watson, Benjamin J. Tucker, Karen J. Klatt, Gerald E. Favreau, Margo H. Knight, E. Benet Pols, Joanne T. King, and Deborah R. Atwood.

Councilors Absent: None

Town Staff Present: Gary Brown, Town Manager; Fran Smith, Town Clerk; Anna Breinich, Director of Planning and Development; Dave Markovchick, Director of Economic and Community Development; Brian Dancause, Economic Development Specialist; Jeff Hutchinson, Codes Enforcement Officer; Kris Hultgren, Town Planner; Heidi Nelson, Animal Control Officer; Mark Waltz, Police Lieutenant; Terry Goan, Police Officer; and TV video crew

Chair Daughtry called the meeting to order and asked for roll call.

Executive Session: Acquisition of Real Estate Per 1 M.R.S.A. § 405(6)(C)

Councilor Watson moved, Councilor Tucker seconded, to go into Executive Session to discuss the Acquisition of Real Estate Per 1 M.R.S.A. § 405(6)(C). The motion carried with nine (9) yeas.

MEETING RESUMED

Chair Daughtry resumed the meeting and asked for the Pledge of Allegiance.

Public Comment:

George Gilmore, 207 Middle Bay Road, spoke on how the Town should take over the broadband internet and underground utilities.

(A copy of newspaper articles will be attached to the official minutes.)

Suzan Wilson, Bunganuc Road, spoke on the importance of safety when it comes to pedestrian and bicycle traffic.

Councilor Favreau also spoke on this.

Correspondence:

None

Adjustments to the Agenda: None

MANAGER'S REPORT:

(a) Financial Update

Manager Brown gave this report and responded to a question from Councilor Watson.

(Copies of financial reports will be attached to the official minutes.)

(b) Council Committee Updates

Reports were given on the following committees: Elementary School Building Committee, Pleasant Street Committee, and Gateway One Steering Committee.

Councilor Favreau and Chair Daughtry responded to questions from Councilor Watson.

(c) Report regarding WHEELS

Susan Wygal, MidCoast Collaborative for Access to Transportation, spoke on this item.

Lee Karker, Executive Director of Coastal Transportation, spoke on this item.

Councilor Atwood, Councilor Pols, Councilor Favreau, Councilor Knight, Chair Daughtry, and Councilor Klatt spoke on this item and any questions were answered by Mr. Karker.

(A copy of information on WHEELS will be attached to the official minutes.)

(d) Election Reminders relative to moving District 4

Fran Smith, Town Clerk, spoke on this item.

(e) Accepting Forfeited Asset (Action Required)

Manager Brown spoke on this item.

Councilor Favreau moved, Councilor Watson seconded, to accept and expend Forfeited Assets in the form of funds in the amount of \$4,820.00 related to Criminal Action Docket No. CR-09-2019. The motion carried with nine (9) yeas.

(A copy of a court order will be attached to the official minutes.)

(f) Receipt of the Energy Grant Award (Action Required)

Manager Brown spoke on this item and responded to a question from Chair Daughtry.

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Councilor Favreau spoke on this item.

Councilor King moved, Councilor Atwood seconded, to accept and expend an Energy Efficiency and Conservation Block Grant from the U.S. Department of Energy in the amount of \$100,900.00. The motion carried with nine (9) yeas.

(A copy of a memo from Mr. Dancause will be attached to the official minutes.)

(g) Budget Impacts of the Excise and TABOR II Referendum Questions

Manager Brown spoke on this item and responded to a question from Councilor Pols.

Councilor Atwood asked a question, which Ms. Smith, Town Clerk, answered.

(A copy of a memo from Manager Brown will be attached to the official minutes.)

(h) Update on the Finance Committee

Manager Brown spoke on this item.

Councilor Klatt, Councilor King, Chair Daughtry, and Councilor Favreau spoke on this item.

(i) (Added) School Crossing Guard

Manager Brown gave this update.

Councilor Favreau, Councilor King, Councilor Atwood, and Councilor Watson spoke on this item.

PUBLIC HEARINGS:

156. The Town Council will hear public comments on the following Alcohol License applications, and will take any appropriate action.

Full-Time Spirituous, Vinous & Malt

Verreault Tourism Properties

D/B/A: Captain Daniel Stone Inn (New)

10 Water St

John Verreault

Benchwarmers, LLC.

D/B/A: Benchwarmers Restaurant and Sports Pub

212A Maine Street

Richard Towle

Chair Daughtry opened the public hearing

Sarah Brayman spoke on this item.

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Chair Daughtry closed the public hearing.

Chair Daughtry spoke on this item.

Jeremy Saxton, owner, answered some of the questions that were raised.

Councilor Knight, Chair Daughtry, and Councilor Favreau spoke on this item.

Councilor Knight moved, Councilor Favreau seconded, to approve Alcoholic Beverage Licenses for Benchwarmers Restaurant and Sports Pub, and Captain Daniel Stone Inn. The motion carried with nine (9) yeas.

157. The Town Council will hear public comments on the following Special Amusement License application, and will take any appropriate action. (Manager)

Bowdoin College

D/B/A: Bowdoin College Dining Service – Magee’s Grill

Susan Burt

David Saul Smith Union

Chair Daughtry opened the public hearing; hearing no comments, she closed the public hearing.

Councilor King moved, Councilor Knight seconded, to approve a Special Amusement License for Magee’s Grill (Bowdoin Dining Services). The motion carried with nine (9) yeas.

158. The Town Council will hear public comments on Ordinance amendments relative to allowing chickens within the Growth Zone, and will take any appropriate action.

Chair Daughtry opened the public hearing.

Alice Meyer, Columbia Avenue, spoke on this item.

Pat Cannon, Rossmore Road, spoke on this item.

Kathy Wilson, Pleasant Street, spoke on this item.

Chair Daughtry closed the public hearing.

Councilor Pols and Councilor Favreau spoke on this item.

Ms. Smith, Jeff Hutchinson, and Kris Hultgren responded to questions.

Councilor Klatt and Chair Daughtry spoke on this item.

Councilor Pols moved, Councilor Atwood seconded, to adopt ordinance amendments to Chapter 4 (Animals) of the Municipal Code of Ordinances relative to allowing chickens within the Growth Zone.

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Councilor Favreau suggested amending the license fee to \$10, which was agreeable to Councilor Pols and Councilor Atwood.

Councilor Pols also wanted to remove the line – “The initial license shall be assessed on a semi-annual basis,” to which Councilor Atwood was agreeable.

Councilor Klatt moved the question, but there was no second.

Councilor King, Chair Daughtry, Councilor Favreau, Councilor Watson, Councilor Pols and Councilor Knight spoke on this item.

Vote on amended motion.

Councilor Pols moved, Councilor Atwood seconded, to adopt ordinance amendments to Chapter 4 (Animals) of the Municipal Code of Ordinances relative to allowing chickens within the Growth Zone with the amendments of reducing the license cost to \$10 and removing the following language “The initial license shall be assessed on a semi-annual basis.”. The motion carried with eight (8) yeas. Councilor Klatt was opposed.

(A copy of the adopted amendments will be attached to the official minutes.)

159. The Town Council will hear public comments in order to accept a \$50,000 CDBG Economic Development award on behalf of Maine Tool & Machine LLC to fund the extension of three phase power to 228 Old Portland Road, and will take any appropriate action.

Chair Daughtry opened the public hearing; hearing no comments, she closed the public hearing.

Councilor King moved, Councilor Pols seconded, to accept and expend a \$50,000 CDBG Economic Development award on behalf of Maine Tool & Machine LLC to fund the extension of three phase power to 228 Old Portland Road. The motion carried with eight (8) yeas. Councilor Klatt was opposed.

NEW BUSINESS:

160. The Town Council will discuss the methods of enforcement placed on applicants who are issued permits through a vote of the Town’s Planning Board and/or Zoning Board of Appeals, and will determine if any future action is necessary.

Councilor Klatt spoke on this item.

(A copy of a memo from Councilor Klatt will be attached to the official minutes.)

Anna Breinich, Director of Planning and Development, spoke on this item.

Councilor Favreau asked questions, which Mr. Hutchinson answered.

Councilor Pols asked a question, which Ms. Breinich answered.

- 161. The Town Council will hear a report from the Recycling and Sustainability Committee on their Brunswick Climate Action Plan, and will take any appropriate action.**

Chair Daughtry spoke on this item.

Councilor Klatt spoke on this item.

Pam Edgerton, Chair of Recycling and Sustainability Committee, spoke on this item.

David Funk, Intern from Bowdoin Student, gave information on the report.

Alex Anesko, Recycling and Sustainability Committee, gave more of a report.

Manager Brown provided the Council with a suggested motion.

Chair Daughtry asked questions, which Ms. Smith answered.

Councilor Favreau spoke on this item.

Councilor Pols asked a question, which Mr. Anesko answered.

Mr. Funk spoke again.

Councilor Atwood spoke on this item.

Councilor King moved, Councilor Klatt seconded, to direct the Town Manager to assign staff to work with the Recycling and Sustainability Committee to develop a policy statement to be adopted by the council; the policy statement will be the basis for the future decisions made by the Council regarding future buildings, building improvements, vehicle purchases, and other activities that may contribute to climate change and grant resources. The motion carried with nine (9) yeas.

(A copy of the report will be attached to the official minutes.)

- 162. The Town Council will consider approving the request from Brunswick Downtown Association to hold their Annual Outdoor Arts Festival on August 21, 2010, and will take any appropriate action.**

Chair Daughtry spoke on this item.

David Nadeau, BDA events co-chair, spoke on this item.

Councilor Knight, Councilor Favreau, and Councilor Watson spoke on this item.

Councilor King moved, Councilor Pols seconded, to approve the request from Brunswick Downtown Association to hold an Outdoor Arts Festival on August 21, 2010. The motion carried with nine (9) yeas.

Councilor Atwood moved, Councilor King seconded, to waive the \$500 fee except the \$25 application fee to hold this event, as allowed under Chapter 10, Section 26(b)(14). The motion carried with nine (9) yeas.

(A copy of the request will be attached to the official minutes.)

163. The Town Council will consider a request from the Brunswick Downtown Association for use of the Lower Mall for the Taste of Brunswick Event, to be held on June 19, 2010, and will take any appropriate action.

Chair Daughtry spoke on this item.

Mr. Nadeau spoke on this item.

Councilor Pols, Councilor Favreau, Councilor Tucker, Chair Daughtry, and Councilor Watson spoke on this item.

Councilor Watson moved, Councilor Favreau seconded, to approve the BDA's request for the Taste of Brunswick event to be held on June 19, 2010. The motion carried with nine (9) yeas.

Councilor Pols moved, Councilor Favreau seconded, to permit the sale of alcohol (beer and wine) at the Taste of Brunswick Event on June 19, 2010. The motion carried with nine (9) yeas.

(A copy of the request will be attached to the official minutes.)

CONSENT AGENDA

(a) Approval of the Minutes of October 5, 2009

Councilor Watson moved, Councilor Favreau seconded, to approve the Consent Agenda. The motion carried with nine (9) yeas.

Councilor Watson moved, Councilor Favreau seconded, to adjourn the meeting. The motion carried with nine (9) yeas.

The meeting adjourned at 9:50 p.m.

PLEASE NOTE: THESE MINUTES ARE ACTION MINUTES. A VIDEO RECORDING OF THE MEETING IS AVAILABLE AT THE TOWN CLERK'S OFFICE DURING REGULAR BUSINESS HOURS.

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Frances M. Smith
Town Clerk
October 20, 2009

November 2, 2009
Date of Approval

Council Chair