

*Winthrop Town Council
Meeting Minutes
February 4, 2013*

Attendance: Chairman Kevin Cookson: Priscilla Jenkins, Sarah Fuller, Larry Fitzgerald, Linda Caprara, Ken Buck Sr. , Don Ellis, Jeffrey Woolston (Town Manager) and Julie Winberg (Secretary)

The meeting opened at 7:00 p.m.

The Council welcomed Don Ellis who was elected to replace Jennifer Currier.

Ordered that the Winthrop Town Council meet to consider the following items:

Approve the January 7, 2013 Meeting Minutes

The minutes for this meeting were passed with a vote of 6-1 (Councilor Buck abstained as he was not present at this meeting) with the following corrections: the library trustees were among the elected officials sworn in; item #5-the question was 'moved'.

Item #11 Summer Concert Series at Norcross Point Discussion

Elizabeth McKenny was in attendance and requested that the town support the summer concert series for 2013. She informed the Council that with the additional financial support from the Winthrop Credit Union and the Kennebec Savings Bank, the support that she is looking for from the town is only for electricity, the use of the bathrooms and the occasional use of the photo copier at the town office. With the present budget and additional funds, the bands for this season will be bigger, providing their own PA system and printing of professional posters.

The Council expressed their thanks and committed their support to those specific requests.

Item #12 *Gretchen Foyt Gardiner Recognition Discussion*

In memory of Gretchen Foyt Gardiner, Winthrop friends have begun a quest to have a special plaque made, dedicated to her, to be located at the Winthrop Beach where she spend many years serving as lifeguard and teaching children to swim. She is admired by many as a very special, caring person who deserves to be remembered. Donations for this can be sent in c/o Dawn Roth Costello, 289 Main Street, Winthrop, Maine 04364. To date, \$760 has been raised. The family spokesman, Scott Foyt, who told the Council how honored his family was, stated that the family will contribute whatever monies are needed to build the granite bench (a picture that he submitted to the Council for their consideration).

Motion by Fuller and seconded by Fitzgerald passed with a unanimous vote to allow the placement of a granite bench at a location to be determined.

Item #7 *Consider a General Noise Ordinance – second reading*

The Council had the first reading of this Noise Ordinance at its January 2013 meeting.

Tonight's discussion centered around the 'constitutionality' of the Ordinance in its entirety – a subject brought up by a town resident who produced court actions from another state claiming that our town's Ordinance clearly denied him his rights to free speech.

Councilor Cookson explained, again, that this Ordinance has been reviewed by the County Attorney, found to be legal and constitutional and passed by the town. He reminded Councilors again that they are not voting on the Ordinance but just voting on the amendment to it concerning the restriction of engine and transmission braking noise in specified locations. The Councils' vote is either to include the amendment or to exclude it.

The proposed amendment is a clear response to a defined problem and has town support. Should the Council at a later date decide to change or revise the Ordinance a public hearing would have to be held.

Motion by Fuller and seconded by Jenkins, the Amendment to the Noise Ordinance passed with a vote of 4-3 (Fitzgerald, Buck, and Caprara).

Item #13 *Annual Review – Fireworks Ordinance*

This is an annual review of this Ordinance to see if any further revision to it is warranted.

Through input received by numerous residents at the August 2012 Town Council meeting, serious concerns were enumerated along with many signatures from residents protesting to this Ordinance with the end result suggesting that the Council not only reconsider their actions but to reverse it. It was noted that many people thought that the fireworks were gun shots – sound is so similar – never know where or when they will be set off, and wildlife had definitely been negatively affected. Local veterinarians had expressed their concern noting the increase in animal stress.

Police complaints have been quite a few but the hope is that they will subside now that people know what the Ordinance allows/disallows. Only time will tell.

Although the Council noted that this is a controversial Ordinance, they voted unanimously with a motion by Fuller and seconded by Jenkins to wait one more year and review it again. Also, upon that yearly review, marinas will be added as part of the restrictions (a distinct fire hazard).

Item #14 *Public Hearing to consider a Micro-Enterprise Assistance Program Grant Application*

The attendees for this public hearing were asked to sign in – a requirement of the Micro-Enterprise Assistance Program.

The public hearing opened at 7:51 a.m.

Gail M. Chase, Community Development Manager of the Kennebec Valley Council of Governments (KVCOG), presented this program to the Council in November 2012. The national objectives of the CDBG grant is that the grant must benefit 51% or greater low or moderate income persons, and that the project must prevent or eliminate slum or blighting conditions. The town of Winthrop has 31.3% low or moderate income.

The business being considered should have five or fewer employees, one of which would be the owner, be a small business, articulate a need,

illustrate the structure, apply with a detailed application, and get the funds. The KVCOG would work hand in hand with the applicant.

This program will provide loans, and grants of up to 10% of the loans, to qualifying businesses that are located in Winthrop. Funds may be used for a variety of activities including, but not limited to, purchasing equipment and materials, upgrading equipment, developing skills, improving facilities, and other activities that will help expand or upgrade a business in order to make that business more profitable.

Any person who owns a business (or is opening a business) in Winthrop and meets the household income limits is eligible to apply.

Winthrop will be applying for \$150,000 for micro-grants or loans for LMI (low moderate income) run businesses.

The public hearing closed at 7:55 p.m.

Item #15 ***Consider the Micro Enterprise Assistance Program Grant Application***

Motion by Fuller and seconded by Jenkins to apply for this grant passed with a unanimous vote.

Item #16 ***Library Expansion Update***

Mary Jane Auns, Board President, Charles M. Bailey Public Library was in attendance and updated the Council on the progress of their fund raising for the library's expansion. The campaign has a total of \$412,000 in donations thus far with a goal of \$800,000. They have applied to two grants at this time and are working on two more grants that will be submitted by the end of the month. Their schedule is to complete the fund raising in one year and break ground in the spring of 2014.

Item #17 ***Town Website Discussion***

A letter from Patrice Putman, Chairman of the Recreation Committee, was circulated. Andy West, a Committee member, was in attendance to answer any questions. The contents of this letter expressed the need for

the town's website to be professionally updated and annually maintained.

The Council was in agreement but could not make any guarantees that this would be a line item in this year's budget. The cost for such an undertaking is quite expensive. Although the present design is admittedly outdated, it was also felt that the information was not current and the navigation was not smooth. The website is just not very welcoming.

Item #18 Public Hearing to Consider Liquor License Application – Pepper's Garden and Grill

The public hearing opened at 8:20 p.m. There were no issues found.

The public hearing closed at 8:21 p.m.

Item #19 Consider Liquor License Application – Pepper's Garden and Grill

A motion by Jenkins and seconded by Caprara passing with a unanimous vote, the license application was approved.

Manager's Report

The Councilors approved and signed four municipal quit claim deeds without covenants: Map 45 Lot 22, Map 54 Lot 29, Map 7 Lot 54A, and Map 8 Lot 58.

Eleven candidates have applied for this position as Coordinator and are scheduled to be interviewed this month. Approval is needed by the Council for the matching funds required by this grant - \$500.00 for this year, and \$500.00 next year. Motion by Fuller and seconded by Jenkins passed with a unanimous vote to approve these matching funds.

Motion by Caprara and seconded by Fuller to reappoint Craig Hickman and Kevin McCarthy to the Conservation Commission passed with a unanimous vote.

Motion by Fuller and seconded by Fitzgerald passing with a unanimous vote to appoint the Town Manager as Public Access Officer.

The Town Manager signed off on a grant application for \$30,000 for the library expansion. Councilors will have final approval.

Other Business

One of the recommendations that came out of the Parliamentary Procedure Workshop was that the minutes of the Council meetings should be brief noting subject, motion and vote. It was the consensus of the Council to keep the minutes as is, not verbatim, but with general information so as to ensure a sense of the discussion and what position the Councilors had on the matter.

Councilor Jenkins informed the Council that Keep Winthrop Warm will be having a Chili/Chowder/Raffle on February 23, 2013.

Chairman Cookson informed the Council that he has prepared three budget packets for the Finance Committee. Note: Councilor Caprara has resigned as Chair to this Committee and has been replaced by Don Ellis. The Committee now consists of Councilor Fitzgerald as Chairman, Councilor Fuller, and Councilor Ellis. The Chairman Cookson requested that the Committee plan to meet in the next month to take a look at last year's municipal budget and recommend where \$650,000 can be eliminated. The Town Manager's staff will be available to assist. The municipal budget by Charter needs to be done by April. The school budget by Charter needs to be done in May and a public hearing will then be held in June.

Motion by Fuller and seconded by Jenkins passed with a unanimous vote to go into Executive Session at 8:50 p.m. to discuss Title 1, Chapter 13, Subchapter 1, Subsection 405, Paragraph 6A – Contract Negotiations

Adjourn