

Approved
BRUNSWICK TOWN COUNCIL
Minutes
April 8, 2019
6:30 P.M. – Special Meeting
Council Chamber
Town Hall
85 Union Street

Councilors Present: W. David Watson, Stephen S. Walker, Dan Jenkins, John M. Perreault, Christopher Watkinson, Jane F. Millett, James Mason, Kathy Wilson, and Dan Ankeles

Councilors Absent: None

Town Staff Present: John S. Eldridge, III, Town Manager; Elin M. Gould, Deputy Town Clerk; Matt Panfil, Director of Planning and Development; and TV video crew

Chair Perreault called the meeting to order and led the Pledge of Allegiance; the Clerk provided roll call and acknowledgement that the meeting had been properly noticed.

Adjustments to Agenda: Chair Perreault requested adding Item #46, to set a public hearing on the 2019-2020 budget and the 2020-2024 Capital Improvement Plan, at a Special Council Meeting on Thursday, May 2, 2019. There was no objection to the request.

PUBLIC HEARINGS

45. The Town Council will hear public comments on both the licensing ordinance for performance standards to regulate homeless shelters and zoning amendments regarding homeless shelters, and will take any appropriate action. (Town Manager Eldridge) ([*This item was discussed at 6:34 p.m.*](#))

Chair Perreault opened the public hearing at 6:34 p.m.

Manager Eldridge said that two ordinances were being proposed, a zoning ordinance and a licensing ordinance, and Matt Panfil, Director of Planning and Development, explained two changes that were being proposed to clarify the intention of one section of each proposed ordinance.

Councilor Millett asked a question, to which Mr. Panfil and Manager Eldridge responded.

Councilor Watson spoke about a section of the licensing ordinance that he disagreed with.

The following members of the public spoke on this item:

Courtney Neff, 19 High Street - Mr. Panfil and Manager Eldridge responded to this speaker
Laura Leinert, 10 High Street, Vice President of Northwest Brunswick Neighborhood Assn.

Jim Bridge, 14 Pasture Way

Myrna Koonce, 44 Chamberlain Avenue

David Jakubowski, 23 Winter Street, Topsham, employee and prior guest of Tedford Shelter

Richard Fisco, 2 Lincoln Street

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Joyce McPhetres, Chairman of the Board of Directors of Tedford Housing
Lynne Holland, 13 Lincoln Street, member of Northwest Brunswick Neighborhood Assn.
Field Griffith, Tedford Housing Board member
John Cunningham, Attorney for Tedford Housing
Jamie Kaplan, 16 Larrabee Farm Road
John Gallagher, 59 Willow Grove Rd
Giff Jamison, Director of Operations at Tedford Housing
Charles Carroll, Topsham, affiliated with The Gathering Place
Alison Harris, 38 Cumberland Street, former Councilor and Shelter Task Force member
Curt Clark, Brunswick resident and Artistic Director at Maine State Music Theater
Louise Rosen, 16 High Street

Chair Perreault closed the public hearing at 7:42 p.m.

Chair Perreault asked if there was an objection to voting tonight. Once it was determined that allowing for voting tonight did not preclude tabling to another night, there was no objection from the Council.

MOTION:

Councilor Mason moved, Councilor Ankeles seconded, to adopt Zoning Ordinance amendments one, two, three, and four, as presented, and to adopt amendment five with the following wording added at the end “This does not apply to multiple buildings on the same parcel.”

There were numerous questions and a discussion among all nine Councilors regarding various aspects of the proposed zoning ordinance. Mr. Panfil provided information, when requested.

AMENDMENT TO MOTION:

Councilor Jenkins moved, Councilor Wilson seconded, to amend the motion to change the 500 ft. separation requirement in Amendment 3(5) to 1000 ft.

Councilor Millett responded to comments made by Councilor Walker prior to the motion.

VOTE ON AMENDMENT TO MOTION:

Councilor Jenkins moved, Councilor Wilson seconded, to amend the motion to change the 500 ft. separation requirement in Amendment 3(5) to 1000 ft. The motion carried with five yeas. Opposed: Councilor Walker, Councilor Watkinson, Councilor Mason, and Councilor Ankeles.

VOTE ON MAIN MOTION, AS AMENDED:

Councilor Mason moved, Councilor Ankeles seconded, to adopt Zoning Ordinance amendments one, two, three, and four, as presented, and to adopt amendment five with a separation requirement of 1000 ft. and the following wording added at the end “This does not apply to multiple buildings on the same parcel.” The motion carried with eight (8) yeas. Opposed: Councilor Walker.

MOTION:

Councilor Mason moved, Councilor Ankeles seconded, to enact the adopted zoning ordinance amendments on an emergency basis. The motion carried with eight (8) yeas. Opposed: Councilor Walker.

MOTION:

Councilor Mason moved, Councilor Ankeles seconded, to adopt the proposed Homeless Shelter Licensing Ordinance with the following changes:

c. License Requirement – grandfather existing shelters

d. Licensing Authority – change from Town Clerk to Town Manager or designee and incorporate that change throughout the ordinance, where applicable

g. License Term and Renewal – change to five (5) years and incorporate that change throughout the ordinance, where applicable

i. Delete iv. vi. vii. and viii and change the following: ii change to: “On-site supervision shall be required for a homeless shelter, nonapartment-style and a homeless shelter, resource center 24 hours per day, seven (7) days per week.” and v. Maximum Beds in Town – retitle section to “Maximum Beds in Facility” and change wording to “The total capacity for individual residents for any single homeless shelter shall not exceed 85.”

There was discussion among Councilor Millett, Councilor Mason, Councilor Ankeles, Councilor Wilson, Councilor Watkinson, Councilor Watson, and Councilor Walker, and questions asked, to which Manager Eldridge, Mr. Panfil, and **Craig Phillips**, Executive Director of Tedford Housing, responded. The result of the discussion was the motion as stated above.

AMENDMENT TO MOTION AND VOTE ON AMENDMENT TO MOTION:

Councilor Millett moved, Councilor Jenkins seconded, to amend the motion regarding section i. v. to Maximum Beds in Town, and, shall not exceed 85. The motion passed with five (5) yeas. Opposed: Councilor Walker, Councilor Watkinson, Councilor Mason, and Councilor Ankeles.

Discussion continued among Councilor Wilson, Councilor Mason, Chair Perreault, Councilor Millett, Councilor Ankeles, and Councilor Jenkins about various areas of the proposed licensing ordinance.

SECOND AMENDMENT TO MOTION:

Councilor Millett moved, Councilor Wilson seconded, to amend the motion to reinstate section i sub-section vii regarding smoking.

Councilor Wilson, Councilor Walker, Councilor Watson, Councilor Watkinson, and Chair Perreault spoke on this amendment.

VOTE ON SECOND AMENDMENT:

Councilor Millett moved, Councilor Wilson seconded, to amend the motion to reinstate section i sub-section vii regarding smoking. The motion failed with two (2) yeas. Opposed: Councilor Watson, Councilor Walker, Councilor Jenkins, Chair Perreault, Councilor Watkinson, Councilor Mason, and Councilor Ankeles.

Councilor Jenkins and Councilor Watson spoke again.

VOTE ON MAIN MOTION, AS AMENDED:

Councilor Mason moved, Councilor Ankeles seconded, to adopt the proposed Homeless Shelter Licensing Ordinance with the following changes:

c. License Requirement – grandfather existing shelters

d. Licensing Authority – change from Town Clerk to Town Manager or designee and incorporate that change throughout the ordinance, where applicable

g. License Term and Renewal – change to five (5) years

i. Delete iv. vi. vii. and viii and change the following: ii change to: “On-site supervision shall be required for a homeless shelter, nonapartment-style and a homeless shelter, resource center 24 hours per day, seven (7) days per week.” and v. Maximum Beds in Town...shall not exceed 85.” The motion carried with six (6) yeas. Opposed: Councilor Walker, Councilor Watkinson, and Councilor Mason.

MOTION:

Councilor Mason moved, Councilor Watson seconded, to adopt the Homeless Shelter Licensing Ordinance on an emergency basis. The motion carried with eight (8) yeas. Opposed: Councilor Walker.

MOTION:

Councilor Watson moved, Councilor Wilson seconded, to terminate the moratorium on homeless shelters.

Councilor Jenkins spoke at this time.

VOTE ON MOTION:

Councilor Watson moved, Councilor Wilson seconded, to terminate the moratorium on homeless shelters. The motion carried with nine (9) yeas.

(A copy of the adopted Zoning Ordinance amendments and Homeless Shelter Licensing Ordinance will be attached to the official minutes.)

46. (ADDED) The Town Council will consider setting a public hearing on the proposed 2019-2020 budget and 2020-2024 Capital Improvement Program. ([*This item was discussed at 9:17 p.m.*](#))

Chair Perreault moved, Councilor Watson seconded, to set a public hearing on the proposed 2019-2020 budget and 2020-2024 Capital Improvement Program for May 2, 2019. The motion carried with nine (9) yeas.

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

[The meeting adjourned at 9:18 p.m.](#)

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PLEASE NOTE; THESE MINUTES ARE ACTION MINUTES. THE ENTIRE MEETING
CAN BE VIEWED AT WWW.BRUNSWICKME.ORG.

Elin M. Gould
Deputy Town Clerk
April 9, 2019

April 16, 2019

Council Chair

