

**SPECIAL CITY COUNCIL MEETING**  
**WEDNESDAY, FEBRUARY 22<sup>nd</sup>, 2023**  
**SHEAD HIGH SCHOOL – LIBRARY - 6:00 P.M.**

**Meeting ID: 884 3944 2691**

**Passcode: eastport**

**Those in Attendance:** Councilor Floyd “Bub” Andrews; Councilor William “Billy” Boone; Councilor Ross Lawrence; Councilor/Vice Chair David Oja; and Council President Jeanne Peacock. Also in attendance were City Manager, Kate Devonshire; Legal Counsel, Dennis Mahar; City Clerk, Ella Kowal; Police Officer, Nicholas Johnson.

**Public Attendance:** Paige Atkinson, Jeff Crane, Mark Wigley, Dora Adams, Victoria Ganz, Chester Jenkins, Dagny Silins, Billy Altvater, Samra Kuseybi, Robert Scott, Howie Johnson, Traci Calder, Donnie Peters, Lindy McClellan, Lora Whelan, Carolina Castello, Former Councilor Robert Peacock, Birdy Velveteen, Michael Morse, Cynthia Morse, Camela Deschane, Melissa Newcomb, Anthony Newcomb, Jeanne Pegrum, Sarah Gormady, Florence Brunner, Chrissy Greenlaw, Judy Turner, and Zoom Participants.

**I. CALL to ORDER**

Council President Peacock calls to order the meeting at 6:01 p.m.

**II. ADDRESS and DELIBERATE on RECEIPT of OFFICIAL COMPLAINTS RECEIVED on ELECTED OFFICIALS:**

**a) Councilor William Boone**

(Formal Complaint against Councilor William “Billy” Boone from Birdy V.)  
[Violating Item 10 of the Councilor Code of Conduct] [Dated/Sent: 12/28/2022]

Council President Peacock recognizes and reads the complaint as submitted. She then speaks to say that in a City Council form of government it is run by the Council President and is set for the Council to discuss issues and that there is opportunity to hear from citizens whether it is by email or stopping them on the street and shares that they do come with ideas other than their own. The agenda is published on the City Website and posted locally.

She addresses the Council members and offers them the opportunity to speak to this issue.

Councilor Lawrence comments briefly to say over the last year that there have times where people have not been allowed to speak, and it was because there was already an interruption in the audience and people were talking amongst themselves or over others, and sometimes name calling occurred. As a result, sometimes the public was restricted for those reasons.

Council President Peacock comments to say that Councilor Boone attended a Calais City Council meeting several months ago and addresses to ask how they were run. Councilor Boone responds to say that they have a different form of government as they have seven councilors and a mayor. He spoke further to say that there was no public input until the very end of the meeting and made reference to what they called a round table discussion from one side of the room to the next. They were allotted 1-2 minutes and moved along.

Councilor Boone then comments on the complaint. He first apologizes to Birdy if he offended her which he does not believe he did. He continues to say that Councilors make decisions after all facts and that meeting was called on 12/28/2022 which was after the 12/14/2022 meeting which Council failed to act on a stipend for the Airport Manager. He shares that Councilor Andrews had reached out to him and that he would like to get it done before the end of the year to try and see if we could retain our Airport Manager. He affirms that many of us know that this did not succeed. We have lost him, and the City is in a different situation. We are moving forward but he feels it is very important to hear the public and to hear their concerns and express those back to the people. The City Council has a job to do and they have to be able to do it. He continues to say that the public is able to speak at public hearings and most of the time it is silent. He continues to say that he is the Council Liaison for the Airport and that he was only promoting what the Committee requested. This was his job and does not feel he did it wrong.

Council President Peacock asks if there is any action coming from this discussion.

The City Clerk addresses the City's Legal Counsel and asks for clarification that each would need to be addressed separately and he responds with a "yes".

Councilor Andrews asks what kind of action is being sought and Council President Peacock responds to say that the Council must bring forth a response.

She suggests it could say Councilor Boone apologizes and he did not feel he was in violation. As per the City Charter, a response is required within 14 days.

Councilor Lawrence speaks to say that he feels Councilor Boone's suffices.

**MOTION      ANDREWS      SECOND      LAWRENCE      (PASSED 4-1)**  
*Councilor Boone "ABSTAINED"*

To accept Councilor William Boone's apology and hopeful that it will not happen again.

**b) Councilor Ross Lawrence**

(Official Complaint against Councilor Ross Lawrence from Birdy V.)  
[Councilor Lawrence's Behavior on New Year's Eve/Violations of Councilor  
Code of Conduct & Interference w/Recall Process] [Dated/Sent: 12/31/2022]

Council President Peacock speaks to the various complaints filed, i.e. behavior on New Year's Eve/Violations of Councilor Code of Conduct/Usage of acronym/and the interference with the recall process.

Councilor Andrews comments to say that Councilor Lawrence did approach Ms. Velveteen and that he listened to the tape and notes that all of Council was in receipt of it. He continues further to say that it was not right and that it was intimidating. He speaks to say that it is sad that a citizen is trying to do their due justice and are worried about being gone after by a Councilor, or something said to them, or antagonized by a Councilor. This is what he sees, not once but several times. He feels that they are doing what they feel is their due diligence and shouldn't be nagged for it. They are afraid of repercussions.

Councilor Lawrence asks the Council President if the video was with audio and she responded with a "no". Councilor Lawrence responds to say that this is because he was walking in the opposite direction with four other people toward a different location. He emphasizes that he was not facing the complainant, he was not speaking to the complainant, he definitely did not use the alleged acronym, and it had nothing to do with her and it was a totally different subject that had nothing to do with her but that he did approach the dog. He continues to say that his comment that he identifies as a dog was in no way intended to mock the complainant or gender identity as a non-binary person. His comments had nothing to do with the complainant it had to do with his New Year's Eve night. He continues further to say that he did not sign the petition. Ms. Velveteen from the audience speaks out adamantly that he did sign it.

Council President Peacock brings order and emphasizes that there is no other interaction other than from Council and reminds Ms. Velveteen that they have her complaint. She responds that testament is not being read for the record. Council President Peacock asks for silence, if she cannot be quiet; then she will be asked to leave and Ms. Velveteen responds that she is not leaving. Officer Nicholas Johnson addresses Ms. Velveteen and she reiterates that she is not leaving. Officer Johnson informs Ms. Velveteen if there are any further disruptions that they will be going to Machias and she responds they will go.

Councilor Andrews asks if she will get an opportunity to defend herself. Council President responds that we have the complaint and that this is not a hearing. Councilor Andrews asks the question “did he” or “did he not” sign it and did not sign it properly. He is asking the question. Councilor Andrews and Council President Peacock both ask Councilor Lawrence if he signed the petition. He responded that he can present to the Council the person that did sign it. Council President asks that someone else signed it. He responds that there were five people with him and that he was just looking at the names. He comments to say that he would not sign it. Councilor Andrews addresses Councilor Lawrence to say that they had asked him if he wanted to sign your own petition and he said yes on the recording. Councilor Lawrence is adamant that he did not sign the petition. Councilor Andrews comments to say is this a waste of time tonight. Council President Peacock speaks to say that she feels that this may need to go to a hearing. Councilor Lawrence responds to say that he will bring them in.

Council President Peacock calls for a motion and Councilor Lawrence proceeds with making it. The City Clerk addresses the City’s Legal Counsel and he advises Council that he does have the right for a hearing.

**MOTION      LAWRENCE      SECOND      OJA      (PASSED 4-1)**  
*Councilor Andrews Voted “NO”*

To schedule a public hearing for the complaint against Councilor Lawrence to be held on March 8, 2023 at 5:00 p.m.

(Formal Complaint against Councilor Ross Lawrence from Sarah Gormady)  
[Open Container and Drinking] [Dated/Sent: 1/19/2023]

Council President Peacock comments to say that this next complaint is from Sarah Gormady against Councilor Ross Lawrence that she witnessed Councilor Lawrence and City Manager Kate Devonshire on 12/31/2022 (New Year’s Eve) toasting to the new year intoxicated and opening a champagne bottle on Water Street.

Councilor Lawrence responds to say that there were five or more of them present and that it was sparkling cider and the others who joined in have already spoken to this. He continues to say that there are complaints being made where people can just write anything and say anything and that's a complaint. He feels that the Council will work in the future to manage this whole system. Harassing and bogus accusations to remove someone because they do not like their actions is need for some sort of protocol. It is wearing the Council thin.

Council President Peacock addresses the City Manager and they had discussed this with her and that she concurred that it was sparkling cider. Council President Peacock speaks to say that she saw her with her parents and that she did not see any intoxication of any sort.

She then asks if there is any motion coming from this. Councilor Andrews responds to say that he cannot speak to that one because he really does not know. He is not so concerned about this one as he is the first one. He apologizes to Ms. Gormady but cannot speak to this as he does not know and does not feel that there is any merit for this complaint. His concern is for the first one they addressed.

Councilor Oja speaks to say that he was there and saw them both and if they had appeared intoxicated that he would not stop and talk with them.

Councilor Lawrence responds to say that once they had finished the cider they had collected the small plastic cups, about 6-7 of them, and disposed of them and the bottle properly.

Council President Peacock again asks if there is any motion coming out of this complaint.

**MOTION** LAWRENCE                      **SECOND** OJA    **(PASSED 5-0)**  
To have this complaint restricted from any public record.

**c) Councilor Jeanne Peacock**

(Formal Complaint against Councilor Jeanne Peacock from Birdy V.)  
[Attempt to Intimidate a Recall Petitioner and Influence Recall Proceedings]  
[Dated/Sent: 12/28/2022]

Council President Peacock speaks to say that the last complaint is against herself for attempting to intimidate a recall petitioner and influence her recall proceedings. She further reads from the complaint that Jeanne Peacock had approached the complainant privately in the City Hall parking lot on 12/28/2022. She said that she did not speak to government officials off

the record and requested to record our conversation. Ms. Peacock interrogated her about a rumor regarding a petitioner unknown to her. A vague description was given and she was asked to identify them for Ms. Peacock. Ms. Velveteen addressed Ms. Peacock about the petition process. Council President Peacock comments to say that in her own defense that she looked up the definition of “intimidate” and it read that it was to frighten or over awe someone especially to make them do what one wants. She will attest or swear on a bible that she asked a question about a person who had long gray hair who went to a friend of hers, Karen Farris’ house, knocked on her door and asked to have the petition signed. Council President asked Birdy if someone other than she, Sarah, and the man was circulating the petition. She responded that she was not familiar. It was a question and Council President Peacock emphasizes that it was not an intimidation in any shape or form. She apologizes to Birdy Velveteen if she felt intimidated but that she is not an intimidating person, and she will leave this to the Council for discussion.

Councilor Lawrence responds to say he believes it to be an honest inquiry.

Councilor Andrews why Council President Peacock she would be interested in knowing that. She wanted to know because it was her understanding that when someone circulates a petition of recall and that there are certain people who sign that petition out and they are ones to witness each signature. She was curious who else was circulating improperly.

**MOTION      LAWRENCE    SECOND      OJA                      (PASSED 4-1)**  
*Councilor Peacockd “ABSTAINED”*

To disregard and have the complaint restricted from public record.

Councilor Andrews asks for permission to speak and comments to say that we do not really need a City Charter as we do not follow it.

### **III. EXECUTIVE SESSION**

**MOTION   LAWRENCE    SECOND      OJA                      (PASSED 5-0) (TIME: 6:36 p.m.)**  
To go into Executive Session for Personnel Matters under Title 1 M.R.S.A.  
§ 405(6)(A) and for Consultation with Legal Counsel under Title 1 M.R.S.A.  
§ 405(6)(E).

**MOTION   ANDREWS    SECOND   LAWRENCE    (PASSED 5-0) (TIME: 7:07 p.m.)**  
To come out of Executive Session.

#### **IV. ACTION from EXECUTIVE SESSION**

**MOTION**        LAWRENCE        **SECOND**        OJA        **(PASSED 5-0)**

To “*rescind*” the motion from the last Council meeting of 2/8/2023 that was made coming out Executive Session under Item IX “Action from Executive Session” which was to raise/increase the salary of the Assessor, Carolina Castello, by \$6.17/hour which equates to the \$6,000.00 that is currently in Line 01-01-01-11 which is CEO Assessor Training to Line 01-01-01-06 which is CEO Assessor.

#### **V. ADJOURN**

**MOTION** LAWRENCE        **SECOND**        OJA        **(PASSED 5-0) (TIME: 7:09 p.m.)**

To adjourn.