

March 2, 2026
COUNCIL MEETING

The Westbrook City Council met on Monday, March 2, 2026 at 6:30p.m. at the City Council Room.

Members present: Mayor Rocky Kolar, Manda Jorgenson, Randy Swan, Brian Cassens and Kelly Brown.

Others present: Carl Conrad, Officer Martinez, Officer Hubert, Steve Earl, City Attorney Maryellen Suhrhoff, Doug and Jill Kleeberger and Owen Todd with Bolton & Menk.

Motion by Brown and seconded by Jorgenson to approve the minutes from the February 2, 2026 council meeting. All voted in favor. Motion carried.

Officer Martinez presented the monthly police report with 52 calls for service. Martinez updated council on the cameras for the squad. Right now, there was a large order for a fleet to get outfitted with cameras before us, so we will be on a waiting list. Martinez noted he is seeing a lot of speeding on Hwy 7 and cell phone use.

Conrad presented a service quote for the payloader. RDO would need to repair some fuel injectors and valve work. The quote was \$2,681.10 for parts and service.

2026 Fire and Ambulance contracts have all been collected. The Fire Department did a 12-month cd for \$18,000 with Bank Midwest and the Ambulance will be leaving their contract monies in the checking account to compensate for the purchase of the new rig in 2025.

Open Forum –

Steve Earl would like to see action taken on the properties along 4th street with junked vehicles and campers. Cars have been brought in with broken windows, junked, not insured or licensed. Kolar stated that we have received other complaints about the same property. A property checklist has been given to Officer Martinez so that we can start action on it as soon as he gets that to us.

Doug & Jill Kleeberger – 1028 1st Avenue - were presented to discuss the sewer project. They have concerns regarding the corner lot south of them that is for sale. They understand there used to be a gas station there and the tanks were left in the ground. He can see the area sinking and when the heavy equipment comes in he is afraid there will be some safety concerns.

New Business –

Owen Todd with Bolton & Menk opened with the public hearing regarding the potential sewer project running from 1st to Adams Avenue and 8th to 11th Street. The City of Westbrook applied for a Small Cities Development Program (SCDP). This program is federally funded through the Community Development Block Grant. We made it through the preliminary round and now

have been invited to submit a full application. If the City of Westbrook is awarded the funds would be used to assist with the replacement of sewer collection system. Application is due April 15th with awards notified summer to fall. Project would be in 2027. Project cost is estimated at \$870,000.00 and the grant would be \$600,000.00. Kolar stated that we would do some adjusting to the figure of \$870,000.00 if awarded per Jordan at Bolton & Menk. Todd presented council with documents that need approval to move forward.

Motion by Jorgenson and seconded by Swan to approve Resolution 5-2026 Support of a Small Cities Development Program Project and the Pre-application Risk Assessment. All voted in favor. Motion carried.
4 yay 0 nay

Resolution 6-2026 Lead service line replacement application. The City of Westbrook is applying for a grant from the Drinking Water Revolving Fund for lead service line replacement project. There will be no city responsibility nor will there be homeowner cost. Motion by Cassens and seconded by Brown to approve the submitted resolution. All voted in favor. Motion carried 4 yay 0 nay.

Steen presented an updated credit card policy. After the audit, it was recommended that we change the policy to state all credit card purchases including ambulance meals are to be attached to the monthly statement. Motion by Jorgenson and seconded by Cassens to approve the change. All voted in favor. Motion carried.

Motion by Cassens and seconded by Swan to approve the submitted UTV application. All voted in favor. Motion carried.

Kolar presented to council a new attached utility checklist to the building permit application. When an application is submitted, they will need to have the utility office sign off that there is no interference.

Motion by Swan and seconded by Cassens to approve submitted building permits by Small Town Rentals and Mick Madson. All voted in favor. Motion carried.

Motion by Jorgenson and seconded by Brown to approve the exempt permit submitted by the VFW. All voted in favor. Motion carried.

Motion by Cassens and seconded by Swan to approve the City Code 6.32 amendment in regards to LPHE. We will move forward with publishing. All voted in favor. Motion carried.

We have received quotes from 3 different businesses for the Community Center furnace/AC units. These units are currently in the ceiling and will be moved into the storage room in the senior center. 2 options are multi 2 stage and 1 stage. After discussion of savings and pros/cons it was decided to award the bid to Lamberton Plumbing and Heating. Motion by Jorgenson and seconded by Swan to go with the 2 stage units and with the lowest bid to Lamberton Plumbing and Heating.

Performance Review –

A certified letter was issued to Officer Kyle Hubert from the City Attorney requesting his presence at council. We received reports regarding Hubert's behavior on February 11th with local units and an outside task force. Kolar asked Officer Hubert if he wanted the performance evaluation open or closed. Hubert stated open.

It is alleged that during your on-duty shift you were argumentative and accusatory with fellow officer creating a hostile environment. You were confrontational with officers including an out-of-county task force member and dispatch. Hubert's behavior was aggressive and disruptive and continued for some time. It is also reported that Hubert makes derogatory remarks about the city to residents of the city. As reported, this behavior constitutes unprofessional conduct, offensive behavior and creates a hostile work environment.

Hubert said he felt out of place on his day to be working. He explained that he was upset that Officer Martinez took the squad home that had the computer in it. Martinez stated that he was going to take it home as he had too much to take out of it and Hubert stated he was upset by that. He took the other squad and didn't know the other task force was in town until he saw him by the elevator. Hubert came back to the office and ask Martinez who was in town and also was disappointed with dispatch communication as Diego's name was attached to the call log. Kolar stated that Officer Martinez communicated with you that he had the police vehicle at home. He asked what time you would be in so that he could have it back to you. You told him 11:00 am and you came in at 9:00 am. Officer Martinez had valid reasons for taking it home and was making sure to have it back to you by your shift. As far as that goes, Martinez did what he was supposed to do and you came in 2 hours early from what you informed him. Kolar asked if he was understanding the time frame. Hubert stated it was a scheduled day and he was the only one to be working. Kolar stated that as the mayor he asked both of you to do inventory and that was the day he was going to do that, however due to the task force events things changed. Hubert told dispatch to add him to the call since he was the officer on duty that day as he was not aware of what was going on. Kolar stated that he was made aware that they tried to get ahold of you and it never went through. Did they try the city phone or your personal phone? Hubert said I don't have a city phone. Kolar said you will have one asap. You will no longer use your personal phone for city business. All e-mails and text messages will be through a city issued cell phone. Steen will contact AT&T and get one issued for tracking and liability purposes. City Attorney Maryellen Suhrhoff stated to Hubert you have legitimate questions, why wasn't I notified while on duty. That's not the point. The questioning is your manner. Your behavior is confrontational and apparent anger outburst creating a hostile environment. Coworkers and outside officers do not deserve that as it is unprofessional. If you look at the personnel policy it states that you have to act professionally. What was reported to us, in my opinion, is offensive behavior. Jorgenson asked how we proceed? Do we make Hubert aware this is completely unacceptable? Kolar stated there are 3 options as discussed with the city attorney. We can give a verbal reprimand, written reprimand, written reprimand where after a 6-month probation period it will be removed from his file as long as there are no more behavior problems or suspension. Kolar stated he personally does not want to go with a suspension. He has been here for 8 years and at this point I don't see a suspension at this time. Kolar did state after discussion with the county, he fears that something like this could cause an outside entity albeit, drug task force or

any outside agency, to not want to work with our agency and I don't want that to deter an outside agency for coming here when we need them and helping us with some of the issues that we have going on in town. Hubert stated, I agree and it has been a tough year. Jorgenson asked Hubert, would you agree that your behavior that day should have been different? Hubert said he was upset because he was not informed as to what was going on. Jorgenson asked, do you still want to be employed by the city? Hubert stated, I do. Kolar stated I just want officers that appreciate the community, work with the community but more so the outside services that can help us get rid of some of the issues we have. Hubert stated, I agree. Motion by Cassens and seconded by Jorgenson to issue a written reprimand and it comes off in 6-months. Swan said they used to call them personal improvement plans addressing the issue for a set time and then it goes away. Suhrhoff will issue a detailed written letter to Hubert. Kolar stated I do not anticipate this event impacting your working relationship with other officers/departments. Kolar says I want to make that very clear that it can't happen. All voted in favor to move forward with the written reprimand. Motion carried. Hubert stated that he remains on light duty work because of his shoulder. Surgery is on the 24th.

City Attorney Suhrhoff mentioned that a memo should be typed and given to each officer on handling complaints. Steen stated that would be easier for her as Officer Hubert was going to send an irate person up to the City Clerk's office because they had a complaint on interaction with Officer Martinez. Steen also said there should be something in place that if an officer gets a complaint regarding a situation with a different officer, that officer should take the complaint and state they will look into it and get back to them. A couple instances in the last few weeks, an officer told people to go complain to the city clerk. Steen felt there is nothing she can do with a police matter. It should be handled in a professional manner without throwing other people under the bus by the officers, Chief of Police or council.

Kolar presented a quote on a new phone plan/system from Woodstock. This would make it easier for the police department answering service, city hall, library and swimming pool. Motion by Jorgenson and seconded by Brown to go with the lease option and contact Woodstock to move forward. Price would be \$750.00 flat charge to install and monthly bills should be similar. All voted in favor. Motion carried.

Motion by Cassens and seconded by Jorgenson to approve bills in the amount of \$94,852.05. Check #60064-60109. All voted in favor. Motion carried.

Motion by Cassens and seconded by Brown to adjourn. All voted in favor. Motion carried.