Regular Meeting
City Hall Council Chambers

Monday, March 18, 2013
6:00 p.m.

The regular meeting was called to order by Chairman Kevin O'Connell.
The city clerk called the roll:

Councilor Ferris	-	present	Councilor Vachon	-	present
Councilor Verow	-	present	Chairman O'Connell	-	present
Councilor Goss	-	present			

Chairman O'Connell declared a quorum present. City Manager Bost and City Solicitor Dearborn were also present.

Chairman O'Connell led members of the council and others present in reciting the pledge of allegiance to the flag of the United States of America.

Chairman O'Connell read the notice for the regular meeting.

TO: Joseph Ferris, Arthur Verow, Jerry Goss, Kevin O'Connell and Matthew Vachon
MEMBERS OF THE BREWER CITY COUNCIL You are hereby notified a regular meeting of the City Council will be held on Monday, March 18, 2013 at 6:00 p.m. in the Council Chambers at Brewer City Hall to consider and act on the items on the attached agenda.

s/Kevin O'Connell
Mayor and Chairman of the City Council

or _____
Majority of the City Council

a true copy, attest: s/Pamela J. Ryan
City Clerk

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OFFICER'S RETURN

I have on the date(s) and time(s) indicated given notice of this meeting by giving in hand or by leaving at the usual dwelling place of the within named an attested copy of this notice of meeting:

Given/Delivered to:	by (person delivering)	Title	Date	Time
Joseph Ferris	Tardiff	Ptl.	03/14/13	1635
Matthew Vachon	Tardiff	Ptl.	03/14/13	1615
Arthur Verow	L. Sewall	Cpl.	03/14/13	1610
Jerry Goss	L. Sewall	Cpl.	03/14/13	1600
Kevin O'Connell	C. Landes	DC	03/14/13	3:45 pm

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CITY COUNCIL REGULAR MEETING
Monday, March 18, 2013 6:00 P.M.
Brewer City Hall Council Chambers

I. Call to Order. (Mayor Kevin O'Connell)

II. Roll Call. (City Clerk)

III. Pledge of Allegiance to the Flag of the United States of America. Regular Meeting (Mayor O'Connell)

A. Minutes of February 11, 2013 Regular Meeting. (Councilor Verow)

B. Awards, Petitions and Public Comments.

1. (2013-B005) RESOLVE, Recognize the Achievements of Brewer High School Track Standout, Teal Jackson. (Councilor Goss)
2. (2013-B006) RESOLVE, Recognize Maine State Police Trooper Phillip Pushard for 27 Years of Service To the Citizens of Brewer and the State of Maine. (Mayor O'Connell and Councilor Goss)
3. (2013-B007) RESOLVE, Recognize the Life and Contributions of Patricia Preble. (Mayor O'Connell)
4. (2013-B008) RESOLVE, Recognize Benjamin Turner and Chad Bean for Their Efforts to Assist an Injured Pedestrian Struck by a Motor Vehicle. (Mayor O'Connell)
5. (2013-B009) RESOLVE, The Brewer City Council Opposes Governor Paul LePage's Budget Proposal and Cuts to Municipal Governments. (Mayor O'Connell, Councilor Goss Councilor Ferris and Councilor Vachon)
6. Presentation: Certificate of Appreciation to Arthur C. Verow by the Brewer Historical Society.
7. Public Comments.

IV. Recess for Public Hearing.

1. Brooksy, Inc. d/b/a Pine Hill Golf Club, 23 Pine Hill Road for State of Maine Restaurant Class I, II, III, IV (Golf Club) Liquor License.

V. Adjourn Public Hearing and Continue with Regular Meeting.

C. Consent Calendar.

1. (2013-A018) ORDER, Commit Water Assessment to Treasurer for Collection. (Councilor Vachon)
2. (2013-A019) ORDER, Commit Sewer Assessment to Treasurer for Collection. (Councilor Goss)
3. (2013-A020) ORDER, Authorize the City Manager to Accept and Use Funds for the 2013Stream Cleanup Program. (Councilor Verow)

4.	(2013-A021)	ORDER,	Accept Quitclaim Deed with Covenant from Russell D. Drinkwater and Althea E. Drinkwater To the City of Brewer for Cemetery Lots Situated In the Woodlawn Memorial Park, Brewer, Maine. (Councilor Ferris)
5.	(2013-A022)	ORDER,	Award Contract for 2013 Street Line Painting Contract. (Councilor Vachon)
6.	(2013-A023)	ORDER,	Authorize the Eviction of James L. Kearns, a/k/a James L. Kearns, Jr. From the Property Situated at 87 Parker Street in Brewer, Maine. (Councilor Goss)
7.	(2013-A024)	ORDER,	Issue Release Deed to James Bain, 25 Pendleton Street. (Councilor Verow)
8.	(2013-A025)	ORDER,	Issue Release Deed to Joseph V. Seeley and Jennifer L. Seeley, 26 Silk Street. (Councilor Ferris)
9.	(2013-A026)	ORDER,	Accept Funds in a Forfeiture Resulting From A Recent Court Case that the Brewer Police Made a Substantial Contribution in the Successful Prosecution of. (Councilor Vachon)
10.	(2013-A027)	ORDER,	Authorize Contract to Nancy Marshall Communications of Augusta to Develop a Comprehensive Marketing and Communications Plan for the City of Brewer's Founding Partners Sponsorship. (Councilor Goss)
11.	(2013-A028)	ORDER,	Accept Annual Wellness Grant from the Maine Municipal Employees Health Trust. (Councilor Verow)
12.	(2013-A029)	ORDER,	Authorize Amendments to the City's 401 Plans. (Councilor Ferris)
13.	(2013-A030)	ORDER,	Accept Proceeds From Sale of Surplus Materials And Appropriate for Use. (Councilor Vachon)
14.	(2013-A031)	ORDER,	Authorize Writeoff of Uncollectible Personal Property Taxes. (Councilor Goss)
15.	(2013-B010)	RESOLVE,	Approve Liquor License Application of Brooksy, Inc. d/b/a Pine Hill Golf Club, 23 Pine Hill Road. (Councilor Ferris)
16.	(2013-B011)	RESOLVE,	Amend the Schedule of City Council Regular Meetings to Change the May Regular Meeting Date. (Councilor Verow)

D. Monthly Reports. (Councilor Verow)

E. Nominations, Appointments, Elections.

1. CONSENT CALENDAR.

a.	(2013-B012)	RESOLVE,	Declare a Vacancy on the Board of Assessment Review and a Vacancy on The Board of Appeals. (Councilor Goss)
b.	(2013-B013)	RESOLVE,	Accept Resignation of John Sheehan as a Regular Member of the Planning Board of the City of Brewer. (Councilor Vachon)
c.	(2013-B014)	RESOLVE,	Accept Resignation of Daryl Briggs as an Associate Member of the Planning Board of the City of Brewer. (Councilor Goss)
d.	(2013-B015)	RESOLVE,	Accept Resignations of Matthew Vachon as a Member of the Board of Appeals and the Parks and Recreational Advisory Committee of the City of Brewer. (Councilor Verow)
e.	(2013-B016)	RESOLVE,	Accept Resignation of Constance E. Robichaud as a Member of the Board of Commissioners of the Housing Authority of the City of Brewer. (Councilor Ferris)
f.	(2013-A032)	ORDER,	Reappoint Harbor Master. (Councilor Goss)
g.	(2013-A033)	ORDER,	Reappoint and Appoint Members to the Board of Commissioners of the Housing Authority of the City of Brewer. (Councilors Verow and Vachon)
h.	(2013-A034)	ORDER,	Reappoint and Appoint Members to the Board of Appeals of the City of Brewer. (Councilors Verow and Vachon)
i.	(2013-A035)	ORDER,	Reappoint and Appoint Members to the Conservation Commission of the City of Brewer. (Councilors Verow and Vachon)
j.	(2013-A036)	ORDER,	Reappoint and Appoint Members to the Library Board of the City of Brewer. (Councilors Verow and Vachon)
k.	(2013-A037)	ORDER,	Reappoint and Appoint Members to the Parks and Recreational Advisory Commission of the City of Brewer. (Councilors Verow and Vachon)
l.	(2013-A038)	ORDER,	Reappoint and Appoint Members to the Board of Assessment Review. (Councilors Verow and Vachon)

m. (2013-A039) ORDER, Reappoint and Appoint Members to the Brewer Planning Board. (Councilors Verow and Vachon)

n. (2013-A040) ORDER, Reappoint Inspector of Buildings. (Councilor Goss)

o. (2013-A041) ORDER, Reappoint Inspector of Plumbing. (Councilor Ferris)

p. (2013-A042) ORDER, Appoint Beverly Uhlenhake as a Member to The Comprehensive Plan Committee. (Councilor Vachon)

7. (2013-B017) RESOLVE, Confirm City Manager's Appointments of Constables. (Councilor Verow)

F. Unfinished Business.

1. (2013-C002) Amend Chapter 20, Entitled "Licenses and Permits", Article 2 Licenses, Sections 215.1, 215.2, 215.3 and 216.1. (Councilor Goss)(posted 02/12/13)
2. (2013-C003) Amend Chapter 8, Entitled "Elections", Article 3, Municipal Elections, Section 301, Ballot Format. (Councilor Verow) (posted 02/12/13).

G. New Business.

1. (2013-C004) Amend Chapter 20, Entitled "Licenses and Permits", Article 2 Licenses, Section 219, Liquor Licenses, Section 219.1, New Licenses to add an item G. (Councilor Ferris)
2. (2013-A043) ORDER, Authorize the Code Enforcement Officer, Benjamin Breadmore, and City Solicitor, Joel A. Dearborn, Sr. Esq., to Institute a Civil Action Against the Property Situated at 8 East Summer Street, Brewer, Maine, and its Owner Pursuant to Title 17 M.R.S.A. §2851 to Determine it to be a Dangerous Building, Order its Demolition and Request Such Other Relief as May be Reasonable in the Premises. (Councilor Vachon)
3. (2013-A044) ORDER, Convene in Executive Session Pursuant to Title 1, M.R.S.A. §405(6)(E) on a Legal Matter. (Councilor Ferris)

H. New Items with Leave of Council.

I. ADJOURN.

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A. Minutes of February 11, 2013 Regular Meeting.

ACTION: Councilor Verow moved that the minutes be accepted and placed on file. The motion was seconded and passed by unanimous vote.

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B. Awards, Petitions and Public Comments.

CERTIFICATE OF APPRECIATION TO ARCHUR C. VEROW BY THE BREWER HISTORICAL SOCIETY.

Vice-President Lynn Hamaday presented Councilor Arthur Verow with a plaque expressing the Brewer Historical Society's appreciation of his time, effort and knowledge to them.
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2013-B005 March 18, 2013

TITLE: RESOLVE, RECOGNIZE THE ACHIEVEMENTS OF BREWER HIGH SCHOOL TRACK STANDOUT, TEAL JACKSON.

filed March 13, 2013
by Jerry Goss

WHEREAS, Brewer High School senior, Teal Jackson, has been an outstanding ambassador for athletics, her school and our community; and

WHEREAS, Ms. Jackson recently has extended her athletic accomplishments by successfully capturing the Penobscot Valley Conference/Eastern Maine Indoor Track League title and the Maine High School State title in the 55 Meter Dash, the 200 Meter Dash and the 400 Meter Dash; and

WHEREAS, Ms. Jackson shared Outstanding Performer honors by achieving her three victories at the PVC/EMIT title meet, becoming only the second girl to accomplish that honor three times; and

WHEREAS, Ms. Jackson has set conference records in the 200 meter and 400 meter dash and the state record for the 400 meter dash, while also holding the 400 meter outdoor dash; and

WHEREAS, Ms. Jackson has demonstrated that her skills and talents go beyond the track, as she is also a two-time first team all Kennebec Valley Athletic Conference soccer player, on the Brewer Student-Athlete Advisory Council, represents KVAC on the Maine Principals' Association Student-Athlete Advisory Council and is working on conceptual artwork for the renovations at Brewer High School;

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council, on behalf of the Citizens of the City of Brewer, herewith expresses its appreciation and sincere pride in one of Brewer High School's finest students and athletes.

ACTION: Councilor Goss moved that the resolve be adopted. The motion was seconded and passed.

Councilor Goss read the resolve into the record and spoke of all the accomplishments that Miss Jackson has achieved.

Councilor Goss presented Teal Jackson with a framed attested copy of the resolve.

The resolve was adopted by unanimous vote.

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2013-B006 March 18, 2013

TITLE: RESOLVE, RECOGNIZE MAINE STATE POLICE TROOPER PHILLIP PUSHARD FOR 27 YEARS OF SERVICE TO THE CITIZENS OF BREWER AND THE STATE OF MAINE.

filed March 13, 2013
by Kevin O'Connell and
Jerry Goss

WHEREAS, Trooper Phillip "Phil" Pushard served 27 years as a Maine State Trooper; and

WHEREAS, Trooper Pushard was raised in the City of Brewer and attended Brewer Schools; and

WHEREAS, Trooper Pushard has served the youth of the City of Brewer by volunteering as a coach for basketball, baseball and football; and

WHEREAS, Trooper Pushard along with his wife, Jackie, chose to raise their family here in the City of Brewer; and

WHEREAS, Trooper Pushard carried on a family tradition of serving as a Maine State Trooper which began with his father, retired Trooper Donald Pushard; and

WHEREAS, Trooper Pushard has served with distinction and honor;

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council, on behalf of the Citizens of Brewer, herewith recognizes and commends Trooper Phillip Pushard for his many years of outstanding dedicated service to the citizens of the City of Brewer as a Maine State Trooper and sport's mentor/coach; and

FURTHER RESOLVED, that this resolution be spread upon the permanent records of the City of Brewer in testimony of the appreciation held for Trooper Phillip Pushard by the citizens and officials of the City of Brewer, Maine.

ACTION: Councilor Goss moved that the resolve be adopted. The motion was seconded and passed.

Councilor Goss read the resolve into the record.

Captain Chris Martin of the Brewer Police Department spoke of Mr. Pushard's dedication, sacrifice and his ambassadorship in his career as a Maine State Trooper. He also spoke of the guidance and friendship that Mr. Pushard and he have had over the years.

Councilor Goss presented Phil Pushard with a framed attested copy of the resolve.

The resolve was adopted by unanimous vote.

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2013-B007 March 18, 2013

TITLE: RESOLVE, RECOGNIZE THE LIFE AND CONTRIBUTIONS OF PATRICIA PREBLE.

filed March 13, 2013
by Kevin O'Connell

WHEREAS, on January 1, 2013, the City of Brewer lost one of its beloved residents, Patricia Preble; and

WHEREAS, more affectionately known to all as Patty, Ms. Preble was an unique individual with a passion for the community she lived in; and

WHEREAS, during her time in our City, she routinely attended council meetings sharing her input and thoughts on the regular governance of Brewer; and

WHEREAS, even through a difficult life and many challenges that Ms. Preble experienced, she was always ready to contribute back to her community and did it with a sharp wit and charming personality;

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council, on behalf of the Citizens of the City of Brewer, herewith expresses its profound sadness on the passing of Patricia Preble and record for in perpetuity her legacy and impact on the Council and the City.

ACTION: Councilor Vachon moved that the resolve be adopted. The motion was seconded and passed.

Mayor O'Connell read the resolve into the record.
The resolve was adopted by unanimous vote.

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2013-B008

March 18, 2013

TITLE: RESOLVE, RECOGNIZE BENJAMIN TURNER AND CHAD BEAN FOR THEIR EFFORTS TO ASSIST AN INJURED PEDESTRIAN STRUCK BY A MOTOR VEHICLE.

filed March 13, 2013
by Kevin O'Connell

WHEREAS, on February 26, 2013 Benjamin Turner was travelling on North Main Street in Brewer where he observed a pedestrian that had been struck by a motor vehicle; and

WHEREAS, as the accident had just occurred, emergency service personnel had not yet arrived; and

WHEREAS, Mr. Turner exited his vehicle to give aid to the victim; and

WHEREAS, Chad Bean, an off duty Orrington Firefighter and Intermediate Level EMT, was travelling in the same area and also exited his vehicle to assist the victim; and

WHEREAS, Mr. Turner and Mr. Bean both assisted an on duty Capital Ambulance driver by giving aid to the victim until rescue personnel arrived; and

WHEREAS, the Brewer City Council commends Benjamin Turner and Chad Bean for their actions on February 26, 2013;

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council, on behalf of the Citizens of Brewer, herewith recognize and commend Benjamin Turner and Chad Bean for their efforts to assist an injured pedestrian that had been struck by a motor vehicle on February 26, 2013.

ACTION: Councilor Ferris moved that the resolve be adopted. The motion was seconded and passed.

Mayor O'Connell read the resolve into the record and thanked Mr. Turner and Mr. Bean for their assistance at this accident.

Mayor O'Connell presented Benjamin Turner and Chad Bean with framed attested copies of the resolve.

The resolve was adopted by unanimous vote.

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2013-B009

March 18, 2013

TITLE: RESOLVE, THE BREWER CITY COUNCIL OPPOSES GOVERNOR PAUL LEPAGE'S BUDGET PROPOSAL AND CUTS TO MUNICIPAL GOVERNMENTS.

filed March 13, 2013
by Mayor O'Connell
Councilors Ferris, Goss and
Vachon)

WHEREAS, Governor Paul LePage has proposed a new state biennial budget that would suspend the Maine Revenue Sharing program, eliminate the BETR program, redirect tractor trailer excise revenues to the state, require schools to pay a portion of teacher retirement costs, and eliminate Homestead Exemption and Circuit Breaker Refunds for citizens under 65 years of age; and

WHEREAS, the Maine Revenue Sharing Program is mandated by Maine State Statute to fund at 5% of revenues generated; and

WHEREAS, if the cuts are administered as proposed, the City of Brewer would lose $898,000 from the revenue sharing program, $106,344 from the BETR program and $23,733 in tractor trailer excise tax revenue and face increased costs of $255,000 for teacher retirement; and

WHEREAS, the magnitude of these cuts would adversely affect basic services such as frequency of police patrols, fire department response times, reduced snow plowing and removal, fewer or no road repairs, reduced cemetery and parks maintenance and possible closure of the public library; and

WHEREAS, the City of Brewer would be forced to reduce staff in areas of public safety, public works, parks and recreation, the library and education; and

WHEREAS, in addition to these losses, an estimated 1,671 Brewer residents will also see an increase in their property taxes of $190 due to the elimination of their Homestead Exemption and another 716 would lose an average of $427 in Circuit Breaker Refunds, which assist those that can least afford these increases;

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council, on behalf of the Citizens of the City of Brewer, herewith fully and completely oppose the budget as proposed by Governor Paul LePage, and further oppose any additional shifts of financial responsibility from the state to municipalities, in order to help preserve the health and safety of our City.

ACTION: Councilor Goss moved that the resolve be adopted. The motion was seconded and passed.

The resolve was adopted by unanimous vote.

PUBLIC COMMENTS.

Jeffery D. Bryant, Chairman of the Parks and Recreation Advisory Commission read the following letter:

TO: Brewer City Council
FR: Jeffery D. Bryant, Chairman, Brewer Parks & Recreation Advisory Commission
RE: Capri Street Recreation Field
DATE: February 13, 2013

The Brewer Parks & Recreation Advisory Commission, at its November 14th, 2012 meeting requested a letter be drafted and sent to the Brewer City Council reaffirming the recommendations of the Ad Hoc Committee on School Use regarding the Capri Street School property.

Our commission has been strongly in favor of maintaining the Capri Street location for recreation and athletic use. Currently, the need for this space hasn't changed and programs continue to grow and prosper in a vibrant recreational sport and informal recreational setting. However, the Commission does recognize there are opportunities for house lots and support this growth as well as stated in the Ad Hoc Committee's April 29, 2011 report; "the soccer field is currently used extensively by the Brewer High School Athletic Teams as well as by the Brewer Youth Sports Association. The City should keep open an option of selling a portion of the property for no more two or three single family house lots on the left side of the current school entrance, thus leaving the playground and soccer field areas untouched."

In addition, the Parks & Recreation Advisory Commission issued a recommendation to the City Council on February 10, 2009 stating, "the need to retain the Capri Street School property as open space and to maintain the present athletic field and playground for community use". This is very important to our commission in recognizing the athletic and organized recreation needs that this property addresses; but also the playground area, green space, and active/informal recreation use that is also provided. Also, please keep in mind that recreational spaces on the north side of Brewer are fairly limited and this space is invaluable to the residents in this area. Another important discussion point is there's a direct correlation between property values and close proximity to parks and recreation space not to mention benefits of having the ability to use this larger space to recreate.

Thank you for this opportunity for the Parks & Recreation Advisory Commission to revisit this topic and to consider our recommendations on this vital aspect of making Brewer a better place to live.

Sincerely,

Jeffery D. Bryant

Jeffery D. Bryant, Chair
Parks & Recreation Advisory Commission

ACTION: Councilor Verow moved that the letter be placed on file. The motion was seconded and passed by unanimous vote.

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Councilor Goss also wanted to thank the City Manager, Assistant City Manager and the Finance Director for their leadership in setting up the meeting at the Brewer Auditorium for the public to bring their concerns and questions to the legislators and senators of the area about the cuts the governor is proposing to the cities and towns in monies.
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PUBLIC HEARING:

Brooksy, Inc. d/b/a Pine Hill Golf Club, 23 Pine Hill Road for State of Maine Restaurant Class I, II, III, IV (Golf Club) Liquor License.

The public hearing was called to order by Chairman Kevin O'Connell.
The city clerk called the roll:

Councilor Ferris	-	present	Councilor Vachon	-	present
Councilor Goss	-	present	Chairman O'Connell	-	present
Councilor Verow	-	present			

Chairman O'Connell declared a quorum present.

Chairman O'Connell read the notice for the public hearing.

CITY OF BREWER
PUBLIC NOTICE

Notice is hereby given that the Brewer City Council will hold a public hearing on Monday, the 18th day of March, 2013 at 6:00 p.m. in the Council Chambers at Brewer City Hall to consider the application for a State of Maine Class I, II, III and IV (Golf Club) liquor license for the following applicant:

1. Brooksy, Inc. d/b/a Pine Hill Golf Club, 23 Pine Hill Drive, Brewer, Maine (Tax Map 11, Lot 28).

This application is available for public inspection at the office of the **Brewer City Clerk (989-7050)** and this notice is posted on the bulletin board at Brewer City Hall.

Any person may attend this public hearing and speak on this application. Written comments may also be submitted. The deadline for submission of written comments is 4:00 p.m. on the date of the hearing. Written comments should be addressed to Brewer City Council, c/o City Clerk, 80 No. Main Street, Brewer, Maine 04412.

Pamela J. Ryan
City Clerk

published March 11, 12 and 13, 2013
in the Bangor Daily News

Councilor Verow asked the applicant, Mr. Brooks, if he had ever had a liquor license before.

Mr. Brooks indicated that he had not. (Mr. Brooks mistakenly checked the "yes" box on the liquor license application form – he will correct it before he sends it in).

Chairman O'Connell asked the City Clerk if the city inspectors approved the liquor license application. The city clerk indicated that they had.

Councilor Verow moved that the reports from the city inspectors be accepted and placed on file. The motion was seconded and approved by unanimous consent.

V. Adjourn Public Hearing and Continue with Regular Meeting

Public Hearing adjourned at 6:41 p.m.

The city clerk called the roll and all were present.

Chairman O'Connell said the regular meeting would resume.

C. Consent Calendar.

ACTION: Councilor Verow removed orders 2013-A023 and A031. Councilor Ferris removed order 2013-A027.

Councilor Verow moved that the remaining orders on the consent calendar have passage and the resolves be adopted. The motion was seconded and passed by unanimous vote.

2013-A018 March 18, 2013

TITLE: ORDER, COMMIT WATER ASSESSMENT TO TREASURER FOR COLLECTION.

filed March 13, 2013
by Matthew Vachon

WHEREAS, under Chapter 40 of the Water Department Ordinance of the City of Brewer, a water charge is assessed to water users;

NOW, THEREFORE, WE, the Brewer City Council does hereby commit to the Treasurer or Deputy Treasurer of Brewer for collection, the sum of **$584,835.79** at the established rate, as provided by Title 30-A M.R.S.A. § 3406 (supp [1991]) and Title 38 M.R.S.A. § 1208 (supp [1989]) and as such sections may be amended from time to time; and

FURTHER, IT IS ORDERED, that said charges are due and payable on the date of this commitment; and

EVENT	COMMITMENT	COMMENTS
March, 2013	$586,209.65	
December, 2012	$ -3,090.43	
January, 2013	$ 2,054.16	
February, 2013	$ - 377.59	
Total	**$584,835.79**	

FURTHER, IT IS ORDERED, that a detailed commitment of the **$584,835.79** is on file in the City Clerk's office and incorporated into this order; and

FURTHER, IT IS ORDERED, that a majority of the City Council shall sign the detailed commitment on file in the City Clerk's office; and

FURTHER, IT IS ORDERED, that the City Clerk shall deliver the signed commitment to the City Treasurer, as agent for the City Council.
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2013-A019 March 18, 2013

TITLE: ORDER, COMMIT SEWER ASSESSMENT TO TREASURER FOR COLLECTION.

filed March 13, 2013
by Jerry Goss

WHEREAS, under Chapter 31 of the Sewer and Pre-treatment Ordinance of the City of Brewer, a sewer charge is assessed to sewer users;

NOW, THEREFORE, WE, the Brewer City Council does hereby commit to the Treasurer or Deputy Treasurer of Brewer for collection, the sum of **$528,813.11** at the established rate, as provided by Title 30-A M.R.S.A. § 3406 and Title 38 M.R.S.A. § 1208 (1989) and as such sections may be amended from time to time; and

FURTHER, IT IS ORDERED, that said charges are due and payable on the date of this commitment; and

EVENT	COMMITMENT	COMMENTS
March, 2013	$516,835.81	
December, 2012	$5,916.12	
January, 2013	$3,316.39	
February, 2013	$2,744.79	
Total	**$528,813.11**	

FURTHER, IT IS ORDERED, that a detailed commitment of the **$528,813.11** is on file in the City Clerk's office and incorporated into this order; and

FURTHER, IT IS ORDERED, that a majority of the City Council shall sign the detailed commitment on filed in the City Clerk's office; and

FURTHER, IT IS ORDERED, that the City Clerk shall deliver the signed commitment to the City Treasurer, as agent for the City Council.
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2013-A020 March 18, 2013

TITLE: ORDER, AUTHORIZE THE CITY MANAGER TO ACCEPT AND USE FUNDS FOR THE 2013 STREAM CLEANUP PROGRAM.

filed March 13, 2013
by Arthur Verow

WHEREAS, the City of Brewer will hold its Stream Cleanup on May 11, 2013 with a date of May 19, 2013 as the rain date; and

WHEREAS, a number of private companies and individuals have or will donate monies, materials and supplies for this event in order to make it more successful for the citizens of Brewer;

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer the City of Brewer authorizes the City Manager and the Finance Director to accept donations in support of the City's Annual Stream Cleanup event to be held on May 11, 2013; and

FURTHER ORDERED, that any donations of funds be deposited in an account as determined by the City Finance Director and expended from that account for the purpose of such donation; and

FURTHER ORDERED, that the Director of Environmental Services, on behalf of the City Council, take appropriate steps to recognize the companies and individuals who made contributions to this event for their generosity and commitment to the quality of life of residents of the City of Brewer.
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2013-A021 March 18, 2013

TITLE: ORDER, ACCEPT QUITCLAIM DEED WITH COVENANT FROM RUSSELL D. DRINKWATER AND ALTHEA E. DRINKWATER TO THE CITY OF BREWER FOR CEMETERY LOTS SITUATED IN THE WOODLAWN MEMORIAL PARK, BREWER, MAINE.

filed March 13, 2013
by Joseph Ferris

ORDERED, that the City Council on behalf of the City of Brewer, Maine accepts the Quitclaim Deed with covenant from Russell D. Drinkwater and Althea E. Drinkwater to the City of Brewer for cemetery lots situated in the Woodlawn Memorial Park, Brewer, Maine.
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2013-A022 March 18, 2013

TITLE: ORDER, AWARD CONTRACT FOR 2013 STREET LINE PAINTING.

filed March 13, 2013
by Matthew Vachon

WHEREAS, bids were solicited, received and evaluated for 2013's street line painting; and

WHEREAS, Fine Line Pavement Striping of Hermon, Maine submitted the lowest price of the two bids received;

NOW, THEREFORE, BE IT ORDERED, that the City Council herewith accepts the bid from Fine Line Pavement Striping and authorizes the City Manager, or his Designee, to authorize a purchase order and payment to Fine Line Pavement Striping the amount of $24,012.00; and

BE IT FURTHER ORDERED, that funds for this contract shall be charged to account 0116611-501044 titled "Contracted Services".

Notes: Other bid received; $34,531.20 from L & D Safety Markings.
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2013-A023 March 18, 2013

TITLE: ORDER, AUTHORIZE THE EVICTION OF JAMES L. KEARNS, A/K/A JAMES L. KEARNS, JR. FROM THE PROPERTY SITUATED AT 87 PARKER STREET IN BREWER, MAINE.

filed March 13, 2013
by Jerry Goss

WHEREAS, James L. Kearns, a/k/a James L. Kearns, Jr. (hereinafter referred to as "Kearns") was the former owner of the property situated at 87 Parker Street in Brewer (hereinafter referred to as the "Property"); and

WHEREAS, the City of Brewer (hereinafter referred to as the "City") acquired title to the Property as the result of foreclosed tax and sewer liens; and

WHEREAS, the City perfected its title to the Property through a Judgment based upon a Bill in Equity action in the Maine District Court; and

WHEREAS, the Brewer City Council passed City Council Orders 2012-A237, 2013-A003 and 2013-A010 that authorized a Settlement Agreement, and amendment thereto, with Kearns; and

WHEREAS, Kearns has failed to make the payments and comply with the other terms and conditions of the Agreement, as amended;

NOW, THEREFORE, BE IT ORDERED, that the City Council hereby finds that Kearns has violated the terms and conditions of the Agreement, as amended; and

FURTHER BE IT ORDERED, that the City Solicitor, or some other attorney representing the City, is hereby authorized to institute eviction proceedings against Kearns and to take possession of the Property on the City's behalf.

ACTION: Councilor Goss moved that the order have passage. The motion was seconded and passed.

Councilor Verow asked the City Solicitor is all steps had been taken to prevent this eviction. The City Solicitor said that the City had bent over backwards to accommodate Mr. Kearns and he has still failed to uphold the terms of the Settlement Agreement.

The order was passed by unanimous vote.

***

2013-A024 March 18, 2013

TITLE: ORDER, ISSUE RELEASE DEED TO JAMES BAIN, 25 PENDLETON STREET.

filed March 13, 2013
by Arthur Verow

ORDERED, that a municipal release deed be issued to James Bain, 25 Pendleton Street releasing to him all rights, title and interest the City of Brewer may have acquired in the property on 25 Pendleton Street (City Tax Map 26, Lot 111) by virtue of City of Brewer tax or sewer lines recorded in the Penobscot County Registry of Deeds in the following volumes and pages:

Volume	Page
12408	86
12584	266
12747	163
12932	148

AND FURTHER ORDERED, that the City Manager, or his designee, is herewith authorized to execute the said municipal release deed on behalf of the City of Brewer, Maine.

NOTE: A total of $1,024.39 in principal was collected, along with $94.13 in interest and $89.50 in costs.

***

2013-A025 March 18, 2013

TITLE: ORDER, ISSUE RELEASE DEED TO JOSEPH V. SEELEY AND JENNIFER L. SEELEY, 26 SILK STREET.

filed March 13, 2013
by Joseph Ferris

ORDERED, that a municipal release deed be issued to Joseph V. Seeley and Jennifer L. Seeley, 26 Silk Street releasing to them all rights, title and interest the City of Brewer may have acquired in the property on 26 Silk Street (City Tax Map 34, Lot 45) by virtue of City of Brewer tax or sewer lines recorded in the Penobscot County Registry of Deeds in the following volumes and pages:

Volume	Page
12408	44
12584	203
12747	112
12932	120

AND FURTHER ORDERED, that the City Manager, or his designee, is herewith authorized to execute the said municipal release deed on behalf of the City of Brewer, Maine.

NOTE: A total of $2,256.86 in principal was collected, along with $197.15 in interest and $210.00 in costs.

***

2013-A026 March 18, 2013

TITLE: ORDER, ACCEPT FUNDS IN A FORFEITURE RESULTING FROM A RECENT COURT CASE THAT THE BREWER POLICE MADE A SUBSTANTIAL CONTRIBUTION IN THE SUCCESSFUL PROSECUTION OF.

filed March 13, 2013
by Matthew Vachon

WHEREAS, as a result of a criminal investigation conducted by the Brewer Police Department a sum of money was seized and forfeited by a defendant involved in the investigation; and

WHEREAS, this sum of money was offered to the City in recognition of the valuable assistance of the Brewer Police Department in the successful completion of the investigation; and

WHEREAS, under Maine Law, title 15 M.R.S.A., § 5824 (3) the City Council must take a public vote before any forfeited assets or money can be transferred to the City;

NOW, THEREFORE BE IT ORDERED, that the City of Brewer, Maine, by vote of its City Council, does herewith approve the transfer of the following sum of money forfeited as a result of the recent criminal investigation cited:

Case Reference Number	Sum
12-DEA-558774	$2,710.64

AND FURTHER ORDERED, that the City Manager, or his designee, is herewith authorized to sign a memorandum to accept these forfeited funds on the behalf of the City of Brewer; and

FURTHER ORDERED, that these funds be deposited into the Federal Justice Asset Forfeiture Receipt Account 0200103-320000 and that expenditures are authorized from the Federal Justice Asset Forfeiture Expense Account within this Org (0200103).

***

2013-A027 March 18, 2013

TITLE: ORDER, AUTHORIZE CONTRACT TO NANCY MARSHALL COMMUNICATIONS OF AUGUSTA TO DEVELOP A COMPREHENSIVE MARKETING AND COMMUNICATIONS PLAN FOR THE CITY OF BREWER'S FOUNDING PARTNERS SPONSORSHIP.

filed March 13, 2013
by Jerry Goss

WHEREAS, the City Council has previously authorized a contract in December 2012 to become a Founding Partner in the new Cross Insurance Center; and

WHEREAS, in order to maximize the 7 year Founding Partners sponsorship to the fullest extent, a marketing and communications firm will need to be retained to help the City create a comprehensive marketing and communication plan; and

WHEREAS, Nancy Marshall Communications of Augusta has submitted a proposal to create a comprehensive strategic marketing and communications plan, going through a unique 60- step process to set measurable goals for our 7-year Founding Partners sponsorship, develop strategies and tactics to accomplish these goals and establish tracking mechanisms to measure success; and

WHEREAS, Nancy Marshall Communications has extensive experience in the design of strategic marketing and communications plans with respect to this type of sponsorship opportunity;

NOW, THEREFORE, BE IT ORDERED, that the City Manager, or his designee, is authorized to execute a contract with Nancy Marshall Communications of Augusta in an amount not to exceed $25,000.00 to create a marketing and communications plan for the 7-year Founding Partners sponsorship; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the appropriation of up to $25,000 in TIF revenue to pay for this TIF-eligible economic development related expense and that the costs for this plan shall be charged to account 0115701-501090 (Arena Founding Partner Expense);

BE IT FURTHER ORDERED, that the City Council herewith exercises its authority under Chapter 36, Section 404 of the Charter, Codes and Ordinances of the City of Brewer in the purchasing of these consulting services.

ACTION: Councilor Goss moved that the order have passage. The motion was seconded and passed.

Councilor Ferris asked if this was to help decide how the city's box would be used at the new arena.

Development Director D'arcy Main-Boyington said that yes in part it would help develop that plan.

The order was passed by unanimous vote.

***

NANCY MARSHALL NMC COMMUNICATIONS

MARKETING SERVICES FROM OUR

City of Brewer: Sample Arena Tactics

Recommended arena marketing tactics for The Marshall Plan™ may include but will not be limited to the following:

- Development of event-specific personas – i.e. determining who attends certain concerts, sporting events, and performances. Then we specifically target campaigns to the most relevant groups. Personas are very detailed from what type of cars they drive and what brands of clothes they wear, to what TV shows they watch and what magazines they read.
- Strategic signage design based on research and targeted personas.
- Measurement dashboard – We can track traffic from the arena using unique web URLs, QR codes, coupons, cards, and other types of collateral
- Campaigns designed to drive traffic to specific businesses - This is an opportunity for the city to work with businesses on a co-op basis. For example, a business may pay a certain amount of money to be featured on a campaign or a sign for a certain amount of time.
- Text message/email marketing with coupons and special offers for people that sign up for a mailing list through specific signage or events at the arena.
- Brewer ambassadors that hand out "City of Brewer" cards, coupons, or promotional information at arena events. Ambassadors would also sign people up for email/text lists. (The "City of Brewer" cards may feature a number of special offers on the back for several businesses in Brewer. You would only be able to get the card at the arena.)
- Development of strategic skybox events to showcase Brewer businesses, highlight prospects, local organizations like the historical society, Boy Scouts, and other community-focused programs.
- Gathering email addresses and developing e-newsletters with special offers, news, events, and other happenings in Brewer
- Development of a social media marketing plan to combine Facebook, Twitter, LinkedIn, YouTube, and/or Pinterest to help Brewer communicate with targeted audiences and encourage them to share their photos and comments on events happening at the arena
- Other Internet marketing strategies such as cost-per-click and ad roll (where Brewer display ads would "follow" online viewers though various webpages)

P.O. BOX 317 / 30 WESTERN AVENUE / AUGUSTA, ME 04332-0317 / 207.623.4177 / FAX 207.623.4178 / www.marshallpr.com
MEMBER: ALLIANCE OF MARKETING COMMUNICATIONS AGENCIES

2013-A028 March 18, 2013

TITLE: ORDER, ACCEPT ANNUAL WELLNESS GRANT FROM THE MAINE MUNICIPAL EMPLOYEES HEALTH TRUST.

filed March 13, 2013
by Arthur Verow

WHEREAS, the City is eligible to receive $3,640.00 from the Maine Municipal Employees Health Trust to support wellness initiatives and expenses in CY2013; and

WHEREAS, the City has wellness programs planned for this coming year;

NOW THEREFORE BE IT ORDERED, that the Brewer City Council hereby accepts the $3,640.00 wellness grant funds and directs that they be deposited into the City's CY2013 Wellness Grant Revenue account (0600501-360000-53009);

BE IT FURTHER ORDERED, that the City Council hereby authorizes the appropriation and expenditure of the grant funds from the CY2013 Wellness Expense account (0600501-560000-53009) to promote the health and wellness of City employees.
***

2013-A029 March 18, 2013

TITLE: ORDER, AUTHORIZE AMENDMENTS TO THE CITY'S 401 PLANS.

filed March 13, 2013
by Joseph Ferris

WHEREAS, the City maintains 401(a) retirement plans administered by ICMA and governed by plan documents that the City amends from time to time; and

WHEREAS, the City wishes to amend the City of Brewer 401 Plan for Managers and the 401 Plan for City Manager retroactive March 1, 2013 to add transfer and withdrawal options for employees that would benefit them, but would not result in cost to the City;

NOW, THEREFORE, BE IT ORDERED, that the City Council hereby authorizes the City Manager, or his designee, to update and amend the ICMA 401(a) plan documents to incorporate the desired changes retroactive to March 1, 2013.
***

2013-A030 March 18, 2013

TITLE: ORDER, ACCEPT PROCEEDS FROM SALE OF SURPLUS MATERIALS AND APPROPRIATE FOR USE.

filed March 13, 2013
by Matthew Vachon

WHEREAS, Public Works has received a check in the amount of $451.25 from the sale of scrap materials from its vehicle repair shop; and

WHEREAS, Public Works desires to use these unanticipated proceeds to supplement its vehicle maintenance and repair budget;

NOW THEREFORE BE IT ORDERED, that the Brewer City Council herewith orders the proceeds from the sale of this surplus property be deposited into 0106604-300490 (Public Works – Misc Revenue) and appropriated for expenditure from 0116641-504200 (PW Vehicle Maintenance and Repair).
***

2013-A031 March 18, 2013

TITLE: ORDER, AUTHORIZE WRITEOFF OF UNCOLLECTIBLE PERSONAL PROPERTY TAXES.

filed March 13, 2013
by Jerry Goss

WHEREAS, the Tax Collector has made extensive effort to collect upon past due personal property taxes and, as a result of these efforts, has successfully obtained written repayment agreements from taxpayers for over half of the outstanding balance and identified another 51 unresponsive accounts that we will send to collections; and

WHEREAS, the accounts listed below reflect those which are uncollectible due to the age of the balance, bankruptcy, or the fact that the taxed entity is no longer in operation and the City wishes to writeoff these uncollectible balances; and

WHEREAS, in total these writeoffs reflect 0.17% of the total personal property taxes committed and, if approved, would still leave the City with a 99.83% personal property tax collection rate;

NOW THEREFORE BE IT ORDERED, that the City Council hereby authorizes the balances in the accounts listed below be written off as uncollectible.

Name	Acct	Amount	
SIR JAS INC	90031	860.23	BUSINESS SOLD
CAVER NEHEMIAH	90133	121.90	OUT OF BUSINESS/ FORECLOSURE
CROTTY STEVEN/ DBA CROTTY CONSTRUCTION	90173	643.62	OUT OF BUSINESS
GEIGER WILLIAM & BARBARA / NLC HEALTH FOODS	90281	3,003.62	CLOSED
HUGHES MARCIA	90361	106.83	BUSINESS SOLD
A L ACHORN & CO	90471	653.38	OUT OF BUSINESS
CURTIS MAURICE	90486	144.01	MOVED
BLANCHARD CHASE & TROY DBA DETOUR BAR & GRILL	90772	181.44	CLOSED
FOURNIER JEFF	90878	430.92	CLOSED
TBM INC	90984	170.66	out of business
KOPTEROS PETER	90992	60.95	business closed
GILBERT ROBERT JR	90994	144.32	OUT OF BUSINESS
GEISER GLENN	91019	699.71	BANKRUPTCY
CHALILA KONDWA / COMFORT ZONE FURNITURE	91042	56.07	
INTER TEL LEASING	91085	394.96	MOVED
SALES CONSLTANTS OF BANGOR	91149	955.70	
WOOD FLOOR CO INC	91151	334.02	
SMICKEL KEVEIN & BRIAN	91173	391.80	
THE BREWER OMEGA GROUP	91184	508.68	
TAYLOR JEFFERY	91184	360.82	out of business
BRASSEAU, RAND	91193	197.48	BUILDING GONE
MCAVOY LUCY	91240	372.06	business closed
HALL RON	91342	246.24	MOVED
GRASS RONALD	91401	164.02	MOVED
HOYT JASON	91443	141.40	BUSINESS closed
BANGOR CAR CARE INC/GLEN & MARILY GEISER OWNERS	91494	341.24	BANKRUPTCY
PARKER GARY	91495	3,795.48	OUT OF BUSINESS
SARGENT'S MFG HOMES	91503	275.50	business closed
SIAM HOUSE INC/SIAM GOLDEN INC	91522	816.84	BUSINESS SOLD
MEDICAL LOGISTICS INC	91536	465.66	MOVED
SEQUEL CAPITAL CORP	91552	209.67	lease co. no longer leasing equip
MAINE DIVERS CORP	91558	68.26	OUT OF BUSINESS
KIDDER BOB & MARY/GOTT	91565	1,021.97	business closed
SILVESTRI KENNETH/GEORGE HAYES	91576	88.94	OUT OF BUSINESS
INDUSTRIAL SERVICES INC	91579	92.12	OUT OF BUSINESS
TOWNSEND JERRY	91628	63.39	closed business
INTEGRA DIRECT LLC	91669	865.61	account closed was a lease company
THE WILD ROSE INC	91686	144.01	OUT OF BUSINESS
PATRIOT MEDICAL	91690	52.95	MOVED
CDR NETWORKS INC	91724	82.89	BUSINESS SOLD
LIMACHAR DAVID USHUD	91740	65.05	BUSINESS SOLD
PRO GLOW DETAIL CENTER	91768	102.40	
NORTH SHORE DISTRIBUTING	91781	304.97	business closed
POS CREDIT CORP	91798	326.15	out of business
EBID MORTGAGE	91811	878.78	MOVED

CARSON CHARLES / QUICK STOP VIDEO	91828	412.35	OUT OF BUSINESS
CAVER NEHEMIAH	91876	77.91	OUT OF BUSINESS
NOBLE ENTERPRISES INC	91910	572.30	OUT OF BUSINESS
	TOTAL	**22,469.28**	

BE IT FURTHER ORDERED, that the City Council hereby authorizes the appropriation and expenditure of $22,469.28 of undesignated fund balance to account 0116900-509890 Adjustments/Writeoffs to fund this expense

ACTION: Councilor Goss moved that the order have passage. The motion was seconded and passed.

Councilor Verow asked why two of the writeoffs that were over $500.00 didn't have an explanation next to them like the others.

Finance Director Karen Fussell said that the time for collection had expired so needed to get these items off the tax rolls.

The order was passed by unanimous vote.

***

2013-B010 March 18, 2013

TITLE: RESOLVE, APPROVE LIQUOR LICENSE APPLICATION OF BROOKSY, INC. D/B/A PINE HILL GOLF CLUB, 23 PINE HILL ROAD.

filed March 13, 2013
by Joseph Ferris

WHEREAS, Jason Brooks, Brooksy, Inc. d/b/a, Pine Hill Golf Club, 23 Pine Hill Road has applied to the State of Maine, Bureau of Liquor Enforcement, for a Restaurant Class I, II, II, and IV (Golf Club) liquor license; and

WHEREAS, the Brewer City officials have reviewed this application and done background checks on the applicant and have submitted recommendations to the City Council on this application; and

WHEREAS, after considering their recommendations the City Council finds as follows:

1. The applicant have not been convicted of any Class A, Class B, or Class C crime;
2. The licensed premises and its use are in compliance with all local zoning ordinances and other land use ordinances not directly related to liquor control;

3. There is no record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by person patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises which unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;
4. There is no record of repeated incidents of record of breaches of peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; and
5. There is no record of the applicant having a violation of any provisions of Title 28-A, M.R.S.A. (Liquor Laws).

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council approves the application of Jason Brooks, Brooksy, Inc. d/b/a Pine Hill Golf Club, 23 Pine Hill Road, for a State of Maine, Bureau of Liquor Enforcement, for a Restaurant Class I, II, III and IV (Golf Club) liquor license.

***

2013-B011 March 18, 2013

TITLE: RESOLVE, AMEND THE SCHEDULE OF CITY COUNCIL REGULAR MEETINGS TO CHANGE THE MAY REGULAR MEETING DATE.

filed March 13, 2013
by Arthur Verow

WHEREAS, the City Council, at its annual meeting held on November 20, 2012, adopted Resolve 2012-B075 establishing dates of its regular monthly meeting for 2013; and

WHEREAS, Tuesday, May 21, 2013 was established as the date for the May, 2013 regular meeting; and

WHEREAS, all members of the City Council will not be available to attend this Council meeting;

NOW, THEREFORE, BE IT RESOLVED, that Council Resolve 2012-B075, be amended by changing the date of the regular meeting for the month of May 2013 from Tuesday, May 21, 2013 to Monday, May 20, 2013 at 6:00 p.m.

***

D. Monthly Reports.

ACTION: Councilor Verow moved that the monthly reports from the city departments be accepted and placed on file. The motion was seconded and passed by unanimous vote.

***

E. Nominations, Appointments, Elections.

1. CONSENT CALENDAR.

ACTION: Councilor Verow moved that the orders on the consent calendar have passage and the resolves be adopted. The motion was seconded and passed by unanimous vote.

2013-B012 March 18, 2013

TITLE: RESOLVE, DECLARE A VACANCY ON THE BOARD OF ASSESSMENT REVIEW AND A VACANCY ON THE BOARD OF APPEALS.

filed March 13, 2013
by Jerry Goss

EMERGENCY PREAMBLE

WHEREAS, resolves adopted by the Brewer City Council do not become effective until five days after approval unless such resolves contain emergency preambles; and

WHEREAS, it is necessary for vacancies to be filled in city boards and committees before the next meeting; and

WHEREAS, these facts create an emergency within the meaning of the Charter, Code and Ordinances of the City of Brewer and require that the following resolve become effective immediately upon its approval to protect the public health, common welfare and safety of the citizens of Brewer; and

WHEREAS, C.B. a long time member of the Board of Assessment Review and the Board of Appeals of the City of Brewer has been incapacitated with illness and will not be able to fulfill his duties as a member of either of the above boards; and

WHEREAS, the City Council must vote to declare a vacancy on each of these boards before proceeding to fill the vacancy for the unexpired terms;

NOW, THEREFORE, BE IT RESOLVED, that the City Council herewith declares that a vacancy will exist on the Board of Assessment Review and the Board of Appeals.

***

2013-B013 March 18, 2013

TITLE: RESOLVE, ACCEPT RESIGNATION OF JOHN SHEEHAN AS A REGULAR MEMBER OF THE PLANNING BOARD OF THE CITY OF BREWER.

filed March 13, 2013
by Matthew Vachon

EMERGENCY PREAMBLE

WHEREAS, resolves adopted by the Brewer City Council do not become effective until five days after approval unless such resolves contain emergency preambles; and

WHEREAS, it is necessary for vacancies to be filled in city boards and committees before the next meeting; and

WHEREAS, these facts create an emergency within the meaning of the Charter, Code and Ordinances of the City of Brewer and require that the following resolve become effective immediately upon its approval to protect the public health, common welfare and safety of the citizens of Brewer; and

WHEREAS, John Sheehan has submitted a letter of resignation by email dated February 4, 2013, as a regular member of the Brewer Planning Board; and

WHEREAS, the City Council must vote to accept this resignation and declare a vacancy for a regular member before proceeding to fill the vacancy for the unexpired term of John Sheehan;

NOW, THEREFORE, BE IT RESOLVED, that the City Council herewith accepts the resignation of John Sheehan as a regular member of the Brewer Planning Board and declares that a vacancy will exist on the Planning Board for a regular member.

om: John Sheehan <ibsheehan@yahoo.com>
Sent: Monday, February 04, 2013 10:27 AM
To: Pam Ryan
Subject: Planning Board

Pam:

Due to changes in my work responsibilities, I regret that I no longer will be able to continue as a member of the planning board. Please consider this email as my formal resignation form the City of Brewer Planning Board.

It has truly been a pleasure and privelege to serve the City of Brewer and witness the economic development that has taken place over the last three years, and I will certainly miss the interaction with the board, citizens and staff. I take comfort in knowing that my fellow board members are extremely capable and will continue to represent the city in its future economic growth.

**

Thank you for allowing me to serve.

John F. Sheehan

2013-B014 March 18, 2013

TITLE: RESOLVE, ACCEPT RESIGNATION OF DARYL BRIGGS AS AN ASSOCIATE MEMBER OF THE PLANNING BOARD OF THE CITY OF BREWER.

filed March 13, 2013
by Jerry Goss

EMERGENCY PREAMBLE

WHEREAS, resolves adopted by the Brewer City Council do not become effective until five days after approval unless such resolves contain emergency preambles; and

WHEREAS, it is necessary for vacancies to be filled in city boards and committees before the next meeting; and

WHEREAS, these facts create an emergency within the meaning of the Charter, Code and Ordinances of the City of Brewer and require that the following resolve become effective immediately upon its approval to protect the public health, common welfare and safety of the citizens of Brewer; and

WHEREAS, Daryl Briggs has submitted a letter of resignation dated March 4, 2013, as an associate member of the Brewer Planning Board; and

WHEREAS, the City Council must vote to accept this resignation and declare a vacancy for an associate member before proceeding to fill the vacancy for the unexpired term of former regular member John Sheehan;

NOW, THEREFORE, BE IT RESOLVED, that the City Council herewith accepts the resignation of Daryl Briggs as an associate member of the Brewer Planning Board and declares that a vacancy will exist on the Planning Board for an associate member.

March 4, 2013

Brewer City Council
% City Clerk
80 No. Main Street
Brewer, Maine 04412-2039

Dear Council Members:

Please accept my resignation as an associate member of the Planning Board of the City of Brewer effective March 31, 2013.

I understand that I must resign as an associate member in order to be eligible for appointment to the Planning Board as a regular member. I am interested in continuing to serve on the Board and look forward to continuing this service as a regular member of the Board.

***

Signed,

2013-B015 March 18, 2013

TITLE: RESOLVE, ACCEPT RESIGNATIONS OF MATTHEW VACHON AS A AS A MEMBER OF THE BOARD OF APPEALS AND THE PARKS AND RECREATIONAL ADVISORY COMMITTEE OF THE CITY OF BREWER.

filed March 13, 2013
by Arthur Verow

EMERGENCY PREAMBLE

WHEREAS, resolves adopted by the Brewer City Council do not become effective until five days after approval unless such resolves contain emergency preambles; and

WHEREAS, it is necessary for vacancies to be filled in city boards and committees before the next meeting; and

WHEREAS, these facts create an emergency within the meaning of the Charter, Code and Ordinances of the City of Brewer and require that the following resolve become effective immediately upon its approval to protect the public health, common welfare and safety of the citizens of Brewer; and

WHEREAS, Matthew Vachon has submitted letters of resignation dated March 4, 2013, as a member of the Brewer Board of Appeals and the Parks and Recreational Advisory Committee; and

WHEREAS, the City Council must vote to accept these resignations and declare a vacancy for each of these boards or committees before proceeding to fill the vacancies for the unexpired terms of Matthew Vachon;

NOW, THEREFORE, BE IT RESOLVED, that the City Council herewith accepts the resignation of Matthew Vachon as a member of the Brewer Board of Appeals and the Parks and Recreational Advisory Committee and declares that a vacancy will exist on the Brewer Board of Appeals and the Parks and Recreational Advisory Committee.

March 4, 2013

Brewer City Council
% City Clerk
80 No. Main Street
Brewer, Maine 04412-2039

Dear Council Members:

Please accept my resignation as member of the Board of Appeals of the City of Brewer effective March 31, 2013.

Signed,

Matthew Vachon

March 4, 2013

Brewer City Council
% City Clerk
80 No. Main Street
Brewer, Maine 04412-2039

Dear Council Members:

Please accept my resignation as member of the Brewer Parks and Recreational Advisory Committee of the City of Brewer effective March 31, 2013.

Signed,

Matthew Vachon

***

2013-B016

March 18, 2013

TITLE: RESOLVE, ACCEPT RESIGNATION OF CONSTANCE E. ROBICHAUD AS A MEMBER OF THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF BREWER.

filed March 13, 2013
by Joseph Ferris

EMERGENCY PREAMBLE

WHEREAS, resolves adopted by the Brewer City Council do not become effective until five days after approval unless such resolves contain emergency preambles; and

WHEREAS, it is necessary for vacancies to be filled in city boards and committees before the next meeting; and

WHEREAS, these facts create an emergency within the meaning of the Charter, Code and Ordinances of the City of Brewer and require that the following resolve become effective immediately upon its approval to protect the public health, common welfare and safety of the citizens of Brewer; and

WHEREAS, Constance E. Robichaud has submitted a letter of resignation dated February 27, 2013, as a member of the Board of Commissioners of the Housing Authority of the City of Brewer; and

WHEREAS, the City Council must vote to accept this resignation and declare a vacancy for a subsidized housing resident member before proceeding to fill the vacancy for the unexpired term of Constance E. Robichaud;

NOW, THEREFORE, BE IT RESOLVED, that the City Council herewith accepts the resignation of Constance E. Robichaud as a member of the Board of Commissioners of the Housing Authority of the City of Brewer and declares that a vacancy will exist on the Board of Commissioners of the Housing Authority of the City of Brewer for a subsidized housing resident member.

From: Constance E. Robichaud

15 Colonial Circle Apt 101

Brewer, Me. 04412

February 27, 2013 Wednesday

To: Brewer City Council

80 N Main St.

Brewer, Me. 04412

Dear Sirs,

After a great deal of thought over the past several months I have come to the decision that effective immediately I am tendering my resignation as a commissioner of the Brewer Housing Authority. I did not come to this decision quickly, but I feel I cannot properly give the position the attention it deserves at this time.

I appreciate everything you have all done for me in the past and I hope to serve my city in the future, but it just isn't feasible at this time.

Sincerely and with respect,

Constance E. Robichaud

Constance E. Robichaud

***

2013-A032 March 18, 2013

TITLE: ORDER, REAPPOINT HARBOR MASTER.

filed March 13, 2013
by Jerry Goss

ORDERED, that Gerald Ledwith is herewith reappointed Harbor Master for the City of Brewer for a one year term commencing April 1, 2013 and expiring March 31, 2014.

NOTE: Mr. Ledwith also serves as Bangor's Harbor Master

***

2013-A033 March 18, 2013

TITLE: ORDER, REAPPOINT AND APPOINT MEMBERS TO THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF BREWER.

filed March 13, 2013
by Arthur Verow and
Matthew Vachon

ORDERED, that Alan Wilcox of 17 Broadlawn Drive is herewith reappointed to the Board of Commissioners of the Housing Authority of the City of Brewer for a five year term;

ORDERED, that Phyllis Elliott of 25 McKinnon Drive be appointed as a subsidized housing resident member of the Board of Commissioners of the Housing Authority of the City of Brewer to fill a vacancy and Ms. Elliott's term shall commence March 23, 2013 and expire March 31, 2016;

ORDERED, that Mr. Wilcox's term will commence April 1, 2013 and expire March 31, 2018.

***

2013-A034 March 18, 2013

TITLE: ORDER, REAPPOINT AND APPOINT MEMBERS TO THE BOARD OF APPEALS OF THE CITY OF BREWER.

filed March 13, 2013
by Arthur Verow and
Matthew Vachon

ORDERED, that Moe Schink, 726 Eastern Avenue, is herewith reappointed to the Board of Appeals of the City of Brewer for a three year term and Mr. Schink's term will commence April 1, 2013 and expire March 31, 2016; and

ORDERED, that Travis Landes, 201 Silk Street be appointed as a member of the Board of Appeals of the City of Brewer to fill a vacancy and Mr. Landes' term will commence April 1, 2013 and expire March 31, 2014;

FURTHER ORDERED, that Deborah Berry, 169 Wilson Street be appointed as an alternate member of the Board of Appeals to fill a vacancy and Ms. Berry's term will commence April 1, 2013 and expire March 31, 2015.
***

2013-A035 March 18, 2013

TITLE: ORDER, REAPPOINT AND APPOINT MEMBERS TO THE CONSERVATION COMMISSION OF THE CITY OF BREWER.

filed March 13, 2013
by Arthur Verow and
Matthew Vachon

ORDERED, that Kevin A. Hughes, 22 Adams Court is herewith reappointed to the Conservation Commission of the City of Brewer for a three year term and Travis Landes, 201 Silk Street is herewith appointed to the Conservation Commission of the City of Brewer for a three year term;

ORDERED, that Mr. Hughes and Mr. Landes' terms will commence April 1, 2013 and expire March 31, 2016.
***

2013-A036 March 18, 2013

TITLE: ORDER, REAPPOINT AND APPOINT MEMBERS TO THE LIBRARY BOARD OF THE CITY OF BREWER.

filed March 13, 2013
by Arthur Verow and
Matthew Vachon

ORDERED, that Michele Daniels of 28 School Street, Cynthia Curtis of 15 Sunset Strip and Autumn Schmeling of 45 Alan-A-Dale Road are herewith reappointed to the Library Board of the City of Brewer for three year terms; and

ORDERED, that H. Ann Gallant of 53 Madison Avenue be appointed to the Library Board of the City of Brewer to fill a vacancy and Mrs. Gallant's term will commence April 1, 2013 and expire March 31, 2014;

FURTHER ORDERED, that Ms. Daniels, Ms. Curtis and Ms. Schmeling's terms will commence April 1, 2013 and expire March 31, 2016.
***

2013-A037 March 18, 2013

TITLE: ORDER, REAPPOINT AND APPOINT MEMBERS TO THE PARKS AND RECREATIONAL ADVISORY COMMISSION.

filed March 13, 2013
by Arthur Verow and
Matthew Vachon

ORDERED, that Jeffery Bryant, 100 Grove Street and Daniel J. O'Connell, 72 Washington Street are herewith reappointed to the Parks and Recreational Advisory Commission of the City of Brewer for three year terms and Ashley Hill, 75 Lambert Road is herewith appointed to the Parks and Recreational Advisory Commission the City of Brewer to fill a vacancy;

FURTHER ORDERED, that Mr. Bryant and Mr. O'Connell's terms will commence on April 1, 2013 and expire March 31, 2016 and Ms. Hill's term will commence April 1, 2013 and expire March 31, 2015.
***

2013-A038 March 18, 2013

TITLE: ORDER, REAPPOINT AND APPOINT MEMBERS TO THE BOARD OF ASSESSMENT REVIEW.

filed March 13, 2013
by Arthur Verow and
Matthew Vachon

ORDERED, that George Lindeman, 16 Meadow Lane and Kevin Hughes, 22 Adams Court are herewith reappointed to the Board of Assessment Review of the City of Brewer for three year terms and;

ORDERED, that Deborah Berry, 169 Wilson Street be appointed to the Board of Assessment Review of the City of Brewer to fill a vacancy and Ms. Berry's term will commence April 1, 2013 and expire March 31, 2014; and

FURTHER ORDERED, that Mr. Lindeman and Mr. Hughes' terms will commence April 1, 2013 and expire March 31, 2016.
***

2013-A039 March 18, 2013

TITLE: ORDER, REAPPOINT AND APPOINT MEMBERS TO THE BREWER PLANNING BOARD.

filed March 13, 2013
by Arthur Verow and
Matthew Vachon

ORDERED, that Beverly Uhlenhake, 44 Allison Park is herewith reappointed as regular member of the Planning Board of the City of Brewer for a three year term and Daryl Briggs, 20 Whitney Court is herewith appointed as a regular member of the Planning Board for a the remainder of his term and Lionel "Lonnie" El-Hajj, II, 144 Wilson Street is herewith appointed an alternate member of the Planning Board to fill a vacancy; and

ORDERED, that Ms. Uhlenhake's terms will commence April 1, 2013 and expire March 31, 2016, Mr. Briggs' term will expire March 31, 2015 and Mr. El-Hajj's term will commence April 1, 2013 and expire March 31, 2014.
***

2013-A040 March 18, 2013

TITLE: ORDER, REAPPOINT INSPECTOR OF BUILDINGS.

filed March 13, 2012
by Jerry Goss

WHEREAS, Title 25 M.R.S.A. § 2351 provides that the municipal officers shall annually, by the month of April, appoint an Inspector of Buildings; and

WHEREAS, Benjamin Breadmore is the Brewer Code Enforcement Officer for the City of Brewer; and

WHEREAS, it is the sense of the Brewer City Council that the Code Enforcement Officer performs as part of his duties Inspector of Buildings;

NOW, THEREFORE, BE IT ORDERED that Benjamin Breadmore is herewith reappointed to the position of Inspector of Buildings for the City of Brewer for a term commencing April 1, 2013 and expiring March 31, 2014.
***

2013-A041 March 18, 2013

TITLE: ORDER, REAPPOINT INSPECTOR OF PLUMBING.

filed March 13, 2013
by Joseph Ferris

ORDERED, that Benjamin Breadmore is herewith reappointed Inspector of Plumbing for the City of Brewer for a term of one year commencing on April 1, 2013 and expiring on March 31, 2014.

FURTHER ORDERED, that the City Clerk notify the Maine Department of Human Services of this appointment.
***

2013-A042 March 18, 2013

TITLE: RESOLVE, APPOINT BEVERLY UHLENHAKE AS A MEMBER OF THE COMPREHENSIVE PLAN COMMITTEE.

filed March 13, 2013
by Matthew Vachon

WHEREAS, the City of Brewer created a Comprehensive Plan Committee and appointed its members at the November 19, 2012 City Council meeting; and

WHEREAS, Beverly Uhlenhake has expressed an interest in being a member of said Committee;

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith appoints Beverly Uhlenhake to the Comprehensive Plan Committee.
***

2013-B017

March 18, 2013

TITLE: RESOLVE, CONFIRM CITY MANAGER'S APPOINTMENTS OF CONSTABLES.

filed March 13, 2013
by Arthur Verow

RESOLVED, that the City Council herewith confirms the City Manager's appointments of the following constables for the City of Brewer for terms of one year each commencing April 1, 2013 and expiring March 31, 2014:

Public Safety Director Perry Antone
Deputy Police Chief Jason Moffitt
Captain Chris Martin
Sgt. Arden Jones
Det. Sgt. Jay Munson
Sgt. Anthony Pinette
Benjamin Breadmore, Code Enforcement Officer
Dan Joy, Animal Control Officer
Gerald Ledwith, Harbor Master

ACTION: Councilor Verow moved that the resolve be adopted. The motion was seconded and passed.

The resolve was adopted by unanimous vote.

***

F. Unfinished Business.

AMEND CHAPTER 20, ENTITLED "LICENSES AND PERMITS", ARTICLE 2 LICENSES, SECTIONS 215.1, 215.2, 215.3 AND 216.1

ACTION: Councilor Goss moved that the proposed ordinance amendment be enacted. The motion was seconded and passed.

The proposed ordinance amendment was enacted by unanimous vote.

***

AMEND CHAPTER 8, ENTITLED "ELECTIONS", ARTICLE 3, MUNICIPAL ELECTIONS, SECTION 301, BALLOT FORMAT.

ACTION: Councilor Verow moved that the proposed ordinance amendment be enacted. The motion was seconded and passed.

The proposed ordinance amendment was enacted by unanimous vote.

***

G. New Business.

2013-C004 March 18, 2013

TITLE: AMEND CHAPTER 20, ENTITLED "LICENSES AND PERMITS", ARTICLE 2 LICENSES, SECTION 219 LIQUOR LICENSES, SECTION 219.1 NEW LICENSES.

filed March 13, 2013
by Joseph Ferris

Be it ordained by the City Council of the City of Brewer in City Council assembled that Chapter 20 of the Charter, Codes and Ordinances of the City of Brewer entitled "Licenses and Permits, Article 2 Licenses, Section 219 Liquor Licenses be amended by adding an item G under Section 219.1 New Licenses:

SECTION 219. LIQUOR LICENSES.

SECTION 219.1 NEW LICENSES.

Applications to the Maine Bureau of Liquor Enforcement and Licensing for licenses for the sale of spirits, wine or malt liquor to be consumed on the premises require the approval of the City Council. The City Council may, at its discretion hold a public hearing on any new or amended license. Applications for such state liquor licenses will require a public hearing before the City Council if the Police Chief, the Fire Chief, the Code Enforcement Officer or the Health Officer refuses to approve the license because of a violation or violations of any City Code or Ordinance. Upon notification of any such disapproval, a public hearing will be called and held on the license renewal application. The City Clerk shall publish notice of any public hearing in a newspaper as required by the Maine Liquor Laws. The City Clerk shall send, by first class mail, a notice that the City Clerk's office has received an application for a new or renewed license application and that the City Council will consider the application at a specified upcoming public hearing or meeting of the City Council. The notice shall be sent to all property owners of record within a five hundred (500) foot radius of the premise for which the license is sought. If one (1) or more of the properties within the five hundred (500) foot radius is an apartment complex or a business complex, the City Clerk shall send, by first class mail, to the owner of the complex a letter suggesting that he or she or it, if a corporation, notify the tenants of the complex of the fact of the public hearing or public meeting.

In granting or denying an application, the City Council shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local Land Use Code or other Land Use Ordinance not directly related to liquor control;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

E. A violation of any provision of the Maine Liquor Laws;

F. A determination by the City Council that the purpose of the application is to circumvent the provisions of 28-A M.R.S.A. § 601, et. seq.

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

In issuing or denying licenses, the City Council shall also give consideration to:

a. The character of any applicant:
b. The location of the place of business;
c. The manner in which it has been operated; and
d. Whether the operation has endangered the safety of persons in or on areas surrounding the place of business.

ACTION: Councilor Goss moved that one copy of the proposed ordinance amendment be certified and filed with the City Clerk for posting. The motion was seconded and passed by unanimous vote.

***

2013-A043 March 18, 2013

TITLE: ORDER, AUTHORIZE THE CODE ENFORCEMENT OFFICER, BENJAMIN BREADMORE, AND CITY SOLICITOR, JOEL A. DEARBORN, SR., ESQ., TO INSTITUTE A CIVIL ACTION AGAINST THE PROPERTY SITUATED AT 8 EAST SUMMER STREET, BREWER, MAINE AND ITS OWNER PURSUANT TO TITLE 17, M.R.S.A. §2851 TO DETERMINE IT TO BE A DANGEROUS BUILDING, ORDER ITS DEMOLITION AND REQUEST SUCH OTHER RELIEF AS MAY BE REASONABLE IN THE PREMISES.

filed March 13, 2013
by Matthew Vachon

WHEREAS, the City obtained an Administrative Inspection Warrant from a Judge of the Maine District Court to enter the residence situated at 8 East Sumer Street in Brewer, hereafter referred to as the "Residence"; and

WHEREAS, the inspection of the Residence was conducted on March 12, 2013, by the City's Code Enforcement Officer, Health Officer, Assistant Code Enforcement Officer and Assistant Health Officer; and

WHEREAS, the City's Code Enforcement Officer, Health Officer, Assistant Code Enforcement Officer and Assistant Health Officer have determined that the Residence to be a dangerous building pursuant to Title 17, M.R.S.A. §2851; and

WHEREAS, the said City staff has recommended that a complaint be filed with the Penobscot County Superior Court to have a Justice of the Superior Court determine if the Residence is a dangerous building, order its demolition and grant such other relief as may be reasonable in the premises pursuant to Title 17, M.R.S.A. §2851;

NOW, THEREFORE, BE IT ORDERED, that the City's Code Enforcement Officer, Benjamin Breadmore and its City Solicitor, Joel A. Dearborn, Sr., Esq. are hereby authorized to institute a civil action in the Penobscot County Superior Court against the Residence, its owner and any party in interest, pursuant to Title 17, M.R.S.A. §2851 to have a Justice of the Superior Court determine if the Residence is a dangerous building, order its demolition and grant such other relief as may be reasonable in the premises; and

FURTHER BE IT ORDERED, that the said City's Code Enforcement Officer and the said City Solicitor are authorized to take any and all actions they deem necessary to carry out this City Council Order.

ACTION: Councilor Vachon moved that the order have passage. The motion was seconded and passed.

The order was passed by unanimous vote.

***

Chairman O'Connell asked the City Clerk to poll the Council to take New Items with Leave of Council before the last item on New Business.

The City Clerk polled the Council and it was unanimous vote to take up New Items with Leave of Council at this time.

H. New Items with Leave of Council.

The following order was introduced under suspension of the rules. The City Clerk polled the council and unanimous consent was obtained to take up this item.

2013-A045 March 18, 2013

TITLE: ORDER, AUTHORIZE THE ACCEPTANCE OF A DEED FROM SBR REAL ESTATE HOLDING, LLC.

filed March 13, 2013
(under suspension of the rules)
by Jerry Goss and
Matthew Vachon

WHEREAS, the City entered into an Option Agreement with Maine Liquid Methane Fuels, LLC; and

WHEREAS, there have been several amendments to the said Option Agreement; and

WHEREAS, the City conveyed the property covered by the Option Agreement, along with additional property, to SBR Real Estate Holding, LLC; and

WHEREAS, Maine Liquid Methane Fuels, LLC wants to exercise its option; and

WHEREAS, the additional land not covered by the said Option Agreement may create a subdivision issue once the conveyance to Maine Liquid Methane Fuels, LLC takes place;

NOW THEREFORE, the City hereby accepts a deed from SBR Real Estate Holding, LLC for so much of the property as is necessary to resolve the subdivision issue.

ACTION: Councilor Goss moved that the order have passage. The motion was seconded and passed.

The order was passed by unanimous vote.

***

Chairman O'Connell said that the Council would return to the New Business section of the agenda and take up the last item at this time.

2013-A044 March 18, 2013

TITLE: ORDER, CONVENE IN EXECUTIVE SESSION PURSUANT TO TITLE 1, M.R.S.A. §405(6)(E) ON A LEGAL MATTER.

filed March 13, 2013
by Joseph Ferris

ORDERED, that the City Council convene in executive session pursuant to Title 1, M.R.S.A. §405(6)(E) on a legal matter.

ACTION: Councilor Ferris moved that the order have passage. The motion was seconded and passed.

Councilor Ferris moved that the Council convene into executive session. The motion was seconded and passed by unanimous vote.

Chairman O'Connell said the City Council, City Manager, and City Solicitor would convene into executive session. He said the regular meeting would resume after the executive session. (7:25 p.m.)

The regular meeting was called back to order by Chairman O'Connell.
The city clerk called the roll:

Chairman O'Connell	-	present	Councilor Vachon	-	present
Councilor Ferris	-	present	Councilor Goss	-	present
Councilor Verow	-	present			

Chairman O'Connell said he would accept a motion for adjournment.

ACTION: Councilor Ferris moved that the meeting be adjourned. The motion was seconded and passed by unanimous vote. The meeting adjourned at 7:45 p.m.

ADJOURNED, ATTEST:_____Pamela J. Ryan
City Clerk

A TRUE COPY, ATTEST:_____Brewer, Maine