

City Council Minutes
September 16, 2014

Regular Meeting
City Hall Council Chambers

Tuesday, September 16, 2014
6:00 p.m.

The regular meeting was called to order by Chairman Jerry Goss.
The city clerk called the roll:

| | | | | | |
|---------------------|---|---------|------------------|---|---------|
| Councilor Ferris | - | present | Councilor Vachon | - | present |
| Councilor Uhlenhake | - | present | Chairman Goss | - | present |
| Councilor O'Connell | - | present | | | |

Chairman Goss declared a quorum present. City Manager Bost and City Solicitor Dearborn were also present.

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

Chairman Goss read the notice for the regular meeting.

TO: Joseph Ferris, Jerry Goss, Kevin O'Connell, Matthew Vachon and Beverly Uhlenhake
MEMBERS OF THE BREWER CITY COUNCIL You are hereby notified a regular meeting of the City Council will be held on Tuesday, September , 2014 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/Jerry Goss
Mayor and Chairman of the City Council

or _____
Majority of the City Council

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

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. | 09/12/14 | 1653 |
| Matthew Vachon | P. Ryan | CC | 09/12/14 | 4:10pm |
| Beverly Uhlenhake | Tardiff | Ptl. | 09/12/14 | 1644 |
| Jerry Goss | Gauvin | Cpl. | 09/12/14 | 1705 |
| Kevin O'Connell | P. Ryan | CC | 09/12/14 | 3:45pm |

CITY COUNCIL REGULAR MEETING
Tuesday, September 16, 2014 6:00 P.M.
Brewer City Hall Council Chambers

I. Call to Order. (Mayor Goss)

II. Roll Call. (City Clerk)

III. Pledge of Allegiance to the Flag of the United States of America.
(Mayor Goss)

A. Minutes of August 12, 2014 Regular Meeting. (Councilor Vachon)

B. Awards, Petitions, Public Comments

1. (2014-B047) RESOLVE, Recognize the Blue Knights® International Law Enforcement Motorcycle Club, Inc. Which This Year Marks the 40th Anniversary of the Founding of the Club. (Mayor Goss)
2. (2014-B048) RESOLVE, Recognize Brewer High School Athletic Hall of Fame and Inductees. (Councilors Goss, Vachon, Ferris, O'Connell and Uhlenhake)
3. Public Comments.

IV. Recess for Public Hearing.

1. To determine if the building, or portion thereof, located at 927-929 North Main Street (City of Brewer's Tax Assessor's Map 18, Lot 11) may be structurally unsafe, unsanitary; constitute a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance; dilapidation, obsolescence or abandonment or is otherwise dangerous to life or property pursuant to Title 17 M.R.S.A. §2851, et seq.

V. Adjourn Public Hearing and Continue with Regular Meeting.

C. Consent Calendar.

1. (2014-A136) ORDER, Commit Water Assessment to Treasurer for Collection. (Councilor Ferris)
2. (2014-A137) ORDER, Commit Sewer Assessment to Treasurer for Collection. (Councilor Uhlenhake)
3. (2014-A138) ORDER, Accept Donations to the Brewer Public Library. (Councilor O'Connell)
4. (2014-A139) ORDER, Accept Donation of a Kindle and a Nook to the Brewer Public Library. (Councilor Vachon)
5. (2014-A140) ORDER, Accept Donation of a Driftwood Sculpture to the Brewer Public Library. (Councilor Ferris)
6. (2014-A141) ORDER, Accept Grant for Bulletproof Vests for the Brewer Police Department. (Councilor Uhlenhake)

7. (2014-A142) ORDER, Determine that the Residence/Building Situated at 927-929 North Main Street, Brewer, Maine is a Dangerous Structure Pursuant to Title 17, M.R.S.A., Section 2851, et seq.
(Councilor O'Connell)
8. (2014-A143) ORDER, Authorize Purchase of a Replacement Dump Truck/Plow for Public Works.
(Councilor Vachon)
9. (2014-A144) ORDER, Authorize Purchase of Winter Sand.
(Councilor Ferris)
10. (2014-A145) ORDER, Set Public Hearing to Determine if Building, or Any Part Thereof, at 227 Wilson Street, Brewer, Maine is Dangerous. (Councilor Uhlenhake)
11. (2014-A146) ORDER, Award Playground Project for Washington Street Recreational Complex. (Councilor O'Connell)
12. (2014-A147) ORDER, Accept Funds from Golf Classic and Authorize their Expenditure. (Councilor Vachon)
13. (2014-B049) RESOLVE, Ratify the Brewer Fire Officers Collective Bargaining Contract. (Councilor Ferris)
14. (2014-B050) RESOLVE, Ratify the Public Works Department Collective Bargaining Contract. (Councilor Uhlenhake)
15. (2014-B051) RESOLVE, Ratify the Brewer Water Pollution Control Facility Collective Bargaining Contract.
(Councilor O'Connell)
16. (2014-B052) RESOLVE, Ratify the Brewer Firefighters Collective Bargaining Agreement. (Councilor Vachon)

D. Monthly Reports. (Councilor Ferris)

E. Nominations, Appointments, Elections.

1. (2014-A148) ORDER, Issue Warrant for November 4, 2014 City of Brewer Annual Municipal Election. (Councilor Vachon)
2. (2014-A149) ORDER, Appoint Voter Registration Appeals Board Member. (Councilor Ferris)
3. (2014-B053) RESOLVE, Prescribe Registrar of Voters Hourly Schedule for the November 4, 2014 Annual Municipal Election, and State of Maine General and Referendum Election. (Councilor Uhlenhake)

F. Unfinished Business.

1. Consent Calendar.
 - a. (2014-C014) Amend Chapter 15, Article 7, Safe Zones, Section 702, Safe Zones, of the City of Brewer Charter, Codes and Ordinances, Entitled "Parks, Conservation and Recreation", to Add an Item J. (posted 8/13/14)
(Councilor O'Connell)
 - b. (2014-C015) Amend the General Assistance Ordinance to Incorporate Changes In Maximum Benefits. (posted 8/13/14)
(Councilor Ferris)

- c. (2014-A128) ORDER, Authorize the City Manager, or His Designee, to Negotiate with Largay-Feeney Investments, LLC for an Extension of Manns Court. (Councilor Vachon)
- d. (2014-B045) RESOLVE, Recognize George and Linda Bishop and Penobscot Ice Arena of Brewer for Their Outstanding Commitment to the Brewer Community. (Mayor Goss)

G. New Business.

- 1. Consent Calendar.
 - a. (2014-C016) Amend Chapter 19, Article 3, Section 315 Parking Limited and Prohibited, of the City of Brewer Charter, Codes and Ordinances Entitled “Traffic Code” to Amend Schedule C Item 5 and Schedule D to Add an Item 8. (Councilor O’Connell)
 - b. (2014-C017) Amend Chapter 10, Article 1, The Police Department, of the City of Brewer Charter, Codes and Ordinances, Entitled “The Police Department”, to Add a Section 106, Disruptive Property. (Councilor Vachon)
 - c. (2014-C018) Amend Chapter 31, Article 12, Section 1208, Abatements of the City of Brewer Charter, Codes and Ordinances Entitled “Sewer and Pretreatment Ordinance Preamble” to Add Items A, B and C. (Councilor Ferris)
 - d. (2014-A150) ORDER, Accept an Extension of Manns Court as a Public Way and Authorize the Sale of an Adjacent City-Owned Lot to an Abutter. (Councilor Uhlenhake)
- 2. (2014-A151) ORDER Convene in Executive Session Pursuant to Title 1, M.R.S.A. § 405(6)(A) on a Personnel Matter. (Councilor O’Connell)

H. New Items with Leave of Council.

I. ADJOURN.

A. Minutes of August 12, 2014 Regular Meeting.

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

B. Awards, Petitions and Public Comments.

2014-B047

September 16, 2014

TITLE: RESOLVE, RECOGNIZE THE BLUE KNIGHTS® INTERNATIONAL LAW ENFORCEMENT MOTORCYCLE CLUB, INC. , WHICH THIS YEAR MARKS THE 40TH ANNIVERSARY OF THE FOUNDING OF THE CLUB.

filed September 10, 2014
by Jerry Goss

WHEREAS, Retired Captain Charles Shuman and 7 other law enforcement officers founded in 1974 the Blue Knights® International Law Enforcement Motorcycle Club, Inc. in the basement of Captain Shuman's home on Crescent Street, Brewer, Maine; and

WHEREAS, the club is a non-profit, fraternal organization comprised of active and retired police officers that share a love of motorcycling riding which now has over 630 chapters, 20,000 members in 24 countries around the world; and

WHEREAS, this worldwide organization is a legacy that the City of Brewer is proud of and it has put the City on the map for thousands of members all over the world to visit. Brewer is the original home of the Blue Knights® International Law Enforcement Motorcycle Club; and

WHEREAS, the Club's mission was founded on the importance of family, their love for motorcycle riding and helping communities in times of great difficulty and hardship; and

WHEREAS, this year, 2014 marks the 40th anniversary of the club's founding;

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council, on behalf of the Citizens of Brewer, herewith recognizes and commends the Blue Knights® International Law Enforcement Motorcycle Club, Inc. members for their outstanding and dedicated service to the many charities and communities that they help every day.

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

Councilor Ferris read the resolve into the record while presenting it to Retired Police Captain Charles Shuman and also presented him with a City of Brewer Challenge Coin.

Capt. Shuman thanked the City Council on behalf of the motorcycle club for the Plaque. He said that he and his wife had just returned from Europe where they attended the 40th anniversary of the club. He also presented to Mayor Goss a certificate from the club in appreciation for recognizing the Blue Knights and especially since Brewer is the original home of the Blue Knights® International Law Enforcement Motorcycle Club, Inc.

The resolve was adopted by unanimous vote.

2014-B048

September 16, 2014

TITLE: RESOLVE, RECOGNIZE BREWER HIGH SCHOOL ATHLETIC HALL OF FAME AND INDUCTEES.

filed September 10, 2014
by Jerry Goss, Matthew Vachon,
Joseph Ferris, Kevin O'Connell and
Beverly Uhlenhake

WHEREAS, a Brewer High School Athletic Hall of Fame Committee was formed and charged with the creation of an Athletic Hall of Fame for Brewer High School athletes, coaches, administrators, and special contributors; and

WHEREAS, committee members, David Utterback, Dennis Kiah, Daniel O'Connell, Kathleen Cahill, Dottie Whalen, Rebecca Bubar, Anne Pooler, Jim White, Jim Garrity, Dick Gray, David Jeffrey, Jay McIntire, and David Wall contributed great time and energy to see this project move from concept to reality; and

WHEREAS, the 1st Annual Brewer High School Athletic Hall of Fame Induction Banquet will be held on Thursday, October 2, 2014; and

WHEREAS, the following individuals will be recognized for their contributions to Brewer High School Athletics and inducted into the Brewer High School Athletic Hall of Fame:

- Dan Coombs – 1960 Basketball & Baseball
- Dave Farley – 1960 Track & Cross Country
- Joe Ferris – 1962 Baseball
- Dave Jeffrey 1972 Track & 1979-2003 Track Coach
- Jeff Lynn 1988 Swimming
- Larry Mahaney 1955-1962 Football & Basketball Coach
- Ken Perrone 1967-1973 Football & Baseball Coach
- Clara Swan – 1930 Contributor to Female Athletics
- Chad White 1989 Baseball & Football
- Amy Winchester 1992 Track & Field

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council, on behalf of the Citizens of the City of Brewer, herewith recognizes the many contributions of the Brewer High School's Athletic Hall of Fame Committee Members and the individual accomplishments and contributions of these initial inductees, who all have contributed to the positive image and reputation of Brewer High School Athletics and the City of Brewer.

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

Mayor Goss said that he would be presenting the plaque at the banquet in October. This is the first year of the Hall of Fame and each year five people will be selected to be inducted.

Mayor Goss mentioned that Councilor Joseph Ferris is one the people being inducted this year .

The resolve was adopted by unanimous vote.

Mayor Goss said that a resolve under the Unfinished Business section of the agenda would be taken up out of order at this time.

Councilor Vachon moved that resolve 2014-B045 be removed from the table. The motion was seconded and passed.

The motion to remove resolve 2014-B045 from the table from Unfinished Business was passed by unanimous vote.

2014-B045

August 12, 2014

**TITLE: RESOLVE, RECOGNIZE GEORGE AND LINDA BISHOP AND
PENOBSCOT ICE ARENA OF BREWER FOR THEIR
OUTSTANDING COMMITMENT TO THE BREWER
COMMUNITY.**

filed August 6, 2014
by Jerry Goss

WHEREAS, George and Linda Bishop are longtime business owners of Penobscot Cleaning Services located at 565 Wilson Street in Brewer and are the new owners of the Penobscot Ice Arena located at 90 Acme Road in Brewer; and

WHEREAS, seeing a dilapidated structure, the Bishops recognized an opportunity to create a stronger community dynamic at the rink and bring the longtime institution of Brewer hockey back to life along with the physical structure; and

WHEREAS, the Bishops purchased the Penobscot Ice Arena in September of 2013 and immediately began improvements to the structure; and

WHEREAS, true to their word, the Bishops completed all of the improvements and renovations in a timely manner, and revitalized and rejuvenated the Penobscot Ice Arena building, becoming a regional jewel; and

WHEREAS, George and Linda Bishop have continually shown and demonstrated their commitment, both in community spirit and financial resources, to the citizens of the City of Brewer and the hockey community from both near and far; and

WHEREAS, the City of Brewer is proud and fortunate to have this first class operation as a member of its business community;

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council, on behalf of the Citizens of the City of Brewer, herewith congratulates and commends the Penobscot Ice Arena and its owners, George and Linda Bishop, for their commitment and dedication to restore the Penobscot Ice Arena.

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

Councilor Vachon read the resolve into the record while presenting the plaque to George and Linda Bishop.

George Bishop thanked the City for supporting them through all the improvements and renovations that have been done to the ice arena. He said that they are about 70% there with a few more improvements to make.

Mayor Goss mentioned that George and Linda Bishop, Penobscot Ice Arena, were the recipients of the Brewer Business of the Year Award at the recent Brewer Days.

The resolve was adopted by unanimous vote.

PUBLIC COMMENTS

There were no public comments.

Recess for Public Hearing.

Mayor Goss said that the Council would recess for a public hearing at this time. They would come back after the public hearing and take up the rest of the items on the agenda.

1. To determine if the building, or portion thereof, located at 927-929 North Main Street (City of Brewer's Tax Assessor's Map 18, Lot 11) may be structurally unsafe, unsanitary; constitute a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance; dilapidation, obsolescence or abandonment or is otherwise dangerous to life or property pursuant to Title 17 M.R.S.A. §2851, et seq.

The public hearing was called to order by Chairman Jerry Goss.

CITY OF BREWER PUBLIC NOTICE

Notice is hereby given that the City Council of Brewer, Maine will hold a public hearing on Tuesday, the 16th day of September, 2014 at 6:00 p.m. in the Council Chambers at Brewer City Hall to determine if the building, or portion thereof, located at 927-929 North Main Street (City of Brewer's Tax Assessor's Map 18, Lot 11) may be structurally unsafe, unstable, unsanitary; constitute a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment or is otherwise dangerous to life or property pursuant to Title 17 M.R.S.A. §2851, et seq.

Any person may attend this public hearing and speak on this matter. 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 the Brewer City Council, c/o City Clerk, 80 No. Main Street, Brewer, Maine 04412.

Pamela J. Ryan
City Clerk

Published September 8, 2014
In the Bangor Daily News
Posted on the Bulletin Board
At Brewer City Hall September 5, 2014

Code Enforcement Officer Ben Breadmore said the home at 927-929 Wilson Street has been vacant for several years. He said the property has become a dumping ground for trash and the grass has grown several feet high. There are also a number of code and safety violations inside the home ranging from mold in the basement to caved in ceilings to shoddy electrical work. Theft of copper wiring and pipes has also taken place over the years. Basically, this property has become a real nuisance and fire hazard for the neighborhood.

John Nay, a representative from Bank of America, said that the bank will not oppose this. The City Clerk said that no written or oral comments were received on the proposed ordinance amendment.

There were no comments from the public present in opposition and the City Clerk stated that she had not received any written comments on this matter.

Public Hearing adjourned at 6:26 p.m.

The city clerk called the roll and all members of the council were present.

Chairman Goss said the regular meeting would resume at this time.

C. Consent Calendar.

ACTION: Councilor Ferris removed order 2014-A143, Councilor and Mayor Goss removed order 2014-A147.

Councilor Vachon 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.

2014-A136

September 16, 2014

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

filed September 10, 2014
by Joseph Ferris

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 **\$606,461.64** at the established rate, as provided by Maine Law 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 |
|----------------|---------------------|----------|
| September 2014 | \$601,283.58 | |
| June 2014 | \$ 2,594.47 | |
| July 2014 | \$ 1,969.54 | |
| August 2014 | \$ 614.05 | |
| Total | \$606,461.64 | |

FURTHER, IT IS ORDERED, that a detailed commitment of the **\$606,461.64** 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.

2014-A137

September 16, 2014

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

filed September 10, 2014
by Beverly Uhlenhake

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 **\$515,908.10** at the established rate, as provided by Title 30A M.R.S.A. § 3406 and Title 38 M.R.S.A. § 1208 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 |
|----------------|---------------------|----------|
| September 2014 | \$511,070.17 | |
| June 2014 | \$1,393.06 | |
| July 2014 | \$1,935.23 | |
| August 2014 | \$1,509.64 | |
| Total | \$515,908.10 | |

FURTHER, IT IS ORDERED, that a detailed commitment of the **\$515,908.10** 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.

2014-A138

September 16, 2014

TITLE: ORDER, ACCEPT DONATIONS TO THE BREWER PUBLIC LIBRARY.

filed September 10, 2014
by Kevin O'Connell

WHEREAS, the Brewer Public Library has received contributions totaling \$55.00 from Sharon Van Dyne and the Brewer Garden and Bird Club in memory of Ruth Louise Schillen Bontempo; and

WHEREAS, the Brewer Public Library has also received contributions totaling \$120.00 from various donors in memory of Marion Walsh; and

WHEREAS, it is the recommendation and the request of the Library Director that these contributions be used to supplement and support the purchase of new books;

NOW, THEREFORE, BE IT ORDERED, that the City Council, herewith accepts these contributions totaling \$175.00; and

BE IT FURTHER ORDERED, that this total \$175.00 donation be deposited in account 0107204-300420 (Library Contributions/Donations) and be appropriated and expended from 0117201-502750 (Library Books).

NOTE: The Brewer Public Library sends a letter of acknowledgement and appreciation on behalf of the City Council and the Library to all who contribute to the library.

2014-A139

September 16, 2014

TITLE: ORDER, ACCEPT DONATION OF A KINDLE AND A NOOK TO THE BREWER PUBLIC LIBRARY.

filed September 10, 2014
by Matthew Vachon

WHEREAS, the Brewer Public Library has received a donation of an Amazon Kindle Paperwhite from Sharon Van Dyne and a Barnes & Noble Nook from an anonymous donor; and

WHEREAS, it is the recommendation and the request of the Library Director that these items be used as incentives in reading programs for teens and adults;

NOW, THEREFORE, BE IT ORDERED, that the City Council, herewith accepts the donations of the Amazon Kindle Paperwhite from Ms. Van Dyne and the Barnes & Noble Nook from the anonymous donor; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the Library Director to award these items as incentives for reading programs held at the Brewer Public Library.

NOTE: The Brewer Public Library sends a letter of acknowledgement and appreciation on behalf of the City Council and the Library to all who contribute to the library.

2014-A140

September 16, 2014

TITLE: ORDER, ACCEPT DONATION OF A DRIFTWOOD SCULPTURE
TO THE BREWER PUBLIC LIBRARY.

filed September 10, 2014
by Joseph Ferris

WHEREAS, the Brewer Public Library received a donation of a driftwood sculpture of three dolphins from Eugene More, Jr.; and

WHEREAS, Mr. More is an artist from Holden who has donated other displays to the Brewer Public Library; and

WHEREAS, it is the recommendation and the request of the Library Director that this driftwood sculpture be displayed in the children's area of the Library;

NOW, THEREFORE, BE IT ORDERED, that the City Council, herewith accepts the donation of Mr. More's driftwood sculpture; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the Library Director to display this sculpture within the library.

NOTE: The Brewer Public Library sends a letter of acknowledgement and appreciation on behalf of the City Council and the Library to all who contribute to the library.

2014-A141

September 16, 2014

TITLE: ORDER, ACCEPT GRANT FOR BULLETPROOF VESTS FOR
THE BREWER POLICE DEPARTMENT.

filed September 10, 2014
by Beverly Uhlenhake

WHEREAS, the City has received a grant from the US Department of Justice to be used exclusively for purchasing of bulletproof vests in the sum of \$1,455.16; and

WHEREAS, this grant represents 50% of the total cost to replace older bulletproof vests currently in service at this time. The Brewer Police Department will use money previously budgeted from the uniforms and protective equipment account for matching funds;

NOW, THEREFORE, BE IT ORDERED, that the City of Brewer, by vote of its City Council, herewith accepts these grant funds and directs that these funds be deposited in account #0600058-360000-58028 (Bulletproof Vest Revenue-2014 Grant) and that expenditures shall be drawn from account # 0600058-560000-58028 (Bulletproof Vest Expense-2014 Grant) and that the City's share of the expenses will be charged to account #0115811-502810 (Uniforms and Protective Equipment).

2014-A142

September 16, 2014

TITLE: ORDER, DETERMINE THAT THE RESIDENCE/BUILDING SITUATED AT 927-929 NORTH MAIN STREET, BREWER, MAINE IS A DANGEROUS STRUCTURE PURSUANT TO TITLE 17, M.R.S.A., SECTION 2851, ET SEQ.

filed September 10, 2014
by Kevin O'Connell

EMERGENCY PREAMBLE

WHEREAS, an Order passed by the Brewer City Council does not become effective until five (5) days thereafter, unless such Order contains an emergency preamble; and

WHEREAS, it is imperative that this Order become effective without delay to protect the public health, safety and welfare of the citizens of the City of Brewer; and

WHEREAS, these facts create an emergency within the meaning of the Charter, Codes and Ordinances of the City of Brewer and require that this Order become effective immediately; and

WHEREAS, the City Council has heard testimony from the City of Brewer's Code Enforcement Officer, Benjamin R.K. Breadmore, and other City employees that the residence/building situated at 927-929 North Main Street in Brewer (City of Brewer's Tax Assessor's Map 18, Lot 11) is structurally unsafe, unstable, unsanitary, constitutes a fire hazard, is unsuitable or improper for the use or occupancy for human habitation and therefore constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment or is otherwise dangerous to life or property pursuant to Title 17 M.R.S.A. § 2851, et seq.;

NOW, THEREFORE BE IT ORDERED, that the Brewer City Council hereby finds the residence/building situated at 927-929 North Main Street is a dangerous building pursuant to Title 17 M.R.S.A. § 2851, *et seq.*, because it is structurally unsafe, unstable, unsanitary, constitutes a fire hazard, is unsuitable or improper for the use or occupancy for human habitation and therefore constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment or is otherwise dangerous to life or property; and

FURTHER BE IT ORDERED, that if the owners and parties-in-interest fail to abate said nuisance within thirty-one (31) days from the date the Order becomes effective, then and in that event, the City Manager of the City of Brewer shall cause said nuisance to be abated and removed and all expenses thereof shall be repaid to the City of Brewer by the owners within thirty (30) days after demand or a special tax may be assessed by the Assessor against any real or personal property of the owners for the amount of such expenses and such amount shall be included in the next annual warrant to the Tax Collector of the said City of Brewer for the collection and shall be collected in the same manner as other state, county and municipal taxes are collected; and

FURTHER BE IT ORDERED, that if the owners and parties-in-interest fail to comply with this Order, the City Solicitor, or some other attorney representing the City, after consultation with the City Manager of the City of Brewer, determines that it is in the best interest of the citizens of the City of Brewer, shall have the authority as an alternative to institute a suit on behalf of the City of Brewer in the Penobscot County Superior Court to obtain a Court Order to authorize the City's removal of the residence/building on the said property and the disposal of the debris caused by said removal, along with the City's right to recoup the its costs pursuant to Title 17 M.R.S.A. § 2851, *et seq.*; and

FURTHER BE IT ORDERED, that this Order be recorded with the City Clerk and attested copies thereof served upon the owners and all parties-in-interest in the same way service of process is made in accordance with the Maine Rules of Civil Procedure and Title 17 M.R.S.A. § 2851, *et seq.*

2014-A143

September 16, 2014

TITLE: ORDER, AUTHORIZE PURCHASE OF A REPLACEMENT DUMP TRUCK/PLOW FOR PUBLIC WORKS.

filed September 10, 2014
by Matthew Vachon

WHEREAS, bids were solicited, received and evaluated for the purchase of a dump truck/snowplow to replace Public Works unit #434 a 2003 Sterling plow truck, whose replacement was included in the approved FY15 CIP; and

WHEREAS, Daigle & Houghton, out of Hermon, ME provided the City with the lowest of the three bids received in the amount of \$116,782.16, which includes the trade-in deduction of \$22,000 allotted for the Public Works unit #434;

NOW, THEREFORE, BE IT ORDERED, that the City Manager, or his designee, is authorized to sign a purchase order to Daigle & Houghton, Inc. in the amount of \$116,782.16 for the purchase of a 2015, International dump truck with plow, wing and sander body; and

BE IF FURTHER ORDERED, that the current Public Works unit #434, the 2003 Sterling dump truck, with a plow and wing, be released and transfer ownership to Daigle & Houghton, Inc. once the replacement truck has been delivered to the City of Brewer; and

BE IT FURTHER ORDERED, that funds for this purchase shall be charged to the CIP account 0510133-551605, titled ""Plow W/Sander FY15 Replc #434".

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

Councilor Ferris asked Public Works Director Dave Cote if there was more than one bid for the vehicle.

Dave Cote said that there were three (due to a mix-up the bid sheet was inadvertently not attached to the order) bids and that Daigle & Houghton was the low bidder.

The order was passed by unanimous vote.

2014-A144

September 16, 2014

TITLE: ORDER, AUTHORIZE PURCHASE OF WINTER SAND.

filed September 10, 2014
by Joseph Ferris

WHEREAS, bids were solicited, received and evaluated for the purchase of up to 2,500 cubic yards of winter sand per year in FY15 and FY16; and

WHEREAS, Reese Company, of Carmel, Maine has provided the City of Brewer with the lowest bid of the seven bids received for acceptable winter sand;

NOW, THEREFORE, BE IT ORDERED, that the City Manager, or his designee, is authorized to sign a purchase order to Reese Company, in the amount of \$21,875.00 in FY15 and again in FY16 for supply and delivery of 2,500 cubic yards of winter sand per year; and

BE IT FURTHER ORDERED, that funds for this purchase shall be charged to account 0116671-502540, titled "Sand Purchases".

Note: Bid summary attached.

2014-A145

September 16, 2014

TITLE: ORDER, SET PUBLIC HEARING TO DETERMINE IF BUILDING,
OR ANY PART THEREOF, AT 227 WILSON STREET,
BREWER, MAINE IS DANGEROUS.

filed September 10, 2014
by Beverly Uhlenhake

EMERGENCY PREAMBLE

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

WHEREAS, imperative that notices be sent to persons who have interest in the property informing them of this hearing as soon as possible; 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 order become effective immediately upon its approval to protect the public health, common welfare and safety of the citizens of Brewer;

WHEREAS, a building, or portion thereof, located at 227 Wilson Street in Brewer (Assessor's Map 29, Lot 17-A) may be structurally unsafe, unstable, unsanitary, constitute a fire hazard, is unsuitable or improper for the use or occupancy to which it is put; constitutes a dilapidation, obsolescence or abandonment or is otherwise dangerous to life or property;

NOW, THEREFORE, BE IT ORDERED, that the City Council of the City of Brewer shall hold a public hearing pursuant to Title 17 M.R.S.A. § 2851 et seq. and said date of hearing is hereby set for 6:00 p.m., October 14, 2014 in the Council Chambers of the City of Brewer located at 80 North Main Street; and

FURTHER BE IT ORDERED, that the City Manager, or his designated agents, proceed to gather information on the building to be presented at the public hearing to the City Council and the general public; and

FURTHER BE IT ORDERED, that the City Solicitor shall give the owner(s) and all parties in the interest notice of hearing in accordance with Title 17, M.R.S.A. § 2851, et seq.

2014-A146

September 16, 2014

TITLE: ORDER, AWARD PLAYGROUND PROJECT FOR WASHINGTON STREET RECREATIONAL COMPLEX.

filed September 10, 2014
by Kevin O'Connell

WHEREAS, bids were solicited, received and evaluated for the playground project for Washington Street Recreational Complex; and

WHEREAS, Gametime C/O MRC, Inc. has met and exceeded all the minimal required specifications for the project;

NOW, THEREFORE, BE IT ORDERED, that the City Manager, or his designee, is authorized to sign a contract with Gametime C/O MRD, Inc. in the amount of \$63,728.00 for the playground project for Washington Street Recreational Complex; and

FURTHER ORDERED that the City Council of the City of Brewer herewith exercises its authority under Section 404 of the City's Purchasing Ordinance, Chapter 36 of the Charter, Codes and Ordinances of the City of Brewer in the purchase of contractor services for this project; and

BE IT FURTHER ORDERED, that funds for this purchase shall be charged to account 0510104-551446 (Washington Street Renovation CIP).

Bids Received:

| | |
|------------------------|-------------|
| ME O'Brien | \$61,423.00 |
| Miracle | \$74,125.00 |
| Gametime C/O MRC, Inc. | \$63,728.00 |
| Ultiplay | \$57,564.00 |

2014-A147

September 16, 2014

TITLE: ORDER, ACCEPT FUNDS FROM GOLF CLASSIC AND AUTHORIZE THEIR EXPENDITURE.

filed September 10, 2014
by Matthew Vachon

WHEREAS, the third annual Joshua Chamberlain Golf Classic took place on July 25, 2014, and the event has brought in more revenue than expenses it had to pay; and

WHEREAS, the Joshua Chamberlain Golf Classic Planning Committee decided to once again support the Maine Infantry Foundation, and the committee desires to use these surplus funds to support this organization; and

WHEREAS, thank you letters acknowledging support from many different sponsors have already been sent out;

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith accepts the \$9,441.26 in proceeds from this event and authorizes its use to cover expenses associated with the event; and

BE IT FURTHER ORDERED, that the Brewer City Council herewith authorizes the appropriation and grant \$5,400.00 of surplus proceeds from the Joshua Chamberlain Golf Classic to the Maine Infantry Foundation. This expense shall be charged to account 0200000-520000-57014.

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

Mayor Goss presented a check for \$5,400.00 to representatives from the Maine Infantry Foundation.

They thanked everyone who worked very hard on the Joshua Chamberlain Classic and were very grateful for the donation to the foundation,

The order was passed by unanimous vote.

2014-B049

September 16, 2014

TITLE: ORDER, RATIFY THE BREWER FIRE OFFICERS COLLECTIVE
BARGAINING CONTRACT.

filed September 10, 2014
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 imperative that this resolve become effective immediately upon its adoption as the compensation items must be in effect for the next city payroll; 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;

WHEREAS, a collective bargaining agreement between the City of Brewer and Council No. 93, Local 1828, AFSCME, AFL-CIO, has recently been negotiated; and

WHEREAS, the negotiators for both sides have recommended that this collective bargaining agreement be ratified by their representative parties;

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council herewith ratifies this agreement and authorizes the City Manager, or his designee, to execute the document on behalf of the City of Brewer; and

FURTHER RESOLVED, that the City Clerk file the City's copy of the original agreement in the City's record archives.

2014-B050

September 16, 2014

TITLE: ORDER, RATIFY THE PUBLIC WORKS DEPARTMENT COLLECTIVE BARGAINING CONTRACT.

filed September 10, 2014
by Beverly Uhlenhake

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 imperative that this resolve become effective immediately upon its adoption as the compensation items must be in effect for the next city payroll; 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;

WHEREAS, a collective bargaining agreement between the City of Brewer and Council No. 93 of the American Federation of State, County and Municipal Employees, has recently been negotiated; and

WHEREAS, the negotiators for both sides have recommended that this collective bargaining agreement be ratified by their representative parties;

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council herewith ratifies this agreement and authorizes the City Manager, or his designee, to execute the document on behalf of the City of Brewer; and

FURTHER RESOLVED, that the City Clerk file the City's copy of the original agreement in the City's record archives.

2014-B051

September 16, 2014

TITLE: ORDER, RATIFY THE WATER POLLUTION CONTROL FACILITY COLLECTIVE BARGAINING CONTRACT.

filed September 10, 2014
by Kevin O'Connell

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 imperative that this resolve become effective immediately upon its adoption as the compensation items must be in effect for the next city payroll; 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;

WHEREAS, a collective bargaining agreement between the City of Brewer and Council No. 93, AFSCME, Local Union No. 656-04 has recently been negotiated; and

WHEREAS, the negotiators for both sides have recommended that this collective bargaining agreement be ratified by their representative parties;

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council herewith ratifies this agreement and authorizes the City Manager, or his designee, to execute the document on behalf of the City of Brewer; and

FURTHER RESOLVED, that the City Clerk file the City's copy of the original agreement in the City's record archives.

2014-B052

September 16, 2014

TITLE: ORDER, RATIFY THE BREWER FIREFIGHTERS COLLECTIVE
BARGAINING CONTRACT.

filed September 10, 2014
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 imperative that this resolve become effective immediately upon its adoption as the compensation items must be in effect for the next city payroll; 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;

WHEREAS, a collective bargaining agreement between the City of Brewer and , has Local 2162, International Association of Firefighters recently been negotiated; and

WHEREAS, the negotiators for both sides have recommended that this collective bargaining agreement be ratified by their representative parties;

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council herewith ratifies this agreement and authorizes the City Manager, or his designee, to execute the document on behalf of the City of Brewer; and

FURTHER RESOLVED, that the City Clerk file the City's copy of the original agreement in the City's record archives.

D. Monthly Reports.

ACTION: Councilor Ferris 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.

2014-A148

September 16, 2014

TITLE: ORDER, ISSUE WARRANT FOR NOVEMBER 4, 2014 ANNUAL
MUNICIPAL ELECTION.

filed September 10, 2014
by Matthew Vachon

WHEREAS, the City of Brewer Annual Municipal Election will be held on Tuesday, November 4, 2014; and

WHEREAS, Title 21-A, M.R.S.A., Section 626(1) provides that the polls must be opened no earlier than 6:00 a.m. and no later than 9:00 a.m. on election day; and

WHEREAS, Title 21-A, M.R.S.A., Section 626(1) further provides that the municipal officers shall determine the time of opening the polls within the time limits of 6:00 a.m. to 9:00 a.m.; and

WHEREAS, a poll opening time of 7:00 a.m. will, in the judgment of the municipal officers, meet the needs of the municipality for the November 4, 2014 election;

NOW, THEREFORE, BE IT ORDERED, that the municipal officers herewith set the time of 7:00 a.m. for opening the polls for the November 4, 2014 City of Brewer Annual Municipal Election; and

FURTHER ORDERED, that the municipal officers issue a warrant for the City of Brewer Annual Municipal Election to be held on November 4, 2014 with the polls to open at 7:00 a.m. and close at 8:00 p.m.

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

The order was passed by unanimous vote.

**CITY OF BREWER
ANNUAL MUNICIPAL ELECTION**

Penobscot ss.

State of Maine

To: _____, a Constable in the City of Brewer.

You are hereby required in the name of the State of Maine to notify the voters of the City of Brewer of the election described in this warrant.

**TO THE VOTERS OF THE CITY OF BREWER
WARD 1, PRECINCTS 1 AND 2**

You are hereby notified that the annual municipal election in the municipality will be held at the Brewer Auditorium on Tuesday, the fourth day of November, 2014 for the purpose of affecting the election of:

- ONE MEMBER OF THE CITY COUNCIL FOR A THREE YEAR TERM
- TWO MEMBERS OF THE SUPERINTENDING SCHOOL COMMITTEE FOR THREE YEAR TERMS
- ONE TRUSTEE OF THE BREWER HIGH SCHOOL DISTRICT FOR A FIVE YEAR TERM

The polls shall be opened at 7:00 A.M. and close at 8:00 P.M.

The Registrar of Voters shall hold office hours while the polls are open to correct any error in or change a name or address on the voting list, to accept the registration of any person eligible to vote and to accept new registrations.

A person who is not registered as a voter may not vote in any election.

Dated at Brewer, Maine this 16th day of September in the year of Our Lord, Two Thousand Fourteen.

Majority of the Municipal Officers of Brewer

2014-A149

September 16, 2014

TITLE: ORDER, APPOINT VOTER REGISTRATION APPEALS BOARD
MEMBER.

filed September 10, 2014
by Joseph Ferris

WHEREAS, Title 21-A, M.R.S.A., Section 103, provides that municipalities with populations of 5000 or greater have an appointed Registration Appeals Board to hear the appeal of any person aggrieved by the decision of the Registrar of Voters to remove a name from the voting list or to refuse to place it on the voting list; and

WHEREAS, the Registration Appeals Board shall consist of 3 members appointed by the City Council as follows: one member shall be nominated by the Republican City Committee; one member shall be nominated by the Democratic City Committee and the third member, who shall serve as chairman of the board, shall be nominated by the City Clerk; and

WHEREAS, there is a vacancy on the board due to the resignation of Alison Beane who served as Chairman of the Registration Appeals Board; and

WHEREAS, a nomination from the City Clerk for appointment for chairman of the board has been made;

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith appoints the following nominee to the Registration Appeals Board to fill a vacancy:

MEMBER

TERM

Nicole Gogan, Chairman

September 21, 2014 – October 31, 2016

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

The order was passed by unanimous vote.

2014-B053

September 16, 2014

TITLE: RESOLVE, PRESCRIBE REGISTRAR OF VOTERS HOURLY
SCHEDULE FOR THE NOVEMBER 4, 2014 ANNUAL
MUNICIPAL ELECTION AND THE NOVEMBER 4, 2014
STATE OF MAINE GENERAL AND REFERENDUM
ELECTION.

filed September 10, 2014
by Beverly Uhlenhake

WHEREAS, the City of Brewer annual municipal election-and the State of Maine general and referendum election will be held on Tuesday, November 4, 2014; and

WHEREAS, Title 21-A M.R.S.A., Section 122 (6)(A)(2) provides in part, that in a municipality with a population of more than 2,500, the Registrar of Voters shall accept registrations on the last 5 business days before election day, during the hours that the city clerk's office is open (8:00 a.m. – 4:00 p.m.) and for 2 hours in the evening between 5:00 p.m. and 9:00 p.m. on at least 3 of these days; and

WHEREAS, the City of Brewer has a population greater than 2,500 according to the 2010 federal census; and

WHEREAS, Title 21-A M.R.S.A., Section 122 (8) provides that the hourly schedule may be changed by the municipal officers according to the needs of the municipality; and

WHEREAS, the Registrar of Voters suggests that the needs of the municipality are sufficiently met with the 8:00 a.m. to 4:00 p.m. daily schedule and with election day voter registration so that it is not necessary for the Registrar of Voters to hold office hours and accept registrations during evening hours between 5:00 p.m. and 9:00 p.m. on at least 3 of the days during the last 5 business day period prior to the election; and

WHEREAS, the municipal officers concur with this assessment by the Registrar of Voters;

NOW, THEREFORE, BE IT RESOLVED, that the municipal officers herewith prescribe the hours of registration as 8:00 a.m. to 4:00 p.m. on the five business days next prior to the state-wide and city elections to be held on November 4, 2014.

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

The resolve was adopted by unanimous vote.

F. Unfinished Business.

ACTION: Councilor Vachon removed order 2014-A128 from the consent calendar.

Councilor moved that the two proposed ordinance amendments on the consent calendar be enacted. The motion was seconded and passed by unanimous vote.

2014-C014

August 12, 2014

TITLE: AMEND CHAPTER 15, ARTICLE 7, SAFE ZONES, SECTION 702, SAFE ZONES, OF THE CITY OF BREWER CHARTER, CODES AND ORDINANCES, ENTITLED "PARKS, CONSERVATION AND RECREATION", TO ADD AN ITEM J.

filed August 6, 2014
by Kevin O'Connell

WHEREAS, Title 30-A M.R.S.A. Section 3253 allows municipalities to establish safe zones; and

WHEREAS, the Penobscot Landing Children's Garden and the Brewer Riverwalk Trail are frequented by minors; and

WHEREAS, new security cameras have been installed; and

WHEREAS, the City Council for the City of Brewer believes that it is in the best interest to protect the public health, safety and welfare of its citizens and all who use the Penobscot Landing Children's Garden and the Brewer Riverwalk Trail to designate the said Brewer Riverwalk Trail as part of a safe zone pursuant to Title 30-A M.R.S.A. Section 3253; and

Be it ordained by the City Council of the City of Brewer in City Council assembled that Chapter 15, Article 7, Safe Zones, Section 702, Safe Zones, of the Charter, Codes and Ordinances of the City of Brewer entitled "Parks, Conservation and Recreation" be amended by adding an Item J as follows:

(j) The Brewer Riverwalk Trail, and any improvements which lie within the following areas:

(1) The property owned by the City of Brewer by virtue of the Deed from Hiram H. Fogg recorded in the Penobscot County Registry of Deeds in Volume 641, Page 275.

(2) The easements to the City of Brewer from Dead River Company, d/b/a Dead River Petroleum Company, recorded in the Penobscot County Registry of Deeds in Volume 8320, Page 205, and Volume 9558, Page 304.

(3) The easement to the City of Brewer from G. H. Doane recorded in the Penobscot County Registry of Deeds in Volume 10570, Page 4.

(4) The easement to the City of Brewer from Maxwood Services, Inc. recorded in the Penobscot County Registry of Deeds in Volume 10570, Page 10.

(5) The easement to the City of Brewer from Bruce R. Blackmer recorded in the Penobscot County Registry of Deeds in Volume 8544, Page 296.

(6) The easement to the City of Brewer from Dorks R Us recorded in the Penobscot County Registry of Deeds in Volume 8371, Page 236.

(7) The portion of the State of Maine property adjacent to the so-called Joshua Chamberlain Bridge.

2014-C015

August 12, 2014

TITLE: AMEND THE GENERAL ASSISTANCE ORDINANCE TO INCORPORATE
CHANGES IN MAXIMUM BENEFITS.

filed August 6, 2014
by Joseph Ferris

Be it ordained by the City Council of the City of Brewer in City Council assembled that Chapter 11 of the Charter, Codes and Ordinances of the City of Brewer entitled "Health Officer, Health and General Assistance" be amended as follows:

A. Amend Chapter 11, Sub-chapter 1 (General Assistance Ordinance), Article VI, Appendix A to read, in part, as follow:

| APPENDIX A | Basic Necessities: Maximum Levels of Assistance. | | |
|-------------------------|--------------------------------------------------|-------------|--|
| No. in Household | Monthly | (Change to) | |
| 1 | \$579 | \$603 | |
| 2 | \$669 | \$725 | |
| 3 | \$845 | \$874 | |
| 4 | \$1061 | \$1096 | |
| 5 | \$1223 | \$1261 | |
| 6 | \$1291 | \$1330 | |
| *Each additional person | \$ 68.00* | \$69.00* | |

B. Amend Chapter 11, Sub-chapter 1 (General Assistance Ordinance), Article VI, Appendix B to read, in part, as follow:

| APPENDIX B | Food Maximums | | | |
|-------------------------|---------------|------------|--------------------|-----------|
| No. in Household | Weekly | Monthly | (Change to) Weekly | Monthly |
| 1 | 46.51 | \$200.00 | \$46.51 | \$189.00 |
| 2 | 85.35 | \$367.00 | \$80.70 | \$347.00 |
| 3 | 122.33 | \$526.00 | \$115.58 | \$497.00 |
| 4 | 155.35 | \$668.00 | \$146.97 | \$632.00 |
| 5 | 184.42 | \$793.00 | \$174.42 | \$750.00 |
| 6. | 221.40 | \$952.00 | \$209.30 | \$900.00 |
| 7. | 244.65 | \$1052.00 | \$231.40 | \$995.00 |
| 8. | 279.53 | \$1202.00 | \$264.42 | \$1137.00 |
| *Each additional person | | \$ 150.00* | \$142.00* | |

C. Amend Chapter 11, Sub-chapter 1 (General Assistance Ordinance), Article VI, Appendix C to read, in part, as follow:

City Council Minutes
September 16, 2014

Current:

| Bedrooms | Unheated | | Heated | |
|----------|----------|---------|--------|---------|
| | Weekly | Monthly | Weekly | Monthly |
| 0 | 99 | 424 | 114 | 491 |
| 1 | 99 | 424 | 114 | 491 |
| 2 | 100 | 429 | 131 | 565 |
| 3 | 136 | 587 | 172 | 741 |
| 4 | 155 | 668 | 214 | 919 |

Change to:

| Bedrooms | Unheated | | Heated | |
|----------|----------|---------|--------|---------|
| | Weekly | Monthly | Weekly | Monthly |
| 0 | 100 | 432 | 123 | 527 |
| 1 | 113 | 487 | 142 | 610 |
| 2 | 145 | 625 | 181 | 778 |
| 3 | 183 | 789 | 227 | 975 |
| 4 | 210 | 904 | 263 | 1133 |

2014-A128

August 12, 2014

TITLE: ORDER, AUTHORIZE THE CITY MANAGER, OR HIS
DESIGNEE, TO NEGOTIATE WITH LARGAY-FEENEY
INVESTMENTS, LLC FOR AN EXTENSION OF
MANN'S COURT.

filed August 6, 2014
by Matthew Vachon

WHEREAS, the City of Brewer has been maintaining a private section of Manns Court for many years; and

WHEREAS, the current owner of the affected property (Largay-Feeney Investments, LLC) has expressed an interest in conveying the area of the private roadway to the City for acceptance as a public way in exchange for their ability to purchase an adjacent parcel currently owned by the City;

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council herewith authorizes the City Manager, or his designee, to negotiate an extension of Manns Court with Largay-Feeney Investments, LLC; and

BE IT FURTHER ORDERED, that the Brewer City Council herewith declares the City owned parcel at the end of Manns Court surplus property and authorizes the City Manager, or his designee, to offer and convey this parcel, in part or in whole, for consideration, under such terms conditions as he determines to be in the best interests of the Citizens of Brewer; and

BE IT FURTHER ORDERED, that the City Manager, or his designee, is authorized to execute any and all deeds and documents necessary to complete the directives contained herein.

ACTION: Councilor Vachon moved that the order be removed from the table. The motion was seconded and passed.

Councilor Vachon moved that the order be defeated. The motion was seconded and passed.

The motion to defeat the order was passed unanimous vote.

G. New Business.

ACTION: Councilor Uhlenhake removed order 2014-A150 and Mayor Goss removed 2014-C017 from the consent calendar.

Councilor Vachon moved that the two remaining proposed ordinance amendments on the consent calendar be filed with the City Clerk for posting. The motion was seconded and passed by unanimous vote.

2014-C016

September 16, 2014

TITLE: AMEND CHAPTER 19, ARTICLE 3, SECTION 315 PARKING LIMITED AND PROHIBITED, OF THE CITY OF BREWER CHARTER, CODES AND ORDINANCES ENTITLED "TRAFFIC CODE" TO AMEND SCHEDULE C ITEM 5 AND SCHEDULE B.

filed September 10, 2014
by Kevin O'Connell

EMERGENCY PREAMBLE

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

WHEREAS, it is imperative that this ordinance amendment become effective immediately upon its enactment to ensure that the new parking regulations are in place as soon as possible; 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 ordinance amendment become effective immediately upon its approval to protect the public health, common welfare and safety of the citizens of Brewer;

Be it ordained by the City Council of the City of Brewer that Chapter 19, of the City of Brewer Charter, Codes and Ordinances entitled "Traffic Code" to amend Schedule C Item 5 and Schedule B as follows:

ARTICLE 3, SECTION 315 PARKING LIMITED AND PROHIBITED.

SCHEDULE B

No person in charge of a vehicle shall stand, park or leave the same longer than one hundred twenty (120) minutes during the hours of 7:00 A.M. and 7:00 P.M. except Sundays and holidays in the following names streets and highways or portions thereof:

- (1) ~~(Reserve)~~ In any public parking lot owned or leased by the City of Brewer in parking spaces set aside, by order of the City Council from other parking spaces by a sign indicating that such spaces are restricted to one hundred twenty (120) minute parking.
- (2) On the easterly side of Betton Street, in the designated public parking areas outside of the normal travel way.

SCHEDULE C

No person in charge of a vehicle shall stand, park or leave the same at any time in the following streets:

- (5) On the easterly side of Union Street from North Main Street northerly for a Distance of one hundred fifty-six (156') feet, except for ~~library~~ City Hall use only, except that parking will be permitted between 6:00 p.m. and 7:00 a.m. on weekdays and on Saturdays, Sundays and holidays.

2014-C017

September 16, 2014

TITLE: AMEND CHAPTER 10, ARTICLE 1, THE POLICE DEPARTMENT, OF THE CITY OF BREWER CHARTER, CODES AND ORDINANCES, ENTITLED "THE POLICE DEPARTMENT", TO ADD A SECTION 106, DISRUPTIVE PROPERTY.

filed September 10, 2014
by Matthew Vachon

Be it ordained by the City Council of the City of Brewer in City Council assembled that Chapter 10, Article 1, The Police Department, of the Charter, Codes and Ordinances of the City of Brewer entitled "The Police Department" be amended by adding a Section 106, Disruptive Property as follows:

Section 106. DISRUPTIVE PROPERTY

Purpose: The purpose of this Section is to protect the health, safety, and welfare of the residents of the City of Brewer by eliminating the proliferation of properties harboring occupants who disturb the peace and tranquility of their neighborhoods.

Scope. This Section shall apply to the owner(s) of all residential property, as defined in this Section, located in the City of Brewer.

106.1 Definitions: As used in this Section, the following terms shall have the meanings indicated:

DISRUPTIVE ACTIVITIES

Situations created, originating, or conducted within a building or within the boundaries of the property on which a building is located by the owner, owner's employees, owner's representatives, occupants, tenants, or customers thereof, or the visitors to any such owner, occupant, tenant, or customer, which would unreasonably disturb the community, the neighborhood, or an ordinary individual of normal sensitivities at or beyond the property line, including but not limited to:

- A. Loud music;
- B. Boisterous gatherings;
- C. Excessive, loud or unnecessary noises audible beyond the property line;
- D. Altercations occurring on the property, such as fighting, disruptive conduct, brawling or similar activities;
- E. Other similar activities occurring within or outside any building located on the property;
- F. Criminal violations resulting in arrest or summons, to include and not be limited to: any Class A, B, or C felony offenses as defined in M.R.S.A. Title 17-A; Class D and E misdemeanor offenses as defined in M.R.S.A. Title 17-A; and M.R.S.A. Title 15 ss1092 "Violation of Condition of Release".

DISRUPTIVE EVENT NOTICE

A document summarizing the findings of the Police Officer (herein after referred to as an "Officer") investigating a complaint or the Officer's observations. The notice shall contain the time, the property identification, the identification of the Officer, basis of the complaint or observations, citation of this Section and identification of the provisions violated and other items deemed appropriate by the Police Chief (The Public Safety Director acting in his capacity as Police Chief, or his designee, herein after collectively referred to as "Police Chief").

DISRUPTIVE PROPERTY

Any residential property for which the Police Chief has notified the owner that the Police Department has documented and substantiated either two (2) or more disruptive events within sixty (60) days; or three (3) or more disruptive events within one hundred twenty (120) days; or four (4) or more disruptive events within one hundred eighty (180) days; or five (5) or more disruptive events within three hundred sixty (360) days.

OWNER

Any person, including any legal entity, having the right of legal title or the beneficial interest in a residential property or any portion thereof, as that interest is recorded in the tax records of the City of Brewer or the Registry of Deeds of Penobscot County.

RESIDENTIAL PROPERTY

A. Shall mean:

- (1) Lot(s), plot(s), or parcel(s) of land on which a residential building(s) or a building(s) of mixed occupancy is located; or
- (2) Residential building(s), including one-family dwelling(s), multiple dwellings, and rooming houses or boardinghouses; or
- (3) Residential occupancies in building(s) of mixed occupancy.

B. For the purpose hereof, a "mixed occupancy building" means a building used for any purpose that also contains residential occupancy therein.

106.2 Declaration of public nuisance.

- A. A disruptive property is hereby declared to be a public nuisance.
- B. The owner of a residential property shall provide sufficient control, oversight, monitoring, and management of the property to prevent the same from becoming a disruptive property.
- C. The owner of a disruptive property shall be responsible for taking all necessary measures to abate or eliminate the public nuisance.

106.3 Disruptive property prohibited.

No owner of residential property shall maintain, or allow to be maintained or to exist on the owner's property, a disruptive property as defined in this Section. Each and every day that a disruptive event shall be permitted to occur on the property after it becomes classified by the Chief of Police as a disruptive property shall constitute a separate offense.

106.4 Documentation and substantiation of complaints.

The Police Department shall document all responses to observations or complaints of disturbance or disruptive activities. In the absence of a complaint, an Officer may investigate a disruptive activity based upon the Officer's own independent observation. The Officer(s) responding to a disturbance complaint of the Officer's own observation shall, at the Officer's sole discretion, classify each incident as either a substantiated disruptive activity or as an unsubstantiated complaint or observation. The Officer(s) shall identify all properties that are the object of the complaint or observation. The Officer shall issue a verbal and/or written warning to any person observed by the Officer to be present at the property that is the object of the complaint or observation advising them to cease any further disruptive activity on the property. The responding Officer(s) need not identify a single individual associated with the complaint or observation at the property.

106.5 Notice of disruptive events or disruptive property.

A. Whenever the Police Chief determines that a disruptive event has occurred, the Police Chief shall notify the owner of the property as to the findings according to the number and frequency of prior disruptive events, if any, as provided below.

(1) First disruptive event. At the earliest time possible, but within not more than seven (7) days after the first disruptive event at a property, the Police Chief may serve the owner with a copy of this Section and a disruptive event notice advising the owner that the Police Department has documented the occurrence of a disruptive event at the owner's property. Copies of the disruptive event notice shall be provided to the City Manager, Code Enforcement Officer and the Fire Chief (The Public Safety Director in his capacity, or his designee, herein after collectively referred to as "Fire Chief"). The notice shall also advise the owner that subsequent events will result in the property being classified as a disruptive property, and warn the owner that failure to prevent the property from becoming a disruptive property will constitute a violation of this Section.

(2) Second disruptive event. At the earliest possible time, but within not more than seven (7) days after the second disruptive event at a property, the Police Chief may serve the owner with a copy of this Section and a disruptive event notice advising the owner that the Police Department has documented a second disruptive event at the owner's property. In the event that the property has accumulated at this time two (2) disruptive events within a sixty (60) day period, the Police Chief shall further notify the owner that the property has been classified as a disruptive property and that the owner is in violation of this Section and is subject to a remediation process as set forth in this Section. Copies of the disruptive event notice shall be provided to the City Manager, Code Enforcement Officer and the Fire Chief.

(3) Third disruptive event. At the earliest time possible, but within not more than seven (7) days after the third (3rd) disruptive event at a property, the Police Chief may serve the owner with a copy of this Section and a disruptive event notice advising the owner that the Police Department has documented a third (3rd) disruptive event at the owner's property. In the event that the property has accumulated at this time three (3) disruptive events within a one hundred twenty (120) day period, the Police Chief shall further notify the owner that the property has been classified as a disruptive property and that the owner is in violation of this Section and is subject to a remediation process

as set forth in this Section. Copies of the disruptive event notice shall be provided to the City Manager, Code Enforcement Officer, and the Fire Chief.

(4) Fourth disruptive event. At the earliest time possible, but within not more than seven (7) days after the fourth (4th) disruptive event at a property, the Police Chief may serve the owner with a copy of this Section and a disruptive event notice advising the owner that the Police Department has documented a fourth (4th) disruptive event at the owner's property. In the event that the property has accumulated at this time four (4) disruptive events within a one hundred eighty (180) day period, the Police Chief shall further notify the owner that the property has been classified as a disruptive property and that the owner is in violation of this Section and is subject to a remediation process as set forth in this Section. Copies of the disruptive event notice shall be provided to the City Manager, Code Enforcement Officer, and the Fire Chief.

(5) Fifth disruptive event. At the earliest time possible, but within not more than seven (7) days after the fifth (5th) disruptive event at a property, the Police Chief may serve the owner with a copy of this Section and a disruptive event notice advising the owner that the Police Department has documented a fifth (5th) disruptive event at the owner's property. In the event that the property has accumulated at this time five (5) disruptive events within a three hundred sixty (360) day period, the Police Chief shall further notify the owner that the property has been classified as a disruptive property and that the owner is in violation of this Section and is subject to a remediation process as set forth in this Section. Copies of the disruptive event notice shall be provided to the City Manager, Code Enforcement Officer, and the Fire Chief.

B. Method of service. For the purposes of this Section, notices to the owner shall be served in the following ways:

- (1) By certified mail, with address correction and return receipt requested and by first-class mail with address correction requested; or
- (2) In a manner requested in writing by the property owner and by first-class mail with address correction requested; or
- (3) In-hand service by an Officer.

106.6 Remediation process.

A. Once a property has been classified as a disruptive property by the Police Chief, the owner shall be required to undertake a plan of remediation to abate and eliminate that public nuisance in accordance with this Section.

B. If the property has not undergone a comprehensive code and fire-safety inspection within the prior three hundred sixty (360) days, the owner must agree to make available the entire property for a comprehensive inspection by the Fire Department and the Office of Code Enforcement and schedule such inspections to be completed as soon as possible, but within fourteen (14) days of the notice of the disruptive property classification. Furthermore, the owner shall notify in writing all tenants and occupants of the property of the scheduled inspections and provide copies of such notices to the Police Chief. The owner shall also cooperate fully with the City officials to gain entry to all areas of the property. If the property is an owner-occupied one-family dwelling, the foregoing requirements shall only apply if the Code

Enforcement Officer has reasonable grounds to believe that a violation of any applicable codes or ordinances exists on the property.

C. The owner, or the owner's duly authorized agent, shall meet with the Police Chief either within fourteen (14) days of the notice of the disruptive property classification or within fourteen (14) days of the completion of the inspections outlined in this Section, where such inspections are required.

D. At the time of this meeting, the owner, or the owner's duly authorized agent, shall provide to the City the following documentation:

(1) A complete description of the property, including, but not limited to:

(a) A list of all dwelling units and their postal or Emergency 911 address designation as they are located on the property;

(b) Floor plans or sketches for all structures located on the property showing the location of all dwelling unit entrances and egress points, sleeping areas, and common areas;

(c) A site description and sketch acceptable to the Code Enforcement Officer and Fire Chief showing the locations and dimensions of all structures, yards or open spaces or recreational spaces, walkways, parking spaces, driveways, and curb cuts; and

(2) Other descriptive items as might be requested by the Code Enforcement Officer, Fire Chief or Police Chief.

(3) Listing of the names of all tenants and other authorized occupants of the property at the time of the disruptive property classification.

(4) A copy of the terms and conditions contained in any occupancy agreement(s) or other lease document(s) agreed to by tenants of the disruptive property.

(5) Documentation of any other written or verbal arrangements authorizing occupancy of the disruptive property that may exist in addition to a lease agreement.

E. At the time of this meeting, the Police Chief shall, to the extent permitted by law, provide to the owner, or the owner's duly authorized agent, documentation of municipal actions that involved the property in question that were taken in the three hundred sixty (360) day period preceding the disruptive property classification, including but not limited to records of all disruptive events, disturbance complaints, code enforcement complaints and inspections, and fire-safety inspections.

F. Remediation agreement. At the meeting, the owner, or the owner's duly authorized agent, must agree to take effective measures to address the disruptive property, which measures must be satisfactory to the Police Chief and shall be memorialized in a written agreement at the conclusion of the meeting. Remedial measures may include the owner, or the owner's duly authorized agent, taking appropriate steps through the judicial system to terminate the tenancy of the tenant who engaged in disorderly activities. Remedial measures identified in the agreement shall be implemented within fourteen (14) days of the meeting. The Police Chief and the owner, or the owner's duly authorized agent, shall sign this written agreement and copies shall be provided to the City Manager. In the event that the owner, or the owner's duly

authorized agent, fails or refuses to enter into such a written agreement, the Police Chief may pursue an enforcement action as authorized in this Section. Furthermore, in the event that the owner, or the owner's duly authorized agent, fails to meet the obligations of the agreement within the specified timetable to the satisfaction of the Police Chief, the Chief may pursue an enforcement action under this Section.

G. If the owner enters into a remediation agreement acceptable to the Police Chief, the Chief shall delay commencement of an enforcement action, if, in the opinion of the Chief, the owner is making a good faith effort to implement the remediation agreement and no new disruptive event occurs on the property.

106.7 Duration of disruptive property classification.

The disruptive property classification shall be removed from the property by the Police Chief upon the Police Chief's determination of all of the following:

- A. The passage of one hundred eighty (180) days from the date of the last disruptive event without the occurrence of any substantiated disruptive events; and
- B. Payment of all civil penalties and costs arising from the enforcement action; and
- C. Verification by City Officials that all deficiencies, if any, discovered during any inspection under this Section have been corrected; and
- D. Satisfactory implementation of the remediation agreement required under this Section.

106.8 Violations and penalties.

Any person who is found to be in violation of any provision of this Section shall be subject to a civil penalty of not less than \$500 and not more than \$1,000. Each violation of a separate provision of this Section, and each day of violation, shall constitute separate offenses. In addition, if the City is the prevailing party in an enforcement action, said person shall also be liable for all reasonable expenses incurred by the City in the enforcement of this Section, including, but not limited to City of Brewer staff time, attorney's fees, and costs. All civil penalties shall inure to the benefit of the City of Brewer.

106.9 Enforcement.

- A. It is a further violation of this Section for any owner to:
 - (1) Refuse to meet with the Police Chief as required by this Section, or to have the owner's duly authorized agent meet with the Chief; or
 - (2) Refuse to enter into a written remediation agreement as required by this Section; or
 - (3) Fail to fully implement the remediation agreement in compliance with the timetable specified in the agreement; or
 - (4) Fail to abate or eliminate the disruptive property public nuisance.
- B. The Police Chief, with the approval of the City Manager, is authorized to institute, or cause to be instituted, any and all actions and proceedings, either legal or equitable, that may be necessary or appropriate to enforce the provisions of this Section and to seek the abatement and elimination of the disruptive property public nuisance.

106.10 Severability.

In the event that any provision of this Section is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.

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

Mayor Goss asked Lieutenant Chris Martin of the Brewer Police Department to give a brief explanation of the proposed ordinance amendment.

Lieutenant Martin said that this was an additional tool to help preserve the right to peaceful enjoyment of properties in our neighborhoods.

2014-C018

September 16, 2014

TITLE: AMEND CHAPTER 31, ARTICLE 12, SECTION 1208, ABATEMENTS OF THE CITY OF BREWER CHARTER, CODES AND ORDINANCES, ENTITLED "SEWER AND PRETREATMENT ORDINANCE PREAMBLE" TO ADD ITEMS A, B AND C.

filed September 10, 2014
by Joseph Ferris

Be it ordained by the City Council of the City of Brewer in City Council assembled that Chapter 31, Article 12, Abatements, of the Charter, Codes and Ordinances of the City of Brewer entitled "Sewer and Pretreatment Ordinance Preamble" be amended by adding Items A, B and C as follows:

SECTION 1208. ABATEMENTS AND ADJUSTMENTS

~~Abatement for use of water for lawn sprinklers, garden hoses, swimming pools or other uses of significant volumes of water which do not enter the public sewer, may be made on application to the City. The adjusted billing determined shall not be less than the highest billing or adjusted billing during the previous three quarters. No more than two (2) adjustments can be given in one calendar year.~~

A. Outside use of water – residential submeter program

Residential customers shall not be granted abatements for water used for watering lawns or gardens, filling swimming pools or other outside water uses without first installing, at the customer's expense, a secondary water submeter. The submeter shall measure only the volume of water used for outside water uses and/or for purposes of filling indoor swimming pools. Residential submeter program rules and requirements are available on the City's website and from the Brewer Water Department.

B. Abatement due to mechanical failure

An abatement for high consumption due to mechanical failure is available once in a five year period that the customer has had sewer service if certain conditions are met. Abatement applications are available at the Brewer Water Department, the Brewer City Hall Tax Office, and the City's website.

C. Commercial and industrial operations

Commercial, industrial and manufacturing ratepayers may not apply for an abatement of the sewer which does not reach the City's sewer system unless they meet the following requirements:

- (1) All commercial, industrial and manufacturing sewer user ratepayers must first receive written permission from the BWPCF Superintendent and the City's Pretreatment Coordinator prior to engaging in any activity that will remove water from the sewer.
- (2) If a commercial, industrial or manufacturing ratepayer has received permission to remove water from the City sewer and can document the volume with a meter reading they may apply for a sewer abatement request to the Superintendent.
- (3) The Superintendent after consultation with the City Manager and the City Pretreatment Coordinator shall make the final decision as to whether the abatement shall or shall not be granted.
- (4) No more than one (1) sewer abatement shall be given to any manufacturing, commercial or industrial business in any 12 month period.

2014-A150

September 16, 2014

TITLE: ORDER, ACCEPT AN EXTENSION OF MANNS COURT AS A PUBLIC WAY AND AUTHORIZE THE SALE OF AN ADJACENT CITY-OWNED LOT TO AN ABUTTER.

filed September 10, 2014
by Beverly Uhlenhake

WHEREAS, the City has been maintaining a private section of Manns Court for many years; and

WHEREAS, the current owner of the affected property (Largay-Feeney Investments, LLC) has expressed an interest in conveying the area of the private roadway to the City for acceptance as a public way in exchange for an adjacent parcel currently owned by the City; and

WHEREAS, the City Manager, City Engineer and City Planner have negotiated terms and boundaries for the transactions necessary to accomplish this swapping of lands; and

WHEREAS, these terms and conditions have been reviewed by the City Solicitor;

NOW, THEREFORE, BE IT ORDERED, that the City Council herewith accepts a proposed conveyance of 4344.2 square feet of property at the end of Manns Court, as depicted in orange on the attached sketch prepared by the Brewer Engineering Department entitled "Exhibit B, Manns Court Right of Way Extension", from Largay-Feeney Investments, LLC and dedicates such as an accepted extension to the public way known as Manns Court; and

BE IT FURTHER ORDERED, that the City of Brewer accepts, and dedicates as a public way, a 300.4 square foot triangular section of the existing city-owned lot at the end of Manns Court (as depicted in lavender on the above reference sketch); and

BE IT FURTHER ORDERED, that the City Council of the City of Brewer herewith declares the remaining 3957.2 square feet of the city-owned lot at the end of Manns Court (as depicted in green on the above referenced sketch) surplus property and authorizes the City Manager, or his designee, to negotiate the sale thereof to Largay-Feeney Investments, LLC under such terms and conditions as he determines to be in the best interest of the citizens of Brewer; and

BE IT FURTHER ORDERED, that the City Manager, or his designee, is authorized to sign and execute any and all documents necessary to accomplish the directives contained herein.

ACTION: Councilor Uhlenhake moved that the order be withdrawn. The motion was seconded and passed by unanimous vote.

2014-A151

September 16, 2014

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

filed September 10, 2014
by Kevin O'Connell

ORDERED, that the Brewer City Council convene in executive session pursuant to Title 1, Maine Revised Statutes Annotated, § 405(6)(A) on a personnel matter.

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

The order was passed by unanimous vote.

Mayor Goss said the executive session on a personnel matter would include City Council members and the City Manager.

Mayor Goss said the regular meeting would resume after the executive session and take up no more business except to adjourn.

The regular meeting adjourned at 6:47 p.m. for City Council members to go into executive session.

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

| | | | | | |
|---------------------|---|---------|------------------|---|---------|
| Councilor O'Connell | - | present | Councilor Vachon | - | present |
| Councilor Ferris | - | present | Chairman Goss | - | present |
| Councilor Uhlenhake | - | present | | | |

Mayor Goss 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 7:15 p.m.

ADJOURNED, ATTEST: _____ Pamela J. Ryan
City Clerk
A TRUE COPY, ATTEST: _____ Brewer, Maine