

City Council Minutes  
September 17, 2012

Special Meeting  
City Hall Council Chambers

Monday, September 17, 2012  
4:00 p.m.

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

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

Chairman Goss declared a quorum present. City Manager Bost was 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 special meeting.

TO: Joseph Ferris, Larry Doughty, Arthur Verow, Jerry Goss and Kevin O'Connell  
MEMBERS OF THE BREWER CITY COUNCIL You are hereby notified a special meeting of the City Council will be held on Monday, September 17, 2012 at 4:00 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/Howard F. Kroll  
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	K. Bouchard	Ptl.	09/14/12	1428
Larry T. Doughty	L. Sewall	Cpl.	09/14/12	1425
Arthur Verow	L. Sewall	Cpl.	09/14/12	1420
Jerry Goss	L. Sewall	Cpl.	09/14/12	1430
Kevin O'Connell	K. Bouchard	Ptl.	09/14/12	1419

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**CITY COUNCIL SPECIAL MEETING  
Monday, September 17, 2012 4:00 P.M.  
Brewer City Hall Council Chambers**

- I. Call to Order.** (Mayor Jerry Goss)
- II. Roll Call.** (City Clerk)
- III. Pledge of Allegiance to the Flag of the United States of America.**  
(Mayor Goss)
- B. Awards, Petitions and Public Comments.**
  - 1. Public Comments.
- C. Consent Calendar.** (no items)
- D. Monthly Reports.** (none)
- E. Nominations, Appointments, Elections.** (no items)
- F. Unfinished Business.** (no items)
- G. New Business.**  
(2012-A195) ORDER, Reconsider Order 2012-A193 Passed, as Amended,  
at the September 11, 2012 Regular City Council  
Meeting for Further Amendment. (Councilor Verow)
- H. New Items with Leave of Council.**
- I. ADJOURN.**  
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**B. Awards, Petitions and Public Comments.**

**PUBLIC COMMENTS.**

None.

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**C. Consent Calendar.**

No items.

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**D. Monthly Reports.**

None.

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**E. Nominations, Appointments, Elections.**

No items.

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**F. Unfinished Business.**

No items.

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**G. New Business.**

2012-A195

September 17, 2012

TITLE: ORDER, RECONSIDER ORDER 2012-A193 PASSED, AS AMENDED, AT THE SEPTEMBER 11, 2012 REGULAR CITY COUNCIL MEETING FOR FURTHER AMENDMENT.

filed September 14, 2012  
by Arthur Verow

ORDERED, that Order 2012-A193 passed, as amended, at the September 11, 2012 Regular City Council meeting be reconsidered for further amendment as follows:

2012-A193

September 11, 2012

TITLE: ORDER, AUTHORIZE ABATEMENT OF REAL ESTATE TAXES AND FUNDING THEREOF, WITH ACCRUED INTEREST, ~~TO~~ ON MAP 20, LOT 13, CURRENTLY OWNED BY AKTEM BUSINESS PARK, LLC FOR THE 2011 AND 2012 TAX YEARS.

filed September 5, 2012  
by Arthur Verow

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, it is imperative to have the agreement executed immediately so the work may begin on this project; 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, the City has received requests from AKTEM Business Park, LLC on Map 20, Lot 13 for tax abatements for the 2011 and 2012 tax years; and

WHEREAS, the City's Interim Assessor has been negotiating with a representative of AKTEM Business Park, LLC on behalf of the City; and

WHEREAS, the City and AKTEM Business Park, LLC have reached agreement as to the tax values for the tax years in question; and

WHEREAS, the City Council has the authority to grant abatements pursuant to Title 36 M.R.S.A. § 941; and

WHEREAS, Maine law requires a municipality to pay interest on overpayments and abatements;

NOW, THEREFORE, BE IT ORDERED that AKTEM Business Park, LLC is issued an abatement based upon error of \$26,644.98 for the 2012 real estate taxes, plus accrued interest of ~~\$910.08~~; ~~and an abatement based upon error of \$26,644.98~~ 51,134.17 for the 2011 real estate tax year, plus accrued interest, shall also be issued and split proportionally between the two owners of the property for that tax year, Aktem Business Park, LLC and Lemforder Corporation. Said abatements and accrued interest to Aktem Business Park, LLC shall be set off against the 2013 real estate taxes and personal property taxes, plus interest, if any, currently due and payable and the balance, if any, shall be paid to AKTEM Business Park, LLC; and

FURTHER, BE IT ORDERED that the City Council hereby authorizes the appropriation and expenditure of Undesignated Fund Balance to fund the 2011 abatement and Overlay to fund the 2012 abatement, which shall be paid from City account 0100100-300004, and the interest, which shall be paid from account 0116900-509865.

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

The order was passed by unanimous vote.

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#### **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.

2012-A196

September 17, 2012

TITLE: ORDER, AUTHORIZE MAYOR TO SIGN EMPLOYMENT CONTRACT WITH STEVEN T. WEED FOR THE POSITION OF CITY ASSESSOR.

filed September 17, 2012  
(after the deadline)  
by Larry T. Doughty and  
Arthur Verow

WHEREAS, the City has conducted an extensive search to find a suitable candidate to fill the position of Assessor; and

WHEREAS, it has made an offer to Steven T. Weed, of Lamoine, Maine, and that offer has been accepted; and

WHEREAS, the City has conducted a background and reference check, the results of which confirm that Mr. Weed is a quality candidate for this position;

NOW, THEREFORE, BE IT ORDERED, that the City Council hereby authorizes the Mayor to sign an employment contract with Steven T. Weed for the position of Assessor for the City of Brewer; and

FURTHER ORDERED, that the contract shall be for a three year term commencing October 22, 2012 with the second two years of the contract conditioned upon a satisfactory performance review by the City Council of his first year in the position.

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

The order was passed by unanimous vote.

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Chairman Goss said he would accept a motion for adjournment.

**ACTION:** Councilor Doughty moved that the meeting be adjourned. The motion was seconded and passed by unanimous vote. The meeting adjourned at 4:05 pm.

**ADJOURNED, ATTEST:** \_\_\_\_\_ Howard F. Kroll  
City Clerk

**A TRUE COPY, ATTEST:** \_\_\_\_\_ Brewer, Maine