

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-A194 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.**

**CITY OF BREWER, MAINE
IN CITY COUNCIL ASSEMBLED**

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 year 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 proper 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 abatements, which shall be paid from City account 0100100-300004, and the interest, which shall be paid from account 0116900-509865