



**CITY COUNCIL REGULAR MEETING**  
**Tuesday, January 24, 2017 6:00 P.M.**  
**(Postponed to Wednesday, January 25, 2017)**  
**Brewer City Hall Council Chambers**

- I. Call to Order.** (Mayor O’Connell)
- II. Roll Call.** (City Clerk)
- III. Pledge of Allegiance to the Flag of the United States of America.**  
(Mayor O’Connell)
- A. Minutes of December 13, 2016 Regular Meeting.** (Councilor Goss)
- B. Awards, Petitions, Public Comments.**
  - 1. Presentation: FY16 Audit
  - 2. Public Comments.
- C. Consent Calendar.**
  - 1. (2017-A001) ORDER, Accept Donations to the Brewer Public Library.  
(Councilor Vachon)
  - 2. (2017-A002) ORDER, Award Contract for Engineering Services for  
the Wilson Street Traffic Signal Coordination  
Project – Phase II. (Councilor Goss)
  - 3. (2017-A003) ORDER, Accept Donation to the Brewer Fire Department.  
(Councilor Uhlenhake)
  - 4. (2017-A004) ORDER, Accept Grant to Purchase Helmet Mounted Lights  
and Pagers for the Brewer Fire Department.  
(Councilor Ferris)
  - 5. (2017-A005) ORDER, Authorize Additional Funding for Transit  
Costs. (Councilor Vachon)
  - 6. (2017-A006) ORDER, Accept Wellness Funds from Maine Municipal  
Employees Health Trust. (Councilor Goss)
  - 7. (2017-A007) ORDER, Authorize Additional Funding for Lambert Road  
Paving Project. (Councilor Uhlenhake)
  - 8. (2017-B001) RESOLVE, Amend the Schedule of City Council Regular  
Meetings to Change the March, 2017 Regular  
Meeting Date. (Councilor Ferris)
- D. Monthly Reports.** (Councilor Ferris)
- E. Nominations, Appointments, Elections.**
- F. Unfinished Business.** (no items)
- G. New Business.**
  - 1. (2017-C001) Amend Chapter 19, Entitled “Traffic Code”, Article 1, Words and  
Phrases Defined, Section 101, Item F and Article 5, Required  
Obedience to Traffic Regulations, Section 505 of the City of  
Brewer Charter, Codes and Ordinances. (Councilor Vachon)
- H. New Items with Leave of Council.**
- I. ADJOURN.**

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**A. Minutes of December 13, Regular Meeting.**

**ACTION:** Councilor Goss moved that the minutes be accepted and placed on file. The motion was seconded.

Councilor Uhlenhake asked that a correction be made on page 1 of the minutes to change Chairman Uhlenhake to Chairman O'Connell in paragraph 3.

The motion to correct the minutes was seconded and passed by unanimous vote.

The motion to accept and place the amended minutes on file was passed by unanimous vote.

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**B. Awards, Petitions, Public Comments.**

Presentation: FY16 Audit.

Due to the postponement of the City Council's regular meeting from Tuesday, January 24, 2017 to Wednesday, January 25, 2017 because of inclement weather, the representative from the audit firm was unable to be present tonight. This presentation will be presented at the February 14, 2017 regular council meeting.

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**PUBLIC COMMENTS.**

There were no public comments.

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**C. Consent Calendar.**

**ACTION:** Councilor Vachon moved that the orders on the consent calendar have passage and the resolve be adopted.

The motion was seconded and passed by unanimous vote.

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2017-A001

January 24, 2017

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

filed January 18, 2017  
by Matthew Vachon

WHEREAS, the Brewer Public Library has received a contribution of \$100.00 from Robert Lawrence, in memory of his wife, Bettie A. Lawrence; and

WHEREAS, the Brewer Public Library has received contributions totaling \$50.00 from various donors, in memory of Louise Park; and

WHEREAS, the Brewer Public Library has received contributions totaling \$210.00 from various donors, in memory of Mildred Goodness; and

WHEREAS, Mrs. Lawrence, Mrs. Park, and Mrs. Goodness were all active and faithful friends of the Brewer Public Library, spending hours of service to further the mission of the Library; and

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

NOW, THEREFORE, BE IT ORDERED, that the City Council accepts these contributions totaling \$360.00 and authorizes their deposit into account 0107204-300420 (Library Contributions/Donations) and expenditure from account 0117201-502750 (Library Books); and

BE IT FURTHER ORDERED, that the Council authorizes the acceptance of any additional contributions received in memory of Mrs. Goodness and Mrs. Park beyond the contributions mentioned above, and authorizes their appropriation and expenditure to supplement the Library's book budget in accordance with above.

*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.*

#### **STATEMENT OF FACT**

This order accepts contributions to the City of Brewer Public Library, and authorizes the expenditure of these contributions for the purchase of new books.

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2017-A002

January 24, 2017

TITLE: ORDER, AWARD CONTRACT FOR ENGINEERING SERVICES FOR THE WILSON STREET TRAFFIC SIGNAL COORDINATION PROJECT – PHASE II.

filed January 18, 2017  
by Jerry Goss

WHEREAS, the City of Brewer has been collecting impact fees for the planned coordination of traffic signals on Wilson Street; and

WHEREAS, this project was originally intended to be one phase for all eight intersections but was broken into two phases during design to evaluate the new equipment on a smaller scale before making the total investment for the entire project; and

WHEREAS, Phase I of the interconnect project has been up and running well since September 2016 and Phase II will be a continuation of this project; and

WHEREAS, the City was awarded a Municipal Partnership Initiative grant by MDOT in 2016 for construction of phase 2 in 2017 and MDOT will be reimbursing the City for half of the cost of the project, up to \$45,000; and

WHEREAS, due to the intricacies of this project and the limited number of qualified firms capable of designing and constructing this type of work, the Engineering Department would like to reassemble the same team of consultant and contractors that completed Phase 1 for the sake of continuity and consistency;

NOW, THEREFORE, BE IT ORDERED, that that City Council herewith authorizes the City Manager, or his designee, to execute a contract with Milone & MacBroom, Inc. of Portland, Maine in an amount not to exceed \$25,000 for the Engineering and Design associated with Phase Two of the Wilson Street Traffic Signal Interconnect Project; and

BE IT FURTHER ORDERED, that the Brewer City Council herewith exercises its authority under Chapter 36, Section 404 of the City's Purchasing Ordinance for the provision of these Design Services; and

BE IT FURTHER ORDERED, that the City Council hereby prospectively accepts up to \$45,000 in Municipal Partnership Initiative grant funds from MDOT and authorizes their appropriation and expenditure on this signal coordination project; and

BE IT FURTHER ORDERED, that all cost associated with this contract shall be charged to CIP account 0510133-551316-00478 (Signal Coordination).

**STATEMENT OF FACT**

This order awards the contract for design services for Phase II of the Wilson Street Interconnect project, which will add 5 more intersections to the existing three interconnected intersections.  
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2017-A003

January 24, 2017

TITLE: ORDER, ACCEPT DONATION TO THE BREWER FIRE DEPARTMENT.

filed January 18, 2017  
by Beverly Uhlenhake

WHEREAS, the Brewer Fire Department has received a donation of \$1800.00 from the Brewer Firemen's Relief Association; and

WHEREAS, it is the recommendation and request of the Brewer Fire Department that this donation be used to supplement and support the Miscellaneous Supplies and Expenses Account for fire safety supplies;

NOW, THEREFORE, BE IT ORDERED, that the City Council accepts this donation of \$1800.00 and authorizes its deposit into account 0115921-502900 (Misc Supplies and Expenses) and expenditure from account 0115921-502900 (Misc Supplies and Expenses).

*NOTE: The Brewer Fire Department sends a letter of acknowledgement and appreciation on behalf of the City Council and the Fire Department to all who contribute to the department.*

**STATEMENT OF FACT**

This order accepts donations to the City of Brewer Fire Department, and authorizes the expenditure of these donations for fire safety supplies.  
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2017-A004

January 24, 2017

TITLE: ORDER, ACCEPT GRANT TO PURCHASE HELMET MOUNTED LIGHTS AND PAGERS FOR THE BREWER FIRE DEPARTMENT.

filed January 18, 2017  
by Joseph Ferris

WHEREAS, the City has received a grant from the Walmart Foundation to purchase helmet mounted lights and pagers for the Brewer Fire Department; and

WHEREAS, the amount of funding awarded is \$2,230.00 to be used exclusively to purchase helmet mounted lights and pagers;

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 FY17 Walmart Foundation Grant – Fire Revenue Account #0600059–360000-59021 Expenditures shall be drawn from FY17 Walmart Foundation Grant – Fire Expense Account #0600059–560000–59021.

**STATEMENT OF FACT**

The Brewer Fire Department received a grant of \$2,230.00 to purchase helmet mounted lights and pagers. The grant was provided by the Walmart Foundation.

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2017-A005

January 24, 2017

TITLE: ORDER, AUTHORIZE ADDITIONAL FUNDING FOR  
TRANSIT COSTS.

filed January 18, 2017  
by Matthew Vachon

WHEREAS, the City of Brewer recently received the final closeout bill from the Community Connector for 2016 transit services provided to Brewer; and

WHEREAS, the amount due was substantially higher than anticipated due unexpected maintenance, fuel and engine replacement costs; and

WHEREAS, the City will end the fiscal year with surplus motor vehicle excise tax revenues, a portion of which could be appropriated to cover this unanticipated transportation related expense;

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby authorizes the supplemental appropriation of \$25,000 to Transit Operating Expense account 0116500-501110 to be funded with higher than estimated Excise Tax revenues in account 0105500-300010; 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 goods for this project.

**STATEMENT OF FACT**

This order appropriates an additional \$25,000 to the transit expense account to cover the higher than expected final bill for 2016 services. The supplemental funding comes from higher than budgeted excise tax revenues.

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2017-A006

January 24, 2017

TITLE: ORDER, ACCEPT WELLNESS FUNDS FROM MAINE  
MUNICIPAL EMPLOYEES HEALTH TRUST.

filed January 18, 2017  
by Jerry Goss

WHEREAS, the City is eligible to receive \$3,440.00 from the Maine Municipal Employees Health Trust to support wellness initiatives and expenses in CY2017; and

WHEREAS, the City's Wellness Committee has wellness programs planned for this coming year;

NOW THEREFORE BE IT ORDERED, that the Brewer City Council hereby accepts the \$3,440.00 in wellness funds and directs that they be deposited into the City's CY2017 Wellness Grant Revenue account (0600501-360000-53016); and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the appropriation and expenditure of the wellness funds from the CY2017 Wellness Expense account (0600501-560000-53016) to promote the health and wellness of City employees.

**STATEMENT OF FACT**

This order accepts \$3,440.00 from the Maine Municipal Employees Health Trust to be used in calendar year 2017 to support City health and wellness initiatives and expenses.

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2017-A007

January 24, 2017

TITLE: ORDER, AUTHORIZE ADDITIONAL FUNDING FOR  
LAMBERT ROAD PAVING PROJECT.

filed January 18, 2017  
by Beverly Uhlenhake

WHEREAS, the Lambert Road resurfacing project approved as part of the FY17 CIP was originally estimated at \$50,000.00; and

WHEREAS, the extent and costs of permanent pavement subbase repairs greatly exceeded those estimated to the extent that an additional \$30,000.00 is necessary to complete this needed project;

NOW, THEREFORE, BE IT ORDERED, that the Brewer City Council hereby authorizes the supplemental appropriation of \$30,000.00 to the Outer Lambert Road Chip Seal account 0510113-551616 to be transferred from available funds in the CIP Unallocated Fund Balance account 0510140-550090; 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 goods and services for this project.

#### **STATEMENT OF FACT**

This order appropriates an additional \$30,000.00 to the Lambert Road Chip Seal expense account to cover the higher than expected prep and repair work the roadway required. The supplemental funding comes from CIP fund balance.

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2017-B001

January 24, 2017

TITLE: RESOLVE, AMEND THE SCHEDULE OF THE CITY COUNCIL  
REGULAR MEETINGS TO CHANGE THE MARCH,  
2017 REGULAR MEETING DATE.

filed January 18, 2017  
by Joseph Ferris

WHEREAS, the City Council, at its annual meeting held on November 15, 2016, adopted Resolve 2016-B040 establishing dates of its regular monthly meeting for 2017; and

WHEREAS, Tuesday, March 14, 2017 was established as the date for the March, 2017 regular Council meeting; and

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

NOW, THEREFORE, BE IT RESOLVED, that Council Resolve 2016-B040, be amended by changing the date of the regular meeting for the month of March from Tuesday, March 14, 2017 to Wednesday, March 8, 2017 at 6:00 p.m.

#### **STATEMENT OF FACT**

Due to conflicting schedule of a City Council member, the March regular council meeting will be rescheduled so that all Councilors will be available to attend.

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#### **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.

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

There were no items.

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#### **F. Unfinished Business.**

There were no items.

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**G. New Business.**

2017-C001

January 24, 2017

**TITLE:** AMEND CHAPTER 19, ENTITLED "TRAFFIC CODE", ARTICLE 1, WORDS AND PHRASES DEFINED, SECTION 101, ITEM F AND ARTICLE 5, REQUIRED OBEDIENCE TO TRAFFIC REGULATIONS, SECTION 505 OF THE CITY OF BREWER CHARTER, CODES AND ORDINANCES.

filed January 18, 2017  
by Matthew Vachon

Be it ordained by the City Council of Brewer in City Council assembled that Chapter 19, Article 1, Words and Phrases Defined, Section 101, Items F and Article 5, Required Obedience to Traffic Regulations, Section 505 of the Charter, Codes and Ordinances of the City of Brewer entitled "Traffic Code" be amended to read as follows:

**A. ARTICLE 1, WORDS AND PHRASES DEFINED**

**SECTION 101**

(f) Pedestrian - Pedestrian means "A person on foot or an operator of a wheelchair, ~~or~~ a 4-wheeled or 3-wheeled motorized wheelchair, or a battery driven 3 or 4 wheel scooter specifically designed as an aid to those with mobility restrictions."

**B. ARTICLE 5, REQUIRED OBEDIENCE TO TRAFFIC REGULATIONS**

**SECTION 505**

The speed limits within the City of Brewer are subject to the direction of the ~~Municipal Officers~~ Commissioner of Transportation in accordance with Title ~~20-29-A~~, M.R.S.A., Section 2073.

**STATEMENT OF FACT**

This amendment updates an existing definition based on new equipment that is available for use on sidewalks and also corrects a reference on who can set speed limits in the City of Brewer.

**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.

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**H. New Items with Leave of Council.**

There were no items.  
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Chairman O'Connell said he would accept a motion for adjournment.

**ACTION:** Councilor Goss moved that the meeting be adjourned. The motion was seconded and passed by unanimous vote. The meeting adjourned at 6:05 p.m.

**ADJOURNED, ATTEST:** \_\_\_\_\_ Pamela J. Ryan  
City Clerk  
**A TRUE COPY, ATTEST:** \_\_\_\_\_ Brewer, Maine