

City Council Minutes
February 12, 2019

Regular Meeting
City Hall Council Chambers

Tuesday, February 12, 2019
6:00 p.m.

The regular meeting was called to order by Chairman Beverly Uhlenhake. The City Clerk called the roll:

Councilor Morelli-present
Councilor O’Connell-present
Councilor Ferris-present

Councilor Goss-present
Chairman Uhlenhake-present

Chairman Uhlenhake declared a quorum present. City Manager Stephen Bost and City Solicitor Jonathan Pottle were also present.

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

Chairman Uhlenhake read the notice for the regular meeting.

TO: Joseph Ferris, Jerry Goss, Kevin O’Connell, Thomas Morelli 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, February 12, 2019 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/Beverly Uhlenhake
Mayor and Chairman of the City Council
Or _____
Majority of the City Council

a true copy, attest: s/Ronda J. Hogan
City Clerk

I have on the date(s) and time(s) indicated given notice of this meeting by giving in hand of 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	Jones	Corporal	02/08/19	16:53
Thomas Morelli	Everett	Officer	02/08/19	16:54
Beverly Uhlenhake	Jones	Corporal	02/08/19	16:42
Jerry Goss	Everett	Officer	02/08/19	16:46
Kevin O’Connell	Jones	Corporal	02/08/19	16:46

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CITY COUNCIL REGULAR MEETING
Tuesday, February 12, 2019 6:00 P.M.
Brewer City Hall Council Chambers

- I. Call to Order.** (Mayor Uhlenhake)
- II. Roll Call.** (City Clerk)
- III. Pledge of Allegiance to the Flag of the United States of America.** (Mayor Uhlenhake)
- A. Minutes of January 22, 2019 Regular Meeting** (Councilor O'Connell)
- B. Awards, Petitions and Public Comments.**
 - 1. (2019-B002) RESOLVE Resolution of Respect for Richard P. Hawkins (Councilor Ferris)
 - 2. (2019-B003) RESOLVE Resolution of Respect for Arline Geaghan (Councilor Goss)
 - 3. (2019-B004) RESOLVE Recognize Ann Marie Boudreau, Finance Department, for 30-years of dedicated service (Councilor O'Connell)
 - 4. Presentation: FY18 Audit
- C. Consent Calendar.**
 - 1. (2019-A008) ORDER Authorize facility and construction services to install valves at Oak Grove pump station (Councilor Morelli)
 - 2. (2019-A009) ORDER Authorize the City Manager, or his designee, to execute a Municipal/State agreement for the resurfacing of a portion of South Main Street (Councilor O'Connell)
- D. Monthly Reports.** (Councilor Morelli)
- E. Nominations, Appointments, Elections.**
 - 1. (2019-A010) ORDER Appoint member to the Board of Commissioners of the Housing Authority of the City of Brewer (Councilor Ferris)
- F. Unfinished Business.**
- G. New Business.**
 - 1. (2019-C001) Amend Chapter 24 Entitled "Land Use Code" of the City of Brewer Charter, Codes and Ordinances, Table of Contents and Article 4, Performance Standards, Section 405 Automobile Graveyard, Automobile Recycling Facility and Junkyards. (Councilor Goss)
- H. New Items with Leave of Council.**
- I. ADJOURN.**

- A. Minutes of January 22, 2019 Regular Meeting** (Councilor O'Connell)

ACTION: Councilor O'Connell moved that the minutes be accepted and placed on file. The motion was seconded and passed with unanimous vote.

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

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TITLE: RESOLVE, RESOLUTION OF RESPECT FOR RICHARD P. HAWKINS

Filed January 28, 2019
By Joseph L. Ferris

WHEREAS, on the 21st day of January 2019, death brought to a close the full and active life of Richard P. Hawkins of Brewer; and

WHEREAS, Richard was a graduate of Houlton High School in the Class of 1950 before continuing his education at Ricker College, graduating with a degree in Accounting; and

WHEREAS, one of Richard's proudest achievements was the purchase of Hamel Fuels in 1981 which he successfully operated as President and CEO for 20 years, and

WHEREAS, Richard served his community in numerous ways including President of the Greater Bangor Open Golf Tournament, President of the Brewer Economic Development Corporation, a director of the Bangor Chamber of Commerce, Board of Governors of the Penobscot Valley Country Club and was a Director of Eastern Maine Development Association; and

WHEREAS, Richard's involvement continued within his profession, serving as Chairman of the Board of Directors of Maine Oil Dealers Association as well as Director Emeritus of Maine Oil Dealers Association.

NOW THEREFORE BE IT RESOLVED, that the Brewer City Council does by this resolution and public pronouncement, recognize the positive influence of Richard P. Hawkins to the well-being and development of the community in which he lived and earned the deep respect of all who knew him; and

FURTHER, RESOLVED, that this resolution be spread upon the permanent records of the City of Brewer and that copies thereof be distributed to members of his family in testimony to the high esteem held for Richard P. Hawkins by the citizens and officials of the City of Brewer, Maine.

ACTION: Councilor Ferris moved that the resolve be tabled until the March 5, 2019 meeting due to the fact that the Hawkins family could not be present tonight.
The motion was seconded and passed by unanimous vote.

2019-B003

February 12, 2019

TITLE: RESOLVE, RESOLUTION OF RESPECT FOR ARLINE GEAGHAN

Filed January 30, 2019
By Jerry Goss

WHEREAS, on the 25TH day of January 2019, death brought to a close the full and active life of Arline Geaghan of Brewer and Bangor; and

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WHEREAS, Arline was a graduate of John Bapst High School in 1939 and then continued her education and attained her RN from Sister's Hospital in Waterville, Maine; and

WHEREAS, Arline married John Geaghan in December of 1945 and they settled in Brewer where they lived and raised their family of eleven children, and

WHEREAS, Arline worked as a nurse in various capacities, from the hospital nursery, to private duty nursing, to geriatric care. For many years she was in charge of the Nurses Registry. The Registry was essentially an early employment agency for nurses in which Arline would pair a nurse with an expressed need for nursing services. The Registry operated from her home which gave Arline the ability to work as she raised her active family; and

WHEREAS, in 1975 Arline, along with her husband, John, established John Geaghan's Roundhouse Restaurant on Main Street in Bangor, where she greeted, seated and warmly welcomed every customer who came through the door. After her husband's death in 1983, Arline continued to remain active in the restaurant both greeting customers and behind the scenes working in the office until her retirement, in 2016, at the age of 96 years old; and

WHEREAS, Arline made a career out of nursing and the restaurant business, her true vocation and the one she held most dear, was that of Mom. She always said her greatest accomplishment was her children and she loved them all deeply.

NOW THEREFORE BE IT RESOLVED, that the Brewer City Council does by this resolution and public pronouncement, recognize the positive influence of Arline Geaghan to the well-being and development of the community in which she lived and earned the deep respect of all who knew her; and

FURTHER, RESOLVED, that this resolution be spread upon the permanent records of the City of Brewer and that copies thereof be distributed to members of her family in testimony to the high esteem held for Arline Geaghan by the citizens and officials of the City of Brewer, Maine.

ACTION: Councilor Goss moved that the resolve be adopted. The motion was seconded. Councilor Goss read the resolve into the record and presented the Geaghan family with copies. Councilor Goss stated that Arline Geaghan was a true matriarch and will be missed. Councilor Ferris stated that he got to know Mrs. Geaghan and thought that she was a lovely woman, a beautiful woman very similar to his own mother and she will definitely be missed but she is congratulated on a job well done with her family. Councilor O'Connell stated that Mrs. Geaghan was the epitome of class, he stated that if he had not had his mother he would have wanted Mrs. Geaghan as his mother. Councilor Morelli stated that he has memories of the Geaghan house from when he was a kid and it was like a restaurant back then, he could stop in anytime and get cookies and kool-aid and Mrs. Geaghan was always so sweet and kind to all the kids.

Councilor Uhlenhake, not having grown up in Brewer does not have the same childhood memories as the other Councilors, she met Mrs. Geaghans at the restaurant and although

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she did not know her well she believes she must have been an wonderful person due to the fact that she raised an amazing family.
The motion was passed unanimously.

2019-B004

February 12, 2019

TITLE: RESOLVE, RECOGNIZE ANN MARIE BOUDREAU, BREWER FINANCE DEPARTMENT, FOR 30 YEARS OF DEDICATED SERVICE

Filed February 6, 2019
By Kevin O'Connell

WHEREAS, on February 14, 2019, Ann Marie Boudreau, Utility Billing Clerk, will complete thirty (30) years of dedicated service as an employee for the City of Brewer; and

WHEREAS, Ms. Boudreau on February 14, 1989, began working for the Brewer Finance Department as a Tax Office Clerk and served in that position for 1 year and 5 months; and

WHEREAS, Ms. Boudreau on July 1, 1990, moved to become the Utility Billing Clerk and served ably in that capacity for 14 years and 6 months; and

WHEREAS, Ms. Boudreau in January 2005, returned to the position of Tax Office Clerk and has served in that capacity with efficiency and effectiveness for 14 years and 1 month; and

WHEREAS, her distinguished career as a public servant is recognized by her peers, her fellow employees and the general public that she serves so well; and

WHEREAS, the citizens of Brewer admire her for her honesty and knowledge on matters of utility billing, tax collection, vehicle registrations and other services provided by the Tax Office; and

WHEREAS, Ann Marie has provided outstanding service to the City of Brewer residents, and her dedication is greatly appreciated; and

WHEREAS, on the occasion of her completing thirty (30) years of service, the Brewer City Council wishes to publicly recognize her long and distinguished service as an employee of the City of Brewer.

NOW, THEREFORE, BE IT RESOLVED, that the Brewer City Council, on behalf of the citizens of the City of Brewer, herewith expresses its deep appreciation to Ann Marie Boudreau for serving the community in a caring and professional manner for the past thirty (30) years.

ACTION: Councilor O'Connell made a motion that the resolve be adopted. The motion was seconded.
Councilor O'Connell read the resolve into the record and presented the resolution to Ms.

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Boudreau. He stated that everyone is very appreciative to Ann for “knocking out 3 decades”, it is not an easy task, it takes a lot of dedication and that is very appreciated. Karen Fussell, Finance Director, congratulated Ann on her 30 years with the City, stating that Ann has been with the City through a lot of changes. She stated that Ann has had a great impact on the City, she is well loved, and very well respected and the citizens of Brewer are very lucky to have her contributing to the day to day operations of the City. Councilor Ferris congratulated Ann and said that she does her job so well, after all she is taking his money but somehow, she makes it all ok.

Chairman Uhlenhake said congratulations and thank you for not laughing when she comes into the office with her late car registration, your professionalism is appreciated. Councilor Goss thanked Ann for always having a smile when he comes in the office and congratulated her.

The motion passed unanimously.

Presentation of the FY2018 Audit Report

Public Comments

There were no public comments.

C. Consent Calendar.

2019-A008

February 12, 2019

TITLE: ORDER, AUTHORIZE FACILITY AND CONSTRUCTION SERVICES
TO INSTALL VALVES AT OAK GROVE PUMP STATION

Filed February 4, 2019
By Thomas Morelli

WHEREAS, the Oak Grove pump station has been on-line since 1975, and

WHEREAS, two plug valves and one check valve have worn out and will no longer allow operators to isolate pumps to perform maintenance, and

WHEREAS, we have received a proposal from Facility and Construction Services for \$19,953.00 to install the new valves.

NOW, THEREFORE, BE IT ORDERED, that the City Manager or his designee, is authorized to sign a purchase order to Facility Construction Services for \$19,953.00 to install the new valves, and

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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 supplies and contractor services for this project.

BE IT FURTHER ORDERED, that the cost of the valve replacement project be charged to account number 0818101-502700, Pump Station Materials and Supplies.

STATEMENT OF FACT

The valves are well past their life expectancy and need to be replaced immediately so the station can be properly maintained.

2019-A009

February 12, 2019

TITLE: ORDER, AUTHORIZE THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A MUNICIPAL/STATE AGREEMENT FOR THE RESURFACING OF A PORTION OF SOUTH MAIN STREET

Filed January 29, 2019
By Kevin O'Connell

WHEREAS, the City Manager signed a preliminary 3-Party Agreement with BACTS and the MDOT on 7-5-17 for the resurfacing of the section of South Main Street from Abbott Street to Elm Street (MDOT WIN 22410); and

WHEREAS, the MDOT is scheduled to bid this project in March of 2019 for completion during the summer of 2019; and

WHEREAS, the City has planned to include funding in the FY 2020 CIP in amount of \$70,000 for its 10% cost share for this project; and

WHEREAS, there will also be an estimated cost of \$12,000 to the City's sewer fund to adjust the sewer manhole covers in preparation for the resurfacing;

NOW, THEREFORE, BE IT ORDERED that the City Manager or his designee is authorized to execute a Municipal/State Agreement, and any other necessary documents, with the Maine Department of Transportation committing the City of Brewer to a 10% cost share (up to a maximum of \$70,000) for the completion of the South Main Street Resurfacing Project (MDOT WIN 22410) and to an estimated \$12,000 cost to adjust sewer manhole covers; and

BE IT FURTHER ORDERED, that the Finance Director shall include line items in the FY 2020 CIP and Sewer budgets for these \$70,000 and \$12,000 commitments.

FURTHER ORDERED, that the City Council, in anticipation of funding these obligations in FY2020, hereby authorizes the payment of any invoices related to these agreements, including preliminary engineering and other required progress payments, that might be due prior to the start of the

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2020 fiscal year. City share resurfacing costs shall be charged to CIP account 0510113-551392 (South Main Repave – City Share); manhole cover costs shall be charged to account 0818101-502700 (Sewer Materials and Supplies).

STATEMENT OF FACT

This order authorizes the formal agreement and \$70,000 in funding for the city's 10% cost share for the MDOT's South Main Street Resurfacing Project (MDOT WIN 22410), which is scheduled to be completed this summer. It also provides \$12,000 from the sewer fund to adjust manhole covers. Funding for these obligations will be included in the FY2020 budget and may come in whole or in part via bond financing.

ACTION: Councilor Goss moved that the orders on the consent calendar have passage, the motion was seconded and passed by unanimous vote.

D. Monthly Reports

ACTION: Councilor Morelli 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.

2019-A010

February 12, 2019

TITLE: ORDER, APPOINT MEMBER TO THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF BREWER

Filed January 2019
By Joseph L. Ferris

ORDERED, that Louis Tardiff, 25 McKinnon Drive, is herewith appointed to the Board of Commissioners of the Housing Authority of the City of Brewer to fill a current vacancy; and

BE IT FURTHER ORDERED, that Mr. Tardiff's term will commence immediately and expire March 31, 2019.

STATEMENT OF FACT

This is an order to fill a vacant position on the Brewer Housing Authority.

ACTION: Councilor Ferris moved that the order have passage. The motion was seconded. Councilor Ferris moved that the title of the order be amended to include a complete order number, 2019-A010. The motion was seconded and passed unanimously. The order passed unanimously as amended.

F. Unfinished Business

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No items

G. New Business

2019-C001

February 12, 2019

ORDER AMEND CHAPTER 24, ENTITLED “LAND USE CODE” OF THE CITY OF BREWER CHARTER, CODES AND ORDINANCES, TABLE OF CONTENTS AND ARTICLE 4, PERFORMANCE STANDARDS, SECTION 405 AUTOMOBILE GRAVEYARD, AUTOMOBILE RECYCLING FACILITY AND JUNKYARDS.

Filed February 6, 2019
By Jerry Goss

Be it ordained by the City of Brewer in City Council assembled that Chapter 24, of the Charter, Codes and Ordinances of the City of Brewer, entitled “Land Use Code” shall be amended as follows:

TABLE OF CONTENTS

ARTICLE 4 PERFORMANCE STANDARDS

405 Automobile Graveyard, Automobile Recycling Facility, ~~And~~ Junkyards, and Motor Vehicle Parking/Storage

ARTICLE 4 PERFORMANCE STANDARDS

405 AUTOMOBILE GRAVEYARD, AUTOMOBILE RECYCLING FACILITY, ~~AND~~ JUNKYARDS, AND MOTOR VEHICLE PARKING/STORAGE

No person or landowner shall allow any automobile graveyard, junkyard or automobile recycling facility, hereinafter referred to as facility, to be established, operated, maintained or suffered to exist without first obtaining Site Plan Review approval by the Planning Board, a non-transferable land use permit issued by the City Council in accordance with State licensing and local requirements, and complying with the following provisions:

405.10 Motor Vehicles Parking and Storage of: It shall be unlawful to store any vehicle which is unregistered or uninspected off premise from where the vehicle owner resides, without the City of Brewer Code Enforcement Office approval. No more than one unregistered or uninspected motor vehicle shall be parked, kept or stored at the premises where the vehicle owner resides, and no vehicle shall be, at any time, in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. This does not apply to collectors of vehicles generally identified as antique, rare or classic and to businesses which have received all required approvals and permits from the City of Brewer for the property upon which the vehicles are parked or stored.

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STATEMENT OF FACT

This ordinance amendment is proposed to regulate the storing of junk vehicles off site of where the owner lives, which is an issue for tracking for fluid leaks or harboring any vermin.

The Planning Board held a public hearing on February 4, 2019 and unanimously made the recommendation to adopt this amendment.

ACTION: Councilor Goss moved that the amendment be certified and filed with the City Clerk for posting. The motion was seconded.

Councilor Ferris questioned Code Enforcement Officer Stewart Brooks as to the intention of this amendment.

The amendment passed by unanimous vote.

H. New Items with Leave of Council.

No items

I. Adjourn.

ACTION: Councilor Ferris moved that the meeting be adjourned. The motion was seconded and passed by a unanimous vote. The meeting adjourned at 6:45p.m.

ADJOURNED, ATTEST: _____ Ronda J. Hogan

City Clerk

A TRUE COPY, ATTEST: _____ Brewer, Maine